Civic Crowdfunding under Citizens United: Empowering Counterpublic Activists for a Commoditized Public Sphere

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CIVIC CROWDFUNDING UNDER CITIZENS UNITED:
EMPOWERING COUNTERPUBLIC ACTIVISTS
FOR A COMMODITIZED PUBLIC SPHERE

by

LAURA WILLIAMS

Under the Direction of Mary Hocks, PhD and Ashley Holmes, PhD

ABSTRACT

This dissertation proposes the civic crowdfunding platform as a worthy object for critical study and as a powerful tool for liberation and transformation of the public sphere. I use Freirean praxis and empirical measures of policy outcomes to argue that under the current political system, specifically the constraints and incentives induced by Supreme Court rulings Citizens United v. FEC and McCutcheon v. FEC, a citizen’s (or corporation’s) financial contribution has superseded voting, legislator contact, and protest as the most effective form of civic engagement and political activism. To evaluate effectiveness, I revive speech act theory and J. L. Austin’s “performative speech acts” and arrange digital and traditional speech acts along an axis of performativity. Additionally, this study classifies crowdfunding as counterpublics whose unmet demands,
per M. Lane Bruner’s conception of counterpublics, are especially well addressed by
digital civic crowdfunding. Digital crowdfunding specifically addresses issues of
accessibility and inclusiveness through lowered material constraints, fewer exclusionary
criteria, decentralized power, and mechanisms for accountability.

The study employs participatory, iterative scholarship in a live test case campaign
(and a resulting public) on the civic crowdfunding site ShiftSpark, in collaboration with
its founder Ben Yee. Screenshots and the language of the test campaign are included, and
a summarizing chapter explains my selection of the issue and its public as an exemplar of
a counterpublic whose political participation is currently constrained by an oppressive
system. Using this example, I argue crowdfunding counterpublics can be consciousness-
raising and disruptive, capable of challenging existing power distribution. Citizen
crowdfunding therefore embodies many of the hopes of post-bourgeois public sphere and
liberatory civic and social action.

INDEX WORDS: Crowdfunding, Digital Activism, Political Rhetoric, Civic Hacking,
Participatory Democracy, Counterpublic Rhetoric, Citizens United
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LAURA WILLIAMS

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Georgia State University
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DEDICATION

For Elizabeth Jessie, who has been listening to chapter two since before she was born.
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The completion of this project and personal milestone would not have been possible without:

My committee, whose patience and insights have enabled me not only to enter the academy and its public sphere, but to earn a place and a voice within it.

The Georgia State faculty whose scholarship, reading recommendations, and coursework led me to an appreciation of public intellectualism, civic engagement, and social activism as scholarly pursuits, restored my confidence in the democratic public sphere, and encouraged me to make a difference where I can.

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1 INTRODUCTION

This dissertation began as a speculative exercise on the advantages crowdfunding platforms offered citizen-scholars and activists to create effective social change. The rationale for the project emerges from the confluence of two distinct currents in American political participation, and one less well-known stream of scholarly attention. First, the post-social turn of Rhetoric and Composition has moved our field toward practical rhetorical engagement and reciprocal activism in community and collaboration with non-scholars and others outside the academy whose activism might be advanced by our understandings. Second, digitally enabled counterpublics are developing emergent social activist strategies, platforms, and tools which promise to revolutionize American political discourse. Third, a series of rulings from the United States Supreme Court have effectively equated the political speech act and the campaign contribution, inviting scholars to discuss campaign finance reform as a rhetorical battleground. At the juncture of these three trends emerges my research and case study.

The hypothesis that a post-\textit{Citizens-United} political landscape and the rise of digital activist publics present a unique opportunity to expand citizen access to the performative public sphere of American politics is informed by my understandings of contemporary political discourse, social activism, and public scholarship. Positioning myself among Paulo Freire’s “liberated citizens,” Ellen Cushman’s “rhetors as agents of social change,” and David Coogan and John Ackerman’s “citizen-scholars,” and aware of the pressure of the political moment, I stumbled into iterative scholarship as a citizen-rhetor-activist, and have become an advocate for one tool and one policy alternative as the most timely and potentially powerful: civic crowdfunding.

My first task was to take a praxis-based approach to interrogate the current system of rhetorically constructed political speech and activism as it operates under \textit{Citizens United} to
“critically recognize the causes [of oppression]” (Freire 51) and explicate “the terrible significance” of the current oppressive regime (Freire 29). This requirement is echoed in M. Lane Bruener’s imperative that we interrogate, “what constitutes healthy interrelationships between what people believe and the trajectory of policies and institutions” especially of oppressive systems as a prerequisite to activist-scholarship (58). I will provide a brief overview of the relative effectiveness of civic speech acts, specifically the constraints and incentives induced by *Citizens United* and *McCutcheon v. FEC*, to argue that under the current political system, the financial contribution has superseded voting, legislator contact, and protest as the most effective form of civic engagement and political activism.

To demonstrate the dominance of the campaign contribution, I revive speech act theory and J. L. Austin’s definition of “performative speech acts” as those which have a practical, real-world impact, “embodying action, rather than simply reporting on or describing reality,” in a way that results in reliable, repeatable, quantifiable change. Using a combination of empirical sources on the ineffectiveness of particular speech acts (voting, contacting a legislator, protesting) in achieving their purposes for the (counter)publics, I place these acts of civic engagement and social activism on a spectrum of performativity according to their likelihood of reaching their goals. The initial hypothesis is confirmed: high-value donations are the most performative speech acts in the existing political system.

With conclusion in mind, I propose the civic crowdfunding platform as a worthy object for critical study by Rhetoric and Composition scholars, and I contend that digital-only activists (sometimes dismissed as slacktivists or clicktivists) are an equal partner in rhetorically sound civic engagement, uniquely empowered to create social change by a kairotic confluence of campaign finance practices and emergent tools of engagement and effective activism. Criticisms
of exclusively digital strategies, both by Rhetoric and Composition and Communications scholars (Deans, Roswell, and Wurr) and by public intellectuals and activist-scholars (Gladwell; Csikszentmihályi) as ineffective or even counterproductive, rely on outdated assumptions of what constitutes “strong” networks and creates genuine change, and as a result underestimate the potential of emergent tools (Bond et al.; Goodling).

Familiar crowdfunding technologies like GoFundMe, Kickstarter, Indiegogo, and Patreon restrict the scope of their usage to private charity, production of physical prototypes, and individual support of creative projects, respectively, and are not usually regarded as mechanisms for activism. The crowdfunding platforms profiled, and my chosen platform for a test case ShiftSpark, are each constructed specifically to empower political change through digital civic activism, and their potential participants constitute a counterpublic under the definitions established by Michael Warner and M. Lane Bruner.

Participants in a crowdfunding project constitute a public per Michael Warner’s widely accepted 2005 definition, and that public is “autotelic; it exists only as the end for which [a particular persuasive publication or rhetorical message] is produced” (66-7). I further classify crowdfunders as counterpublics, according to Bruner’s conception of them as “…particular collections of factions or interests within a community who claim to represent the people…[which]…necessarily create a field of unmet demands” (60). Those publics who find themselves well represented by traditional political systems have, by definition, less incentive to seek revolutionary tools; nontraditional modes of influence attract the disenfranchised and underserved. Political crowdfunding sites simultaneously expand the number of potential influential donors and compound the influence of each modest donation through its bundling
mechanism, which I argue makes the tool more inclusive and empowering to a larger group of citizens than traditional representative structures.

Building on these stipulative definitions of counterpublics and performativity, I call on Warner and Barbara Warnick to predict characteristics of a strengthened social activist movement and more responsive public sphere (sometimes by identifying their absence in a less responsive one). These “unmet needs” include accessibility and inclusiveness (lowered material constraints on engagement, fewer exclusionary criteria for participation, decentralized power) and accountability (provision of material restitution or established course of action in case of non-fulfillment or breaking of the performative contract), which are well addressed by crowdfunding platform design. Other desirable characteristics suggested by public sphere theorists, including consensus-building deliberation and reliable transparency or anonymity), could be incorporated into crowdfunding platforms with adjustments of varying degrees of feasibility (adoption of a wiki format and adjustments of reporting criteria under the Internal Revenue Service code or Federal Election Commission rules, respectively). Even these areas of relative failure are comparatively well addressed by citizen crowdfunding platforms over traditional methods of social and political activism as a factor of policymaking. Further, I argue that in their inclusiveness and performativity, crowdfunding campaigns are likely to be disruptive: empowering non-majority (counterpublic) activists to challenge existing power distribution and serving as a check on state power. Citizen crowdfunding therefore embodies the liberatory and revolutionary speech and civic action (Fraser; Freire; Bruener).

My method ultimately—and the foundation for what I have loosely called a test case—is to put these concepts into dialogue to create assessment criteria to evaluate crowdfunding as a tool capable of meeting the unmet needs of a counterpublic and for a rejuvenated public sphere.
Aware of the timeliness of this technology, I have operationalized the key concepts into a ready-to-test campaign to meet a pressing social need and in service of an under-organized counterpublic.

While I might have selected any policy alternative under negotiation, the legalization of cannabis (specifically its removal from the Federal Controlled Substances Act) was chosen for its timeliness in the public consciousness, as well as its close conformance to the emergent principles of social activism I stipulate. To wit, cannabis legalization can be resolved by a speech act by a single, publicly visible, targetable individual: a president can instruct Attorney General (AG) or Drug Enforcement Agency (DEA) to remove a substance from the Schedule of Controlled Substances under Part B of the FDA rules. The immediacy and visibility of this power promotes the “performative” and “accountable” elements of this speech act. Likewise, cannabis legalization mobilizes a significant counterpublic whose varied interests could be met by a single action. A majority of the American public (54-64% in 2016 surveys by Pew and Gallup respectively) differs from the current stance of its government, indicating unmet need, and a counterpublic with high potential to become a politically potent force if empowered with a crowdfunding platform capable of creating real change.

1.1 Rationale

Paulo Freire’s “liberated citizens,” Ellen Cushman’s “rhetors as agents of social change,” and Coogan and Ackerman’s citizen-scholar are the most influential models for my vision of crowdfunding as scholarly, civic, and community action. Each encourages a young, uncertain scholar like me to consider many forms of civic engagement as worthy of my scholarly attention, especially tactics with the potential to transform the structures of oppression. Nowhere is this attention more needed, especially in 2016, than in the shambles of the American representative
democracy. If I can enact social change where I have been a participant and perpetuator of a systemic political oppression, I have a responsibility to explicate and expose those systems with the goal of liberating and empowering communities that have been excluded. If I can offer the advantages my own scholarship to traditionally underrepresented counterpublics which I know well and in which I participate, if my research predicts specific practices might benefit them, reciprocity demands I try to do so. That this work made me uncomfortable, that being exposed in these communities without the protection of informed consent documentation, the guise of objectivity, is only a taste of the disenfranchisement faced by many others. But it requires the same vulnerability Cushman so poignantly describes in her interactions with the “disenfranchised” communities around her university.

In her “The Rhetorician as an Agent of Social Change,” first published in College Composition and Communication (CCC) in 1996, Ellen Cushman calls for a reimagining of the scholar’s role in her community, claiming that “modern rhetoric and composition scholars can be agents of social change outside the university” (Cushman 372). While classroom pedagogies have been central to the last several decades of scholarship in our field, the intensifying need for social change in extra-academic publics (in which individual academics already participate) should heighten our call for community engagement and activism, informed by a critical understanding of the emerging tools and rhetorical means of enacting social change. Our direct civic participation may be necessary, as Cushman claims, to “empower people in our communities, establish networks of reciprocity with them, create solidarity with them” (7). It is in that spirit that I submit for consideration by activist-scholars my recommendation of a tool for co-creating publics, enacting civic and social change, and liberating our fellow citizens from an oppressive system that currently fails to represent them: civic, digital crowdfunding platforms.
My particular civic participation and my choice of crowdfunding as a tool to enact social change came about as I internalized Rhetoric and Composition’s narrative of civic engagement (Cushman; Fraser; Warner; Freire; Coogan and Ackerman) and began to see my role among the publics I work for, using the methods of my field to develop tools that help publics to remake themselves. The Freirean tradition of composition as liberatory activism demands that our work, where possible, expand the number and strength of unheard voices, to educate the public on the nature of an oppressive system, and empower them to reform it.

In the introduction to their edited collection “The Public Work of Rhetoric,” John M. Ackerman and David J. Coogan are quite clear in their hopes for a renewed conception of Rhetoric and Composition as not mere scholarship but as contributing to the public sphere and taking on a new character to provide engaged public service. They write:

…to study and practice rhetoric “out there” is to embody the role of the rhetor by tapping into new streams of disciplinary life through an embodied practice that is guided by a critical reflexivity and community. To do rhetoric ‘out there’ requires a shedding of academic adornments, a different professional disposition, new participatory and analytic tools, and a more grounded conception of public need (8).

As a doctoral candidate, my normative expectations of what rhetorical scholarship should look like depended on outdated understanding of the scholar’s role relative to the public she serves. We are each Cushman’s rhetors and agents for social change; we have permission to act as the catalyst of creating things and publics we hope can enact change. We are each already engaged and active members of communities, and “[w]e are not all building the same things for the same reasons with the same tools in the same public” (Coogan and Ackerman 8).
I continue to participate, often unconsciously, in the rhetorical distancing between the academic and the public, the pedagogical and the political, in an effort to maintain the objectivity and distance that academic procedures reify and are designed to protect. My own experience of operationalizing rhetorical practice “out there,” a function of that more “grounded conception of public need,” has been a journey both into and out of the academy and public political action, both away from and toward my previously held ideals about the nature of civic participation and representative democracy. The pressure of the political moment led me to operationalize the findings of this dissertation even before it was finished. An ongoing collaboration with one crowdfunding platform creator challenged my understanding of the academic versus community context for gathering information and seeking social change. Moving theory “out there” into marginally controlled practice exceeded the bounds of a standard case study, and I did not feel able to commit to the full scope of promoting a campaign and recording its data within the strictures of an empirical, peer-reviewed academic study. Rather, I will use the tools of rhetorical analysis and public sphere criticism to identify and predict characteristics of crowdfunding communities that serve to liberate and empower underrepresented counterpublics.

Coogan suggests in his own chapter of that same collection that the role of scholar to engage new publics need not be to, ourselves, “use rhetoric to target change,” but instead to “make middle spaces for placemaking and poetic world making” and then to “get out of the way” (172). I found this insight useful in facing the concept of promoting a crowdfunding tool without needing to engineer the central constraints (I was able to analyze and tweak an existing platform, but not design one from scratch) or limit its public to those who viewed the world similarly via the traditional constraints of institutional review and informed consent. This exposed, public, hands-off approach to empowerment is a challenge to our need to feel well-controlled, to invest
the power to shape communities in the hands of those we’ve traditionally entrusted with policy-making. The same apprehension accompanies the expansion of the public sphere to include voices not traditionally heard there, the opening of the doors of the university to hear our communities. That willingness to hand over policymaking power to a broader public, to set up incentives and get out of the way, is at the center of all true self-governance. That same discomfort as I struggle to get over the theory and get out of the way of a public that could make itself, as Cushman and Coogan teach us, whispered that I was on the right track.

In his groundbreaking, field-shaping “Pedagogy of the Oppressed,” Freire encourages us to think generously of the beneficiaries of our liberatory activity, imagining participants in the public sphere more complexly. Like Cushman, he rejects the model of charity, which “constrains the fearful and subdued… to extend their trembling hands” to elites or rulers for help (45) and encourages reciprocity. Our work should not be to provide for the oppressed, but to empower them, he writes: “True generosity lies in striving so that these hands—whether of individuals or entire peoples—need be extended less and less in supplication, so that more and more they become human hands which work, and working, transform the world” (45). Freire calls us to a radical conception of education as empowerment, and in the same spirit of liberating the oppressed, scholar activists can provide tools to empower counterpublics to create their own change.

Scholar-activists like Cushman, Mike Rose, and bell hooks sometimes transcend the discursive critique of systems of oppression to become actors in/with/for the communities they hope to educate and empower, a conception of academic work as social activism that resonates from Freire. My scholarly interest in, and commitment to challenging, campaign finance with crowdfunding is an attempt to “take social responsibility for the people from and with whom we
come to understand a topic” and “to take into our accounts of social change the ways in which people use language and literacy to challenge and alter the circumstances of daily life” (Cushman 11). Critical consciousness, empowerment, and activism exist in a shared space of scholarly and pedagogic responsibility.

Rather than attempting disinterested critique of a community or system, rhetors are given permission become activists and participants, even leaders, within the communities we wish to serve and empower. To preserve reciprocity, activist scholars should act primarily conduits to resources, which we offer to publics who lack those resources Cushman 12), to achieve empowerment through critical consciousness, as Freire puts it, and work toward a common goal. Because these techniques often constitute making the best of the material constraints of an oppressive system, Cushman worries they might be dismissed as mere “coping devices” (14) that perpetuate existent power dynamics without challenging them. My proposal of using campaign donations to combat a system of campaign donation is not merely a coping technique for the politically oppressed, instead, constitutes occupation and subversion from within.

The critical consciousness I seek to expand is the awareness of the oppressive system of non-representation created by the incentives of the American campaign finance system. Discursive explication, like education, constitutes a challenge to oppression by drawing attention to the rhetorical means by which oppressive systems are perpetuated and attempts at “unauthorized” social change are thwarted. My identification of the non-performative status of many traditional forms of speech act available to (including voting, protesting, contacting legislators) is an attempt to “critically recognize the causes” of the current non-representative system.
The Freirean philosophy is instructive for this project’s vision of expanded, transparent participation in civic self-governance, of a radically democratic enterprise that decentralizes power by illustrating the oppressive system and directing activist attention toward its most effective tools. “Oppression is domesticating,” Freirean warns, and those who desire advanced citizenship, liberated critical consciousness must, “by means of the praxis: reflection and action upon the world” (51) “critically recognize the causes [of oppression]” (47) so that through transforming action “they can create a new situation” and become intentional actors in that system “and turn against it…in order to transform it.” (51) The role of citizen-scholar is to explicate the mechanisms of oppression, and suggest ways that systemic oppression might be subverted from within.

With that examination of the system in mind, the remainder of this introduction briefly establishes the stark reality of campaign finance law and representative democracy. It is my contention that citizens are represented not by votes or protests, but by means of the default speech act of politics: the political contribution. Money is quite literally the language of politics, the repressive system currently disenfranchising and explicating that oppression is a necessary component of proposing a tool to address it. Only by immersing ourselves in the public we hope to serve can we offer reciprocity to empower it in the way best suited to enact change that public desires. Only by engaging in the oppressive systems as we find them, can we hope to transform them. But documenting a system from the outside falls short of the full responsibility of the rhetor as agent of social change.

Working within an oppressive system in order to disrupt it is an act of occupation that digital tools render uniquely effective and potentially disruptive. It is my purpose here, therefore, to use the methods of Rhetoric and Composition to recommend civic crowdfunding as a tool
with tremendous potential to enact real social change, specifically by advancing the policy alternatives favored by counterpublics who might be excluded from the current system. In the post-\textit{Citizens United} public sphere, I demonstrate in the next section, the institutional limitations on citizens, from which they must be liberated, are defined by the high-value campaign donation.

1.2 \textbf{The Oppression of Institutions}

Praxis, defined by Freire is “reflection and action directed at the structures to be transformed,” requires us to engage outside the academy, to enter activist communities, to learn the strategies that might disrupt the badly broken power dynamics of oppressive institutions.

Part of the role of public scholars’ engagement, according to M. Lane Bruner, is to interrogate political institutions as they exist, and the rhetorical and ideological structures that form them. “what are the qualities of the ideational economy, or the economy of ideas in specific political communities?” (59). These questions of legitimacy, of “constitutes healthy interrelationships between what people believe and the trajectory of policies and institutions” (59) especially of oppressive systems, are highly applicable to the evolving dynamics of civic activism and post-institutional political representation. In my case, documenting the broken system of electioneering and political decision-making is part of my lived political work and community activism, seeking tools for specific policy outcomes, as well as a scholarly undertaking and an entry into social activist discourse.

I foreground my hypothesis that current conditions elevate the political campaign contribution to the most powerful form of speech-act available to any citizen. The political conditions and constraints on speech presented by campaign finance law (most especially \textit{Citizens United} and \textit{McCutcheon v. FEC}) and the commoditized circulation of political
discourses detailed here are an attempt to “critically recognize the causes [of oppression]” (Freire 51) and meet M. Lane Bruener’s imperative to interrogate, “what constitutes healthy interrelationships between what people believe and the trajectory of policies and institutions” especially of oppressive systems, as a prerequisite to activist-scholarship (58).

Moreover, the work of public rhetoric must include critical examination of existing rhetorical practices and tools, “since one cannot responsibly critique the political except in light of rhetorical practice” (59). Bruener is careful to specify that the political is never merely rhetorical, as it also includes the material consequences of economic and state power and activism against them. This mindfulness commends civic crowdfunding as a technique which renders uniquely transparent and visible the material consequences, and effectiveness, of rhetorical world-making and community building.

My choice to participate semi-actively in the community I chose to highlight, including making suggestions and gathering techniques from technologists and political thinkers outside the academy, reflects my intention to engage Cushman and Grabill’s insights to enter an existing system of oppression and mobilize and empower a (counter)public community with a new tool and method for effective rhetorical action within (and against) that system. I have been an active participant in poetic world-making, and now must find a way to step back and see what these fleeting publics make of their new power.

To that end, Frerian praxis requires that I present first a sketch of the implications of recent Supreme Court rulings, most notably but not singularly *Citizens United*, and narrative evidence from Lawrence Lessig and his colleagues about the dominance of economic interests on legislative agenda-setting. Empirical findings from the Princeton meta-survey of civic action, and peer-reviewed cost-benefit data on civic speech acts, including voting, canvassing,
protesting, and contacting legislators, are introduced to provide a baseline for the performative potential of a citizen speech act. I place these acts of civic engagement and social activism on a spectrum of performativity according to their likelihood of reaching their goals.

The conclusion of this section summarizes these preliminary findings to demonstrate that the financial contribution has superseded voting, legislator contact, and protest as the most effective influence on policy outcomes. In full knowledge of this uncomfortable, perhaps unwelcome, empirical certainty, I submit civic crowdfunding as a tool for consideration in the advancement of the public sphere, social movements, and effective civic action in the American political context.

1.3 Citizens United and The Performativity of Campaign Contributions

During roughly the same period as we have witnessed this growth in the Internet-enabled public sphere, the Supreme Court has redrawn the boundaries between campaign contributions and political speech, between the dollar and the word, between the economic entity and the individual. The holding of the high court in 2010 in the now-infamous Citizens United v. Federal Election Commission found that the Bipartisan Campaign Reform Act prohibiting broadcast “electioneering” in the weeks preceding an election violated the First Amendment protection of free speech. The subsequent ruling in McCutcheon v. FEC invalidated aggregate donation limits (the maximum amounts that may be donated to issue advocacy over any two year period) on the same grounds of free speech protection.

The nature of civic engagement under Citizens United and McCutcheon has provoked considerable handwringing in the popular press and in top policy review circles. By loosening restrictions on collective donations, the court effectively extended freedom of speech protections
to some types of campaign contributions. The right to free speech was interpreted to include non-citizen actors, a move the Yale Policy Review reported had “opponents invoking images of a dystopian political process overwhelmed by corporations” (Levitt 219). What many citizens view as rampant corruption - the use of large amounts of loosely tracked money to control and persuade candidates and officeholders - was billed as a feature of the system, not a flaw (Citizens United v Federal Election Commission 32-40). Donations not by individuals, but by loosely affiliated groups like corporations, unions, political action committees were validated by the Court as a function of free speech (Levitt 224).

Direct-to-candidate and third-party donations are classified as “speech,” and thus as a legitimate way to exert influence over legislators’ positions. This is best demonstrated by the largest corporations, who distinguish their attempts to secure influence over officeholders, rather than to advocate for particular views or policies, by donating to several or all candidates for a particular office, ensuring sway with the eventual winner. Since McCutcheon v. Federal Election Commission in April of 2014 removed the previous cap of $48,600 in individual donations every two years, such unrestricted giving is no longer limited to the Super PAC structures designed to absorb such overages. Corporations, unions, political action committees, and other configurations of citizens and capital may raise near-unlimited funds to advance causes, if not candidates directly.

In this uncomfortable extant system, this “actually existing democracy,” (Fraser) crowdfunding represents citizens best chance at effecting policy alternatives. The explicit performativity of a speech act is the subject of campaign finance law’s few restrictions – money may not explicitly be exchanged for a vote, bill, sponsorship, or policy statement. Chief Justice Roberts’ opinion for the majority on the 2014 clarifying case McCutcheon v. FEC narrows the
concept of bribery or corruption to a direct money-for-vote, quid-pro-quo arrangement, while "[spending large sums of money in connection with elections, but not in connection with an effort to control the exercise of an office holder's official duties, does not give rise to such quid pro quo corruption...Nor does the possibility that an individual who spends large sums may garner 'influence over or access to' elected officials or political parties." The court’s majority opinion even defers to the Internet’s increasing of effective transparency as a defense of average citizens against major donors: “Reports and databases are available on the FEC’s Web site almost immediately after they are filed, supplemented by private entities such as OpenSecrets.org and FollowTheMoney.org” (McCutcheon v. FEC). The Court contends that the transparency of a speech act within the system is some defense against its corrupting influence of otherwise too-explicit exchanges of contributions for policy outcomes.

According to Justice Roberts, contributions are not inherently corruptive nor is "the possibility that an individual who spends large sums may garner 'influence over or access to' elected officials or political parties" (McCutcheon v. FEC) Whether specific demands for policy alternatives constitute “an effort to control the exercise of an officeholder's official duties,” remains to be seen. With due respect to Justice Roberts, it seems a poor investment for American corporations to spend billions each election cycle on campaigns and candidacies, if their support did not offer some preferential treatment in “the exercise of an officeholder's official duties.” As long as the contribution (speech act) is not explicitly performative or accountable, the contribution is protected from oversight.

The campaign finance system already attempts to categorize speech acts by their degree of performativity in the central provision of the Bipartisan Campaign Reform Act (BCRA) of 1997, otherwise known as the McCain-Feingold Law. A ban on unlimited "soft" money
contributions by corporations, labor unions and wealthy individuals to the national political parties forbids the paid airing of ads or other communications that expressly advocate the election or defeat of a presidential candidate within a specific leadup to election day. At no time can corporations or labor unions pay for ads or other communications that expressly advocate the election or defeat of a presidential candidate. The threshold for “expressly advocating” a candidate is known in beltway circles as “The Seven Magic Words” or “The Seven Words You Can’t Say on Television,” though they might not strike the average reader as so scandalous as George Carlin’s comedy skit of the same name. Listed in a footnote to *Buckley v. Valeo*, the seven words thought to constitute “expressly advocating” (performative phrasing being, according to the court, what constitutes quid pro quo in issue advertising) are “cast your ballot for,” “Smith for Congress,” “vote for,” “defeat,” “elect,” “support,” “vote against,” or “reject” (Cong. Rec. 6 Oct. 1997. S10409-S10420, Polsby). An advertising spot or other public message in which uses one of these words (and only these words) is thought by the Court to constitute a qualitatively different kind of speech than non-performative “issue ads.” Those seven words and their performative rhetorical power triggers a restriction on contributions which the Supreme Court has held is Constitutional (*Buckley v. Valeo*). If one of those words does not appear, no restrictions can be placed upon the money spent on an ad, as it is deemed to be an issue ad, and a similar ad (for example, “let Congressman Smith know how you feel this November”) can be paid for with unlimited amounts of money with minimal oversight. These seven words stand in place of the concept of performativity, the quid-pro-quo Justice Roberts singled out as unacceptable. Short of those words, all near-identical performative injunctions pertaining to an issue or policy alternative (give, protect, change, revoke, deschedule, decriminalize, oppose, occupy), can be paid for with proverbial unmarked bills from a paper sack. The constructed
nature of performative exchange is carefully delineated by the court in a way that currently allows single-issue crowdfunding to operate legally, if within very close sight of not-protected forms of speech.

1.4 The (Non)Performativity of Civic Engagement and Social Activism

Traditional methods of civic engagement are failing at enacting performative political change, partly because the modes of engagement do not match the incentives of the system or the economic and political elite it was designed to serve. Preeminent public sphere theorist Jürgen Habermas’s 1962 book, The Structural Transformation of the Public Sphere, interpreted by later theorists, notably Warnick, Fraser, and Warner, details the risks of a public sphere that becomes non-responsive to the public that creates it out of unmet needs. By beginning in the decidedly pre-digital age, we can examine the artifact of Habermas’s “bourgeois public sphere” as Barbara Warnick describes it: “an idealization of the trends of the eighteenth and nineteenth century society, with its emphases on literacy, rationality, consensus building, and freedoms of both expression and association” (4). Applying this standard of deliberative public spheres to slacktivist networks and crowdfunding platforms offer us insights into their potential to serve prosocial functions Warnick envisions.

Barbara Warnick notes that some observers of the potential public sphere have seen irreparable declines in these areas of efficacy (she sites Bruner, Calhoun, Castell, Kellner) especially amid the rise of “scandal politics,” the transnational corporation as a rival to the nation-state, and the growth and consolidation of large media interests as public(s) primary source(s) of political messaging. Not only are citizen speech acts ineffective at gaining policy
outcomes, citizen action has not been very successful at demanding attention for policy alternatives which concern the public but do not have high political cache in DC.

Because of the increasingly high cost of election campaigning in the United States and the constant need to fundraise, large donors and interest groups exert tremendous control over the political activities of elected representatives. Princeton researchers Martin Gilens and Benjamin I. Page conducted a metasurvey of nearly 1,800 policy initiatives from 1981 to 2002, and estimated “the average citizens’ influence on policy making [to be] near zero” (576). Using national polls to estimate public sentiment and comparing that to policy changes enacted, their research determines that the interests of the 90th percentile of income earners are represented almost exclusively:

The central point that emerges from our research is that economic elites and organized groups representing business interests have substantial independent impacts on U.S. government policy while mass-based interest groups and average citizens have little or no independent influence (565).

Gilen and Page limited their analysis of available policies by using national polling data, “not restricted to the narrow Washington ‘policy agenda’” (575) but used inclusion in a national poll as a proxy for “relatively high salience, about which it is plausible that average citizens may have real opinions and may exert some political influence” (Gilen 3). My definition of performativity would caution against equating or combining these criteria, as significant citizen sentiment rarely equates to political influence. Gilen and Page note,

When a majority of citizens disagrees with economic elites or with organized interests, they generally lose. Moreover, because of the strong status quo bias
built into the U.S. political system, even when fairly large majorities of Americans favor policy change, they generally do not get it (576).

Even the range of national polling questions and policy alternatives the Princeton team chose to study was:

considerably broader than the set discussed seriously by policy makers or brought to a vote in Congress, and our alternatives are (on average) more popular among the general public than among interest groups. Thus the fate of these policies can reflect policy makers’ refusing to consider them rather than considering but rejecting them. (From our data we cannot distinguish between the two.) (576)

The exclusion of many issues of public concern the slate of policy changes “discussed seriously by policy makers” comprises what Gilen and Page call “the second face of power” and is highly relevant to the crowdfunding model proposed in this dissertation. While it might be impossible for a letter writer or sign carrier to know whether the policy maker he targeted had not noticed his policy alternative or had noticed and rejected it, crowdfunding sites offer, by virtue of easy access and visibility, a shift toward the crowdfunder in the balance of this “second face of power” in political agenda-setting.

Our Freirian praxis exploring the non-performativity of speech acts and oppression of the citizen continues with a very brief analysis of the current economic incentives of policymaking and electioneering (for the two are truly inextricable).

Before widespread Internet access moved public discourses online, the scarcity of available network airtime and national newspaper column inches created an inflated market for influence during American primaries and election cycles (hereafter ‘artificial scarcity’). Immense reservoirs of campaign cash are still expended to reach voters along traditional single-direction
communication networks via the production and dissemination of physical texts: newspapers, newsletters, targeted mailing, ghostwritten hardcover books (a near prerequisite to successful candidacy), mentions and attention on national network and cable news channels, commercial spots with high production costs and price-per-second airtime. Traditional political campaign strategies are mono-directional rather than interactive, and are defined by artificial scarcity of commoditized attention: the few media outlets which possessed national broadcast reach twenty years ago still hold the mystique of wide reach\(^2\). Within these handful of mainstream outlets, coverage is heavily skewed by interstitial advertising and the accompanying corporate agendas. Cable news requires a breathless horserace, a steady diet of “who called whom what today” non-news to sustain attention in order to retain viewers through the next commercial break. Cable networks budget for campaign ad surges and rates in election years, building their bottom lines on thousands of campaign dollars per thirty second ad, seen by a dwindling percentage of the electorate. These constructs for candidate speech and (presumably) voter influence are artifacts of other ages, other ways of communicating, and now pedal influence with a dwindling number of voters who rely on these traditional formats for political decision-making.

Despite the new abundance of avenues for reaching, organizing, and mobilizing political support, major campaign fundraising and expenditures by campaigns continue to invest in traditional media buys, at prices driven up by artificial scarcity and outdated material constraints to accessing large audiences: the upkeep of satellites, studios, editorial staff, printing presses.

Over two million political ads aired on television during the 2016 cycle, according to analysis by the Wesleyan Media Project of national data from Kantar Media/CMAG, at a total cost of $1 Billion. Despite record-low viewing of national network and cable television hours, a majority of those advocated for a presidential candidate (609,893, $517M). Perhaps in response
to depressed national-level viewing, or the high price of national advertising, an unprecedented number advertising expenditures were for state or local races, including state congressional seats, mayors, ballot measures, and even a few mayors (153 airings, $50,000) according to data obtained by Wesleyan.

Beyond television advertising, political campaigning in an economy of artificial media scarcity involves a tremendous amount of unnecessary travel, event space rentals, motorcades, endorsements, in-person appearances, and door-to-door canvassers. While they make up the backbone of the modern political party machine, these techniques are massively inefficient at producing ballot-box returns on such staggering investments, much less at executing the public interest.

More to the point of this dissertation, this enormous amount of spending (which we must also always consider as a commensurate level of political fundraising) consistently fails to deliver performative results among voters. Michael Franz and Travis Ridout studied what I will use as a metric of performativity of these ads: the potential of television ad spending to improve a candidate’s share of total vote. In their 2010 analysis of the 2008 election cycle, Franz and Ridout found the performative effects of political television ads to be measurable, but minimal. 1,000 additional ad airings across a campaign “resulted in about a 0.5 percentage point improvement in a candidate's share of the vote in 2008” (321). Seth Hill confirmed the findings, and found that even this minimal impact of a political ad lasts less than a week. The short effective time frame of these ads further compresses demand for scarce national broadcast minutes in the days before an election, driving up prices. Expensive 30-second issue spots and have a low conversion into action, just as the voters who receive their messages execute a non-performative response in their ineffective voting. But those few, expensive outlets no longer
possess hegemony on the audience attention, and rhetorical rallying of (counter)public movements. Franz and Ridout correctly predict in their 2010 paper, “….Microtargeting will expand, and Internet organizing and fundraising will grow more sophisticated” (321).

With heavy use of email and online marketing, and several weeks of $1000-per-plate fundraising dinners with hundreds of donors vying for his attention, Ted Cruz raised $10 million in individual donations for his campaign in the before August 1, 2015 (Confessore et al). That total was matched and bested by the $11 million check cut by Robert Mercer, a New York hedge fund manager, at the conclusion of that July 2015 junket (Schleifer). Rarely has the problem been seen so explicitly: even politically active, comparatively generous citizens, in the hundreds of thousands, are overshadowed by a single individual with an immovable agenda and a personal fortune. While it might be easy to conceive of this “matching donation” as an advancement and endorsement of the goals of all the smaller individuals to elect a president, the inequity of their representation -- including agenda setting, pressure on committee members, legislative attention, -- once he takes office is not difficult to anticipate.

Activist scholar and constitutional specialist Lawrence Lessig makes a poignant call for citizen revolution of this broken system of political representation in his “Republic, Lost.” After a piercing look at Congressional corruption, incompetence, and ineptitude, Lessig quotes The Huffington Post’s Ryan Grim and Zach Carter, “One of the least understood explanations is also one of the simplest: [Washington] is too busy refereeing disputes between major corporate interest groups” (165). Lessig is not unsympathetic, offering individual lawmakers a systemic scapegoat: “I doubt there is a single member of the House or Senate who thought, ‘I’m going to go into Congress so I can ‘divide up the spoils between various economic interests’” (165). The phrase comes from an anonymous moderate Democrat Senator describing his work, which Grim
and Carter meticulously detail as a game of one corporate interest against another with little room or concern for broader public needs or preferences.

Lessig also sees the corrosive role that the performative effect of campaign donations has on the ability of the people’s branch to execute the people’s will, in terms of the “second face of power,” agenda setting: “Congress sets its agenda, at least in part, so as to induce funders to fund their campaigns. Who has time to deal with jobs, or poverty, or unemployment, or a simpler tax code? Where is the money in that?” Fundraising dominates an office holder’s time, and that economy of attention squeezes out the speech of majority publics and small donors, so the well-articulated demands of a few high-value donors dominate the conversations of Congress and so, the national legislative agenda.

Scholars and pundits are mixed on whether money can buy an election, but it surely buys influence. MapLight.org analysis of Federal Elections Commission data illustrates exactly what Congresspeople must do with their time. Average spending indicates a newly minted Senator would need to raise an average of $14,000 every day until his next election to be assured of keeping his seat. House members are inexpensive by comparison: just $2,315 each day (MapLight). We find these cost-to-power ratios to be exactly as a model of commoditized influence would predict: the average senator (power = 1/100) costs about $10.5 million to elect. House seats (power = 1/435) are a fraction of that at $1.7 million (Ryssdal). By far the most effective way of raising those sums is by catering to corporate interests, not to the preferences of individual voters, no matter how numerous, whose small checks will be unlikely to make a difference in gaining votes.

Just a few years ago, that sum seemed insurmountable to any group of private citizens, no matter how well organized, which lacked a corporate lobbyist or a major political party’s
machinery. But in the summer of 2015, the viral “Ice Bucket Challenge” raised $8 million in four days. The fundraising for a cure campaign that allowed Facebook users to challenge friends to either dump a bucket of ice water over his or her own head within twenty-four hours, and post the video to social media (ALS Foundation). More than 300 million first-time donors contributed to ALS in a response to a viral fundraising campaign, and while amyotrophic lateral sclerosis (sometimes called ALS or Lou Gehrig’s disease) impacts relatively small numbers of families each year, the campaign crowdfunded more in one day than any third party candidate for president in American history.

Scholars of the public sphere and civic engagement, as well as social activism, should be willing to consider civic crowdfunding as a uniquely effective method for subverting this system as it exists. Uncomfortable as the appearance of bribery may seem in imagining crowdfunding as a source of policy alternatives and a form of commodified civic activity, the objective evidence suggests that speech and representation have already been commodified. When we accurately assess the potential of particular speech acts to create the change desired by activists and participants, crowdfunding emerges as a method of Freirian liberation. Crowdfunding and the activist publics it generates offer a new means of capitalizing (pun intended) on this digital medium and political moment, and so offer a previously unimagined opportunity to simultaneously critically reexamine and simultaneously reform civic engagement and social activism. As rhetoricians as agents of social change, or citizen scholars seeking to study the dynamics of social activist networks, we can engineer the system of representation to our own specifications. The data generated by such explicitly quantifiable and accountable speech acts, and the relative privacy and transparency of identity and speech, empowered by the affordances of digitally networked communications, will be a rich source of information for scholars, and a
revolutionary tool for social activists. As I argue in the next chapter, attention to crowdfunding allows us not only to create tools, but to empower new or underserved publics as a function of creating new discourse tools.

2 PUBLICS AND COUNTERPUBLICS

To support my choice of iterative practice with a digital tool, I call on Jeffrey Grabill’s challenge that our field’s "...public work of rhetoric might be to support the work of others - to help other people write, speak, and make new media and other material objects more effectively.” Grabill’s attention to “Thing theory” (in the Lacanian sense), informed by Michael Warner’s conception of “autotelic” publics as consisting of the audiences they call into being, invokes not only rhetorical objects but publics themselves (67). Jeff Swift’s suggested term “flash public” extends Warner and Grabill to proposes the evolving creation of a “thing,” that is also a public. Swift’s proposed tool “People’s Lobby - designed to take advantage of the affordances of digital media...a combination of new media tools and carefully designed deliberative processes [to] facilitate augmented citizen engagement” (134-135) consists of thing-as-counterpublic: performative potential ready to be called into existence. As scholars, we measure the success of our labor in circulation: to assemble a (counter)public, however fleeting, that we can support, care for, curate, participate in, empower. Our work has value as long as it circulates, but is unlikely to be circulated within the brittle, temporal, fleeting subject public we try to hold up as object. As Grabill says, scholars “must break their backs to make something as delicate as a thing” (203).

For the purposes of this dissertation, I submit that participants in a crowdfunding project constitute a public. The Thing, as Lacan and Grabill might imagine it, I conceive of is both the tool and the audience for civic crowdfunding technologies, a civic engagement potential, under
used and still virtually unknown. A “public” is not a static thing to be examined in laboratory conditions; publics remake themselves continuously in ways opaque to non-participants, and to superimpose the academic’s traditionally ordered expectations of objective observation or well-intentioned intervention is to replicate the distancing of the scholar from a counterpublic’s volatility and rhetoric reimagining.

Familiar early digital crowdfunding technologies like GoFundMe, Kickstarter, Indiegogo, and Patreon have legal limitations restricting the scope of their usage to private charity, production of physical prototypes, and individual support of creative projects, respectively, and are not usually regarded as mechanisms for activism. Civic crowdfunding platforms in general, as well the platform ShiftSpark operationalized in particular, and their potential participants constitute a counterpublic under the definitions established by Michael Warner and M. Lane Bruner.

I further classify not-yet-active crowdfunders (the potential public called into being by the thing created) as counterpublics according to Bruner’s conception of them as “…particular collections of factions or interests within a community who claim to represent the people…[which]…necessarily create a field of unmet demands” (60). Those publics who find themselves well represented by traditional political systems (the currently politically powerful, wealthy, well-connected) have by definition, less incentive to seek revolutionary tools. Nontraditional modes of influence, like crowdfunding, attract the disenfranchised and underserved, including all those whom Grim and Carter recognized as being unable to enact the political change they desire. Political crowdfunding sites simultaneously expand the number of potential influential donors and compound the influence of each modest donation through its bundling mechanism, which I argue makes the tool more inclusive and empowering to a larger
group of citizens than traditional representative structures. Our natural aversion to defining entry into a public – particularly a civic public – with a purchase or donation is understandable, but I contend that the advantages of digital discourses and crowdfunding in particular reduces opportunity cost and increases performative value of the current incentives, under the existing oppressive system.

2.1 Publics

Although with their own historical-critical interpretations, Michael Warner, Barbara Warnick, and Nancy Fraser, locate an ideal public sphere within the rhetorical exchanges that constitute civic society, a deliberative discourse called into existence by a restlessness that seeks to change the status quo. This post-bourgeois, inclusive, disruptive public exists in digital activist networks, and I believe can be created and called into existence by crowdfunding, and simultaneously empowered to enact change.

According to M. Lane Bruner’s conception of Ernesto Laclau’s work in language philosophy, “publics are…particular collections of factions or interests within a community who claim to represent the people…[which]…necessarily create a field of unmet demands” (60). Publics consist, under this conception, of otherwise private persons who want something, usually some change, brought and bound together by their shared desires. The unmet demand, the unifying core of the public, is particularly well suited to a discussion of single-issue donations through crowdfunding platforms, because the speech act can be logged asynchronously and stored for later collective use (see Swift’s “flash publics”). The public empowered need not be present at one time or place; their collective power is in their networked communication, mere circulation. The defining characteristic of participants in a crowdfunding campaign is shared awareness of the unmet need their participation is intended to address.
Warnick writes, “when a community of supporters already exists online, they can be mobilized quickly to apply public pressure in an issue controversy” (16). The interconnectivity not only among, but between, these communities is also to favorable for those seeking a network capable of social action. Devoted members of a particular community will seek reiterations of that unifying message; visiting similar groups, building mutually supportive networks of idea promotion, and reifying their identities and sense of “belonging.” These public networks, consisting of performances of identity across digital platforms, are potentially activist organizations whose private action has public consequences. To the extent those performed identities are relevant for a public broader than the closed network in which it is privately enacted is their performative potential.

According to Habermas, the public sphere is (somewhat redundantly) where “the sphere of private people come together as a public” (27). That is, a public is space, specifically the negative space (the town square, the soap box, the speakers’ corner) delineated by borders of the private. The intricacies of defining what is meant by the (adjective) projected, performed “public” self in contrast with the “private” self or identity (to the extent such a thing exists in absence of rhetorical performance) have been well explored; the distinctions are not strictly necessary for a discussion of crowdfunding platforms since the extent to which a self is publicly projected or concealed varies between available technologies and protocols, and is not intrinsic to the speech act itself. The running counter on some crowdfunding homepages, for example, projects a performative action immediately and may not, or may only later, disclose the identity (real or concealed/projected) of any individual donor. Other sites encourage the projection of, and even competitions between, individual donors as self-identified teams or tribes.
Kiva.com is not, strictly speaking, a crowdfunding site but a peer-to-peer microfinancing site specializing in interest-free loans to developing nations. Because many donors might be needed to finance a larger loan (fulfill a project goal) Kiva encourages crowdfunding behaviors and permits ‘team giving’ in which an individual donor self-identifies a ‘lending team’ or goal with which he/she wishes the individual donation to be identified. This public, which one enters by performing a speech act in its name, allows donors to “rally around shared lending goals by counting each...loans at checkout toward the team's impact” (Kiva). Top lending teams include ideological groups (“Atheists, Agnostics, Skeptics, and Freethinker”), current and former employees of a corporation (“HP”), national identity (“Team CANADA”) and a more playful designation by platform avatar photo: “Guys holding fish” (Kiva). A similar public exists in the performative speech acts of civic crowdfunding, in that the speech act is a public one, with or without the explicit public projection either of individual or shared identity. Membership in the public is embodied in the individual contribution to a shared goal, as much as chosen associations. Performed or attributed identity can be a factor of publicness, but when the self-identification (screen name, avatar, team affiliation) is secondary or supplemental to the performative speech act (the contribution).

The degree to which private and public spheres can be effectively separated, or even authoritatively distinguished, has been a matter of concern for scholars well before civic and public life began its transition to the fully digital (among others, Ryan, Fraser, Goodman, Dietz have attempted spatialized representations). Most helpfully, Fraser seeks to unwind the possible meanings of “public matters” and “private persons” as invoked by Habermas: “Public, for example, can mean (1) state-related; (2) accessible to everyone, (3) of concern to everyone, and (4) pertaining to a common good or shared interest. Each of these corresponds to a contrasting
sense of ‘private.’ In addition, there are two other senses of ‘private’ hovering just below the surface here: (5) pertaining to private property in a market economy and (6) pertaining to intimate domestic or personal life, including sexual life” (128). The full breadth of these considerations cannot be briefly summarized, so I leave that to the original debaters, except to state that my functioning definition of “public” includes the characteristics of “impacting everyone” and “regarding state authority” (Fraser 58). Goodman adds to Fraser’s six characteristics, “(7) of or pertaining to audiences created by mass culture, publicity, and public opinion; and (8) a sphere for citizen action, like civic society, that exceeds the state, as in public protest or, sometimes, public interest” and argues that these senses bridge the traditional sense of public and private meanings which “easily flood into each other and confuse things, often through politically and ideologically purposeful manipulations” (8). In these sense (7) and (8), civic crowdfunding constitutes a public sphere (spatially) and embodies a source of policy alternatives internal to a culture of civic use but external to the literal state apparatus. Goodman’s identification of a public interest distinct and supplemental to the literal state to my claim that crowdfunding publics can serve a defined ‘public’ interest and simultaneously act as a check on the power of the state (a potential discussed later as “counter” and disruptive). When the effect of a particular policy alternative (in the test case, marijuana legalization) falls disproportionately on a public historically marginalized from conceptions of ‘public need’ and excluded from state power, such a tool might be particularly useful.

Feminist and queer theorists examining our constructions of public identities (for example, Ryan, Butler, Fraser) have pointed out the marginalizing effects of the negative space definitions, which exclude matters considered ‘personal’ or ‘private’ from the realm of political theory (often women’s bodies, domestic work, childcare, and other sticky issues). Equally
problematic is the tendency to conflate all ‘public’ functions, leading to confusion and interchangeability between public forces, for example, the economy and the state, (Stimpson, Herdt). As feminists discovered when the deprivatization of childcare became synonymous with its commodification, advocates for change should anticipate the civic function of ‘public’ speech acts may be perceived as a conflation of the political and the commercial, as a function of its publicizing private behavior. I have attempted to address these considerations, including Fraser’s definition of the metaphorical closet to which counterpublics are sometimes consigned as a way of removing their ‘private’ choices from ‘public’ display, in my discussion of the test case of counterpublic ‘private’ behavior represented by marijuana use and advocacy.

Public sphere literature to the question of inclusion, or permeability often described as a directional stance, as “inward facing” rather than “outward facing.” Some counterpublic sphere theorists have relied on an imagined division between public sphere activism and private or protected enclaves, where marginalized groups can explore ideas and arguments in encouraging environments (Asen; Brouwer). Fraser characterized counterpublics as providing “spaces of withdrawal” (124) indicating that their behind-the-scenes activities function as training grounds for public-facing political activity does not in itself constitute what I call “public performative” rhetorical action. It is instructive to imagine these inward-facing communities as the board of directors or a platform revision committee at the party level, but with such a simple central request that it may require no exclusionary committees, no special delegates, no party back rooms: the discussion itself is calls forth and consists of its participating public.

Geoff Eley’s formulation of the public sphere is among the broadest, and lends itself to crowdfunding sites as publics, because it is conceived of as spatial and comprised of territory, occupied and defined by its participants: “the structured setting where cultural and ideological
contest or negotiation among a variety of publics takes place” (Eley 306). This must necessarily include the interface characteristics of the public territory, as they shape behavior of the participants and the poetic worldmaking that co-constitutes the public’s existence (Warner). Cultures of use in networked publics, including interaction on crowdfunding sites, as well as the ways users may alter the site function to serve a particular end, allow publics directly participate in constructing the power distributions of the participatory space. The ties to participatory democracy, government created the consent of the governed, are impossible to ignore.

These public-private dichotomies reflect the relative privacies of civic crowdfunding as collective action that is “private” in that it (1) can be undertaken in the home and physically alone, (2) offers relative anonymity within an online community, encrypted and reasonably well protected from casual inspection and/or personal identification by other platform users but (3) is controlled by or disclosed to government and other tax funded agencies and institutions, and (4) is potentially vulnerable to breach or hack, and therefore subject to the threat of revelation or publication at any time. Perceived intimacy and anonymity, and the simultaneous public performance of private acts, is a delicate balance well served by the gradations of transparency and anonymity which exist in the mechanics of crowdfunding platforms and campaign finance disclosures.

Civic crowdfunding, since its performative action is public but individual private identities may be kept private, functions as a private enclave of supportive coalition-building and simultaneously constitutes performative action with an external/additional public audience. The participant publics may represent both the intended and actual use characteristics of these two types of community building (inward facing and public facing) to varying degrees, based on the timing and degree of disclosures. In the last section of this dissertation, I suggest a number of
adaptations to the cultures of networked publics that Rhetoric and Composition’s methods of public sphere evaluation predict would empower previously excluded members of the public, provide a check on state power, and provide the liberation from within that Freirean frame.

2.2 Autotelic Counterpublics

To argue that the discourses themselves might constitute a public, we turn to Gerard Hauser’s foregrounding of each “ongoing dialogue on public issues” (6) (that is, the desire to refine the nature and strategy of change, and not just the desire for it) as the dominant theme of community formation and public (self)conception. Hauser believes a public sphere is a "discursive space in which strangers discuss issues they perceive to be of consequence for them and their group. Its rhetorical exchanges are the bases for shared awareness of common issues, shared interests, tendencies of extent and strength of difference and agreement, and self-constitution as a public whose opinions bear on the organization of society” (64). This emphasis on deliberative discourse as the purpose of a public corresponds to the issue-oriented structure of community formation on both crowdfunding sites. The public constituted by an issue advocacy group is arranged around a policy alternative or set of recommendations, rather than a candidate, as political action committees. A possible interface implication might be for civic crowdfunding sites not to collect email address books or existing network contacts (to connect “people you might know”), but instead spread information according to similar policy alternatives or campaigns. Hauser would approve of this organization around issue deliberation, generating publics based on similar or overlapping unmet needs.

The civic crowdfundingers detailed in this study provide a unique environment and set of incentives to encourage the sprouting of newly politically empowered “counterpublics.” Each
platform (or specific services it provides) constitutes a “public” according to Michael Warner’s widely cited 2005 definition in seven parts:

1) self-organized
2) a relation among strangers
3) the address of public speech is both personal and impersonal
4) constituted through mere attention
5) the social space created by the reflexive circulation of discourses
6) a group that acts historically according to the temporality of their circulation
7) poetic world making (pp. 67-118).

Most importantly for social media implications, though, is item four: a public, according to Warner, is “autotelic; it exists only as the end for which books are published, shows broadcast, Web sites posted, speeches delivered, opinions produced. It exists by virtue of being addressed.” In this way, self-contained crowdfunding platform projects might be the narrowest of examples: The particular policy alternative suggested by a campaign (composed of a particular rhetorical phrasing of a message, referendum, project, cause, or initiative) exists exclusively as a method of addressing the unmet need, and the public constituted by that discontent. The “public” comes into existence at the will of one or more actors to connect with others holding the same ideal (and using similar vocabulary, and disappears as soon as it has accomplished (or failed to accomplish) the task for which it was established and to which it recruited participants. Such a public, “unlike a concrete audience or the public of any polity, is text-based—even though publics are increasingly organized around visual or audio texts” (Warner 67). The consumption of the textual experience is the only binding thread which is self-organizing those otherwise-strangers,
and multimodal modes of communication and interaction are just as textual and rhetorical as their strictly print predecessors.

This autotelic, self-generating public is defined by its consumption of or exposure to the crowdfunding site. The public exists to be targeted because we target it: the Lacanian “thing” created is the policy alternative and the speech act of influence, which together generate the public empowered to enact change.

2.3 Circulation, Delivery, and Access to Discourse

Relying on Warner’s notion of autotelic publics runs a significant risk of reducing the complexity and potential of the specific public by imagining the audience as merely receptive, the passive audience of content, rather than co-creators of their public identity through participation. In the introduction to “Small Change: Why The Revolution will Not Be Tweeted” Gladwell speaks of an amorphous, disembodied “protest” as crossing state lines, and spreading like a fever. The communicative publics (recipients of television stations, campus newspapers, illicit newsletters, posters) that empowered these connections are not included in Gladwell’s narrative, which is perhaps why he can be so dismissive of their successors: “e-mail, texting, Facebook, or Twitter.” The nostalgia for physical protests obscures the material construction and dissemination of such issues and their revolutionary ideas, whose spread relied on coordination between on-the-ground committees and professional civil rights activists who trained them in nonviolent methods (Student Nonviolent Coordinating Committee, and Student Movement chapters in various cities), and relied on daily articles published first in Greensboro’s local newspaper and then in a widening circle of Southern cities. The protesting students justly praised in Gladwell’s article had been part of a carefully planned counterpublic occupation, a performative speech act in the same way Hortensia’s occupation of public space contributed
rhetorical momentum through spread of the scandal. Though many Civil Rights activists been schooled in how to acquire media attention for their cause, awareness raising was only the start; every newspaper story, photograph, news reel, and television report of a lunch counter sit-in or transportation boycott contained – in fact, embodied - simple, executable instructions for staging one’s own. Coverage also breathlessly conveyed that the social movement was both effective and spreading: liberation was “trending.”

Gladwell is casually dismissive of those following #iranelection, for example, but by identifying oneself as a member of a public - however transient – of vigilant hashtaggers contribute to the rhetoricity of a movement by expanding its participatory public, and apply political pressure by virtue of that increased, often international, visibility. While this might be weakly, or passively, semi-performative, if the instructions for replication action supporting the movement are simple enough: the Ice Bucket Challenge (both in the sense of a bucket of cold water over the head, and/or the crowdfunding donation and distribution) was this kind of message. While some statements may be replicated through physical action (writing #BringBackOurGirls on a physical piece of paper with a black marker and taking a “selfie” photograph holding the sign), the action is not necessarily performative. The “real world” writing of the words in physical pen and ink might appear to meet the criteria of physical change, but the action is nonperformative and the social (in)action consists of re-digitizing and distributing the message: distribution. Keenly aware of these Kuhnsian machinations, we must carefully assess the inherent social and power dynamics of a platform by which a particular public is identified, persuaded, and mobilized.

John Trimbur applies this view of circulation to the question of composition and its pedagogies, with particular emphasis on the literacies required for active delivery. “To my mind,
delivery can no longer be thought of simply as a technical aspect of public discourse. It must be seen also as ethical and political - a democratic aspiration to devise delivery systems that circulate ideas, information, opinions, and knowledge and thereby expand the public forums in which people can deliberate on the issues of the day.” The platform is not the sphere, nor is the hashtag, but it is comprised of the followers of the hashtag, the readers of our municipal newsletter, those permitted to be present in the Roman Senate. Likewise, to hijack a hashtag, occupy a public dialogue space as a demand for legitimacy, is a hostile extension of a public by manipulation of its characteristic circulation.

In many ways, the affordances of digital social media allow for a diversification of discourse that was simply impossible in the absence of Web 2.0 distribution and circulation (Goodling). The culture of use, interface characteristics, and heterarchical nature combine and “it becomes clear why this new digitally mediated space is one with tremendous potential for outreach, education, and influence—indeed, social change” (Goodling).

2.4 Counterpublics, Unmet Need, and Desire for Change

Fraser introduces the very important idea of multiple competing publics, made up of dominant publics and “subaltern counterpublics” of the disenfranchised and disadvantaged (123). This argument has been taken up and advanced by Michael Warner and others, and has become the theory of choice for many scholars when discussing public deliberations and debates.⁶

Specifically, Warner’s definition of counterpublics as reliant on the needs of a self-identified group is useful to the self-selection circulation of online discourse, later explored in terms of public formation. Discursive counterpublics exist to the degree they comprise an audience for communications, even if they are primarily addressing each other in a nonhierarchical social network without explicit political power.
Warner argues “publics have to be understood as mediated but cultural forms, even though some of those forms, such as polling, work by denying their own constitutive role as cultural forms.” The variation on a poll represented by a “trending” designation or a record number of shares is perhaps even more inviting of the criticism, as its rhetorical value is partially quantified by each contribution to it. What’s more, a community member might interact with only one campaign, and thus only one page of the site, and not be reachable again, exemplifying Warner’s assertion that “publics do not exist apart from the discourse that addresses them.” Also critical to the discussion of crowdfunding counterpublics is that Warner’s characterization of publics is defined by their voluntary attention, for exactly as long as it lasts: “because a public exists only by virtue of address, it must predicate some degree of attention, however notional, of its members….by coming into range you fulfill the only condition of entry demanded by a public” (419). This renders the definition of public conveniently inclusive in response to criticisms of the “weak” and “transient” social ties encouraged by online interactions.

Transience is likewise not as much of a barrier to digital counterpublics’ effectiveness as traditional scholars might imagine. Jeffery Charles Swift, in his 2015 dissertation, proposes that “citizens use new communication technologies to ‘flash’ themselves into political relevance and existence, creating an ethic of ‘we weren’t here yesterday and we won’t be here tomorrow, but we still matter today’” (Swift ii). Swift calls these temporary spheres “flash publics—digitally augmented, flexible, and for the most part passive but ultimately activist, collectives of democratic engagement….ready to take action when the time is right.” (Swift 11). Though the coalition lacks central authority, it can reliably demonstrate the characteristics of organized social activism.

Swift suggests that the specific affordances and advantages offered by digital
technologies as deserving of renewed optimism in their potential recuperation of public sphere theory. He lists specifically “instantaneous communication, easier access to broadcasting tools, social networking over large space that can endure over time” (25), as more broadly available and thus empowering to an unprecedented number of people. Swift stops short of using these affordances for direct action, however, and limits their scope to organizing: his suggested Call Together is a digital network executing semi-performative, offline actions. Swift calls this recuperative strategy “digitally augmented engagement” (56) appropriately relegating the digital tool to a supporting role. Crowdfunding technologies, I argue, offer us fewer steps, and thus a more straightforward, “digital engagement.”

Network building can take on a snowball effect when social movement messaging grows more popular over time: participants who took certain actions can contact each other or be contacted by current or future organizers. The transient and autotelic nature of the publics, then, is somewhat mitigated by a community’s capability of gathering and the retaining of contact information, a performative act of public-building. This sustained connection has the potential to sustain or strengthen collective bonds, and to be mobilized in the future for the same or similar causes. As the interconnected publics grow, they begin to constitute additional publics and subpublics, available to be rallied, and their influence thus compounded. The resulting databases of users constitute a public that is not only ready to be mobilized, but may be bought, sold, or borrowed. The limitations of a public which, through advertising or counter-lobbying, may be itself commoditized, is the subject of the next section.

2.5 Commodification of Political Discourse

Some kinds of social networks, especially those run on for-profit networks like Facebook, retain and replicate their capitalist origins. Many cultural critics have warned such networks may
be less able to address, or even actively prevented from addressing, issues in conflict with corporate interests. While this commodification and commercialization is certainly present in digital activism, capital’s potentially warping effect on discourse is neither unique to political campaigns nor to private digital platforms. A review of commoditization of discourse in the form of paid access and profit-driven production as early as the 17th century demonstrates that while the commodity of speech acts is more transparent in crowdfunding, it for that reason represents the best hope we have for critical inquiry, called “self-reflexive” by Warner and defined by Bruner as “an ongoing investigation into the relationships among disciplinary discourses, identity construction, and the public state” (57). The problem of the public’s attention, audience, and access to information being traded for profit was of concern to Habermas, and others who railed against the corrupting power of frivolous novels, but thought little of those who might be excluded by the purchasing price of the Federalist Papers.7

Internet delivery systems also allow for a broad range of genre and delivery opportunities far beyond those of traditional, more rhetorically8 and materially constrained, print and broadcast. A rich, diverse online public sphere offers us the opportunity to explore specific discourse communities involved in – and invoked exclusively for -- social action. The commodification of discourse and the resulting material constraints on political engagement should concern those focused on inclusion, but these constraints are not unique to internet-enabled publics. In fact, many public sphere theorists’ objection to the commodification of discourse are less relevant to social media’s redefinition of discourse and activism.
2.6 Pre-Digital Commodification

Habermas warns that a consumptive model of discourse is less up to the task of dialectical self-criticism, as consumer-oriented experiences replace the thoughtful and the prosocial. In the same way that 19th century mass-printing of news magazines and illustrated weeklies popularized the “techniques of the cartoon, news picture, and human interest story” (Habermas 168) new rhetorical forms expanded the availability of complex discourse to an increasing public. As social media counterpublics proliferate, new multimodal forms with their own conventions and required critical literacies emerge daily and might fade just as quickly into obscurity. Such multilterate mini-genres are often time, cause, platform and/or (counter)public specific, develop and refine their own conventions, and develop their own approaches to activism. Each might be worthy of its own scholarly attention. In this section I evaluate the commodification of the delivery and access systems of speech acts, beginning with those familiar to Habermas and updating these concerns as related specifically, but not exclusively, to for-profit web platforms.

The economic disparities characterizing distribution of access to late-modern and Internet-era market technologies warp the public sphere and civic actions’ potential for both inclusion and action. Michael Warner cites Habermas to elaborate on the capacity of device and medium - which we might extend to include interface design - to “systemically distort the public sphere, producing something that passes as public opinion when in fact it results from a form that has none of the open-endedness, reflexive framing, or accessibility of public discourse” (54). Removing these critical elements of a successful public results in a non-performative echo chamber in which the loudest voices are amplified and dissent is silenced. While some uses of social media are polemical to the point of losing their ‘publicness,’ most suffer only a lack
of “performativity,” defined as the power or capacity of the speech act to impact policy by some measurable metric. When content is distorted or manipulated, the objectivity of its representation is skewed, but the performativity is not compromised. A tightly controlled message serving only a few people might have high performative potential because it can be transmitted clearly and in a manner that implies accountability. For example, the catered lunches and campaign donations Grim and Carter document as retailers and credit card companies wooed senators’ votes on “swipe fees” constitute a persuasive, high-performative speech act targeting just a few speech acts (votes) whose results will be public record. Crowdfunding technologies aggregate the influence of many smaller voices (donors) and through deliberation, decide on a clear statement of the issue, and provide a similar accountability for the crowdfunder as the lobbyist provides.

Warner explicitly likens the powerlessness of the individual under unresponsive totalitarianism to the individual’s listlessly navigating a world driven by corporate interests: “our lives are minutely administered and recorded to a degree unprecedented in history; we navigate a world of corporate agents that do not respond or act as people do….Without a faith—justified or not—in self-organized publics, organically linked to our activity in their very existence, capable of being addressed, and capable of action, we would be nothing but the peasants of capital” (52). For the first time, crowdfunding under Citizens United stands to unite the peasants’ capital into a force every bit as formidable as the corporations, unions, and other wielders of capital’s power. The performativity of the crowdfunder’s donation is determined ultimately by the conditions of the release of funds, and only time and case studies will tell us how effective these aggregated speech acts might be in changing representatives’ behavior. Likewise, without at least Warner’s “faith – justified or not” in such self-organized public, individual donors would be helpless against the kind of corporate cronyism fully unleashed by Citizens United.
2.7 Culture Consumption as a Threat to Public Discourse

Because the discursive public sphere has become increasingly centered on “culture consumption,” as Habermas calls it, it is “less about a public sphere in the world of letters itself.” That is, when private citizens were grouped into (counter)publics by their patterns of consumption of literate texts, “the laws of the market governing the sphere of commodity exchange and of social labor also pervaded the sphere reserved for private people as a public, rational-critical debate” (163). In 17th century Europe, Habermas reflects, culture-consumption has become less critical as it has become more social, and thus less up to the task of dialectical self-criticism that had characterized the world of Mills and Marx: “convivial discussion among individuals gave way to more or less noncommittal group activities...no public was formed around ‘group activities’” (163). Here Habermas is echoing the critiques of non-performative speech acts, indicating that ‘noncommittal’ is synonymous with ‘ineffective.’ In Habermas’ day this was true, since the panel discussions, sponsored public debates, and other consumer-oriented critical experiences lacked any performative impact. To replace “the rational debate of private people” with “a salable package read for the box office,” the rules of engagement must be “formalized; the presentation of positions and counter-positions is bound to certain prearranged rules of the game,” offering a prescient prediction of cable news talk shows and presidential debates. Clamor to compete in a commoditized economy of attention does not necessarily inspire good journalism; the media attention paid to Donald Trump in the lead-up to the 2016 election played an outsized role in propelling his candidacy which, if devoid of policy sense, made excellent television (Edkins).

Habermas continues, “Critical debate arranged in this manner certainly fulfills important
social-psychological functions, especially that of a tranquilizing substitute for action; however, it increasingly loses its publicist function” (164). The publics invoked by the attention-seeking public rhetoric will be expected to be comfortable and enjoyable, in the process undermining its role as an educational and activist tool. The subversive economics were the same for the printers of long form magazine a century ago as they are for the writers of clickbait headlines and creators of slick interfaces on profit-based public fora. That these commoditizing forces sometimes degrade the quality or utility of the public sphere they generate is not a fatal flaw, nor one necessarily more pronounced in digital discourses than it has been in pre-digital ones.

Another identifiable threat to effective publics generated by commoditized media is the potential for corporate agendas to use cultural consumers as proxies for their own political speech acts, mobilizing the semblance of mass participation but empowering only the same narrow band of elite interests. The question of the power of numbers among of commodified political rhetoric, and its potential for manipulative uses, is explained in Swift’s acute assessment of the SOPA victories of 2014. On a coordinated day, many large internet sites went dark to protest a suite of legislation which gave media companies the right to sue content hosts for copyright infringement by users. Swift writes of the bill’s defeat in the face of aggregated online pressure: “This legislative victory was groundbreaking; never before had ‘the internet’ banded together in such a decisive show of strength-in-numbers to overcome the interests of large media corporations” (53). Proponents of the activist online public sphere are right not to claim full victory for the bill’s defeat, however. Enormous participation was wielded as a tool both to conceal and to contest corporate interests, and (at least in this early example) the only publics capable of massing those numbers proved to be the publics generated by the corporate distribution networks themselves. Given the involvement of sophisticated campaigns of
engagement by Google, in opposition to, for example, major record labels and other intellectual property interest groups, the autotelic public generated by the protests was paid for and cultivated. The echo of Grim, Carter, and Lessig, and their lamentation of Congress as merely a tool to “divide up the spoils between competing economic interests” can be heard as Swift cautions, “even for all its grassroots, ground up, autonomous digital activism,” the successful Anti-SOPA movement still served to do only that.
3 PERFORMATIVE SPEECH ACTS

In this section, civic crowdfunding activities are subjected to J.L. Austin’s speech act theory and its classification of some rhetorical utterances as “performative” which he defined as “doing something, rather than simply reporting on or describing reality.” Rhetorical speech acts are effective in enacting social and political change to the degree that they carry offline “perlocutionary” results, that is “the actual effect the speaker actually has...by uttering the locution” (Austin 4) or in the testable case, by undertaking a particular online speech act: contributions to issue iterations on a crowdfunding website. Speech acts, both explicitly performative, and indirect, as well as political and civic interactions that qualify to varying degrees as “performative” will be examined for their nuances. That taxonomy and criteria will be applied to civic crowdfunding technologies to test its likelihood of creating change in the era of Citizens United. Many forms of commodified public discourse suffer from non-performativity: that is, exactly as Habermas worried, the rhetorical exchanges of the bourgeois public sphere serve more to placate the public(s’) desire for involvement and to be heard, without active challenge to existing power structures or substantive result.

3.1 Spectrum of Performativity among Political Speech Acts

This dissertation argues that speech acts (digital, rhetorical, civic) exist on a spectrum of performativity, as “performative” is defined at length by J. L. Austin, John Searle, and other early speech-act theorists. The following illustration represents my adaptation of Austin’s concept of “performative utterances” to a spectrum of digital and non-digital speech acts,
according to the anticipated practical outcomes.

<table>
<thead>
<tr>
<th>Non-Performative</th>
<th>Semi-Performative</th>
<th>Performative</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Liking, commenting</td>
<td>- NGO, PAC, party donations</td>
<td>- ShiftSpark donation</td>
</tr>
<tr>
<td>- Signing public letters/petitions</td>
<td>- Party/rally participation</td>
<td>- Voting in a swing state</td>
</tr>
<tr>
<td>- Joining groups</td>
<td>- Earned news</td>
<td></td>
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<tr>
<td>- Synchronizing avatars</td>
<td>- Poll participation</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Hashtagging, retweeting, sharing, upvoting</td>
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</tr>
<tr>
<td></td>
<td>- joining mailing lists</td>
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<td>- ifThen fund donation</td>
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<td></td>
<td>- Voting in non-swing state</td>
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</tbody>
</table>

*Figure 1 “Classifying Citizen Speech Acts by Performativity.”*

The kind of non-performative, low-commitment, low-consequence, even substitutional (inter)actions social media activism’s critics (Gladwell, Dean) fear is certainly present, represented by activities toward the left of the spectrum. But the correlation that critics have traditionally assumed, between what has variously been called investment, effort, “real world,” and off-screen participation, is not correlated to the performative potential and impact. Performative social change is not directly correlated with offline participation, because mass citizen engagement efforts of all kinds have little empirically identifiable impact on policy outcomes (Page, Giles, Gelman et al.). Even when non-performative actions receive a significant amount of public attention or media coverage, they are ineffective performative tools because they do not result in the desired social change or policy alternative.

Appearing near the middle of our figure is poll voting because, as Nancy Fraser points out, polls simultaneously conceal and perpetuate their own rhetoricity. The outcome of a poll, in turn, may have both non-performative effects (awareness raising, guiding media coverage, shaping perceptions of a race or candidate) and performative effects (determining who may
appear in a presidential debate). Many such media give the illusion of participation in decision-making without making any substantive impact, other than the self-rhetoricity of reinforcing political perceptions the news purveyors have themselves established.

In addition to their own rhetoricity, polls contribute to their own performativity, by reifying the offered selections as the only viable options. Candidates who appear in national media polls become eligible for debates and are generally assumed by the public to be the available choices for the presidential election. The public’s performative influence (to choose between pre-selected narrow choices) is greatly diminished merely by their willing participation in such polls and, arguably, voting itself. The structured poll is, as Warner accurately identifies it, “an elaborate apparatus designed to characterize a public as social fact independent of any discursive address or circulation [and]…tries to tell us what the interests, desires, and demands of a public are, without simply inferring them from public discourse.” Warner then calls on Pierre Bourdieu’s assessment that “this method proceeds by denying the constitutive role of polling itself as a mediating form” (2). The illusion of “choice” for a poll respondent mirrors the “choice” available to voters on Election Day: preselected options construct a false choice in which the rhetorical act of selection has minimal performative impact. Most voters are instinctively aware of this, but recent political events have exposed the seams of the model political parties have installed to maximize their own power by minimizing the ability of the people to act performatively.

A salient and timely example of the ability of rhetorical participation to become structurally less performative is seen in United States Presidential debates. Qualification for the national network debates, as well as the criteria on which eligibility is decided, is determined by their host, The Commission on Presidential Debates. Despite its official-sounding title, the
Commission is a privately held, 501(c)(3) tax-exempt organization cofounded and still co-chaired by Frank J. Fahrenkopf, Jr. and Dorothy S. Ridings, who at the time of founding served, respectively, as chairmen of the Democratic National Committee and Republican National Committee (Commission on Presidential Debates). The organization that has hosted every general election presidential and vice presidential debate since 1988 was formed by then-leaders of the two major parties, and has since set requirements to exclude competitors from participating in the debate. In addition to constitutional eligibility for the office, and appearing on enough ballots to have a mathematical possibility of winning the necessary 270 electoral votes, candidates must be polling at least 15 percent in five national news polls, selected by the Commission, to be eligible to participate (CPD).

In 2016 these five national polls were ABC-Washington Post, CBS-New York Times, CNN-Opinion Research Corp., Fox News and NBC-Wall Street Journal. These five polls were announced in mid-September and chosen with “professional advice” from Frank Newport, the Editor in Chief of Gallup polling (Los Angeles Times). Early iterations of most polls did not include Libertarian Party candidate Governor Gary Johnson (who received 10 percent even when his name was not mentioned in the first question) leading to a decreased name recognition. CBS and Fox polls did not include Green Party candidate Jill Stein in any pre-debate polling (Stelter, CNN). Both “third party” candidates (this identifier is another self-reinforcing rhetorical form of exclusion, as it assumes a stasis of two candidacies and presumes the two parties that will occupy them) were ultimately not given podia at any of the three official Presidential Debates. Gallup’s own polling in 2016 showed 57 percent of respondents wanted an American third party, up from 46 percent in 2012 and 47 percent in 2008 (Gallup: Americans’ Desire). Just 37 percent said the existing two parties were doing “an adequate job.” Yet no additional choices were made
available because neither non-hypothetical third-party candidate received the blessing of the Commission on Presidential Debates or its professional advisor at Gallup.

In this and similar ways, cable network news, national newspaper and telephone surveys, network television and well-funded polling centers manipulate their artificial scarcity of public attention to constrain choices while increasing the illusion of participation. Similarly, through restrictive voting, ballot access procedures, and incumbent politicians seek to reduce the performative potential of citizens to enact change through political speech acts. Participation within these severely constrained channels is exactly what Freire described in the misery of yet-unliberated persons.

3.2 Non-performative Speech Acts

On Super Tuesday of 2015, many voters found the very act of voting in primaries rendered non-performative, when Senator Bernie Sanders repeatedly won the popular vote in areas where Secretary of State Hillary Clinton won the delegate count. Hillary Clinton secured her party’s nomination threshold of 2,383 delegates only with the help of 107 superdelegates (mostly Democratic party officials and current incumbents) from states Bernie Sanders won, who overturned the will of their voters to back the former First Lady. So-called “superdelegates,” once exposed, are immediately recognizable as equipment to limit the power of popular influence. The Associated Press announced Clinton’s victory after a phone survey of 714 superdelegates on June 6, seven weeks before superdelegates would actually cast votes at the convention and before some 11 million democrats—including Sanders’s stronghold California—had even cast primary ballots (AP Count). Neither the elector defection or the scale was new: in 2008, 99 superdelegates backed President Obama after their states voted Clinton, but the process
was hardly noted as those votes did not decide the outcome (246 for Clinton, 478 for Obama). The outcome of single-party primaries is not, however, binding and the party may ultimately field any candidate it chooses, if willing to change its own rules and endure the backlash of its members.

The same disparity between the popular vote and the Electoral College vote faces Americans who voted for former Senator Hillary Rodham Clinton. That this decreased public performativity is the explicit purpose of the electoral college (designed as a compromise between election of the President by a vote in Congress and by a popular vote of citizens, U.S. Const. art. 2, § 2, cl. 2-3. and modified in the 12th Amendment) and of the superdelegates at party conventions, does not diminish the reality of its disenfranchising effect.

Andrew Gelman, Nate Silver, and Aaron Edlin conducted a study in 2008 calculating the probability that any single citizen’s vote would “matter” (be decisive on the national scale) as 1 in 60 million: equal to the probability that one’s state is necessary for an electoral college win, times the probability the vote in any one state is tied with respect to electoral representation. Given that only four states (in Gelman’s research, New Mexico, Virginia, New Hampshire, and Colorado) were determined to provide an opportunity for voting that has performative impact, and in each of those states a single voter has a 1 in 10 million chance of being a determining vote. The likelihood of being the determining vote (and thus the act of voting have maximum performative impact) is 1 in 1.3 million for a United States Senate or gubernatorial race, 1 in 150,000 for a U.S. House race. A rational civic activist might expect a better return on investment having bought to buy a lottery ticket and send its value to a candidate or issue campaign that reflects his or her interests.
Of course, there are a variety of performative and non-performative reasons voters exercise their opinions at the ballot box, far beyond their realistic hopes of being the lynchpin in an electoral count. Voting data are used by elected officials, their staffs, political parties, journalists, opinion leaders, and future candidates; the data influence districting lines, which seats are considered vulnerable, how campaign funds are distributed and candidates recruited for later cycles (Harper).

Conversely, abstaining from the vote is a non-performative act of protest, and counterpublics which rely on it as a tactic are usually (dis)regarded as politically disinterested. No message is delivered. In-person abstention, in which a ballot is obtained and returned but deliberately left blank or defaced, is a performative act, as it is tallied in most states (United States Election Project). Third party voting is a performative act of protest, as it requires the act of engagement and leaves a permanent record of dissent, even if the third-party candidate stands little or no chance of winning an election under the existing system.

Social media has been widely credited with providing a means for the public to interact with politicians and news coverage, but so far the available modes of interaction are not performative in nature. Questions submitted via Facebook were included in the 2012 and 2016 debate cycles, and Twitter has been used similarly. 2016 candidates “tweet” (or allow their staffers to tweet on their behalf) many times a day, interacting directly amid a demolished structure of hierarchy and barriers to access. Because these fora are screened and selected by candidates and mainstream news sources, however, they represent a kind of non-performative citizen participation differing little from much older call-in programs on television and radio, or letters to the editor in large or local newspapers. Participation which is not performative is noise, or worse, distraction.
The ideal of small donations spread over a large network gained some traction in the year preceding the 2012 election, though with a (perhaps inevitable) partisan split. The campaign to re-elect President Obama raised a total of $118.8 million online, but this was considered an “alternative mode” of giving and represented less than a fifth of his total raised (OpenSecrets.org/pres12). Of the total crowdfunded, about half was in donations of $200 or less. From a digital crowdfunding perspective, Republican candidate Mitt Romney either represents interests of a generally higher-donating and higher-earning demographic, or failed to appeal much to the broader base: only 9 percent gave small donations of $200 or less, and 82 percent of donors gave $1000 or more (OpenSecrets.org/pres12). The ratio of small donations and online donations to total fundraising is similar for President Obama (57 percent in small donations total, 48 percent of online donations) former Governor Romney’s nearly tripled. Republican campaign donors making small contributions are less likely to do it online, perhaps representing disparities in age, access, or regular use of the Internet among small-sum contributors (OpenSecrets.org/pres12). Crowdfunding, especially from small donors, remains a small portion of direct-to-candidate contributions to either party\textsuperscript{11}, but offers the possibility of performative speech acts to those mass-based interest groups and average citizens for the first time.

Top individual donors to each candidate gave between five and $15 million directly in 2012, and nearly half of all Super PAC donors were of a million dollars or more, according to The Campaign Finance Institute. Even when non-super-wealthy individuals choose to donate, they cannot do enough individually to change the prospects of the election, and thus the level of their giving limits its relevance and influence as “speech.” Thousand-dollar a plate fundraising dinners and golf outings are where platform and policy inquiries can be made and are taken seriously. Jessica McKenzie of TechPresident summarizes the disconnection felt by many who
did make a small donation to a candidate: “that in no way means that the candidate you back
knows why you contributed or what you hope they will do once in office. Money talks, but only
if you have enough to get a phone call or an invite to a fundraising event. Everything else is just
chatter.” Part of the promise of crowdfunding political issues is its ability to tie even small
contributions to meaningful issue articulation, and then compound that message by aggregation
to others.

3.3 Performativity and “Strength” in Digital Publics

“Social networks are effective at increasing participation – by lessening the level of
motivation that participation requires,” claimed noted public intellectual Malcom Gladwell in his
2010 "Small Change” (6). Gladwell’s subtitular insistence that “The Revolution Will Not Be
Tweeted” is based on his contention that online networks lack the central organizing forces that
pre-digital activism relied upon: “preexisting ‘movement center’” consisting of “a core of
dedicated and trained activists ready to turn the ‘fever’ into action.” Without these hierarchal
“movement centers,” he argues, the wide geographic range of the movement would not have
been possible.

Using examples from the Civil Rights movement, most prominently the Greensboro
Four, Gladwell points to specific kinds of bonds, and particular kinds of activities (on-site
organization, site-scouting, collaborative planning), which he claims could not have been
undertaken without physical proximity/access by a core leadership on the ground. The
interpersonal bonds required to face down authority or physically stand in the way of the
machinery of the status quo (in the manner of Civil Rights protesters and other occupation
movements), Gladwell argues, cannot be forged by mere digital media relationships. The kind of
action taken online in support of a cause (retweets, avatar photo filters), according to Gladwell,
to lack revolutionary import because its activities are largely symbolic, fleeting, and require little of commitment or effort.

Sustained, successful activist activities (Gladwell and Fraser might say, “strong,” we might substitute “performative”) especially those which challenge the power of the state, are impossible without central hierarchical structures, claims Gladwell. But this assumption fails to account for the distributed power of networks, presupposing:

social media are not about this kind of hierarchical organization. Facebook and the like are tools for building networks, which are the opposite, in structure and character, of hierarchies. Unlike hierarchies, with their rules and procedures, networks aren’t controlled by a single central authority. Decisions are made through consensus, and the ties that bind people to the group are loose (5).

I don’t wish to quarrel with Gladwell’s distinction that social media networks are less prone and sometimes even actively resistant to hierarchy—indeed, this is both true and to their credit (see findings). But the need for “control by a single central authority” I argue, can be fulfilled by a well-designed organizing platform, or even by a smaller group of equally loosely bound activists, rather than by a core group of individuals tied to physical proximity, social access, and/or ideological purity.

Early critics of online activism shared this assumption that born-digital campaigns are less valid, less effective, less sustainable, efficacious or engaging than “real world” actions, sometimes expressing concerns that online speech could serve a substitutional effect, allowing expression without enacting change (non-performative). Thomas Deans is among those warning that activism/engagement may be counterproductive to practical social change, as engagement lacking reciprocity risks being literally counter-productive to connections or progress in an
existing counterpublic (Deans et al).

Chris Csikszentmihályi of the Massachusetts Institute of Technology’s Center for Future Civic Media described to the Washington Post a “worst case scenario” for what he calls “click-through activism,” describing a sort of pneumatic form of activism where public pressure is diffused, political outrage or enthusiasm can be assuaged with nonperformative, merely expressive actions, "to what extent are you removing just enough pressure that they’re not going to carry on the spark?” The Washington Post reporter summarized the next section of Csikszentmihályi’s comments, so I repeat the (no doubt impoverished) paraphrase, “a better scenario for Internet activism, Csikszentmihályi says, would be if causes could break down their needs into discrete tasks, and then farm those tasks out to qualified and willing individuals connected by the power of the Internet.” This better case scenario provides an accurate, if incomplete, summary of performative civic action via crowdfunding networks.

Gladwell also used the terminology of “strong” and “weak” to refer specifically to the bonds between individuals in a social movement. He argues that, among other shortcomings, communities formed in online spaces - he specifies general social networks like Twitter and Facebook - lack the “strong ties” required to enact once-in-a-generation social change and stand against a government and/or establishment pressure. Citing the State Department’s request that Twitter delay website maintenance so as not disable student dissidents’ coordinations in Tehran, Gladwell complains “Where activists were once defined by their causes, they are now defined by their tools.” This example belies the disconnection it is meant to illustrate, however, as geographically specific as ties were in those cases maintained on a network that gave the appearance of loose or weak connections: Iranian students were coordinating using social media, but gathering physically in coordinated performative, “on the ground” action in Tehran. The non-
performative aspects of the network supported the performative actions, just as sharing and transmediating content that links back to a pledge page spreads the news of crowdfunding though it does not itself raise funds. Such social networks, distinguished by their power to enact real change (performativity), meet Gladwell’s definition of “strength.”

One more possible interpretation of what made Gladwell’s activist networks “strong enough” to enact social change is termed by Nassim Nicholas Taleb, as being “antifragile.” Fragile systems, Taleb claims, fall apart and cease to function when met with “stress, disorder, volatility, and turmoil.” Slightly stronger systems, which Taleb calls “robust,” oppose outside pressures and internal chaos in order to preserve themselves (31). But Antifragile systems are intentionally designed to benefit and evolve from stress and disagreement, moving toward consensus and strength by facing competing agendas squarely. Wiki communities are currently our best, simplest means of establishing antifragile networks, and lend themselves well to resistance and revolutionary activism. Because antifragile social movements, like wikis, are not organized around a trained, stable leadership, but instead constituted by mere attention and a common culture of use, they are difficult to police externally, even if one has the power of the state and a mandate to curb opposition.

3.4 Activism and Occupation in Digital Counterpublics

In his essay, “From Activism to Occupation” in a 2013 Current in Electronic Literary, James J. Brown, Jr. critiques Gladwell’s short-sightedness (since Small Change was published in 2010, we may forgive some of the technological myopia) regarding emergent ways of structuring communities. Brown writes:

[C]ontemporary activism requires a different metaphor, one that addresses the complexities of networked life and the possibilities for understanding how writing
shapes and is shaped by contemporary organizations of power. Activism suggests that one is acting upon a system. It suggests an easily locatable point of origin and a situation in which cause and effect are, at least in theory, tightly linked. But networked life requires an entirely different understanding of political and rhetorical activity—and of writing. In networks, writing does not act upon the system but rather from within it.

Brown’s distinction is very important for my proposal of crowdfunding as a site of activism: he clarifies that action UPON a system requires “a situation in which cause and effect are, at least in theory, tightly linked.” That tight linkage is I argue, performativity. The inability to reconcile cause and effect, to bring about Searle’s “match between the word and the world” currently limits political speech acts available to average citizens, and restricts their effectiveness in acting upon the system. Being then unable to work within the system because the available act(ivism)s are non-performative, we should turn our attention to speech acts that “do not act upon the system but rather from within it.” Recognizing the performative supremacy of the campaign contribution in participatory democracy in the era of Citizens United, then, we encourage crowdfunding to act within an oppressive system we cannot currently change.

Protest actions and activism within a system invites language of occupation, a spatial metaphor that explicitly constitutes and embodies social transgression. Protests of occupation are those in which a particular, historically excluded (definitionally counter)public transgresses into a public deliberative space (however private or voluntarily chosen) where they had previously been excluded. Such an explicit speech act often initiates confrontation with power: performative occupation can be seen in sit-ins at segregated lunch counter, in Gladwell’s examples, as the
presence of the protesters was an explicitly transgressive speech act protesting the existence of “whites only” seating. The speech act explicitly fulfills the protest.

Occupation is a well-established method for counterpublics to protest and to challenge existing organizations of power. Another historical example is recalled by Lauri Goodling, in Kairos: a wealthy Roman woman known as Hortensia, and many years later, protesters against The Oppian Law’s restrictions on their wearing and owning of jewelry, occupied and blockaded the Roman Forum, a deliberative space from which women were strictly excluded. The women not only articulated a message of concern to a disempowered counterpublic disproportionately impacted by the policy, but did so directly to the body of power that excluded them with a speech act of occupation that blurred the line between activist speech and performative, embodied change. As early as 42 BC, Goodling writes, “we can begin to see lines drawn—and simultaneously blurred—between rhetoric and activism, public and counterpublic speech, where true power dynamics are disrupted in a public space, and where dissident actions can lead to change.” By transgressing the public address space traditionally forbidden to women, Hortensia performs the act of protest simultaneously to her speaking it. This might have been considered an explicit performative act, had her speech concerned the inaccessibility of the public forum to women, rather than a taxation on adornments for which Hortensia could find no spokesman willing to take up her cause (Goodling). Her act of transgression was disruptive in its occupation, but obviously, her gender was not the only thing excluding her policy alternative from being advanced.

The later Oppian Law protesters pushed this embodied rhetoric, occupation-as-activism still further. While drawing attention to a disempowered cause or counterpublic would be sufficient to constitute activism, Goodling continues, the Roman protesters transcended symbolic
speech acts and garnered results through occupation and community building: “The growing support for the cause—and subsequent expanding crowd—emboldened the protestors who showed up every day until the law was eventually repealed.” It is instructive to imagine this distinction as protesters along the road to the Forum, raising awareness or educating lawmakers and the public, as opposed to transgressive occupation of the excluding public sphere. The Roman noblewomen’s literal occupation was an explicit act of transgression of a restricted space, a protest against not only a policy choice but against the exclusion of a counterpublic from the space where decisions are made.

Civic crowdfunding represents, I argue, just such a transgressive occupation by an excluded counterpublic. The current American public sphere, our Roman Forum, currently excludes all but the few high value donors identified by the Princeton study. Civic crowdfunding is the disempowered counterpublic who, through combining forces in an occupation of that decision-making body. Like the Roman women occupying the Forum to protest policies that targeted them without their consent, occupation of crowdfunding is an action by the currently excluded, not against but within an oppressive system that equates campaign donations with citizen speech.

Brown takes on Gladwell not only as defense of digital activism, but because Brown believes Gladwell’s discounting of social network activism “is leveling charges at writing, at the use of writing for activism that happens at a distance and that is disembodied.” This distance and disembodiment is not inherently detrimental to activism or its effectiveness, and Brown’s differentiation of the nature of networked power structures supports his assertion that digital activism should act from within the system by attempting to “occupy” public rhetorical spaces. He points to Sidney Dobrin’s Postcomposition as a model for rhetorical and theoretical
considerations of occupation, and bids us reimagine our roles as not merely educators (those protestors on the side of the road) but as activists and occupiers of the systems we critique. Dobrin’s call for the field to take the public turn is not subtle: the field must evolve “beyond composition studies’ neurosis of pedagogy, must escape the shackles of classrooms…” (28) to be truly public, we must occupy the public spheres, the sites of decisionmaking. My submission of a sample crowdfunding site, a live public and a tool of the moment, is my proposed contribution to this reimagined public sphere and the scholar-activists who would inhabit it. Rhetoric and Composition’s new social activists and public intellectuals should embrace this publicness of our rhetorical action, its transcendence of the role of mere education, if it also fulfills the role of activism and occupation.

Comparing criticisms of digital speech acts to other models of civic activism, Goodling asks an important question about goal-setting: “Is the value of activism is measured exclusively by the end result: change? If we are using change as a metric, can’t nearly any form of activism be labeled a success—or failure—depending on who is assessing?” Success or failure of an aspect of a social movement, at least in a marginal sense, is notoriously difficult to assess and quantify. Like its pre-digital predecessors, Goodling writes, such activism progress might be “acquisition of new information… a change in educational status, asking friends and followers to care about something you care about is a change in degree of engagement” rather than a binary or calculable measure of increased participation. The easily quantifiable value of campaign contributions as speech acts removes some degree of this invisibility of change, and networked publics’ ability to watch the spread of links, pages, and information gives us significant insight into the kind of soft, semi-performative changes Goodling predicts. Network-building and connection-facilitating sites aimed at activists, like DoSomething.org and Change.org, have
successfully used social media to start petitions, form nonprofits, and recruit volunteers, all of which can be quantified but do not equate to performative change. Semi-performative uses like affinity building and awareness raising can supplement later performative actions but do not in themselves enact change. The number and diversity of available metrics gathered by crowdfunding platforms (from click-through to conversion rate, new visitors or funds raised) encourages scholars to experiment with the regressive and predictive analyses of both community formation and funds raised as indicators of engagement and performative value.

Though some scholars have found that “low-effort online activities” such as social networking service activities “contribute little to increase political participation” (Breuer and Farooq), they did acknowledge that “targeted campaigning by e-advocacy groups has the potential to increase the political engagement of individuals with low levels of political interest and can help to produce the switch from online to offline participation among individuals with high levels of political interest” (2). The quantification of change was only measured by the model of an offline activity, rather than a web-executable performative speech act. The dynamics of civic crowdfunding reduce the dissonance between “low-effort” and “low-impact,” and thus predict that a low-effort action inviting high rates of participation without diminishing performative impact hold significant potential to create real change.

In the years since Gladwell’s “Small Change,” born-digital mobilization for in-person and on-the-ground activity has been empirically tested as a viable means of enacting change. Goodling’s research on Facebook for the journal Kairos cites Robert Bond’s team from get-out-the-vote campaigns for the 2010 Congressional midterms, testing “the degree of influence that online messaging about voting had on a user’s ‘political self-expression, information seeking, and real-world voting behavior’” (Goodling). Users were reminded by a graphic message to vote
and offered an “I Voted” button to share that they had voted with friends or the public. The test group was also shown photographs of their Facebook friends who had also clicked “I voted,” while a control group received no photographs from their own networks.

Bond’s team compared the actions of some 61 million Facebook users against public voting records to confirm the performative fulfillment of the Facebook pledge/promise. Not only are the results encouragingly substantiated, they definitively demonstrate that “online political mobilization works” (Bond et al., 2012, p. 297); according to Goodling, “in fact, the online influence matches face-to-face influence noted in previous studies, where ‘each act of voting on average generates an additional three votes as this behavior spreads throughout the [social] network’” (Bond et al., 2012, p. 298). Explicit, semi-performative socially situated civic action can have multiplying effects on individual on-and-offline engagement.

Goodling summarizes the findings with palpable excitement:

The members of the social message group were more likely to participate in political self-expression and information seeking (which was measured by their clicking on a link to learn about their designated polling place) activities, but most importantly, they were more likely to actually vote. Though the study emphasized that the ‘social contagion’ is most heavily correlated to close Facebook friends, that is, those friendships deemed to be an online reflection of a close face-to-face relationship, the researchers noted that “even weak ties seem to be relevant to its spread.”

This finding silences one of the primary arguments of critics such as Gladwell: that the “weak ties” of social media are not sufficient to motivate action or sustain change. Actions taken in digitally networked communities can have tangible results in civic engagement, even when the
behaviors require offline, time-and-place specific action. Digital networks can organize horizontally and nationally and wield performative impact individually and locally.
4 FINDINGS

The central argument of this dissertation is that, given the current relative performativity of available speech acts under the current American electoral influence system, citizen crowdfunding is a powerful speech act for civic engagement and as a uniquely performatitive method of engaging rhetoric for civic action, warrants scholarly attention. While it is my intention to discuss civic crowdfunding in general, the most efficient way to discuss some of the nuance of the ways in which particular crowdfunding configurations might impact the criteria established in pervious chapters. Most notably, the examination references if.then.fund and ShiftSpark, both private crowdfunding platforms launched in February 2015.

Aware of the timeliness of this technology on an uncertain political horizon, I have operationalized the key concepts into a ready-to-test campaign to meet a pressing social need and in service of an under-organized counterpublic. Entering the 2016 political year mulling over the concepts of the preceding chapters, I was working on a proposal for a piece of software that could empower citizens with digital technology. All research seemed to indicate that any amount of public attention might result in little actual policy change, especially if the proposed policy alternative contradicted entrenched power or moneyed interests. When the frustration of “only money counts as speech” and “more people should be heard politically” united, the solution of allowing citizens to fund rhetorically constructed issues (rather than fund individual campaigns, rhetorically constructed candidates who subsequently advance rhetorically constructed issues) emerged.

Briefly I consulted with knowledgeable developers and a campaign finance lawyer, trying to imagine the scope of commissioning or building an FEC-compliant crowdfunding site. But in February of 2016, unrelatedly and to my delight, two sites and five innovators were doing or
were rumored to be developing this kind of FEC-compliant crowdfunding. The survey instrument I had sanctioned by the IRB, starting with an informed consent, was sent to each of five of these independent subject experts.

Perhaps not surprisingly, given the mismatch of discourses of collaboration between academia and Washington D.C. or Silicon Valley, I received no responses to the formal requests authorized by the protocol despite multiple follow ups over months. Indeed, only one participant has signed an informed consent as of publication. Eventually, reasoning that if I wasn’t using my institutional affiliation as a recommendation, I might speak with a peer or community counterpart without formalized consent (I obtained written permission to use these responses). The one participant who reliably got back to me I entered a dialogue with, and that’s how I came to participate in this conversation with Ben Yee at ShiftSpark about the possibilities offered by his platform. That correspondence evolved into my participation in launching an issue on his existing platform, and eventually (after the campaign launched) to begin a collaboration. This accidental alliance meets Ellen Cushman’s standards for intervention and reciprocity, and permitted me access to some back end data and a strong personal affinity for the site and its offerings.

While the conclusion that what we really need is more money in political speech might be an unwelcome one, I encourage civic activists to embrace the emergence of different money in politics. Short of overhauling the current campaign finance and civic engagement system, I recommend crowdfunding to increase the effectiveness of civic engagement in the only way our current system makes capable of performative change. The absolute power of the campaign contribution in executing performative change in politics might be an unwelcome finding,
however, civic crowdfunding has the potential address many of our field’s “unmet needs” for a rejuvenated public sphere.

4.1 **Crowdfunding Platforms in Practice**

*if.then.fund* and *ShiftSpark*, both launched in February 2015, promise not just a new method of crowdfunding campaigns, but a revolution in the way constituents and representatives interact. Rather than donating to a party or an individual candidate, these platforms encourage users to tie their money to rhetorically constructed issue statements. *if.then.fund* makes visible a particular action a congressperson can take (like a particular bill introduction or vote), briefly explains the position, and asks for a contribution. When a bill or action comes up for a vote, collected funds are distributed evenly among the officeholders who took the donor’s desired stance. Donations are designed to fund re-election committees, which might make the *if.then.fund* model incompatible with similar efforts aimed at reducing incumbencies. The focus on Congress is particularly notable due to the gerrymandering of districts and binary representation currently in practice mean many people are never in agreement by the views of their representative but have no other way to influence national policy under which they will live.

The extent to which crowdfunding platforms conform to the expectations and central stipulate definitions of performative speech acts in a renewed public sphere is explored through critique of crowdfunding in general and *ShiftSpark* as its exemplar. Both platforms show significant promise over the existing representation model in the areas of inclusiveness, explicitness, accountability, and transparency.
If.then.fund identifies the public of each speech act (pledge) as the Congresspersons who are sponsors of a certain bill or piece of legislation “Sponsors of H.R. 5303: Water Resources Development Act of 2016.” Doing so cedes the work of deliberative discourse to the writers and reviewers of the legislation, and offers no more inclusion or power to the site user. Attaching the donations or pledges to specific bills, as if.then.fun does, is actively discouraged by ShiftSpark “as they can easily be amended to remove the part(s) you care about - allowing politicians to fulfill the letter, but the not spirit of your demand” (ShiftSpark - What Makes a Good Issue?)

Two of the three issue statements listed on ShiftSpark.com as of August 2016 are explicitly performative AND describe actions within the power of the targeted public to perform.

ShiftSpark users are offered two methods of making their projects performative. A “goal-based project” requires that the organizers raise the total amount of the goal. While the individual actor may contribute, the moment at which the action becomes performative is determined in advance and achieved by the collective (or by the last donor), at which time the conversion is triggered automatically, without the individual users’ followup. A “results based project” allows the individual issue creator to decide whether and when to transfer money, and the creator chooses render the pledged act performative. Because the individual, not ShiftSpark, controls the performative act of contribution, bulk donation caps are not applied.

In compliance with campaign funding laws, a crowdsourced donation is not anonymous and can be viewed by many audiences for whom it is not a performative speech act. An aspiring candidate might gain insight by the patterns of giving by the constituents of his incumbent opponent, without it being the contributor’s intention to “perform” a speech act for him. Indeed, the conditions of a contribution (as via if.then.fund) can be set to provide a consequence or
perverse incentive upon the fulfillment of a triggering event regardless of knowledge or intention, by someone who would not wish for that perlocutionary effect.

if.then.fund’s cofounder Jonathan Zucker told TechPresident he envisioned the platform as a way to impart to citizens the advantage of a professional lobbyist like those employed by corporations and unions. “By carefully monitoring the bills that impact them, we can tell them ‘Here is who is working in your favor and here is who is not; donate accordingly.’ We're giving people the ability to make that same kind of calculus as that lobbyist did.” Traditional lobbyists are barred by campaign finance regulation from offering the kind of explicit quid-pro-quo exemplified by assurance contracts. if.then.fund and ShiftSpark. Offer unprecedented accountability, in the form of “protested donations” if politicians do not follow through on the conditions of the donation (fail to fulfill the performatve act).

In the “Theory of Change” portion of its website, if.then.fund explains four functions it hopes the platform will serve. One is accountability: “Instead of making an aspirational donation to a candidate, campaign contributions made here on if.then.fund are based on what legislators actually do, not what they say they will do. if.then.fund routes your contributions to members of Congress who vote the way you want and to the opponents of those who do not. By being targeted, your contributions will be more effective at supporting candidates with similar views to your own.” Unfortunately, if.then.fund relies on endorsements of existing legislation, whose language is often crafted by special interests, and surrenders the agenda-setting to Congress.

ShiftSpark founder Ben Yee worked as a Democratic fundraiser, convincing big donors to give to formal candidate-led campaigns. “At the end of the day, it was my job to figure out how to get rich people to give. It was only years later I realized: It's not a question why money runs politics. The question was whether Americans can actually be empowered by the same
system” (ShiftSpark, emphasis mine). To empower average voters rather than official representatives, ShiftSpark shares the issue-over-individual method of funding candidates, and uses an accountability model of pledges. The actual contribution is withheld until the action is taken (a vote, a motion), essentially as a reward for the lawmaker’s acting in accordance with the donor’s views. The donor decides if and when to release the donation (which is public information only if it is released) to reward the officeholder by helping to fund his re-election. If the action is not taken, the pledge is not collected, or may be collected (with the approval of the donor) to be donated to an opponent. While its intentions are good, this explicitly performative speech act model dances perilously close to Chief Justice Roberts’ explicit explanation of the exception to speech acts protected by *Citizens United, i.e.* the quid-pro-quo of exchanging a particular vote for a particular sum of money. Interestingly, this exchange is reflected more accurately in the title of rival, “if.then.” The platform is even more promising, though, for its user-generated legislation and petitions, to which pledges can also be attached.

Workflow in the test case began with my proposing an issue of concern to me, via the invitation to submit issues on ShiftSpark’s home page. I was required to provide some identifying information (and my IP address was logged). I did not have to make a pledge, nor submit payment information, at the time of creating the issue. The issue did not appear immediately on the site, but was submitted to a private box for review, approval, and posting by ShiftSpark founder Ben Yee.

Within 24 hours of submitting the issue and creating a ShiftSpark account, I received a personal email from the founder announcing that my issue had been added to the site. Yee had indeed “turned my suggestion into an issue;” transforming a forty-five word suggestion into an eight-hundred word profile of the legal and legislative status of marijuana in the United
States. He launched the issue, with language written himself, on the site and sent me the live link (this choke point in the approval process is a justified criticism of the young ShiftSpark model, as it is both open to bias/manipulation, and review of each issue by the founder is not scalable). Yee selected an initial goal of $10,000 and an audience of Congress, offering an incentive to those who would advocate for legalization legislatively, and a deadline of June 2018. There was no option for me to select or suggest a goal value or deadline in the web form.

When I explained my project and academic’s approach in a return email, Yee proved a valuable and engaged partner, eager to help me adjust the parameters of the campaign according to the values of public sphere theory. He also made minor alterations to the platform itself (beginning to accept cents, as well as whole dollars) with the help of a coder/developer, at my request. It it difficult to imagine this level of responsiveness being scalable to twenty or thirty issues active on the site: a distribution of approval powers or a decreased level of flexibility will be the natural reaction to such increase in usage. Manual review and approval, as well as manual control over which and how issues are displayed on the front page of ShiftSpark, which is a chokepoint of control which has the potential to undermine the openness of submission.

4.2 **Accessible/Inclusive**

Public sphere theory suggests that moving public discourse deliberation and activism online should render the discourse more inclusive, provided that the marginal material costs of education and activism are low (social media, crowdfunding) and the performativity of actions is reliable. Because those newly empowered are a socioeconomic range for whom the material costs of traditional political activism are more likely to represent significant opportunity costs and/or unacceptable losses (taking time off from work to canvas or to vote; risking arrest in protest, donating to the campaign of a candidate who ultimately doesn’t win influence, or
contributing to a winning candidate and having one’s message ignored), the lower threshold of investment of time, effort, and money should make participation more accessible. Crowdfunding is likely, I hypothesize, to expand and empower a more inclusive public sphere.

4.2.1 Low Material Constraints

The mechanics of digital publics, including crowdfunding platforms, offer significant advantages to those wishing to build a more inclusive, responsive public sphere. The barriers to production of content are virtually (pun intended) non-existent. Participation drives participation, users set and adjust their own discourse conventions. Rivalling is real-time and corrections are free. Hypertext and multimodal tools offer users the freedom to navigate through information on their own terms. Just as importantly, digital publics contribute to diversity of public discourse, as conversations, groups, or individuals comprising a “counterpublic” which might struggle for time and attention in the dominant media culture and for influence in the current political discourse, including agenda-setting.

Lauri Goodling points out in Kairos that groups with shared interests and motives can be united “in a way that might previously been cost- or politically prohibitive,” allowing for more engagement by a greater accessibility and lower barriers to entry to political speech. In the crowdfunding model, this expanded availability constitutes an expansion the targeted potential public. The near-zero cost of duplication, modification, and high speed transmission (rhetorical velocity) of the speech itself is joined by a more quantifiable return on investment for access and speech. Even for the already politically engaged, costs are shifted toward action, while an equivalent sum toward the per-plate cost of a fundraising dinner might only have given a moment’s access - and no accountability - to a small donor. Under the accountability offered
through assurance contract crowdfunding, though, the funds staked by a contributor are not spent on gaining physical proximity by travel, or proving loyalty to gain access. Instead, the donation is tied to the speech act itself, and accountability is established by the participation in an enforceable arrangement.

4.2.2 Reduced Exclusionary Criteria

Crowdfunding sites are available for viewing by anyone with a web-enabled device, and renders consistently and reliably across “post-PC” devices like smartphones and tablets. 68 percent of American adults now own a smartphone - a doubling of that demographic between 2012 and 2016 - making these speech acts available to a far larger percentage of the population than currently choose to vote in major elections (for purposes of comparison). Crowdfunding participation, while it does cost the face value of a contribution, does not require transportation, special access, time off, full physical mobility, or pre-registration. Participation is available to populations too often circumstantially excluded from “boots on the ground” demonstrations, voting, and other nondigital participation.

Explicit systemic speech acts like voting and constituent contacts often exclude non-citizens, while crowdfunders contributing to a crowdfunded policy alternative need not disclose citizenship, and campaign finance precedent, permits non-citizens to donate to “issue advocacy” in the same amounts as citizens. While citizenship status must be disclosed during registration, per FEC requirements, ShiftSpark founder Ben Yee claims on his platform’s FAQ, “we would rather melt our servers” than disclose citizenship status under any other circumstances.

U.S. based crowdfunding sites are currently only offered in English, though any web
based translation service (e.g. Google Translate) could be applied to both interface and the policy alternative itself. To extend access and participation, the issue text might be translated professionally to preserve accuracy and nuance for additional audiences of potential participants. Spanish seems a likely first choice, but depending on a particular issue and its interested demographic, other languages might be more urgent.

The monetization of the means of political deliberation still functions as a barrier to participation and inclusion, but this barrier is actually lower in crowdfunding than in pre-digital contexts. The wide availability of the minimum tools for digital civic participation have the potential to reduce the material costs considerably, compared to more time-intensive, less-performative options like street protest, pamphleting, letter-writing campaigns, gathering signatures, attending local council meetings, town halls, or public comments sessions. While all of these activities meet predigital definitions of desirable “on-the-ground” activism, they have less performative return on investment, and considerably more opportunity cost, than a monetary donation. The superior return on investment of crowdfunding is even greater when the donation is governed by an assurance contract, such that money/effort is effectively never wasted.

4.2.3 Decentralized Power and Collaborative Heterarchy

The web-enabled democratization of the public sphere is redefining activism through its reliance on earned credibility and economies of attention, in contrast to traditional/expert/oligarchical models of high-powered lobbying and the “bought space” and artificial scarcity of newspaper ads, billboard spaces, and television commercials. Collaborative “heterarchy” is built into the design of wiki systems, as Benkler writes, as decentralized systems like Wikipedia “depend on very large aggregations of individuals independently scouring their
information environment in search of opportunities to be creative in small or large increments” (Benkler, 375-376). Adding to and improving the collective store of knowledge is a semi-performative act: a kind of epistemological activism. What’s more, the “faith” in public’s capacity to challenge corporate and state power, and the consensus and cooperation characterizing Dean’s Post-Political age is exactly the kind of potential necessary to wikify governance.

The full complexity of policy inquiry could be addressed by the nature of platform communities because those who seek out that small corner of the collaborative tool would be well equipped to handle such complexity in that specific area (the Wikipedia model) as Csikszentmihályi suggests. Willing and qualified participants contribute asynchronously to a deliberative whole that is viewed always as the sum of its revision, while the history is still visible.

The accessibility and inclusiveness of the current platform iteration is a significant improvement over traditional campaign funding mechanisms, and serves to effectively broaden political participation and expand the donor pool. Given rhetoric and composition’s mandate to provide reciprocal engagement in civic rhetoric and access to the broadest possible swath of a population, however, we should be mindful of those still excluded or unheard. ShiftSpark does not require that users identify as any gender, race, or ethnic group, however, these characteristics might be inferred from names, occupations, or zip codes by back-end users or in eventual public filings. Users may choose their own publicly visible user name and avatar, so disclosure of these personal characteristics to other users during the course of the campaign is possible but optional. The transparency requirement in public disclosure, as required by the Federal Election Commission, prevents the kind of privacy an academic might promote as appropriate or ideal,
but does provide demographic tracking data.

The 13 percent of American adults who still do not regularly use the internet (Pew) is worthy of any inclusion-minded activist’s consideration, though that saturation will almost certainly continue to rise organically as wireless devices and increased broadband penetration reduce barriers to access. In the test case, the campaign’s reach was limited by language (only English and Spanish texts were provided by native translators, while all other languages were accommodated by the less-than-perfect services of Google Translate). Given the centrality of the rhetorical power of language to the crowdfunding conversion, significant loss of meaning and persuasive potential could be lost with inadequate translation. Future campaigns would do well to include additional language versions created by native speakers familiar with the campaign and its strategy.

Likewise, literacy and readability may pose a barrier to access for some audiences. Much in the same way richness of vocabulary and its accompanying rhetorical sophistication are limited for non-native readers of complex texts, the dialects and grammatical conventions of any one word choice will be less effective than a simpler or more complex one, depending on the reader. If platform participation becomes desirable enough that sophisticating features may be made available, other forms of the discourse may be made available, including simplified bullets with expandable details (like an FAQ), explanatory notations when words are hovered on, video and audio versions, and other accessibility tools could be attached to the presentation of text. Regrettably, the production of these assistive tools is not within the scope of this project, and we should be prepared for it not to be foremost in the minds of average citizens beginning such campaigns.
The potential of a new tool should be measured in its capacity to help flash publics to “avoid bulky hierarchy and forge a powerful network of rhetor-activists,” within which counter-movements can “justify hope [Fraser might substitute “faith”] in the deliberative democratic experiment, demonstrating the possibility of digitally connected citizens to continuously create and re-create their own democratic potential” (Swift 96). Our field must generate a framework of strategies for a complex public sphere comprising multimodal, technological, and rhetorical elements. In concert, this epistemology-as-activism is anticipated by Freirean frameworks of critical reflective praxis, and the wiki model of meaning-making is uniquely capable of questioning/countering existing power structures (Freire), and flattening hierarchical structures of influence (New London Group).

4.3 Accountable

As demonstrated earlier, citizen speech acts have generally low rates of performativity and return, and so are sometimes disregarded by citizens as a waste of time or energy. Traditional forms of civic engagement, including voting, congressional office visits, and protests, also lack any measure of accountability. Crowdfunding platforms are structured to address this lack of performativity and accountability by providing material restitution or established course of action breaking or non-fulfillment of the performative contract. The creator of the issue campaign has the right to release, refund, redistribute, or re-target the money collected if a particular cause fails. For the purposes of our test case, unfulfilled pledges will be offered for refund on January 21, but a roll-over fund will be available for those who choose to “opt-in” to the yet-undecided next step in this campaign. Crowdfunding uses the assurance contract model, enabling donors to “only spend our money when we win” (ShiftSpark). Not only
does the this enhance a campaign’s likelihood of competing with wealthy interest groups by recycling donations which have not had their original performative contract fulfilled, it reduces opportunity costs by delaying the transfer of funds until the performative is fulfilled. Even close professional and lobbying relationships in Washington do not provide such explicit assurances of favorable legislation, and to do so would likely run afoul of SCOTUS’s definition of quid pro quo (Roberts).

To ensure the performative value of the crowdfunded contribution, crowdfunding platforms can borrow from economics the “assurance contract” first theorized in 1987 by Bagnoli and Lipman:

In a binding way, members of a group pledge to contribute to action A if a total contribution level is reached (often a monetary threshold, or a quorum of N members making the same pledge). If the threshold level is met (perhaps by a certain expiration date), the action is taken and the public good is provided; otherwise, the parties are not bound to carry through the action and any monetary contributions are refunded. In [escrow] cases, the ‘binding contract’ is ‘signed’ by depositing funds in advance, which are later either disbursed according to the contract, or refunded (583).

In crowdfunding, the fulfillment/triggering event is the performative action itself at which point the pledges are collected and the contributions fulfilled. Lower-value donors like those aggregated by crowdfunding platforms are less likely than wealthier donors to bear opportunity cost of unrealized campaign promises. Accountability is thus a contributor to accessibility. Jeff Swift wrote in his 2015 dissertation “people often fear that their phone call will not matter all by itself. This web app will work to make this type of political action a social experience rather than
a solitary and seemingly fruitless one.” While the pledge portion of the action must be taken in advance, the true sacrifice and opportunity cost (the removal of funds) is triggered by the fulfillment of the performative. Nothing is wasted.

The crowdfunding method raises the significant question of when, and on whose authority, the assurance contract should be considered fulfilled. Valocchi summarizes the activist gatekeeper’s dilemma: “do we accept management's 'last and final offer' even though it is not all we wanted and risk alienating the more radical [participants] or do we accept the offer, define it as success, and risk cooptation?” (1). In his dissertation, Jeffery Swift clarifies,

If a lesser result is accepted as “success,” participants can easily feel that their work is finished and then disengage before achieving the real goal. But if this less-than-ideal offer is accepted as a compromise, participants often get disillusioned and move on to find more promising causes (or more funny YouTube videos). Powerbrokers are generally aware of this cycle and often use it to co-opt causes by diluting their demands (121).

To protect against a drop in relevance, activists may plan for failure, seeing the rebound after a short-term resolution or small victory as an opportunity to retrench. Professional activists may also work to protect their career security by slowing or blocking progress: setting intentionally unreachable goals, diversifying or increasing demands, or refusing to accept compromise that might blunt their fundraising potential (Swift 122). When the incentives of the lobbying structure dictate full-time registered employees to carry out effective relationship building and issue articulation, powerbrokers and paid activists may collude (perhaps unintentionally) to stymie genuine progress because the status quo, and the struggle against it, become a way of life. Activist causes can be comfortable, predictable, and profitable, and full-
time activists may receive mixed signals about advancing either their cause or their careers (for example, someone whose paycheck comes from the National Organization for the Reform of Marijuana Laws, for example, might be conflicted in his support for the legalization test case). The assurance contract, by contrast, allows the triggering event can be set by an organizer before pledges are made, effectively reducing the appeal of a watered-down victory.

According to Swift, “Digital tools enable digital activists to embrace the all but inevitable failure that follows a ‘resolution’ of an issue and use that failure to grow stronger still…when a particular campaign is resolved, there is still a standing (albeit dormant) network of activists ready to spring into action” (122). The collection of this contact information, and contractual permission for that information to be used, has been proposed by some scholars as producing a performative good in itself. Swift summarizes, “…the composition of the network itself is the success. Rather than legislative or electoral victories, antifragile activism measures success by the strength of the resulting network…” (123).

Barbara Warnick notes that the public sphere does not, in itself, provide any assurance of the ability of its participants to enact change or influence upon more formal institutions. Actions taken within the sphere are not necessarily – nor even necessarily purported to be – performative in nature. She calls on a specific set of characteristics (similar to Michael Warner’s criteria for ‘publicness’) for “its continuances…. the extension of a common culture, shared experience, communal values, skill in and commitment to the processes of deliberation, access to news and information, and the public’s ability to influence social institutions and government policy” (2 emphasis mine). Like performativity, accountability of citizen speech acts is difficult to assess and some institutions intentionally make it difficult to ascertain as, for example, the omnibus spending or appropriation bills that insulate voting congress people from having to record a yes
or no vote on many controversial items. Gerrymandering is another variation on the institutional attempt to protect officeholders from the little power citizens have to keep them accountable.

To further promote accountability, If.then.fund and ShiftSpark each have a mechanism for revoking pledged contributions (speech acts) that are not fulfilled by the recipient (that is, the contribution is revealed to be non-transformative, non-performative). Crowdfunding mechanisms to withdraw donations offer an unprecedented accountability offer the speech act relationship to the crowdfunding constituent.

4.4 Consensus-building/Deliberative

American policy processes are designed to restrict the number of participants in political deliberation to issue experts and a narrow band of representatives, and lobbying emerges as a reaction to that concentration of influence and the resulting economy of attention. Conversely, emergent internet-enabled collaborative disruptions and innovations – for example, Wikipedia – demonstrate that the power of crowdsourcing and distribution of knowledge may be well suited to tackle massive, complex projects, even if the individuals involved are experts only in very narrow fields. This attention to non-hierarchical ways of knowing allows scholars to answer Ellen Cushman’s call for engaged practice, an acknowledgement of expertise outside the academy and an exercise in democratic knowledge-making. The problem of the “expert” and central or hierarchical control is currently reified in crowdfunding sites’ workflow.

Currently, while anyone can suggest or support a policy alternative on a crowdfunding site, the workflow and approval is limited to platform insiders, a hierarchy, a central locus of control. Workflow in the test case began with my proposing an issue of concern to me, via the invitation to submit issues on ShiftSpark’s home page. I was required to provide some
identifying information (and my IP address was logged). I did not have to make a pledge, nor submit payment information, at the time of creating the issue. The issue did not appear immediately on the site, but was submitted to a private box for review, approval, and posting.

Within 24 hours of submitting the issue and creating a ShiftSpark account, I received a personal email from the founder announcing that my issue had been added to the site. Yee had indeed “turned my suggestion into an issue,” transforming a forty-five word suggestion into an eight-hundred word profile of the legal and legislative status of marijuana in the United States. He launched the issue, with language written himself, on the site and sent me the live link (this choke point in the approval process is a justified criticism of the young ShiftSpark model, as it is both open to bias/manipulation, and review of each issue by the founder is not scalable). Though founder-CEOs designed a workflow process to review proposed issues with the design of keeping out bots, carelessness, and malicious or illegal projects, the potential for abuse or undue influence by a central editor exists. Unfortunately, this concentration of power is not only unscalable, but replicates the elitist, exclusive power the characterizes the current non-performative civic advocacy system we hope to transcend. In an ideal conception of civic crowdfunding, the processes of issue-iteration should aspire to the same transparency we hope to see in policy deliberations. I suggest refining of the language of a crowdfunding issue should be carried out via wiki, wherein a group of participants enter and communally edit bits of text.

When I explained my project and academic’s approach in a return email, Yee proved a valuable and engaged partner, eager to help me adjust the parameters of the campaign according to the values of public sphere theory. There was no option for me to select or suggest a goal value or deadline in the web form; Yee selected an initial goal of $10,000 and an audience of Congress, offering an incentive to those who would advocate for legalization legislatively, and a
deadline of June, 2018. He also made minor alterations to the platform itself (beginning to accept cents, as well as whole dollars) with the help of a coder/developer, at my request. It difficult to imagine this level of responsiveness being scalable to twenty or thirty issues active on the site: a distribution of approval powers or a decreased level of flexibility will be the natural reaction to such increase in usage. Manual review and approval, as well as manual control over which and how issues are displayed on the front page of ShiftSpark, which is a chokepoint of control which has the potential to undermine the openness of submission. Fortunately, collaborative governing is increasingly possible, and wikis offer us a transparent, well-understood model for establishing credibility, crowdsourcing complexity, and refining collective understanding.

Dr. Matthew Vetter, with whom I have had the privilege of corresponding on collaborative consensus-building technologies, references several criteria that make a Wiki model especially well-suited to community-building and liberation in his dissertation Teaching Wikipedia: The Pedagogy and Politics of an Open Access Writing Community. The questions of how to create the conditions for maximum collaboration and performative potential is fraught. Vetter writes: “making claims about its “democratic” potential must come through investigations of both the technology and the particular local cultures that grow up around that technology.” An examination of issue articulation and refinement perpetuates a public voice, a “culture of use” (a term coined by Steven Thorne and cited by Vetter). Like Warner’s autotelic publics, cultures of use “gather around the tool and their particular ways of using it: the ‘historically sedimented characteristics that accrue to [the tool] from its everyday use’” (Vetter 18). Publics are cemented by the deliberative processes of self-identification and poetic world-making (Warner). Substantial collaborations become more possible the longer the tool is used, since its internal
frictions and evolving self-definition should make it more useful as usage continues (Thorne). The particular cultures of use that have accompanied wikis are a good fit for the deliberative public sphere, and for collaborative world-making.

Ward Cunningham created the first wiki in 1995. His “WikiWikiWeb” lets software developers create a library of "software patterns." The name “Wiki” was inspired by the Hawaiian word *wiki* or *wiki-wiki*, which means "quick" and is often used as a term for taxis and airport shuttles. In a wiki, bits of text can be viewed and edited by anyone who visits the wiki.

An article The Faith-Based Encyclopedia, written by the CEO of Britannica, discusses some of the problems associated with this kind of collective action, most of which are shared by other epistemology-as-activism communities. *Why Wikipedia Must Jettison Its Anti-Elitism*, written by one of Wikipedia's founders posits that the pretense of equanimity of knowledge and the extermination of the expert is, in some contexts, destructive or dangerous (Sanger). Overall, however, advanced public composition models like Wikipedia have proven that editors, peer users, and a few administrators (usually chosen by platform seniority or participation only) collaborate to moderate most issues that arise from this method of epistemology-as-activism.

Relatively straightforward voluntary governance affords reasonable protections against wiki vandalism and bullying. The texts resulting from these collaborations are among the richest we have created as a species, if sophistication of texts is measured by the number of participants in its production. Each page in Wikipedia has a revision history that anyone can see, so changes can be reverted and inappropriate or inaccurate additions removed. Both parties have to reach consensus on the page, and that eventually causes the page to achieve a neutrality and objectivity that satisfies both parties. Edit wars and personal vendettas do occur in this editing process, in which one users changes are maliciously or arbitrarily reverted by another user, most commonly
on articles about American politics. Taha Yasseri of the Oxford Internet Institute studied Wikipedia’s different language editions from their inception in January of 2001 and ranked the most contested articles based on the frequency of edits and reverts made (called their “maturity score”). Not too surprisingly, the results from the Economist confirm English-speakers, especially Americans, are known to bicker over politics. Controversial topics or extended discussion of fact move to separate pages so they can be dealt with separately (invoking Chris Csikszentmihályi’s preference for crowdsourced piece-work in knowledge building). On Wikipedia, where thousands of edits happen every hour, administrators and average users might use (unfortunately named) Watchlists to keep a closer oversight on articles they interact with often or have particular expertise in. Watchlists are made by the user and are not a measure of relative expertise or even interest. Administrators are empowered to block IP addresses where abusive, destructive, or inappropriate (usually defamatory or overtly sexual, see Terms of Use) behavior or content originates. Admins may also temporarily block changes to a page if content is actively disputed or developing (as in the hours after a widely noted death). This is generally understood to be a protection of the integrity of the resource and not an attempt to stem controversial speech about the event itself.

4.5 Disruptive

If approached from a rhetorically savvy conception of participatory social protest, crowdfunding campaign finance could yield a less commoditized, more accountable, more transparent, more effective public sphere through the affordances of digital and disruptive technologies. Digital activism is sometimes seen as serving a substitutional, tranquilizing effect, as a sort of neo-Marxian Xanax for masses, but the performative value of some digital speech
acts is capable of challenging existing concentrations of power (Fraser, Freire, Bruener).

Crowdfunding political policy alternatives holds significant potential to empower non-majority (counterpublic) activists to challenge existing power distribution; serving as a check on state power. Bundling, one of the most successful tools employed by high-donor interests in current services to the state, is introduced to the digitally empowered public(s). While funds raised so far could not compete with current top campaign donors, the infrastructure for disruption of the current campaign finance system is scalable to permit mass participation.

The Internet revolution and the power of networked publics has overhauled the way we do absolutely everything; the way we communicate, engage with brands, celebrities, and peers, book travel, research and learn, retail shop, and produce and distribute our own work. Disruptive economic models – commonly cited are AirBnB, which became the world’s largest hospitality company without owning any property, and Uber, which is the world’s largest ride provider without owning a single vehicle – are revolutionizing our interactions. That same disruptive convergence is poised to impact our traditional system of debating, funding, supporting, and mobilizing for particular political actions without the high capital investments of registered lobbyists, trips to Capitol Hill offices, or up-front investments in campaign infrastructure. Disruptive “sharing” models also empower cooperation between individuals rather than adhering to traditional hierarchies and material constraints like access to Congressional offices and physical petitions, protests, and voting. Crowdfunding offers the rhetorical power of the protest and the performativity of voting while providing lower costs (including investment and opportunity costs) and higher performative returns.

Nancy Fraser might embrace disruptive civic crowdfunding as an attempt at a post-bourgeois public sphere:
The bourgeois conception of the public sphere is not adequate for contemporary critical theory. What is needed, rather is a post-bourgeois conception that can permit us to envision a greater role for (at least some) public spheres than mere autonomous opinion formation removed from authoritative decision making…to expand our capacity to envision democratic possibilities beyond the limits of actually existing democracy (136).

Because crowdfunding platforms serve as a site for the revision of public opinion, as well as performative potential to influence decision-makers, it seems to hold the potential to fulfill Fraser’s hope for a post-bourgeois conception of a strong(er) public sphere creating its own outcomes. The line between performative activism and rhetorical deliberation is further blurred.

Crowdfunding platforms embody many of the characteristics of digital media that make it particularly well suited to disruptive and counterpublic empowering social activism. Goodling identifies many of these affordances in *Kairos*:

Perhaps most valuable is that digital media, unlike its alternative and activist media predecessors, effectively disrupts the existing power dynamics in politics and media, making it an ideal situation for activists to do their work. This shift in dynamic puts the power in the hands of the user as one who transmits and circulates at her will, on her timeframe, and to the extent she desires. It levels the playing field to some degree, and it provides opportunity for voices to be heard that might otherwise be ignored by those holding the reigns in politics and media.

To the extent that crowdfunding’s potential to empower counterpublic activists to challenge existing power distribution is currently limited, the limitations come not from the platforms or the activists but from the existing controls exercised by the state to protect itself from such usurpation. Campaign finance laws, including those limiting maximum individual
contributions in certain elections and the uncertainty surrounding privacy and transparency, currently limit the pedagogic and performative potential of the tool to serve as a liberatory force.

4.6 Test Case Development

Below, the wireframe of a currently active prototype campaign on ShiftSpark demonstrates these revitalized public sphere theory and civic engagement principles in its design and execution.

Having chosen ShiftSpark as the tool best suited to compose more performative slacktivist social action, and to challenge the power dynamics associated with traditional forms of constituent-representative communication, the priority shifted to the details of implementation. My collaboration with Ben Yee of ShiftSpark, over the course of more than one hundred emails, provided the opportunity to alter some coded parameters of the site as well as the language of the issue appeal, over many drafts. By embracing Coogan and Cushman’s instruction to push through the discomfort into the uncertainty of participatory public rhetoric, put my theory on the line for a . I gave up the critical distance and disinterest of the scholar and immersed myself in activism. If I were mindful of the criteria established in the previous chapters while selecting an issue to champion on crowdfunding site, developing that campaign’s content and messaging, could I shape a tool capable of creating genuine liberatory social change?

I considered many possibilities for a operationalizing these findings into a test case, including re-establishing funding for Advanced Placement United States History courses after the supporting program was defunded in Georgia. On March 11, 2015, in a 38-17 party line vote, the Georgia State Senate passed SR 80 to remove state sponsorship from the APUSH curriculum over what the resolution called “a shift toward a leftward ideology… made obvious by a growing
focus on group identities, such as ‘the formation of gender, class, racial and ethnic loyalties,’ at the expense of such unifying concepts as American Exceptionalism” (Georgia State Senator William Ligon.). This move would significantly restrict access to The College Board’s APUSH course program, teacher training, and advanced college credit, among students in underresourced school districts (Gagnon). While the fundraising goal of just $330,000 to reinstate the program was quite manageable, the state-level scope and limited beneficiaries (about 14,000 Georgia high schoolers enrolled in the course in 2014) ultimately dissuaded me from this focus, as did the relative opacity of the political compromises reached by the Georgia legislature and the publishers of APUSH curriculum. To make best use of the affordances of crowdfunding, the issue would have to be national in scope, and the mechanism for policy change and the empowered actor transparent, so the terms and fulfillment of the assurance contract would be obvious to all stakeholders.

Marijuana descheduling surfaced as well suited to the civic crowdfunding test case for many reasons. First, the relative simplicity and transparency of the policy change: a single, publicly visible action by a well-known individual. The President can instruct his Attorney General to remove marijuana from the Drug Enforcement Administration’s Schedule of controlled substances, effectively legalizing it, without the consent of Congress or a ruling from any Court. The removal of a drug from the Schedule of Controlled Substances is an executive-agency decision under Part B of the FDA rules in part, “if he [The Attorney General] finds that the drug or other substance does not meet the requirements for inclusion in any schedule.” If President Obama removes cannabis from the DEA’s drug schedule before he leaves office (Jan 20), the campaign proposes to pay off his remaining campaign debts to the Democratic National Committee (about $2 million). Contributors pledge a donation that will take
effect only if legalization happens, and neither the money nor their personal data changes hands unless the speech act is fulfilled, as determined by the crowdfunding site (in this case, me).

Second, I interpret cannabis descheduling to be a significant unmet need with considerable popularity and wide political appeal, backed by empirical evidence. Inclusion as a Schedule I drug means the DEA claims cannabis is as dangerous as heroin, both Schedule I drugs with “no currently accepted medical use and a high potential for abuse.” Both the evidence and President Obama stand in opposition to that statement, indicating he might share, or at least be sympathetic to, the unmet need of a counterpublic advocating descheduling the drug.

President Obama told the CNN in 2014 "...carefully prescribed medical use of cannabis may in fact be appropriate...” and that he believes recreational use is “no more dangerous than alcohol.” In truth, multiple studies (including some funded and released by the National Institutes of Health) show cannabis is far safer than some unscheduled drugs, and cannabis use has never been linked to an overdose death (Lachenmeier; see References and Appendix B for citations). Additionally, President Barack Obama seems personally to be at odds with his administrations’ drug enforcement policy, and has shown willingness to take other actions to mitigate the differential impact of the drug war on marginalized communities. He has granted nearly 700 sentence commutations (more than the past ten presidents combined) mostly of drug crimes and particularly of those cases in which drug scheduling had played a role, as in differential sentence and mandatory minimums for crack cocaine users (Johnson). The President told The New Yorker in 2014 that he was concerned less with the public health menace of marijuana use than the disparate impacts of prohibition on marginalized counterpublics: “Middle-class kids don’t get locked up for smoking pot, and poor kids do,” he said. “And
African-American kids and Latino kids are more likely to be poor and less likely to have the resources and the support to avoid unduly harsh penalties” (Remnick). The President, of whom *Time Magazine* has published photographs in which he appears to be smoking a marijuana cigarette, continued, “we should not be locking up kids or individual users for long stretches of jail time when some of the folks who are writing those laws have probably done the same thing.” These statements all contribute to my belief that there is room to sway the President on this issue with an experimental crowdfunding campaign.

The president is not alone in his doubts about the wisdom or effectiveness of the current position of marijuana on the drug schedule. The relative popularity and post-partisanship of marijuana descheduling was another factor recommending it for test case consideration, as this policy alternative is backed by a diverse counterpublic with a variety of motives. Marijuana prohibition has many potential (counter)public audiences who might be willing to contribute small sums. The counterpublic discourses united by their unmet need of descheduling includes criminal justice reform, differential treatment of races by law enforcement, opiod epidemics, and the nullification of some or all marijuana prohibitions at the state level in more than half of states. The staggering implications of the current schedule position include the Federal government’s use of $2 Billion annually to police the plant, the drug war’s role in justifying civil rights abuses, thousands of arrests and imprisonments, and many more listed in Appendix B, the text of the appeal. The call for descheduling aligns the interests of counterpublics as traditionally divided as the ACLU and Human Rights Watch, The Cato Institute, Black Lives Matter, small government libertarians and alternative medicine advocates, all of whom have published recommendations for descheduling. The nonpartisan reach of the cannabis issue improves our
likelihood of success in gathering a wide network of small donors, in the crowdfunding ideal and an empowering model for an inclusive (counter)public sphere.

The relative privacy of a public act—one might even call it political cover—is another recommendation of digital crowdfunding for marijuana reform. Federal Election Commission reporting guidelines require real identities to be disclosed along with credit card or PayPal information in the initial pledge stages, however, so while anonymity cannot be truly maintained until the contract is fulfilled, its exposure is limited (barring hackers) to platform backend.

As crowdfunding participants create cultures of use for their communities, they might consider what Warner and Fraser teach us about the behavior of counterpublics generated by a socially unacceptable or unspoken shared trait. Warner’s conception of The Closet (“Publics” 52-54) is especially relevant here. While Warner’s discussion is of sexuality and and the rhetorically constructed social pressures of heteronormativity, I find these pressures equally well suited to discussions of drug policy in a society that stigmatizes and criminalizes marijuana use, including for medical purposes. Through participation in protected publics united by stigmatized expression are, as Warner’s are, “the occasion for forming publics, elaborating common worlds, making the transposition from shame to honor, from hiddenness to the exchange of viewpoints with generalized others, in such a way that the disclosure of self partakes of freedom” (61). The potential of crowdfunding to make these protected enclaves publicly visible in their performative potential (e.g. by the draw of legislator’s attention to the promise of a significant campaign contribution) without sacrificing anonymity, is significant, though not unique. This kind of shadowed influence is the advantage of non-transparent campaign funding, issue advocacy groups, and “dark money” long enjoyed by Grim and Carter’s influential elite. The democratizing potential of crowdfunding is once again demonstrated to be empowering and
liberating, either in the metaphor of expanding the public sphere or increasing the ‘strength’ of networks, or occupying the decision-making sphere from which one has been excluded, through the strength of numbers (Brown; Goodling).

The chilling effect of such closeting, especially in advocacy for an activity that remains illegal at the national level, criminalized in 24 states, and forbidden by many families and employers is not insignificant: a counterpublic is defined by the relative unacceptability of whatever characteristic make them counter rather than public. Fortunately, my research into the mechanics of crowdfunding and campaign finance reveal there is no requirement that a crowdfunding platform report the particular policy alternatives funded. While candidates and anyone with access to the public record of the campaign contribution could include identify the donor by name, address, occupation, and amount contributed, the particular policy initiative funded need not be attached to that record. Should the participant wish to insert the messaging into the disclosed data, a crowdfunding interface might offer recipients a ‘key’ of donor amounts with agreed upon meanings (see Appendix B). These pre-selected amounts should be optional, so that a participant can choose any donation amount. To further promote the appropriateness of crowdfunding for traditionally excluded or even closeted counterpublics, for example, and the user might choose to disclose a message with the value of the donation.

Since one of the few details that will be disclosed to later viewers of the public data (including policymakers) is the exact amount of the donation, we hope to encourage giving as an act of speech and support for particular elements of anti-prohibition or pro-legalization discourse. This realization – that one of the few pieces of information about a contribution is the precise amount of the donation, and could be used to give another avenue of explicit meaning to pledges – led me to a practical programming challenge with the test case. Currently, the
ShiftSpark site permits only whole-dollar donations, a restriction intended to streamline bookkeeping and reporting (Yee). My suggestion to further empower counterpublics to send strong messages is to add decimal donations such that four-and-five digit numbers may be added to ShiftSpark’s existing pledge point ("the latte" and "the lunch” etc) and marketed to specific audiences. The act of individuality and solidarity through giving is designed to appeal to digital counterpublic methods. Planned offerings include a monthly repeating donation of $4.20 or one-time gift of $42.00, small government advocacy campaigns targeting gifts of $17.76, and other campaigns tailored through social media targeted advertising.

Transforming the donation itself into a more explicit speech act through such symbolic meaning-making, we build community while preserving functional anonymity until the counterpublic activity is legitimized by the fulfillment of the performance contract. This provides possible relief for the phenomenon of Warner’s Closet by leaving private-to-public disclosure in the hands of the participant, and protecting the privacy of the participant until some amount of the stigma of advocating for a policy alternative (in this case, the advocating for policy change might be interpreted as advocating or engaging in criminal activity) without compromising the publicness of the action. At the point that donor information becomes public, legalization will have significantly lessened the social consequences of transgressing expectations, public disclosure, and loss of anonymity.

The resulting flexibility holds promise for the scholarly study of these ingroup-outgroup disclosures, contacts, and the network of donation, sharing, referral, and affinity building and the implications of such interface and culture of use characteristics. Future scholar-activists, who have more control over interface and disclosure design than I could provide in the test case, should strive to offer individual privacy for participants identities while simultaneously
publicizing the performative value of one’s speech act (collective, publicly visible campaign totals). The novel, subversive power of a crowdfunding counterpublic is its dissociation of the public performative value and the social pressures of ‘public speech’ of Fraser’s unmet counterpublic need and Warner’s social closeting. In this and other manipulations of the crowdfunding culture of use, we promote its effectiveness as a tool for liberatory social change.

The assurance contract and accountability measures for marijuana reform helped set the total campaign goal and eventual recipients for the testcase. ShiftSpark’s founder and I debated the total amount for the campaign goal, considering public perception, feasibility, and likelihood of attracting public and Presidential attention. Ben Yee wrote in a personal email to me on the topic, “I think a very meaningful goal would be about $100,000. Of course $2M is a daunting task but $100,000 will definitely get attention. Even if Obama isn't looking at it, other politicians will start to salivate at the untapped potential of the peoples' marijuana lobby” (personal correspondence).

The decision to select the daunting $2 million (or full remuneration of President Obama’s remaining campaign debt) stemmed from its performative decisiveness: the fulfillment such an assurance contract provides an immediate and obvious payoff for the government official executing the action, meaning there's a performative triggering of the event explicitly fulfilled by the donation. That is, the third-party donation for the direct benefit of the President dances as close to "quid pro quo" under Citizens United as most people can conceive of, but in a profoundly transparent transaction where the stakes are known to all. This acknowledges and publicizes the skewed incentives of the system as it exists (Fraser’s “actually existing democracy”) while putting citizens back in the discursive arena.
Once the policy alternative for the test case was decided, roughly a dozen contenders for the name of the campaign were considered, each with its own degree of explicit performative value and imagined audience. Some that were too reductive or audience-limiting were rejected ("potpledge" as too narrowly identifying cannabis with recreational use and "descheduleit" as not part of the vernacular of casual cannabis use communities). Yee wrote in a September 15, 2016 email discussion, “I think the most important part is a message that will drive engagement. Pot, I feel, is very associated with the slacker, immature side of marijuana. Since YesWeCannabis also has the hashtag, I think my favorite is CannabisCampaign.” Still others included references later rejected for appearing flippant to a broader public were set aside for marketing the issue to particular audiences, in hashtags and targeted ads. (NoMoreWeedWar, WeedThePeople, Joint Effort).

The final choice, Campaign4Cannabis, is both noun and verb, action item and explicit imperative. The choice of identifier for the plant was selected to align with a majority of legalization and marketing groups who have selected this term as the least biased and culturally laden. Attention to the sharability and "rhetorical velocity" of the outreach is a necessary consideration of any civic speech act, and of born-digital campaigns in particular.

I was able to secure Campaign4Cannabis across the top social media platforms, and it has a performative value that I hope can direct the restless energy of a this counterpublic to action. The several explicit performatives making up the homepage of the issue in the ShiftsSpark test case (campaign4cannabis.com), variously ‘decriminalize,’ ‘deschedule,’ and ‘legalize,’ are intended to keep the focus on policy, rather than “Donate to President Obama” or “Pay the DNC,” despite the explicit and transparent proviso that the funds will be provided directly to a particular politician in exchange for a particular policy change. I have been at pains to explain to
potential donors and partners that while the element of monetary exchange (bribery) might be
distasteful, it is only a more transparent formulation of the existing system of oppression and
strategic disenfranchisement. The title is less than ideally explicit and performative, since even
President Obama’s agreement to “campaign for” cannabis is not a sufficient action for the
performative contract to be fulfilled (like deschedule, legalize, or decriminalize) might have
been. The pledged funds stand behind a single, articulated policy request, posed to the person
with the power to fulfill that assurance contract.

Ben Yee wrote in a personal email to me, “to achieve significant change and beat vested
interests, we need to demonstrate people are willing to invest in changing electoral outcomes if
we don't get sensible policy. As the pledges grow, so will the necessity of politicians to support
descheduling.” Just like Goodling’s Roman noblewomen, whose numbers became so great that
their demands could no longer be ignored, the public-facing action of the climbing crowdfunding
total provides publicly visible growth of a movement. With only-online engagement (the kind
critics feared could never provide revolutionary potential) performative speech acts, and the
public counter tracking their escrowed influence, crowdfunding creates an irresistible draw on
decisionmakers’ attention. The only form of persuasive speech act proven to result in real policy
change is the campaign contribution, which can now be stockpiled in a campaign-finance
compliant way, contingent on a particular social action.

Here is the live crowdfunding page in its earliest iteration, and annotated interface for
audience interactions, followed by the ShiftSpark’s infographic about its process, which
currently appears as part of the page text. I continue to tinker with the displayed text, and I am
considering how to add hyperlinked citations without making the text unreadable (see Appendix B for full text and citations).
Legalize Cannabis Nationwide: ¿Preferes Español?

The DEA claims cannabis is as dangerous as heroin, both Schedule I drugs with "no currently accepted medical use and a high potential for abuse." That doesn't describe cannabis. And the President knows it.

President Obama has said "...carefully prescribed medical use of cannabis may in fact be appropriate," and believes recreational use is "no more dangerous than alcohol." In truth, multiple studies show cannabis is far safer, and has never been linked to an overdose death. Cannabis does not belong on the DEA's list.

Pledge $5: The Latte
If everyone who voted donated the price of a latte each year, they would fund the entire Presidential election. It doesn't take a lot to be a hero. In this case, just $4.

Pledge $10: The Lunch
Eating lunch out every day is the same as giving the maximum contribution to a Federal Candidate each year. Make your own lunch for one day and pledge $10.

Pledge $25: The Pizza Pie
If everyone donated the cost of a pizza every year, we could more than fund every election in America. Billionaires could never keep up.

Trade your pizza pie for a better democracy.

Pledge $50: The Revolution
Bernie Sanders funded his whole Primary campaign on donations averaging $50.

What would happen to politics if everyone pledged that much?

Figure 2 ShiftSpark Test Case: Campaign4Cannabis
**Figure 3 ShiftSpark: How It Works**

**Power In Accountability**

ShiftSpark tells politicians WHAT THE PEOPLE WANT. If they don't act by the election, WE RETURN YOUR MONEY. If they do, you can VOTE TO DONATE TO THEM.

Pledges Returned ➔ Pledges Donated

**ACTED ON YOUR ISSUE**

**Figure 4 ShiftSpark: Same Rules, Different World**

Same Rules, Different World

For the first time, politicians can connect with voters and **NOT WORRY ABOUT FUNDRAISING.**

Support ➔ VOTES

VOTES ➔ Staff ➔ Flyers ➔ Ads ➔ Travel ➔ Food
While it was not possible in the constraints of the traditional academic dissertation to engage in a full-scale case study of this tool, I worked with the founder of one of these platforms to operationalize my findings. My contention, rooted in Warner’s autotelic publics, is that to create a tool of civic engagement is to simultaneously generate a counterpublic. To that end, I selected an issue where a disconnect currently exists between public opinion and existing policy: marijuana legalization or removal from the Controlled Substances Act. Where agreement exists between the actor empowered to enact civic change (the President) and a significant counterpublic of the American people, but these policy desires are not sufficient to induce representatives to consider a policy alternative, a significant unmet need exists. The development of a means of civic engagement with a concrete policy goal, single target empowered to enact that change, and a crowdfunded campaign donation (performative speech act) to unify those views into a cohesive message, present an unrivaled opportunity to demonstrate the persuasive power of the crowdfunded contribution as a performative, inclusive, transparent, accountable form of civic engagement. Never have we stood a better chance of introducing a tool to enable Fraser and Warner’s reconception of a dynamic public sphere, capable of challenging the concentrations of power and disrupting the formalized (dys)functions of representation.
5 CONCLUSIONS

In the wake of a chaotic 2016 election season, Americans are understandably disillusioned by their seeming inability to influence the policymaking process of Washington D.C. through traditional means of civic engagement. Campaigning, protesting, and voting—the means of civic engagement most familiar to Americans—reveal the same disconnects in the public sphere that critics like Habermas, Warner, and Fraser have long observed. By the objective measures of effectiveness available to us, summarized here by the Princeton meta-survey of policy alternatives and public opinion, most forms of civic engagement fail to meet the standard of performativity to “embody action” (Austin) or “bring about the fit between words and world” (Searle). In the current political landscape, characterized by expensive media-driven elections, unlimited issue funding in the era of Citizens United and McCutcheon v. FEC, the financial contribution has superseded voting, legislator contact, and protest as the most effective influence on policy outcomes.

With that conclusion in mind, I submit civic crowdfunding as a tool with above-average potential to enact performative change—to do the work of embodied civic engagement Fraser, Warner, and Swift imagine. By empowering counterpublics traditionally excluded from consideration by our current campaign finance and representation, digital civic crowdfunding publics can occupy the campaign finance and representative systems and demand consideration of their policy alternatives.

Civic crowdfunding platforms offer a relatively new opportunity to attach contributions to a closely linked rhetorical platform advancing issues and platform planks, rather than candidates. The difference between this and a political action committee, corporation, or union, is perilously—or promisingly, depending on one’s viewpoint—narrow. These new avenues for
civic participation, and the resulting publics and public spaces they create should be observed critically; scholars hoping to answer Coogan and Ackerman’s pleas for our field to do work “out there,” community building, and other citizen-scholarship should be especially attuned to crowdfunding platforms and their resulting publics as a space to build a community and create meaningful social change. The unprecedented advantages of civic crowdfunding for the study of communities include scholars ability to track community formation and integration in real time, as well as to review public records of campaign donations with geographic and occupational information. Questions guiding this research should focus on how successfully aggregations of small donations might compete with larger donors, how the interface choices made by designers of platforms and workflow advance or subvert inclusive and empowered counterpublic participation, and how publics, communities, and networks created by crowdfunding participation can be maintained and strengthened. Side-by-side comparisons of policy alternatives, or two rhetorical constructions of the same policy alternative, could produce empirical and ethnographic studies. Data analysis of campaigns’ spread, patterns of participation (clicks, conversions, contributions, shares), and demographics will be instructive for developing more effective participatory communities going forward.

While the direct equivocation of civic engagement to a dollar value contributed may be an uncomfortable one, that equivalence has already been established by the existing system, as I endeavored to point out in my Freirean exploration of the dynamics of our current oppression and Bruenerian attempt to interrogate “what constitutes healthy interrelationships between what people believe and the trajectory of policies and institutions” (59). By explicating the nature of the oppressive system, Freire teaches us we can work from within it. Acceptance of my argument that crowdfunding show be treated as form of civic engagement does not require us to accept the
established system of campaign contributions as the dominant speech act for creating change, and many citizen-scholar-activists may feel motivated to continue to seek the overturn of *Citizens United*, *Buckley v. Valeo*, and *McCutcheon v. FEC*, perhaps even through civic crowdfunding measures. Likewise, we might employ crowdfunding technologies and social media networks to reduce the cost of campaigning and reaching voters, lessening the pressure on candidates and officeholders to raise large sums to compete in artificial scarcity of traditional media. While the distaste for money as the primary means of interaction in a republic is natural and understandable, Freire teaches us that as proponents of critical consciousness and revolution we should be willing to participate in a system, no matter how oppressive, if our goal is to reform or destroy it. Political action committees as we understand them arose as the result of loosening of campaign finance laws, giving ordinary citizens the power of influence and policy alternative articulation that political parties, labor unions, large corporations, professional organizations, lobbyists, and trade groups already possessed. Each entity is one configuration of a public, influence, and capital. Civic crowdfunding extends that influence by allowing individual citizens to participate in lobbying that is more representative, and representative of a broader public. From within the existing system of incentives and pressures, crowdfunding is an inclusive, accountable, transparent tool, empowering those counterpublics whose interests might otherwise be overlooked by the narrow, isolated group responsible for considering and enacting policy alternatives.

In 2016, an election year steeped in seeming disdain for political parties and “establishment candidates,” in which traditional forms of engagement have failed to yield their promised outcomes, the failure of traditional forms of civic engagement and protest is empirically demonstrable. Within the existing (somewhat distorted) framework of citizen and
policymaker incentives, civic crowdfunding holds unprecedented potential for social activists and citizen-scholars. The affordances of digitally networked activism (including increased performativity and accountability, lower material costs of participation, decentralized and deliberative) can empower traditionally excluded counterpublic activists to challenge existing power distributions. This disruption is accomplished through a counterpublic occupation of deliberative rhetorical space, applying pressure from within, and has the potential to serve as a check on state power. In doing so, citizen crowdfunding embodies the liberatory and revolutionary promise of civic engagement and social action (Fraser; Freire; Bruener). As the American public’s reliance on traditional institutions of influence, and the materials constraints artificial scarcity that support them, is waning, the potential to simultaneously educate and empower strengthened, antifragile counterpublics with the most performative, transparent, accountable tool in “actually existing” American participatory democracy is a chance citizen-scholar-activists would be irresponsible to miss.

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APPENDICES

Appendix A: Institutional Review Board Documentation

Appendix A.1 Informed Consent

Georgia State University
Department of English
Informed Consent

Title: Civic Engagement 2.0: Empowering Clickivist Communities to Enact Social Change

Principal Investigator
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Student Principal Investigator
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School–Department: College of Arts & Sciences – Department of English
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I. Purpose:
You are invited to participate in a research study. The purpose of the study is to investigate civic engagement in online platforms designed to reassign political contributions (speech acts) toward issues, rather than individual candidates. You are invited to participate because you have unique insight into one or more of the platforms being studied. You may choose not to answer any question. A total of five (5) subjects will be recruited for this study. Your consent to participate in the study allows your responses to be used for research purposes.

II. Procedures:
If you decide to participate, you will agree to respond to interview questions, return them to researchers by email, and have your responses retained for research purposes. Participation will require approximately one to two (1-2) hours to respond to interview questions. Questions will include the functionality of your platform, user retention and conversion rates, the approval workflow of projects, and demographic data of users. At the end of the survey, you will be asked about your consent to a follow-up interview. If you agree to a follow-up interview to expand or clarify survey responses, recordings of those interviews will be made to facilitate transcription of responses. Audio recordings are likely to contain personally identifiable data. If you request anonymity, audio and metadata will refer only to the pseudonym.

III. Risks:
In this study, you will not have any more risks than you would in a normal day of life.

IV. Benefits:
Participation in this study may not benefit you personally. Overall, we hope to gain information about the formation and behavior of rhetorical communities and civic engagement in online platforms.

V. Voluntary Participation and Withdrawal:
Participation in research is voluntary. You do not have to be in this study. If you decide to be in the study and change your mind, you have the right to drop out at any time. You may stop participating at

Georgia State University
IRB NUMBER: H16451
APPROVED
IRB APPROVAL DATE: 04/11/2016
IRB EXPIRATION DATE: 04/10/2017
any time. Whatever you decide, you will not lose any benefits to which you are otherwise entitled. There is no requirement that you be personally identified: you may request that your name be redacted or altered when we present this study or publish its results.

VI. Confidentiality:

We will keep your records private to the extent allowed by law. Laura Williams (landerson37@gsu.edu) will have access to the information you provide. Information may also be shared with those who make sure the study is done correctly (GSU Institutional Review Board, the Office for Human Research Protection (OHRP). The content and information you provide will be stored and shared only in password protected environments. Completed responses may be kept indefinitely. You may request that your name and other facts that might identify you will not appear when we present this study or publish its results. If follow-up interviews are used to expand or clarify survey responses, recordings of those interviews will be made to facilitate transcription of responses. Audio recording files will be password protected, and if the subject has requested anonymity, will include audio and metadata referring only to the pseudonym. All recordings will be destroyed after transcription.

Please let us know if you would like your name to be redacted or altered when we present this study or publish its results: (initial next to your choice): Yes, alter my name_____ No, use my real name _____

VII. Contact Persons:

Contact Laura Williams (landerson37@gsu.edu) or Ashley Holmes (aholmes@gsu.edu) if you have questions, concerns, or complaints about this study. You can also call if you think you have been harmed by the study. Call Susan Vogtner in the Georgia State University Office of Research Integrity at 404-413-3513 or svogtner1@gsu.edu if you want to talk to someone who is not part of the study team. You can ask questions, concerns, offer input, obtain information, or make suggestions about the study. You can also call Susan Vogtner if you have questions or concerns about your rights in this study.

VIII. Copy of Consent Form to Subject:

We will give you a copy of this consent form to keep.

If you are willing to volunteer for this research and have your interview responses included for research purposes, please sign below.

_________________________________________  ______________________
Participant                                      Date

_________________________________________  ______________________
Principal Investigator or Researcher Obtaining Consent  Date
Appendix A.2 Interview Questionnaire:

1. How do you view the mandate and urgency of your project: that is, what motivated you to create this platform, and why now?

2. Barriers to Entry:
Some users might be turned away just by the process of signing up for something new, or by entering personal information on an unknown site.
   a. In what ways have you attempted to streamline barriers to entry?
   b. What are the retention and sign-up ratios for initial contacts to the page?
   c. On which visit does a user typically sign up?

3. Funding functions
   a. In what ways does the platform resemble or differ from more traditional PACs or Super PACs?
   b. To what degree is the platform reliant on or benefitting from Citizens United protections?

4. Do recent revelations of hacked databases change the expected value of certainty/privacy provisions?

5. Workflow and management
   a. What is the process/workflow of creating language and new projects?
   b. Where do measures/issues originate?
   c. Who has the ability to edit or approve projects, and what are the grounds for doing so?

6. Community formation characteristics:
   a. What percentage of platform users link their information to an external social media platform?
   b. Which platforms are favored?

7. User statistics:
   a. Total funding to date (for all projects):
   b. Total funding for largest project:
   c. Total number of users:
   d. Average contribution per user:
   e. Average number of projects funded by each user:

8. To what extent/in what functions is the platform generally designed to serve as a space of (inward facing) withdrawal for coalition-building and strategy?

9. To what degree is the platform generally designed to provide a public (outward-facing) performance of the rhetorical issue iteration?
10. Can you or the managers of large posts view the geographic distribution of users/contributors, based on the zipcodes of voting and billing addresses? Can geographic heat maps or other visualization of these trends be generated?

11. What percentage of referrals are coming from social media sites? from search engines? from private organization sites?
Appendix A.3. Outcome Letter

INSTITUTIONAL REVIEW BOARD

April 11, 2016

Principal Investigator: Ashley Holmes

Key Personnel: Gaillet, Lynee; Holmes, Ashley; Williams, Laura

Study Department: GSU - English, GSU - Graduate English Assoc

Study Title: Civic Engagement 2.0: Empowering Clicktivist Communities to Enact Social Change

Review Type: Expedited 6, 7

IRB Number: H16451

Reference Number: 338014

Approval Date: 04/11/2016

Expiration Date: 04/10/2017

The Georgia State University Institutional Review Board (IRB) reviewed and approved the above referenced study in accordance with 45 CFR 46.111. The IRB has reviewed and approved the study and any informed consent forms, recruitment materials, and other research materials that are marked as approved in the application. The approval period is listed above. Research that has been approved by the IRB may be subject to further appropriate review and approval or disapproval by officials of the Institution.

Federal regulations require researchers to follow specific procedures in a timely manner. For the protection of all concerned, the IRB calls your attention to the following obligations that you have as Principal Investigator of this study.

1. For any changes to the study (except to protect the safety of participants), an Amendment Application must be submitted to the IRB. The Amendment Application must be reviewed and approved before any changes can take place.

2. Any unanticipated/adverse events or problems occurring as a result of participation in this study must be reported immediately to the IRB using the Unanticipated/Adverse Event Form.
Appendix B: Text of Civic Crowdfunding Test Case

As of December 2016, the text of the test case located at Campaign4Cannabis.com or ShiftSpark.com/Campaign4Cannabis reads as follows:

Believe it or not, now is the best time to convince President Obama to deschedule cannabis

The President recently said marijuana should be treated like cigarettes or alcohol. By pledging to help retire his campaign debt, you can help convince him that taking one, last major act in office will be backed by the American people; and take away his fear big donors will punish him.

Legalize Cannabis Nationwide

Tl;dr: President Obama can legalize cannabis tomorrow: he just needs to tell the Attorney General (AG) or Drug Enforcement Agency (DEA) to remove it from the Schedule of Controlled Substances under Part B of the FDA rules. Pledge now via ShiftSpark & donate to politics only if legalization happens.

The Current Situation:

The DEA claims cannabis is as dangerous as heroin, both Schedule I drugs with “no currently accepted medical use and a high potential for abuse.”¹

That doesn’t describe cannabis. And the President knows it.

President Obama has said "...carefully prescribed medical use of cannabis may in fact be appropriate...”² and believes recreational use is “no more dangerous than alcohol.”³ In truth,
multiple studies show cannabis is far safer, and has never been linked to an overdose death. Cannabis does not belong on the DEA’s list.

Cannabis prohibition has been far more devastating than cannabis use. All criminal penalties for selling, growing, or possessing cannabis should be ended.

The Twist: Crowdfunding + Transparency + Accountability

ShiftSpark is like a petition with teeth, or a Kickstarter for policy. Lots of small donors speak with one voice by pooling pledges to compete with vested interests. Politicians listen to corporations, millionaires, and lobbyists who pay for their campaigns.

Big money is the game. But WE CAN WIN. Here’s how:

If President Obama removes cannabis from the Drug Schedule and removes all criminal penalties before the end of his term in office, you release your pledge and we pay off his campaign debts.

Your donation is a legal and transparent under campaign finance rules, but ONLY AFTER WE WIN. We won’t disclose why you gave.

If cannabis isn’t legal by Obama’s last day -- January 21, 2017 -- you don’t pay, and nobody ever has to know you pledged. That’s unprecedented accountability even top lobbyists can’t guarantee: we pay only if we get the policy we want.

The Evidence:
Nearly half of Americans have tried cannabis, and a majority of Americans say it should be legal. More Americans smoke cannabis than live in Texas. If each of them gave 7 cents to this campaign, we’d exceed our goal. But remember, you don’t part with a penny UNTIL WE WIN.

25 States and DC have already legalized cannabis for recreational or medical use. It’s far safer than cigarettes, alcohol, or the powerful narcotics the FDA and DEA okayed for kids as young as 11.

**Unjustly Outlawing Cannabis:**

- Denies Americans a safe and effective treatment for many medical conditions causing unnecessary suffering and preventing critical medical research.
- Fills our prison with non-violent offenders. Over 330,000 people, nearly one in every thousand Americans, were imprisoned for drug offenses in 2011. Most commonly on cannabis charges.
- Creates a black market, resulting in violent crime, cartel power, and global health crises far disproportionate to any risk presented by the plant itself.
- Criminalizes average Americans which robs communities of wage earners and parents; and denies families access to public services, student loans, and employment.
- Targets Black and Latino persons, who use drugs no more than whites, but are more likely to be searched, arrested, prosecuted, convicted, and incarcerated for a drug “crime.”
- Creates a hostile relationship between law enforcement and citizens, at the cost of civil rights and privacy.
- Wastes $20 Billion a year on enforcement, weapons training, and armed raids on civilians.
- Kicks back billions to cronies and lobbyists.\textsuperscript{14}

1 The DEA Drug Schedule:

2 Obama on medical Cannabis: Esquire 2014
http://www.cnn.com/videos/tv/2015/04/13/cnn-weed-3-4-19-2015.cnn-creativ...

3 Obama on recreational use: The New Yorker Magazine 2014
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4 The alarming number of cannabis deaths: zero. CDC via Huffington Post 2015
http://www.huffingtonpost.com/entry/marijuana-deaths-2014_us_56816417e4b...

5 Cato Institute
http://www.cato.org/publications/congressional-testimony/drug-legalizati...

6 Gallup poll on Americans and cannabis

7 30 million vs 27 million at time of writing.
8 State legalization and decriminalization trends:
http://norml.org/aboutmarijuana/item/states-that-have-decriminalized

9 Medical study on Cannabis effects vs. Tobacco, alcohol, heroin and other drugs:
http://www.ncbi.nlm.nih.gov/pmc/articles/PMC4311234/

10 Cannabis is 114 times less deadly than alcohol
http://www.washingtonpost.com/blogs/wonkblog/wp/2015/02/23/marijuana-may...

11 Schedule II “less dangerous” drugs kill thousands:

12 FDA approve prescription narcotics for kids:
http://www.usatoday.com/story/news/2015/08/14/fda-approves-oxycontin-kid...

13 Criminalization, loss of employment, and public services:
http://www.drugpolicy.org/student-loan-access
http://bantheboxcampaign.org
https://aclu-wa.org/library_files/MarijuanaProhibition.pdf (PDF download)

14 The money behind outlawing marijuana:
https://www.opensecrets.org/news/issues/marijuana/
An exemption exists for a small subset of corporations called “MCFL corporations,” nonprofit, nonstock entities including the specifically named “Massachusetts Citizens for Life.”

Live television viewing hours dropped 40 percent between 2000 and 2012 according to Nielsen data. Live viewership is an appropriate proxy for ad viewership because most asynchronous views (online or via digital recording service views do not deliver political ads). Pew Research Center’s State of the Media report for 2016 found that the percentage of American adults who “often get news from print newspapers” fell to 20 percent, trailing radio at 25 percent, news websites and apps (excluding those of major newspapers) at 28 percent (Kohut).

For more on the low rate of return and conversion of voters by traditional campaign and persuasion techniques, see Darr et al “Relying on the Ground Game,” Sinclair et al “Local Canvassing,” Middleton on “Community-based voter mobilization” and Green et al, “Field Experiments.”

Franz and Ridout’s paper also accurately predicts a trend that may help to de-compress the spending campaign influence and spending cycle: “Narrow-targeting and media diffusion, might weaken campaigns’ reliance on ad buys and 30-second messages. Early voting will amplify the actions of campaigns in the summer months, as campaigns try to reach voters at earlier stages of the campaign” (321).
6 For further examples of rhetoricians interrogating publics/counterpublics see Stob; Doxtader; Robert Asen, “Seeking”; Warner; Robert Asen, “Ideology”; Brouwer; Porrovecchio; R. Asen and Brouwer.

7 The Federalist Papers, which I choose as an archetypal kind of autotelic public engaged in civic world-making, were published primarily in two New York state newspapers, and in several cities in other states. A bound edition, with revisions and corrections by Hamilton, was published in 1788 by printers J. and A. McLean.

8 The constraints on rhetoric enforced by artificial material scarcities in politics is defined by the Overton Window, Joseph P. Overton (1960–2003) of the Mackinac Center for Public Policy. The Overton Window defines the range of policies considered politically acceptable in the current climate of public opinion, which a politician can recommend without being considered too extreme to gain or keep public office. Those views considered too radical, defined by their distance from the consensus of currently existing policy, are routinely excluded from mainstream publications and political discourse. Joseph Lehman. "A Brief Explanation of the Overton Window". Mackinac Center for Public Policy.

9 Stephanie Vie’s “In Defense of Slacktivism: The Human Rights Campaign Facebook logo as digital activism” is one such examination. Forthcoming research on “Ice Bucket Challenge” and “It Gets Better” videos on YouTube, #BringBackOurGirl tweets and corresponding photographs, and new large-scale behavioral use data will yield additional insights.

10 Previous to 1989, Presidential debates in the United States were hosted by the League of Women Voters, who withdrew their organizational support from the debates after receiving a 16-page list of demands negotiated behind closed doors by the major party elite. Specifically, according to LWV cited as "outrageous" and “self-serving” the campaigns' “closed-door
masterpiece” of demands that they control the selection of questioners, the composition of the audience, hall access for the press. Rather than accept their role in what LWV President Nancy Neuman said was the campaigns’ attempt “to perpetrate a fraud on the American voter," LWV withdrew. "It has become clear to us that the candidates' organizations aim to add debates to their list of campaign-trail charades devoid of substance, spontaneity and honest answers to tough questions," Neuman said. "The League has no intention of becoming an accessory to the hoodwinking of the American public."

11 This research distinguishes crowdfunding from political action committee, union, and corporation ‘bundling’ of donations, but only to demonstrate that the line is a purely nominal one. See “Should We Name The Tools” in Coogan and Ackerman’s The Public Work of Rhetoric.