Governing AI and the democratisation of governance

Abstract

AI governance that is situated in data justice principles requires appropriate institutional governance arrangements as well as strategies addressing the socio-political-economic context of governance. In light of threats to civic agency and democracy in datafied societies, this must entail the systematic involvement of citizens and affected communities in debates and decisions over the governance of AI to make sure those who are affected by datafication have a voice in steering its future. From community action and social movement mobilisations to deliberative and participatory models such as citizen juries, civic initiatives have played an important role in influencing the norms, principles and policies of AI and data use. AI governance thus points us to the need for democratising governance itself and exploring a democratic perspective for life in the age of AI.

Keywords: AI governance; data justice; democratic innovations; participation

The accelerating roll-out of data and AI systems across society requires attention to, and thorough understanding of, the governance of AI and of the underlying forms of data analytics. This is particularly pertinent for AI uses in the public sector where state-citizen relations are being redefined through the growing prominence of predictive analytics (Hintz et al., 2019). While governments are increasingly willing to "turbocharge AI" and to prevent "blockers to […] get in the way of growth in this sector" (DSIT, 2025), an extensive body of research has documented and analysed the harms that can emerge from the deployment of data systems (Redden, 2022). Situating AI governance in data justice principles is therefore a crucial task. The authors of the article "Governing AI means governing data" provide an essential building-block for this endeavour.

They remind us that AI is grounded in data analytics and thus zoom in on the foundations of all algorithmic and automated systems – to interpret and learn from external data (Haenlein and Kaplan, 2019). The article demonstrates the continued centrality of data in a discursive context that increasingly focuses on the assumed capabilities (and mystifications) of AI. It provides a useful overview of data governance models and practices, exploring both current configurations of AI

policy and alternative visions of justice-oriented approaches to governance. On that basis, the authors identify key problems regarding the changing purposes and exploitations of data and develop benchmarks for the just governance of data and AI, addressing questions of public infrastructures, inclusiveness, accountability, and global responsibility. They thereby bring together different dimensions of the critique of established data governance practices in one framework and operationalise it. With a focus on institutional arrangements, such as data trusts, data cooperatives, and other forms of stewardship, they ask: "What constitutes just governance at the intersection of data and AI?"

This question is embedded in a broader ambition to (re)distribute "the power to govern […] to those affected" and to contest "the hierarchies and concentrations of power created by the AI economy". While these concerns go to the heart of our increasingly datafied and automated societies, they deserve further unpacking regarding the impact of power structures on governance, the specific possibilities for "those affected" to influence governance, and the interactions between AI governance and democracy. Data and AI governance is inevitably shaped by political and economic interests, geopolitical agendas, but also civic concerns, and the norms that emerge from these forces. The deployment of AI follows particular political goals – for example, to detect benefits fraud rather than tax evasion (Redden, 2022). The institutional mechanisms of data governance and stewardship can help expose and mitigate such targeted uses and their broader agendas, and they can involve affected people in decisions about data, as the authors demonstrate, but they will likely need to be complemented by strategies addressing the socio-political-economic context of governance. Many scholars from the fields of critical data studies and data justice have therefore emphasized that a crucial component of addressing the problems of datafication is the "de-centering of technology" (Peña Ganghadaran and Niklas, 2019) with the goal to focus on the non-technological context in which data and AI are developed and deployed.

A specific concern in this regard are the fundamental threats to democracy and participation that emerge in datafied societies. Pervasive data collection and analysis lead to a power shift in state-citizen relations at the expense of the alleged sovereign, 'the people' (Hintz et al, 2019); decisions by citizens in datafied 'smart' environments are often limited to choices between pre-determined technological options, rather than the broader question of how those environments are shaped (Cardullo and Kitchin, 2018); and the quasi-automation of major processes of societal organisation has anti-democratic and totalitarian implications (Zuboff, 2019). The governance of AI therefore requires a broader perspective on how governance can be democratised and how people's agency can be maintained and enhanced in a context of datafication and automation.

A growing interest in agency has concerned a range of approaches, from individual actions of the conscious disconnect to community activism and social movements that contest data and AI uses by police, welfare institutions, and other state authorities (Crooks et al., 2024). Mobilisations, such as Data for Black Lives, have influenced the norms and understandings by which we make sense of datafication and formulate governance principles, while civil society interventions have affected the implementation and (dis)continuation of AI uses in government (Redden et al, 2022). In some jurisdictions, citizen assemblies, citizen juries, citizen summits, distributed dialogues, and similar models of deliberative and participatory governance have opened up avenues for civic engagement in decision-making about the use of AI in, e.g., healthcare, policing, and courts (Hintz et al., 2022). Grounded in practices of, and research on, "democratic innovations" (Smith, 2009), such initiatives offer opportunities for advancing citizen voices in policy- and decision-making outside and beyond established processes of institutionalised democratic engagement. Typically they bring together a small selection of the population for deliberation on key issues that society is facing, and sometimes they develop proposals or take decisions on the issues they have debated. Think tanks, policy institutions, regulators, and government departments have applied this model to engage the public in debates on the uses and extent of AI and to seek guidance on policies, and civil society organisations have advanced such initiatives to strengthen people's roles and voices in datafication (Ada Lovelace Institute, 2021).

Research by the Data Justice Lab (Hintz et al., 2022) has explored the promises and challenges of deliberative and participatory forms of data governance, focusing on the UK where they have enjoyed particular prominence in recent years, in part as a response to scandals and wider dissatisfaction with excessive data uses. We found that non-expert citizens were, in fact, able to discuss complex developments regarding data and AI with sufficient depth and to develop positions and policy recommendations, and some of these led to normative influence on decision-making or even had direct policy impact. Participants often viewed the experience as positive and empowering, with the rare opportunity to both learn about the subject and make their voices heard. However, as deliberative exercises that provide a platform for contributing voices and concerns, they usually fall short of transferring actual decision-making power to citizens. Despite their titles, initiatives such as citizen juries and citizen summits are often not self-organised at grassroots level, and organisers have significant leeway in framing discussions and steering deliberations towards particular goals (e.g., an acceptance of data uses). This has raised questions regarding the degree of participants' agency and the wider goal of participation and democratisation.

Yet deliberative and participatory forms of governance contribute to a growing composite of strategies for civic participation. Citizen juries, community and grassroots initiatives, civil society

campaigns, and various forms of policy advocacy reflect a growing realisation that those who are affected by datafication need to steer its future development and deployment. In addition to specific policy impacts, they affect the broader normative framework that shapes our understanding of data and AI and thus embeds the ways in which decisions on technological uses and infrastructures are taken. They point the spotlight to the question of who decides, whose interests are considered, and by what processes decisions emerge. In doing so, they also address a key concern of data justice – incorporating the voices of marginalised and specifically affected communities. Emphasizing the "unevenness of implications and experiences of data across different groups and communities in society" (Dencik et al., 2019, p. 875), data justice scholars have highlighted the importance of considering how people from impoverished, racialised and otherwise marginalised backgrounds are impacted by datafication in specific ways, and this requires the development of mechanisms that place particular relevance on their voices in assessing data and AI uses and in identifying needs, harms and possible limits to datafication.

The authors of the article situate their discussion of AI governance in these broader trajectories. They consider the role of power and political interests, for example by pointing out that data and AI systems are often "designed to be unexplainable for political reasons" and they acknowledge that "[c]ontestability is a question of power, not design". The data governance models they discuss are inevitably shaped by these tensions as they "respond to social and political change" and represent "a statement about who should benefit from data and how". Taylor, de Souza, Martin and López-Solano employ the notion of the public interest and 'publicness' as key criteria for social justice-oriented forms of AI governance, but they also emphasize the need to pay particular attention to "all groups whose agency and interests are commonly disregarded when it comes to developing and deploying data analytics and AI". AI Governance, they say, must therefore "centre the interests of all who will be affected by it".

Yet the processes by which citizens and affected communities can be systematically involved in debates and decisions over the governance of AI deserve further attention. Having a stake in data-oriented administrations, such as a data cooperative, and in the wider reaches of public infrastructure is an important component of this, but AI governance would benefit from more profound mechanisms of civic control, influence and accountability at every level – from decisions over the deployment of specific AI applications to the wider norms that shape our thinking and, ultimately, policies on data and AI. While this requires new participatory institutions of data stewardship, it also calls for an expansion of rather 'traditional' forms of intervention – from community activism to institutionalised civil society, and from citizen juries to citizen summits. Governing AI, in that sense, means governing established power structures and, not least, governing

humans. It must involve the democratisation of governance itself, and thus a democratic perspective for life in the age of AI.

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