P08 / Sociopolitical consequences of digital and data policies

Topic : POLICY, POLITICS AND POLITICAL REGIME

Chair : Júlia García-Puig (Leiden University)

Second Chair : Sarah Giest (Leiden University)

Third Chair : Bram Klievink (Leiden University)

GENERAL OBJECTIVES, RESEARCH QUESTIONS AND SCIENTIFIC RELEVANCE

This panel investigates how different stakeholders influence, and are affected by, digital and data policies in different political and institutional contexts. Contributions under this theme will reflect on the heterogeneity of governmental approaches to the rise of digital data and the resulting sociopolitical consequences.

We understand digital data as a deeply political issue for the power it wields to those who control it. Questions of power are tightly linked to the creation, uses, governance and impacts of digital data, as reflected by the expanding fields of critical data studies ?(Burns et al., 2018; Iliadis & Russo, 2016)?, data politics ?(Ruppert et al., 2017)? and data justice ?(Taylor, 2017)?. The unprecedented availability of digital data and data capacities creates new kinds of value for all actors ?(Mejias & Couldry, 2019)? and intensifies the struggles over its access and control.

The scope of digital and data policies covered in this call include data-based innovations deployed by governments to fulfill their tasks and responsibilities towards their citizens, like online platforms and communication channels, digitized services, digital identification and surveillance systems. It also covers new laws and regulations that result from the governments' mandate to legislate the unprecedented volumes of continuous and ubiquitous digital data prompted by the datafication logic ?(Sadowski, 2019; van Dijck, 2014)?, which include personal data protection, data localization and international data transfers.

Based on this, relevant topics for this panel encompass the democratic quality of policy-making processes, the factors that enable or constraint stakeholder engagement, and the public values, motivations and governance principles that shape data policies and regulations. In addition, the far-reaching socio-political consequences of emerging data governance may include data rights and protection, dataveillance, mass surveillance, repression, and discrimination. Critical approaches that identify the political and policy deficiencies and challenges in the governance of digital data are strongly encouraged.

We therefore welcome papers that examine how stakeholders influence, and are affected by, digital and data policies in different political regimes, especially in contexts with prevailing democratic deficiencies and/or authoritarian practices. Relevant stakeholders include governments and other state actors, international organizations, civil society, activists and citizens.

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CALL FOR PAPERS

This panel investigates how different stakeholders influence, and are affected by, digital and data policies in different political and institutional contexts. Contributions under this theme will reflect on the heterogeneity of governmental approaches to the rise of digital data and the resulting sociopolitical consequences.

The panel welcomes papers that engage with the following topics, especially in contexts with prevailing high levels of repression, democratic deficiencies and/or authoritarian practices:

- Policy-making processes of digital and data policies and regulations, including stakeholder engagement, participation mechanisms and democratic quality.
- Power relations between relevant stakeholders, namely governments, state actors, international organizations, civil society, activists and citizens.
- Digital and online repression, surveillance, and dataveillance.
- Data-based discrimination and vulnerable groups.
- The role and influence of public values and governance principles in data policies and practices, including differences between political regimes.
- Underpinning factors and consequences of emerging laws and regulations on questions related to personal data protection, data localization and international data transfers.
- Data justice and strategies to improve the distribution of the value generated from digital data.
- Political and institutional deficiencies and challenges in regulating digital data at the local, national, regional and international level.
- Critical approaches to data studies and data politics.
- Other topics relevant to the panel theme.

We welcome submissions that provide new evidence on emerging digital and data policies in all kinds of political and institutional contexts, as well as papers that make a conceptual contribution to the theme of the panel. Methodologically, the panel is open to both qualitative methods like ethnography, action research, interviews, and in-depth case studies, and quantitative papers based on surveys, descriptive, experimental and correlational research, among others. We invite scholars from different disciplines in order to reflect the complex and interdisciplinary nature of digital and data policies and practices.

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Session 1

Thursday, July 3rd 10:15 to 12:15 (B2)

From data sovereignty to data agency

Jaime Bernal (Utrecht University)

This conceptual paper critically examines the evolving discourse around data sovereignty, particularly in the context of the European Union's (EU) efforts to assert control over its data. Data sovereignty, which originally referred to the principle that data is subject to the laws of the country where it is stored or processed (Irion, 2012), has become increasingly ambiguous and less effective in addressing the challenges posed by globalization, technological advancements and the rise of artificial intelligence (AI) (Hummel et al., 2021). The paper argues that the overuse and commercialization of data sovereignty have rendered it an “empty signifier” (Laclau & Mouffe, 1985). Hence, the concept of data agency is presented as a more pragmatic and forward-looking framework for understanding and leveraging data in ways that enhance decision-making, autonomy and collective benefit.

The paper begins by critiquing the limitations of data sovereignty, particularly in the context of transatlantic data transfers between the EU and the United States (U.S.). Despite the EU's strong privacy and data protection standards, such as the General Data Protection Regulation (GDPR), the region faces significant challenges in enforcing these standards due to the extraterritorial reach of U.S. laws, such as the Foreign Intelligence Surveillance Act (FISA) and the CLOUD Act (Blancato, 2024). The inadequacies of data sovereignty in addressing these legal and technical impasses are highlighted, particularly in light of the EU's inability to guarantee the supremacy of local laws over foreign ones. The commercialization of data sovereignty, through data localization and cloud solutions, is also critiqued for failing to address the fundamental issue of foreign government access to data.

In response to these limitations, the paper asks whether the concept of data agency can provide a more effective framework for understanding the limitations of data sovereignty. Data agency is defined as the mediation of agency through data across networks of human and non-human agents, emphasizing the capacity to leverage data for enhanced decision-making and transformative action (Enfield & Kockelman, 2017). The paper draws on philosophical insights to explore the interplay between data and agency, arguing that data agency is not merely about control over data but about the ability to use data to make the world intelligible and to optimize intelligence (Negarestani, 2018). This concept acknowledges the distributed nature of agency in a globalized and technologically advanced world, where data flows transcend national boundaries and are increasingly shaped by AI and other non-human systems (Latour, 1999).

The paper further explores how data agency can be cultivated through various regulatory and technological approaches to help redistribute agency in the data economy, enabling more actors to engage in data governance. Ultimately, this paper contributes to the broader discussion of the power dynamics surrounding data transfers and AI.

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Reimagining Data Governance in Africa: Ethical Models for Addressing Data Colonialism and Enhancing Sovereignty

Abiola Joseph Azeez (University of Ottawa)

This paper examines data colonialism in low-income economies in the Global South, focusing on the ethical implications of treating data as social infrastructure in deploying facial recognition technology (FRT) in Africa. It critiques how foreign technologies exploit vulnerabilities in local legal and social systems, raising concerns about privacy, consent, and data security. By conceptualizing data as a shared normative good, the paper advocates for governance frameworks that prioritize data sovereignty and align with local societal values. The research is guided by the question: *How can ethical frameworks, such as Social Failure Mode (SFM) analysis, address systemic risks and social failures in FRT deployments, compared to existing legal frameworks, to enhance data sovereignty and mitigate data colonialism in Africa?* To answer this, the study employs SFM analysis to evaluate systemic risks and social failures embedded in FRT implementations. It integrates a case study of Zimbabwe's partnership with CloudWalk Technology, a Chinese AI firm, to illustrate ethical challenges and governance gaps. This example highlights tensions between modernizing security infrastructure and potential biometric data exploitation. The study critiques existing frameworks, such as the African Union’s Data Policy Framework, and evaluates the slow implementation of Continental AI Strategy’s impact on AI governance. This paper aligns with the panel’s research questions by addressing critical issues in digital and data governance, particularly within contexts of democratic deficiencies and power imbalances. It critiques policy-making processes in digital regulations, exposing gaps in stakeholder engagement and the lack of participatory mechanisms. It examines power relations between governments, foreign actors, and citizens, emphasizing how weak governance structures enable exploitation and dataveillance. Furthermore, the research explores digital repression and data-based discrimination, focusing on the vulnerabilities of low-income economies and marginalized groups. By prioritizing data sovereignty, the study contributes to the discourse on data justice, advocating for equitable distribution of value from digital data and fostering governance strategies aligned with local societal norms. Employing a critical approach to data politics, it provides actionable solutions to mitigate data colonialism, safeguard rights, and promote responsible AI adoption, offering insights into bridging global governance frameworks with localized, ethical approaches.

Performative Digital Compliance: Thailand as a Case Study

Attamongkol Tantratian (Indiana University Bloomington)

This paper synthesizes studies in international law, political science, and sociology to introduce the concept of "performative digital governance." The concept underscores the theatrical responses of state and private actors to digital regulatory agendas imported from jurisdictions like the European Union. Domestically, importing states independently adopt and implement these policies, often leading to struggles or failure.

Building on Iza Ding's scholarship on "performative governance," which examines China’s environmental regime, this paper extends the discussion to data protection—one of the most widely adopted transnational regulations. It argues that the pressure to conform to these regulations often results in what can be described as "regulatory theater." In this theater, state actors engage in symbolic gestures of governance, and private sectors focus on superficial compliance, without necessarily achieving the intended policy objectives.

To illustrate, this article examines Thailand's responses to the EU's data protection agenda as case studies. Thailand made a strong debut: a blurb from a notable scholar states that its legislation “may become one of the strongest data privacy laws in Asia.” However, more than two years after enforcement, theatrical indications have begun to surface. State actors have shifted focus to outward-facing activities, such as highlighting their success in providing training, while neglecting substantive enforcement. Meanwhile, private actors limit their interest to avoiding legal penalties, resorting to box-ticking exercises and boilerplate documents. These theatrical acts, we argue, hinder genuine policy change, raising concerns spanning from

privacy and civil liberties to the broader digital economy.

To discourage performative digital governance, checks and balances are critical. In particular, we argue that civil society and academics should assume the role of "theater critics," monitoring and evaluating these performances. Their efforts could catalyze bottom-up policy reforms, refining imported policy agendas to better align with actual societal needs.

Cross-Border Influence: How Transnational Cybercrime Networks Shape Myanmar’s Digital Policy Gaps

Pyae Set Moe Tun (National Chi Nan University)

Equally, Myanmar is facing severe undermining due to political turbulence, inefficiencies in regulations, and at the hands of transnational cybercrime networks that take advantage of weak cybersecurity measures in the country to engage in various crimes that include online scamming, trafficking, and other data breaches. The 2021 military coup further deteriorated the governance situation and severely disrupted the mechanisms relating to law enforcement.

This paper explores the impact of transnational cybercriminal enterprises on Myanmar's digital landscape, focusing specifically on how such cross-border operations exploit the lack of comprehensive digital regulations in the country. Next, it analyzes the interplay between government actors, international organizations, and private entities to handle such vulnerabilities. It also enumerates several significant examples of cybercrime operations traced to foreign actors, mainly from regional neighbors, and the socio-economic consequences to Myanmar's citizens. It concludes with actionable recommendations aimed at reinforcing digital governance and international cooperation in combating these crimes more effectively.

Transnational cybercrime networks have increasingly exploited digital policy gaps in Myanmar, especially since the 2021 military coup in Myanmar. The political turmoil has provided an enabling environment for cybercrimes such as online scams and human trafficking operations. For instance, the recent arrest of more than 1,200 Chinese nationals engaged in online scams inside Myanmar has sent ripples across the world. These individuals had turned into members of sophisticated networks that utilized Myanmar's frail cyber security structures to deceive victims within the country and beyond. (The Times) To tackle this increase in cybercrime, the military junta of Myanmar introduced a law related to cybersecurity with sweeping provisions for censorship. The law punishes digital platform service providers for failing to stop the proliferation of "disinformation" with punitive sanctions and requires that user data be kept for three years. Operating a virtual private network without permission is punished with imprisonment and heavy fines. Critics say the moves amount to suppressing information and will not eliminate the causes of cybercrime. (AP News) The international community has also made some moves in that direction: the Cyber Crimes Center of the U.S. Department of Homeland Security has been working to extend its global reach against evolving threats and to better collaborate with global law enforcement partners in disrupting criminal networks effectively. The complexity in cybercrimes, where most of the crimes involve perpetrators and victims across different regions, for sure will require a dynamic and internationally driven response. According to the United Nations Office on Drugs and Crime, there is a need for legal cooperation among states to enforce agreed standards of conduct in cyberspace. While some efforts have been initiated, the gaps in Myanmar's policy on digitation continue to be widely abused by transnational networks. Notably, reinforcing digital governance or fighting cybercrimes requires broad collaboration between the national government and international organizations from both the private and public arena, due to the ever-changing nature of such threats.

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Session 2

Thursday, July 3rd 16:00 to 18:00 (B2)

Beyond Identity: Policy Drivers of Inclusion and Exclusion in India's Digital Welfare System

O. Grace Ngullie (Manipal Academy of Higher Education, India)

Digital identity systems have become a central component of welfare governance in contemporary India. Aadhaar, the country's digital identity project, was initially conceived to establish an identity infrastructure for the underprivileged, primarily aimed at facilitating access to welfare services. This raises the question of whether Aadhaar truly enhances inclusivity in welfare. It also prompts an exploration of the factors driving both exclusionary and inclusionary policies. An empirical study conducted in Nagaland, India, in 2024 sought to investigate the role of Aadhaar within the Public Distribution System. Fifty respondents from marginalized groups, including the elderly (90 years and older), individuals with disabilities, migrants, widows, and manual laborers, were interviewed due to their vulnerability to social exclusion. Interviews were also held with government representatives, public service providers, and the Village Council. The findings indicate that legislation promoting increased coverage is effective in including beneficiaries than Aadhaar itself. Conversely, adherence to Aadhaar policy, combined with significant deficiencies in political capacity, heightens the risk of excluding the most disadvantaged individuals, among other challenges. The claim that Aadhaar fosters transparency and inclusive participation lacks adequate empirical support. Policy decisions regarding Aadhaar reflect a modernist statecraft that is abstracted and generalized, favouring an instrumental approach focused on efficiency and cost-effectiveness over welfare objectives. While legal frameworks exist to safeguard political rights, policy decisions are heavily influenced by political discourse and cultural factors. This dynamic ultimately determines who can access public welfare. Moreover, Aadhaar has extended the scope of identity politics into the digital realm. Overall, it raises crucial questions about the nature of democracy and the functionality and accountability of representative government. It highlights the importance of a democratic political order in formulating effective public policies and empowering local, community-led institutional mechanisms that enhance accountability. The effectiveness and practicality of digital identity systems depend on their alignment with social contexts and, in some instances, necessitate incremental costs as part of a humane intervention.

Datafication of Welfare: Experience of Anganwadi Workers with Digital Transformation of the Welfare Service

Nitya Jadeja (Indian Institute of Management, Ahmedabad)

Navdeep Mathur (Indian Institute of Management, Ahmedabad)

It is an interesting paradox that the datafication of welfare services in India seeks to transform life into data in order to save lives. The digital transformation of the Anganwadi service (government daycare service for the rural population) is portrayed as a step towards fighting malnutrition in India (Ministry of Women and Child Development, 2023; Poshan Tracker, 2025). This transformation entails the introduction of an app, that records data on the children's nutritional status and enables monitoring of the Anganwadi workers tasked with operating the centre. This process of datafication embodies the government narrative of generating 'robust data', to effectively address malnutrition (Poshan Tracker, 2025; SP et al., 2022). This process is undertaken by Anganwadi workers (understood in this study as street-level bureaucrats) (Lipsky, 2010), who enable datafication as a part of their work. With the introduction of technology, these workers have to navigate with the institutional narratives embedded within the app, and the transforming nature of their work. On one hand, they exercise discretion in the way they engage with the datafication process. At the same time, scholars argue that such technological transformations lead to increased monitoring that

curtails the discretion of these bureaucrats (Alshallaqi, 2024; Buffat, 2015; Johansson, 2024). Given these contrasting views in extant literature, this study seeks to make sense of how street-level bureaucrats interact with the technology, and how this shapes their discretion.

A month-long fieldwork in Udaipur district, Rajasthan, highlights that the digital space is privileged over the physical space by the state, creating a disconnect between the two. While the physical infrastructure is in disrepair, the digital infrastructure is being continuously strengthened to enable datafication. This datafication process is limited to the nutritional status of the children, removing their details from the context of the physical space they are in. The Anganwadi workers appear to exercise their discretion to navigate this disconnect. However, their discretion seems to be curtailed by the exacting process of datafication and monitoring. Furthermore, they rely on an informal network of other street-level bureaucrats to cope with this process. Particularly, they assist each other in subverting the strict monitoring, and generating the required data. Thus, this network enables them to exercise discretion regarding the way they engage in datafication. This seemingly simultaneous process of curtailment and enablement of discretion, understood during the fieldwork, supports the burgeoning literature around digitalization in bureaucracies, that seeks to move beyond a deterministic understanding of technology (Alshallaqi, 2024; Johansson, 2024). This understanding of discretion, rooted in a network of bureaucrats rather than a single individual, prompts further questions about the street-level bureaucracy theory. Particularly, could one make sense of the datafication process as reinforcing bureaucracy and institutional narratives? And do these narratives subvert the focus from the social issue of malnutrition to ‘technical’ issues around data collection?

(Virtual) How Algorithmic Decisions and Outcome Favourability affect Participatory Processes Acceptance? A Survey Experiment

JOSE LUIS FERNÁNDEZ MARTÍNEZ (University of Málaga)

Sara Pasadas-del-Amo (Universidad de Córdoba)

The study investigates how algorithmic decision-making (ADM) affects satisfaction with process performance. We also analyze if outcome favorability, which according to the literature, is the main factor to decision acceptance mediates this effect. Based on a web survey of 3,077 Spanish respondents, we analyze the results of a population-based survey experiment simulating online Participatory Budgeting (PB) allocation process. First, participants were randomly assigned to four different scenarios of decision-making: direct democracy, direct democracy with argument visualization, explained ADM and opaque ADM. Second, participants chose their preferred policy proposals. They were then presented the process outcomes produced using different decision-making approaches. Half of the participants in each scenario were shown an outcome that coincided with the proposals chosen by them, whereas the other half were shown non coincident outcomes. Consistent with prior research, our findings highlight that outcome favorability stands out as the primary driver of satisfaction with the decision-making process, both in terms of its performance and outcomes. Its impact is so robust that it overrides the effects associated with the decision-making procedures. The most notable procedural effect was observed in the opaque ADM experimental group, which differed from other procedures in terms of satisfaction across favorable and unfavorable outcome conditions. In the opaque ADM group, satisfaction was lowest when outcomes aligned with participants' selections, supporting our hypothesis that less transparent, less democratic processes tend to reduce satisfaction. However, when outcomes did not match participants' choices, satisfaction was highest in the opaque ADM scenario.