Resisting data commodification: An alternative, Polanyian approach to AI and data regulation

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Digital Regulation in the Public Interest symposium

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- Data decommodification
- The puzzle: Where is the data in AI regulation?

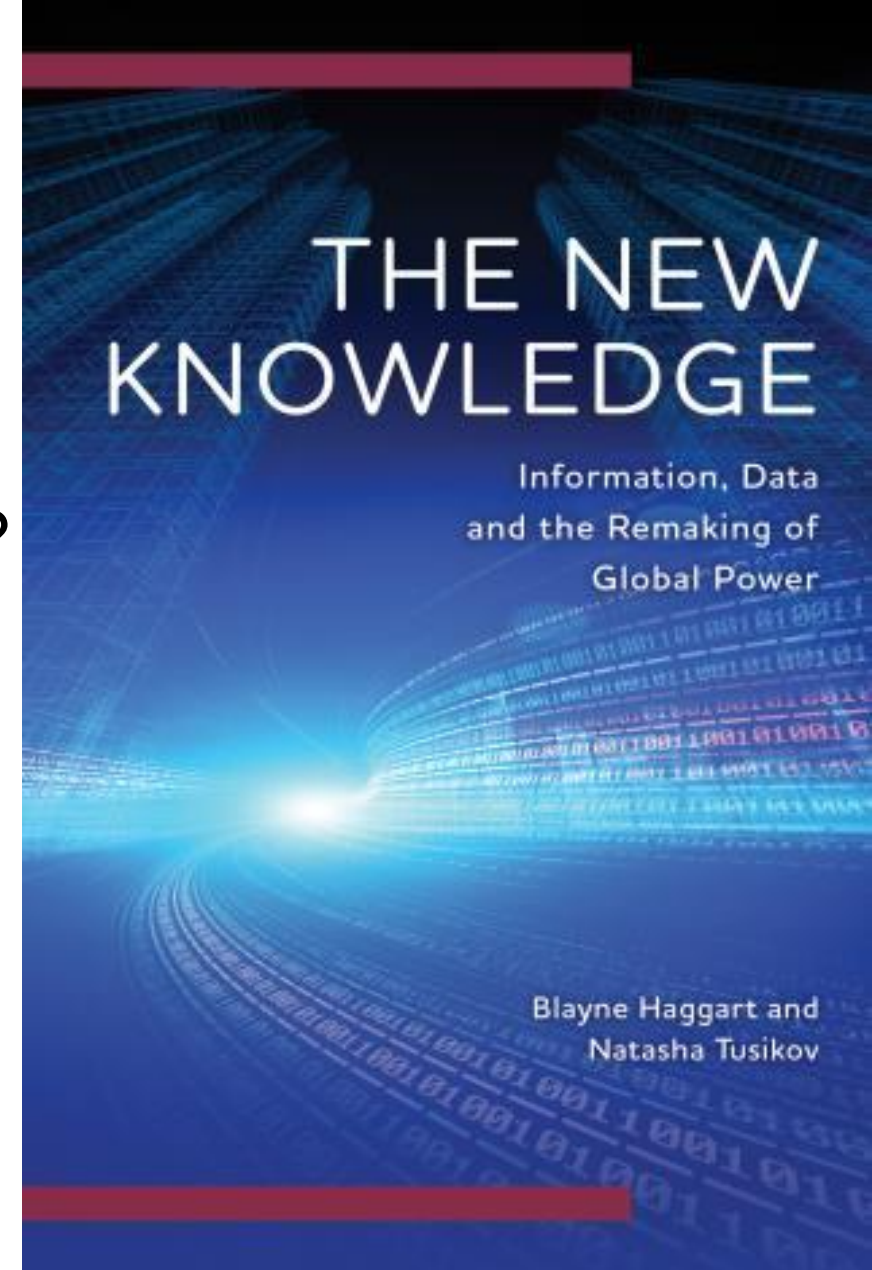
ARTIFICIAL
INTELLIGENCE ACTION
SUMMIT

AI ACTION SUMMIT   Summit   Main themes   Contribute   Media   Back on Elysee.fr   En 🇬🇧   Search 🔍

For almost a week, from February 6 to 11, 2025, Paris hosted numerous events aimed at strengthening international action towards artificial intelligence serving the general interest. The week was punctuated by scientific days, a cultural weekend, an international summit at the Grand Palais, numerous parallel events, and a day for businesses.

THE NEW
KNOWLEDGE
Information, Data
and the Remaking of
Global Power

Blayne Haggart and
Natasha Tusikov

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AI technology: The wrong regulatory target

- Three "layers"
  - Above: Social context
    - Defines what constitutes "ethical" behaviour
    - Ethics, privacy, etc. are contextual
  - Below: Data
  - The middle: AI technology
    - Shaped by underlying data and social context
- Argument: Most AI "harms" issues are actually data issues

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AI regulation priorities

Statement on Inclusive and Sustainable Artificial Intelligence for People and the Planet.

Posted on 11 February 2025

- Promoting AI accessibility to reduce digital divides;

- Ensuring AI is open, inclusive, transparent, ethical, safe, secure and trustworthy, taking into account international frameworks for all

- Making innovation in AI thrive by enabling conditions for its development and avoiding market concentration driving industrial recovery and development

- Encouraging AI deployment that positively shapes the future of work and labour markets and delivers opportunity for sustainable growth

- Making AI sustainable for people and the planet

- Reinforcing international cooperation to promote coordination in international governance

https://www.elysee.fr/en/emmanuel-macron/2025/02/11/statement-on-inclusive-and-sustainable-artificial-intelligence-for-people-and-the-planet

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Where is the Data?

→ **Founding members** *[3]* **have launched a major Public Interest AI Platform and Incubator**, to support, amplify, decrease fragmentation between existing public and private initiatives on Public Interest AI and address digital divides. The Public interest AI Initiative will sustain and support digital public goods and technical assistance and capacity building projects in data, model development, openness and transparency, audit, compute, talent, financing and collaboration to support and co-create a trustworthy AI ecosystem advancing the public interest of all, for all and by all.

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Conceptualizing data

- An AI-based society assumes and requires a corresponding market in data

- Neutral, unproblematic, decontextualized

- Buys into the myth of big data

- It requires data to be turned into a fictitious commodity

Data as a fictitious commodity

- Fictitious commodity: Something produced for one purpose but treated *as if* it were a commodity produced for the market
  - Produced in one social context, repurposed for another's own ends
  - Land, labour, money
  - Can lead to disaster unless commodification is limited
    - E.g., environmental, labour, bankruptcy laws
- Data: Created for one purpose, (fictitiously) commodified for others
  - The commodification of your heartbeat
- Used against the source of the data, for others' purposes

Data (and AI): Control and context

- AI problems *begin* with data collection and consent
  - Facial recognition software
- Collection legitimized via appeal to individual consent
  - "The biggest lie on the internet"
  - Individual consent not valid if your actions affect others negatively.
- Using data against data subjects has a long history
  - Data collection used to define, control marginalized subjects
- The key policy question: Who should control the data?

Data justice and Indigenous data sovereignty: Reclaiming data control

- Data decommodification: Data should be used *only* for the purposes of the original collection and must remain under the control of the original data source (individual or community)

- Rooted in data justice: Embeddedness, agency, right to choose

- Rooted in Indigenous data sovereignty: Who makes the decision?

- Shapes, doesn't prevent, technological development.
  - Barcelona: The community decides

Thank you!

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