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Reconfiguring control and power in the modern digital economy

The global digital economy today is both structured around, and dependent on entrenched power asymmetries, further augmented by the continued assertion of control by entities wielding power. The exploitation of data for profit by private processors marks a heinous commodification of human life itself, and usurps the faculties of independent thought and action from individuals. Legal, political and social structures amplify and enable these asymmetries as the limited entities in power – nations of the developed world, large multinational corporations, and global governance bodies make rules that all the others in the global ecosystem must abide by. Trade agreements, taxation clauses and municipal laws are all brokered by and scripted for the benefit of a limited set of actors that hold the keys to the global digital economy.

The dominant narrative championed by the brokers of power is the value of data as a resource. Exploitation by the powerful few, according to this narrative, will spur innovation and benefit the exploited many—a tragic rehashing of ‘trickle down’ capitalism. Several civil society actors and activists have taken this narrative head on by exploring ways in which individuals and communities can unlock value from their own data.

However, the master’s tools will never dismantle the master’s house. Those holding the reins of power in the modern digital economy want data to be both understood and regulated as a resource – one that can be exploited for economic gain. Monetisation as a means of enabling users to benefit from their data are opting into the existing structures of control—legitimising the actions of those who run the global political economy today. This framing compels individuals to bargain away their rights and dignity in an infinite quest to see how their work and leisure can be exploited by data processors to derive maximum value.

Keeping this background in mind, I propose to address the following points in my intervention:

1. Explain how the present power structures around global data arrangements further an agenda that is inherently exploitative and benefits the actors who shape them,
2. Discuss why alternate ownership/commodification of data helps shape this narrative and plays into the hands of those in power,
3. Argue why mechanisms of reconfiguring control should be the topmost priority through the following ways:

- a. Autonomy, as a central societal/constitutional tenet to empower and safeguard the interests of individuals and communities,
- b. Sovereign equality in international law, as the tool that preserves the interests of all nations at global governance fora and ensure accountability in global rule-making,
- c. Competition law mechanisms and taxation systems that prevent the entrenchment of monopolistic and oligopolistic structures around data governance such that consumer welfare is furthered and market concentration prevented.

The battle today is about the loss of control over an individual or group's own data – a summation of their lived experiences. This loss of control is what data governance mechanisms should look to check by using governance tools that shaped previous struggles of resistance.

