

What role can governance play in data justice? Reflections on the current AI moment

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journals.sagepub.com/home/dds**Lina Dencik** 

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Abstract

In translating data governance for the AI era, Taylor et al. have put forward a set of ambitious and considered benchmarks that can serve as an important vision for data justice. However, in doing so, we are also confronted with the challenges of the current ‘AI moment’. The open consolidation of powerful interests seeking to advance AI’s unfettered development has also marginalised governance agendas, especially those seeking to assert publicness and avenues for resistance and refusal. In this sense, asserting benchmarks for just data governance can only garner real meaning if such benchmarks can account for the broader politics of the current AI moment and connect to the political mobilisation around data justice that might now be possible.

Keywords

Data governance, data justice, AI, political mobilisation

By engaging with data as the basis for the power of AI, Taylor et al. have put forward an ambitious and convincing agenda for what just data governance might entail in the current ‘AI moment’. Acknowledging both the challenge that AI presents to data governance as we have understood it thus far as well as the important foundation upon which data governance frameworks might build, Taylor et al. show us that it is possible to engage with governance as the political and commercial landscape of power in relation to AI without starting from scratch. From data commons to the recognition of CARE principles, which advocates for collective benefit, authority to control, responsibility and ethics, as advanced in indigenous data sovereignty agendas, there are substantial efforts already in

place from which benchmarks can be established, building on the original three pillars of data justice governance set out by Taylor (2017) for an AI era. These benchmarks retain the focus on publicness that foreground a concern with public benefits and infrastructure, take account of global differences in how rights and values might be applied, and seek to secure democratic accountability and avenues for resistance and refusal.

Yet in setting these benchmarks, we are also confronted with the ambition of such an agenda in light

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of the realities of the current moment. Translating just data governance to an AI era needs to take heed of the powerful interests that are currently shaping what this era looks like. A significant aspect of engagement with datafication is rooted in critique of not just the (lack of) governance mechanisms that might safeguard against harm, but of the ideological underpinnings of the advancement of datafication and the political and economic organisation that supports it. Data justice debates have had an important role in seeking to levy justice concerns beyond regulatory frameworks or technological fixes to address datafication in systemic terms, foregrounding the structural conditions against which injustices might be experienced (Dencik, 2025; Hoffman, 2019). A key feature of such critique is to account for the way technology is bound up with dynamics of power that significantly shape how such technology comes to exist in the real world. This has in part sought to inform data governance debates, but has also pointed to the many limitations of the current governance mechanisms in place.

As Taylor et al. point out, data governance has been in the stronghold of private interests that have sought to ensure that governance mechanisms align with market growth, often based on individualist frameworks that bypass engagement with population-level effects of datafication (Viljoen, 2021). We have seen some of this translate into regulatory efforts in different ways, including within Europe where the emphasis within digital policy has been oriented towards a dual objective of strengthening a common competitive market for services and products on the one hand and introducing measures for market correction on the other (Newman, 2020). This has followed a trend towards the general liberalisation of telecommunications and financial incentives for digital innovation alongside an emphasis on the protection of consumer and fundamental rights such as privacy, anti-monopoly, and taxation which at times has been the cause of tension and struggle (Niklas and Dencik, 2024). This dual objective has provided a strategic framework for advancing a market for emerging technologies while engaging with questions of data justice.

In foregrounding publicness and public interest, Taylor et al. present a direct challenge to these dominant frameworks for data governance. However, the AI moment has arguably moved us further away from such a challenge than ever. Indeed, while data governance has long been marked by marketisation, the geopolitical race for leadership in AI might be said to have placed governance, at least of any meaningful kind, on the margins. Instead we are confronted with efforts that continue to seek to legitimise the rapid advancement of AI, either as a ‘strategic national interest’ (UK AI Opportunities Plan 2024) or in terms of trustworthy or responsible AI that deliberately lacks the kind of clear benchmarks for just data governance that Taylor et al. outline (Niklas and Dencik, 2024). Indeed, as argued by Halpern (2024), ‘pitching AI as “a new geopolitical battlefield that must somehow be ‘won,’” to quote Verity Harding, the former head of public policy at Google DeepMind, has become a convenient pretext for its unfettered development.’ There is, in other words, very little scope to question the premise of AI, regardless of public interest, and governing to allow for refusal or resistance seems even more out of scope. In such circumstances, we might have to ask, what can governance actually do for data justice?

At one level, this is a question that invites reflection on how data justice might be advanced outside existing governance institutions and consider ways that solidarity and advocacy might be fostered. A significant contribution in this regard has been the focus on a ‘politics of refusal’ (Gangadharan, 2019) that in part draws on the longer standing abolitionist traditions that seek to consider how big data might be ‘abolished’ to divert resources towards community empowerment (Benjamin, 2019; Crooks, 2019). Recently, there has also been a resurgence of neo-Luddism that seeks to advance Luddite politics in the context of datafication (Charitsis et al., 2024; Sadowski, 2025). However, importantly, engaging in such reflection is also to recognise that governance agendas can only be moved or overturned with political pressure that might come from such efforts. In other words, how can we link a framework for just data governance to justice-oriented political mobilisation as two

reinforcing aspects of data justice? The current AI moment presents a particularly challenging environment for such an exercise but also makes it more pressing than ever. While previous iterations of datafication have often been said to be advanced under a veil of obscurity wherein interests and relations are often hidden and have to be uncovered, the current AI moment is defined by its open display of powerful interests shaping what technological futures we might be offered. Both governments and technology companies are relatively openly aligning strategically around the, more or less, frictionless advancement of AI across economies. While this is dominated by historically central players, such as US, China and Europe, the remit is global, both in activities and in impact.

Such close consensus in elite interests is challenging for mobilising around data justice, but also presents certain opportunities. In part, the current consensus around AI is also marred by intense competition between stakeholders that can be exploited for public interest. Recent efforts in Europe, for example, have sought to mobilise around digital sovereignty, a long-standing orientation within digital strategy, but which has gained renewed currency in light of geopolitical concerns, evidenced, for example, with the recently launched ‘Euro-stack’ initiative (Bria et al., 2025). Public interest is often touted as central to this vision and seeks to draw a direct link between democracy and computational infrastructure, most notably AI. More broadly, mobilisation around data justice requires solidarity across different groups and communities that may not previously have seen connections but may do so in light of the current AI moment. That is, the openness around the strategic alignment of interests amongst political and economic elites also has the potential to ignite a strategic alignment of interests amongst non-elites who may stand to be particularly vulnerable or harmed by the current AI moment, even if the mobilisation is not explicitly targeted at data governance. As we argue in our book *Data Justice* (Dencik et al., 2022), political mobilisation emerges in the ‘strategic logics’ (Olin Wright, 2019) that seek to dismantle the systems that

underpin the power of datafication through different repertoires of action. What unites them is a need to tackle the actual conditions that lead to experiences of injustice as they exist on the ground. Such conditions are being made explicit in the current AI moment.

In presenting benchmarks for a governance agenda that seeks to centre publicness, privileging a collective over an individualist paradigm that has otherwise dominated data governance agendas, Taylor et al. are providing an important vision for the potential of just data governance. However, a data justice perspective also requires us to engage with the social forces and struggles that shape governance and that express competing politics about if, where and how data and AI should be used (Dencik et al., 2025). In this sense, asserting benchmarks for just data governance can only garner real meaning if such benchmarks can account for the broader politics of the current AI moment and connect to the political mobilisation around data justice that might now be possible. Data governance, in this sense, is much more than the institutional frameworks through which technology might be controlled and regulated and can only be advanced in relation to other ways of governing power, in the form of AI or otherwise, that continue long-standing struggles over social justice and the potential for human flourishing. The current AI moment might appear to have consolidated powerful interests that make such struggles more one-sided than ever, but it may also be in these moments of consolidation that cracks appear for the light to get in.

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