

# Data/Governance With Ideological Characteristics: China in (and as) the Shadow of the US

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# Mystique -- Demystification

- Mysteries and veneration
- Secret rites
- Public rituals
- Language as a barrier its imaginaries
  - Especially language of tech, coding, and modeling
- Technocracies/priesthoods
- Power dislocations among priestly castes: Lawyers-officials-coders
- Terror of the unknown
- **QUESTION:** If Chinese and US tech and data governance are shrouded in myth, how might one try to overcome the mystique of (1) data governance and (2) its national security narratives
- **OBJECT:** Develop pathways toward a more nuanced understanding of Chinese and U.S. data governance and its implications for bi-lateral (and global) relations.

# From Mystique to Management

- The mystique of data: **Conscious** tools
  - **Conceptualization** framework issues
  - **Identification** framework issues
  - **Rationalization** framework issues
- The mystique of data governance: **Sentient** modalities
  - **Building the machine**
    - Outside/Inside regulatory problem
  - **From machine to tool**—the mirror
    - Bias and norms
    - Markets and Property
    - Public policy and regulatory assets
  - **From tool to sentience**
    - Interactivity and autonomous interactivity
- **De-mystification**--the unbearable lightness of **national characteristics**
  - US data governance
  - Chinese data governance
  - The fight for a dominant global narrative of governance





## The Mystique of Data

A large, intricate sculpture made of dried leaves and twigs, featuring a central figure with a face and a bird perched on top. The sculpture is composed of many small, detailed parts, including what looks like a face with a mustache, a bird, and various floral and leaf-like structures. The background is a bright, slightly blurred outdoor setting with a building and a clear sky.

# Data: Building blocks

- What is it?
- Who decides?
- What is its character?
- Unitary or relational subjectivity?
  - **Individual** (privacy integrity);
  - **State** (regulatory asset)
  - **Enterprise** (economic asset);
  - **Social relations** (basic building blocks of managerial narratives and societal sentience)
  - **Political elites** (normative asset)

# Data:

## *“My Name is Legion”*

(Mark 5:9)

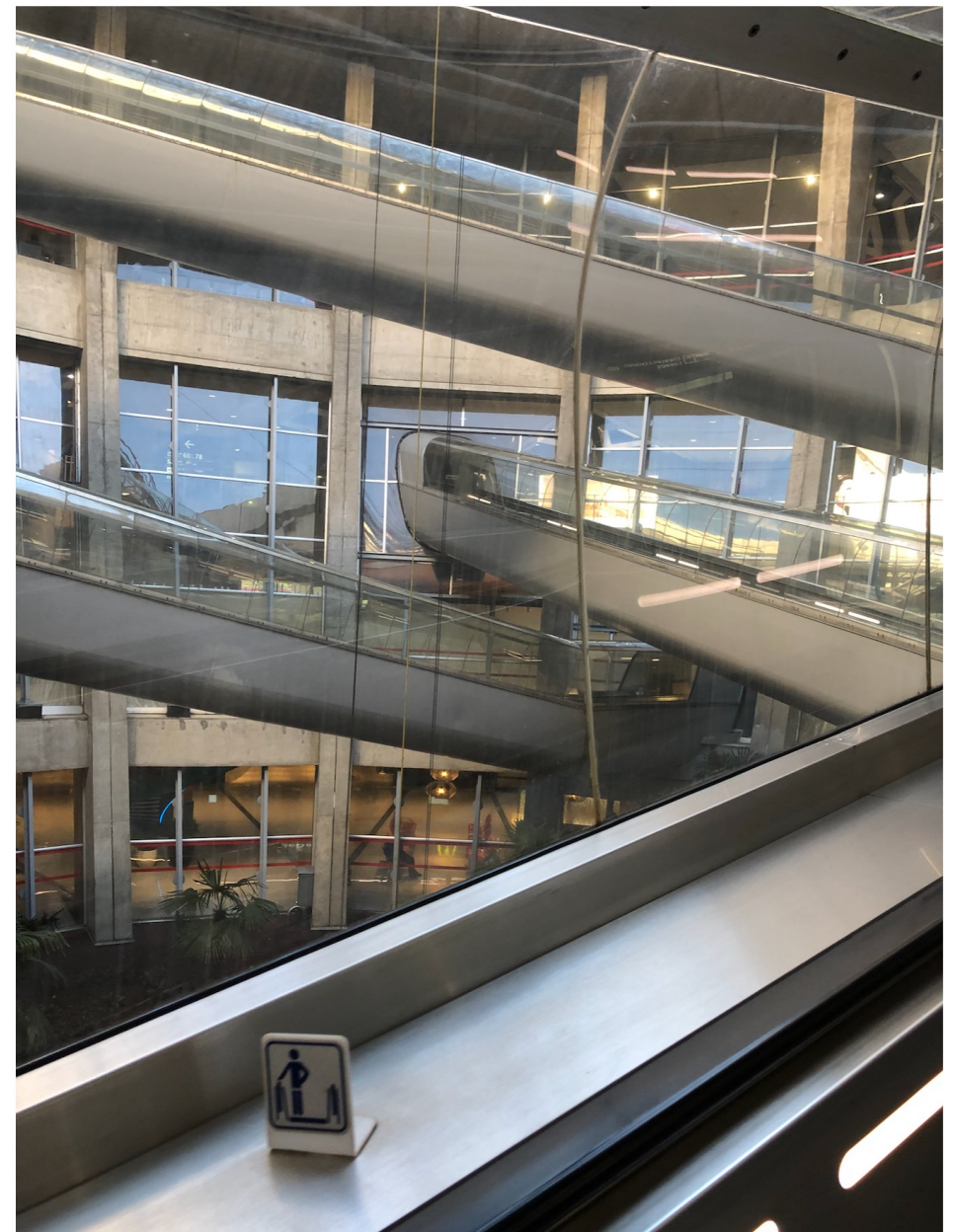
- All actors produce and consume data
- All actors are data
- Data consumption and production is data
- Data analytics consumes data and is data
- Data integrity is data
- Data governance is data



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# Data and its Platforms

- **Data modalities**
  - **Organizing data**
    - Data lifeworlds (*Lebenswelt*) - imaginaries
    - Inter-subjective
  - **Activating data**
    - Data analytics
    - Ratings, modelling, compliance, social/economic discipline
- **Platforms**
  - The incarnation of *instrumentalized data*
    - Descriptive Model
    - Predictive Models
    - Interactive data-based sentience; generative AI
  - Users and consumers of data
    - Analytics machinery; automated assessment
- **Connecting Platforms**
  - Neural pathways; circulatory systems
  - **Conscious** (capable to responding to stimulus; pain, pleasure, inputs)
  - But not **sentient** (self-awareness in the face of sensation—*phenomenal consciousness*)



Gen 1:2 “And the earth was without form, and void; and darkness was upon the face of the deep. And the Spirit of God moved upon the face of the waters”)



# Data De-Mystified

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- Data is the basic building block of systems and their governance
- Anything that can be observed, experienced, created, or undertaken AND recorded can be data
- Data has no essence other than “being” data
- Everything else is strategic and instrumental:
  - Identifying/choosing data
  - Choosing the subjective center
  - Organizing/activating data (platforms)
  - Connecting platforms (neural networks and circulatory systems)
- There are governance issues around each of these, and governance issues around their interconnection, and the relationship of producer/consumers of data.



*The Mystique  
of  
Governance:*  
From  
Consciousness  
in/of Data  
Systems to  
Sentient Data  
Systems





# *The “How” Problem --* Building Systemic Structures and the “Instruction Manuel” of Governance:

- The **conscious machine**
  - Neural Networks and Circulatory Systems
  - Connected Platforms
  - Stimulus-rationalizing structures
- The “Instruction Manuel” of Governance--the Outside-Inside Debates
  - **Outside (Exogenous Governance)**
    - Traditional forms of regulation
    - Law plus administrative structures to manage and enforce
    - This is the “go to”
      - Hypercyclicity of social relations in/as law
  - **Inside (Endogenous Governance)**
    - codes and coding; standards
    - Complex interaction between authorities (public and private) and the “black box” spaces of building virtual systems



## *(1) From Machine to Tool:*

The Mirror of  
Normativity,  
Ideology, and Bias

- ***The Ideological Mirror***
  - The machine as the virtual (social) self
  - Bias (e.g, Social Justice, Peng & Chen "[Ethnic Disparity in Theft Sentencing](#)" 2022); "Biden to bar medical debt from credit scores" WSJ 25 Sept 2023)
  - Norms
- ***Descriptive analytics***
  - Modern Slavery Acts
  - Sanctions compliance reporting
  - Reporting on Monitoring and information systems
    - ESG;
    - Corporate fiduciary duty;
    - Listing requirements.

# Markets and Commodification



Picabia L'Adoration du veau Cntr Pompidou 1941

- Data
- Analytics
- Pathways
- Coordination/Direction
- Modalities
  - U.S.:
    - State managed
    - Law and administrative compliance oversight/responsibility delegation
  - China:
    - State directed
    - CPC guides
    - State organs direct
    - Three-way interactions bounded by law and policy

# The Emergence of Data as Regulatory Property

- *U.S.*

- Markets based interactive compliance systems
- Private social systems
- Administrative oversight and the reproduction of public policy through
  - compliance based data-driven measures (descriptive and reporting)
  - Operationalization of public measures (e.g. sanctions; and standards)

- *China*

- Ideological superstructure
- Coordination
- Conscious injection of policy objectives through automated systems of punishments and rewards
- Public facing: social credit
- Internal Regulatory institutional disciplining and inspection—courts, officials, entities, civil society

乘風破浪 各顯神通

## *(2) From Tool to Sentience:*

### Autonomous Virtual Automation

- Generative AI
- Predictive analytics
  - German Supply Chain Due Diligence Law
  - SOE planning for outbound investment regimes (China)
- Automation in production of black-red-white lists
- Policy in coding
- Artificial sentience operationalizing policy
- The informal economies of A.I. and predictive analytics
  - Anyone can participate
  - State or business monopolies difficult to maintain

# Quality Control

- **Data/systemic integrity**

- Protection of inputs (individuals and entities)
- Systemic protection (corruption of bad data; integrity of system for modeling and AI autonomy)
- Protection from interference
  - Foreign
  - Domestic
- **Authority of baselines (can't trust the science if it is faked)**
  - ("Debunkers Bust Bad Scientists" WSJ 25 Sept 2023)

- **Narrative**

- **Negative**
  - Mis-; Mal-; Dis- information
  - Fake news; faked data (science/social science feeders)
- **Positive**
  - Crafting stories to align normative goals with "factual" basis
  - Compelling stories or teaching stories
  - Collective meaning making from out of data signification
  - "Meta to Use Chatbots in AI-Fueled Youth Push" WSJ 25 Sept 2023)



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# Governance De-Mystified

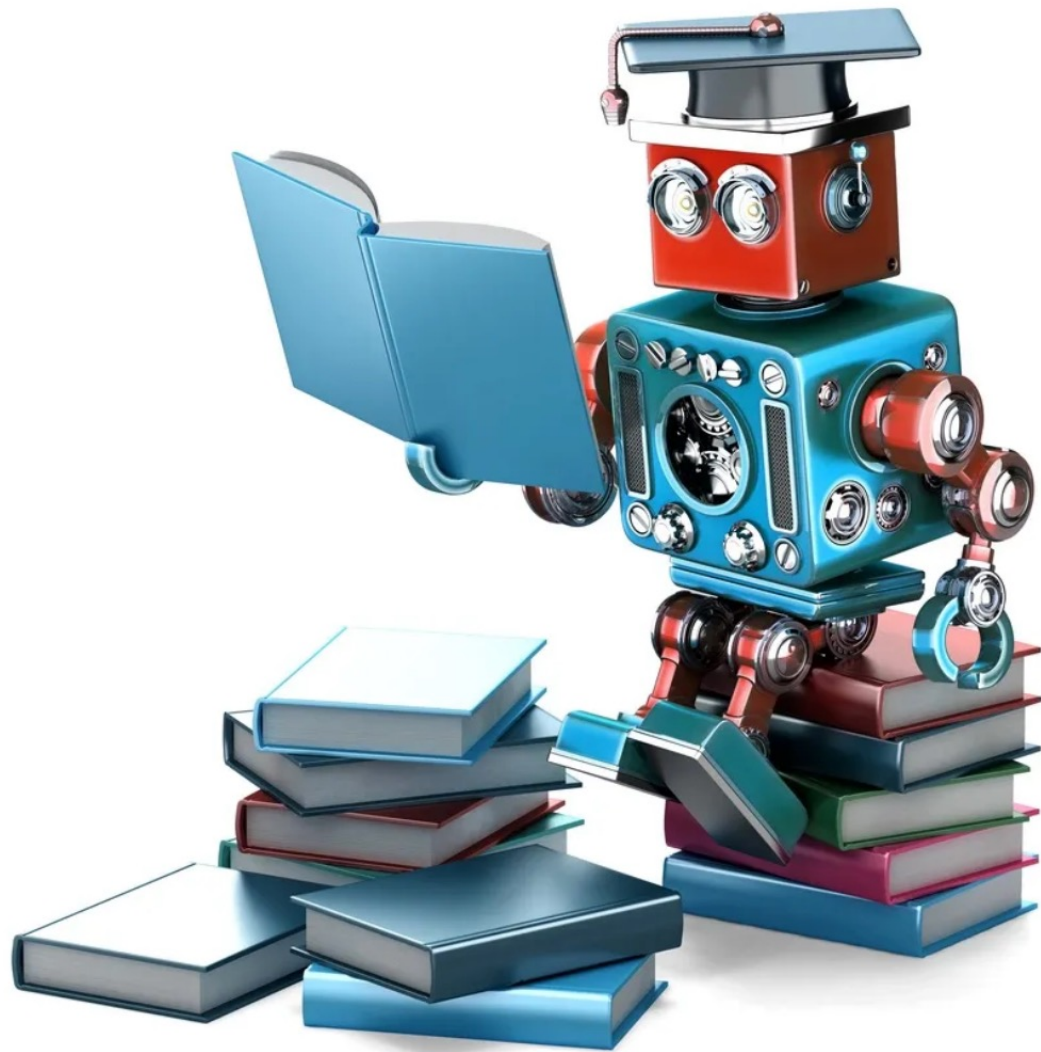
- **Fundamental distinction** between
  - **Data** (input): Objects and their identification; investing objects with value
  - **Data machines/platforms** (rationalization, analytics, connections):
    - ACTIVATING DATA (from significance to signification)—the conscious tool
  - **Neural pathways/circulatory systems** among data machines (connecting data machines; building more complex structures of interactive signification and collective meaning making,
    - From descriptive to predictive machines; self-referencing iterative sentience; autonomy
  - **Data governance**: Imposed imaginaries /worldviews) coercively shaping the structure and operation of data machines
- **Initial problem**: Placing governance INSIDE or OUTSIDE the MACHINE(s)
  - **Outside**
    - Traditional law, norms, rules, **exogenous** structures of meaning making, control and discipline.
  - **Inside**
    - Standards; coding; analytic parameters; the “inorganic” structuring of iterative non-carbon-based sentience: **endogenous**.
- **Consequences/Effects**
  - The ideological mirror and governance instrumentalization of data machines
  - Bias; and bias privileging (“Social justice” versus “development-stability-prosperity” models)
  - Rationalizing modalities of management: markets, regulatory property
- **Governance and Quality Control**
  - Data/systemic integrity; the question of narrative
- **Where are we?** Governance as semiotic “thirdness”: collective meaning systems disciplining social relations in virtual spaces





# The unbearable lightness of national characteristics Yī —Data as “Social Skin”





Machines need to be able to teach themselves, says one researcher who studies artificial intelligence.  
(Image credit: kirill\_makarov / Shutterstock.com)

# Investing Machines with Purpose One Ideology at a Time

- If data machines have no ideology
- AND
- Data governance is fundamentally ideological
- THEN
- ***How does data governance contribute to the expression of national ideology (political/economic, social, cultural) and its operational as data driven enforcement and development of collective meaning by these data machines?***

# U.S.:

## Liberal Democratic Narratives

### Data governance as an expression of liberal democratic normative baselines

- Social justice
- Human rights
- Environment/sustainability

### The politics of control of the meaning of baselines going into coding systems

- The state as a generator of data
- The state as the purchaser of analytics
- The state as definer of objectives

### The issue of data as a market driven commodity

- Data as impact measures
- Data as measure of public policy accountability
- A space for profits?

### The hybrid nature of data in data-compliance cultures

- Self regulation
- Regulatory delegation
- Public private "partnerships" among those in control of commodified data



George Seurat Le Cirque 1890 Centre Pompidou

# The expressive liberal democratic data machine

- **Fundamental set up**
  - Outside oriented in the public sphere
  - Inside tendencies in the private sphere
  - Institutions do what each does best
- **State bureaucracies and institutions**
  - *Legislate*
  - *Regulate*
  - *Administer* through oversight discretionary regulation and compliance-based systems
- **Private Actor institutions**
  - The boring business of setting standards and parameters
  - The problem of property in markets based regulatory system
- Data machines become the space where political battles over social relations orthodoxies are played out



# China Marxist-Leninist Narratives



- Data governance as an expression of Marxist-Leninist normativity
  - CPC Guidance
    - New Era theory
  - Administrative operational superstructures
    - Foreign Relations Law
    - Data Protection Laws
    - Counter-Espionage Laws
    - State secrets law
  - Organizational implementation
    - Enterprises (SOEs)
    - Civil society
    - (Local) officials
- The issue of data as regulatory property
- The issue of data governance and the governance of the economy overseen by the state

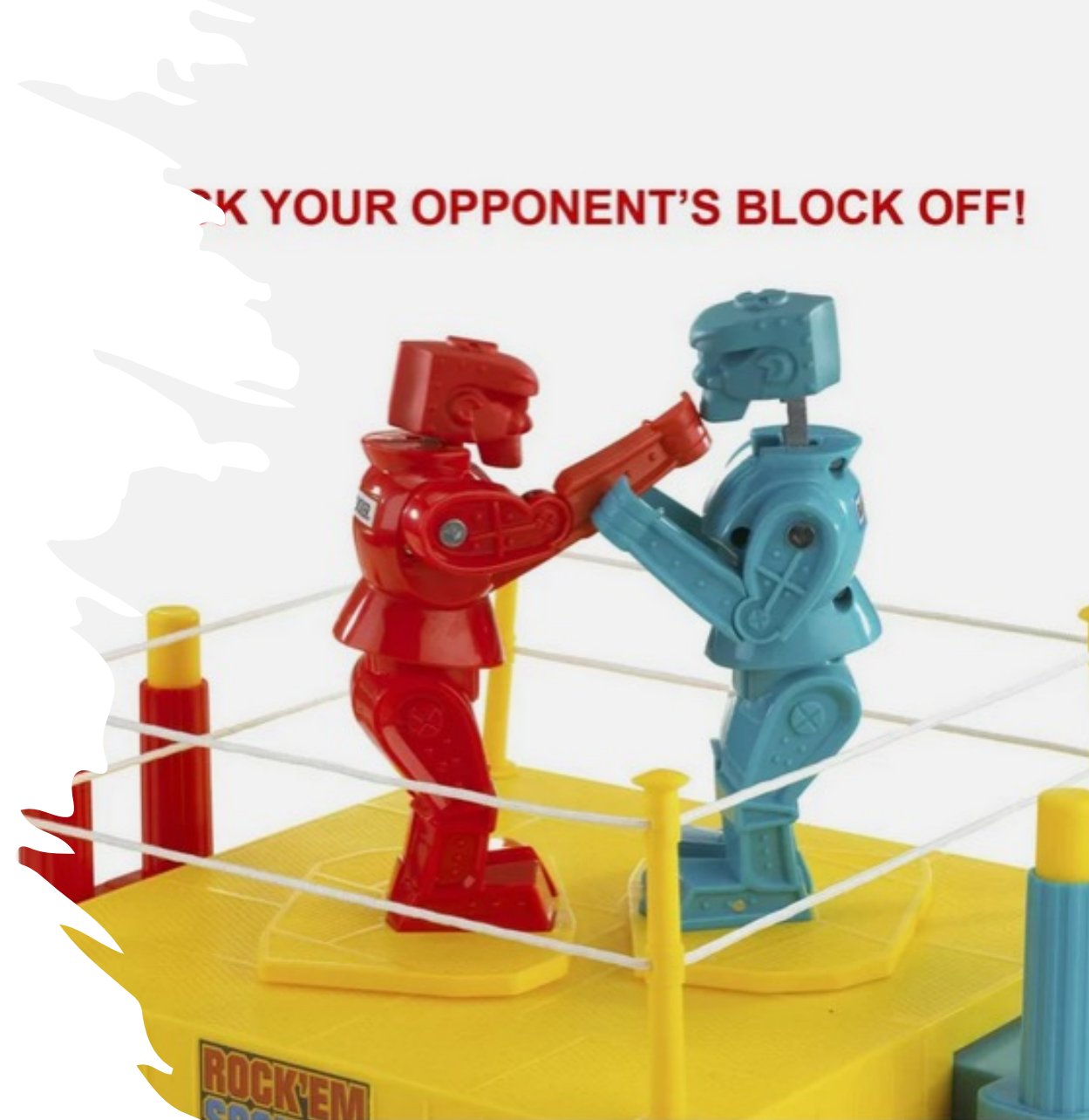
# The expressive Marxist-Leninist data machine



- **Blending exogenous and endogenous governance**
  - The leadership core:
  - The political guidance and leadership of the vanguard of social forces organized as the CPC and vested with the responsibility of moving society forward
- **The great bottleneck**
  - Within the state—everything
  - Outside the state—nothing
  - Regulation as a complex social system of social systems requiring its own data machines
- **Modalities**—Centralization; coordination; unitary purpose; hub and spoke
  - Social Credit
  - Smart Cities
  - Big data governance
  - Smart government (judiciary; transport, etc.)
  - Enterprises (SOEs but also private firms)
    - Sources of data and operators of data machines

# What follows?

- U.S. and China build similar machines (they follow the same pattern of construction)
- BUT
- The machines operate to different ends
- Different
  - value and identification of data (and data character)
  - focus of regulatory structures and ends
  - Mirrors of normativity and bias
- Compatibility?
- Interactivity?



# From Sentience to Robot Wars

- Congruence or disjunction among systems?
- Inter-Systemic Warfare: blocking legislation
- Warring narratives
  - Signification of good and evil systems premises
  - Fairness and trustworthiness
- Power through projection of “effects” of system operation
  - Global CSR compliance regimes versus state secrets rule
  - Domestication of data and analytics
  - Analytic black boxes
- The impenetrability of language and control
  - Coders versus lawyers versus public officials
  - Accountability across languages
- Human versus Non-Carbon intelligence
  - Backdoors
  - Sabotage
  - Bias drift





Questions?





Thanks