

Thinking of a Master Plan: Data Citizenship/ Ownership as a Portal to an Unfettered Black Universal Basic Income

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INTRODUCTION

If you are old enough to remember the song that inspired the title of this Essay,¹ then you might already be vibing out to its potential. In Afrofuturistic fashion, I intend to lean into the song’s line as a means to explore the topics of data citizenship,² data ownership, and universal basic income as it pertains to Black people. Thinking of a master plan is a nod to systematic and intentional approaches to materializing realities in the present timeline. In this case, I am referring to the dimensions of Blackness in/and the United States as timeline(s) all their own. Although these interdimensional, intersectional contexts could extend to people on the African continent and every other Afro-diasporic iteration around the globe, the current lack of cohesive thinking concerning data and its legislation makes the ability to speak broadly more difficult (although one could imagine what it means for people to participate transactionally with U.S. economic structures while outside the United States). Still, I intend to provide this exploration through a Black posthumanist lens that is not only antihuman

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1. ERIC B. & RAKIM, *Paid in Full*, on PAID IN FULL (4th & B’way 1987).

2. Data citizenship can be thought of in terms of a type of data activism where people take responsibility and intentional concern about the use, application, and capitalization of their data. It is also a form of data literacy whereby people understand where their data is going and what it is doing once produced. I am adding to this conversation a term that arose from a conversation with Michael Hemenway, that data citizenship is the data footprint left behind by people’s digital behavior. Data citizenship is the specter of people’s presence online and the accountability/ownership for the use of their data. In this way, data citizenship and data ownership are inseparable. See María Soledad Segura & Silvio Waisbord, *Between Data Capitalism and Data Citizenship*, 20 TELEVISION & NEW MEDIA 412, 413 (2019); Elinor Carmi, Simeon J. Yates, Eleanor Lockley & Alicja Pawluczuk, *Data Citizenship: Rethinking Data Literacy in the Age of Disinformation, Misinformation, and Malinformation*, INTERNET POL’Y REV., May 2020, at 1, 10; Federico Caprotti & Dong Liu, *Emerging Platform Urbanism in China: Reconfigurations of Data, Citizenship and Materialities*, TECH. FORECASTING & SOC. CHANGE, Feb. 2020, at 1, 1.

but is the foundational framework responsible for Black transhuman or Black techno-social ways of being in and with the world.

I offer that Black posthumanism is antihumanistic due to the ways humanity has presented itself as anti-Black throughout the current historical arc. Black posthumanism not only speaks to Black people engaging in self-determinism, i.e. living and defining themselves on their own terms outside of anti-Black spaces, it also acknowledges that in doing so Black people are pushing against the very foundation of perceptually navigated sociopolitical realities—as they are understood in Euro-descending spaces. To talk about Black people engaging in techno-social self-determinism at once signifies the proliferation of Black futures while simultaneously preparing for anti-Blackness in the form of white supremacist, cis-hetero protonormativity.³ Nevertheless, in the vein of Aimé Césaire⁴ and Sylvia Wynter,⁵ one of the primary conjectures of Black posthumanism is that the human is deployed as a technology of white supremacy. It is used to create protective boundaries between recipients of humanity and everything else through a stratified sociopolitical hierarchy. Stratification technologies are grounded in valuations, whether it be Aquinas's Chain of Being or the concept of speciesism.⁶ The closer one is to a proposed pinnacle or center, the higher one is valued. Since this Essay is intentional in its work to center Blackness (Black people and Black ways of life), it is therefore antihuman in the sense that humanity has shown itself to have no room for Blackness. Humanity does not help to protect Black people in the ways that it should. If it did, then Black people would not find themselves in a time-loop where they have been left to fend for their survival against the “humans” for over 400 years. As a technology, humanity serves as a virtual cover (a type of social augmentation of reality) carrying with it the undergirding sense that no one is human, not even white people. So, Black posthumanism becomes the lens through which this Essay is written. Further, it is the praxis through which I imagine Black futures.

Regardless of where anyone lands on the spectrums of Blackness and African-ness, the goal of this Essay should be clearly understood. It is meant to imagine and explore three things: (1) data ownership; (2) data citizenship; and (3) a relevant use of web3/blockchain technology for the express purpose of minting tokens, tracking web activity, and maintaining ledgers that map the origins, trajectory,

3. Think of protonormativity as normative frameworks, ideologies, and ways of life that stem from a particular prototype. In this case, that prototypical framing is white, cis-hetero maleness. See PHILIP BUTLER, *BLACK TRANSHUMAN LIBERATION THEOLOGY: TECHNOLOGY AND SPIRITUALITY* 27 (2020).

4. See generally Aimé Césaire, *Discourse on Colonialism*, in *DISCOURSE ON COLONIALISM* 29 (Joan Pinkham trans., 2000).

5. See generally Sylvia Wynter, *Unsettling the Coloniality of Being/Power/Truth/Freedom: Towards the Human, After Man, Its Overrepresentation—An Argument*, CR, Fall 2003, at 257.

6. See generally Poe Johnson, *Racial Technologies in the Time of Black Cyborgnetic Consciousness*, in *THE ROUTLEDGE COMPANION TO BIOLOGY IN ART AND ARCHITECTURE* 368 (Charissa N. Terranova & Meredith Tromble eds., 2017); Oludamini Ogunnaiké, *From Heathen to Sub-Human: A Genealogy of the Influence of the Decline of Religion on the Rise of Modern Racism*, *OPEN THEOLOGY*, Jan. 2016, at 785.

and destinations of content created on devices across various internet(s). This particular trifecta would be considered an iteration of a data dividend.⁷ In an ideal sense this system would help to establish sites of entry for content while not only monitoring the reach of content but also the breadth of data as it moves throughout the data market. It is important to note the difference between content and data. For me, content becomes biometrics, videos, posts, or anything uploaded to social sites. Yet for a more formal definition, I will turn to a Securities and Exchange Commission filing by Savvy Shares, LLC that states that social media content “means . . . graphics, photographs, images, audio, video, logos, and other multimedia and text included there in.”⁸ Additionally, Captterra, a software placement company that helps organizations determine the best software for their business needs, includes “anything that fans create and share with their friends through private channels—texts, emails, or even in-person conversations. Social content is often referred to as UGC (user-generated content) or owned and earned media.”⁹ It is important to note that these definitions cover public arenas (via social sites), private and semi-private spaces (via text or email), and spaces in between (where private and semi-private messages occur on public domains, such as WhatsApp or Instagram Direct Messenger).

These definitions allow us to see that content creation is an intentional act provided by people on devices for the communication of something for other people to experience or for the archiving of their own ideas on various types of platforms. Conversely, personal data can be conceived as any remnant or evidence of a person’s presence on a device, platform, or site. This would then include sensitive information, such as medical records and financial history. Essentially, it can be anything identifiably tied to a person. The European Union (EU) Commission, which is responsible for the General Data Protection Regulation (GDPR), uses very specific language around personhood, emphasizing that this data be attached to “natural persons.”¹⁰ Now, we may not be entirely sure what a natural person *is*,

7. In 2019, “California Governor Gavin Newsom proposed a ‘data dividend’ to share the wealth generated by personal data with the users who contributed it,” which could be used to tax companies that rely on personal data for their expansion in order to fund public goods. *Ensuring the Tech Economy Benefits All of Its Stakeholders*, DATA DIVIDENDS INITIATIVE, <https://www.datadividends.org> [<https://perma.cc/A4AW-9LJK>] (last visited May 14, 2024); *see also* Angel Au-Yeung, *California Wants to Copy Alaska and Pay People a ‘Data Dividend.’ Is It Realistic?*, FORBES (Feb. 14, 2019, 10:04 AM), <https://www.forbes.com/sites/angelauyeung/2019/02/14/california-wants-to-copy-alaska-and-pay-people-a-data-dividend-is-it-realistic/> (noting that the proposed program mirrors the Alaska Permanent Fund, which distributes annual oil royalties from the Trans Alaska Pipeline to all Alaskans). It could be overseen by a data relations board whose convening would be focused on creating a future where everyone would benefit from the larger data economy. *Id.* Later that year, New York State Senator David Carlucci proposed similar legislation. Annie McDonough, *Carlucci Follows in California’s Footsteps with ‘Data Dividend’ Idea*, CITY & ST. N.Y. (Dec. 3, 2019), <https://www.cityandstateny.com/policy/2019/12/carlucci-follows-in-californias-footsteps-with-data-dividend-idea/176666/> [<https://perma.cc/2GGC-JRYS>].

8. Savvy Shares, LLC, IP License Agreement 3 (2020).

9. *Social Content*, CAPTERRA: CAPTERRA GLOSSARY, <https://www.capterra.com/glossary/social-content/> [<https://perma.cc/S5FK-N9Z9>] (last visited May 14, 2024).

10. Council Regulation 2018/1725, pmbl. para. 1, art. 3(1), 2018 O.J. (L 295) 39, 39, 55 (EU).

but of note is the EU's definition of a natural person.¹¹ That definition is part of a larger conversation around sentience, especially since the United Kingdom made it a point to recognize animals as possessors of sentient life in the Animal Welfare Act of 2022.¹² I mention the distinction between content and data as all content is data, but not all data is content. This becomes integral to the framework within this Essay as each will play a significant role in the unfolding of what is meant by a data-oriented framework that takes seriously the role both data and content play in the formation of a data dividend system whose potential could be utilized to open economic ecosystems that benefit Black people more broadly. To put it plainly, this Essay will wrestle with how Black people might build systems that allow for their own regulation and monetization of Black data as it is traded on the data market.

The technology suite required to pull all of these concepts together does not readily exist at present. So what follows is a conceptual blueprint of what might be necessary for the formation of this type of Black data technosphere (technosphere meaning digital ecosystem or environment). As such, this Essay will wrestle with questions like how can Black people track, leverage, and engage in discussions that speak to the right to ownership, privacy/exclusion, and citizenship when referencing their data? Further, this becomes an opportunity to imagine ways Black data could be used to benefit Black people via a type of universal basic income (UBI) or universal basic assets (UBAs).¹³ In this case, these Black UBIs (BUBIs) or Black UBAs (BUBAs) are not intended to be dispersed by government agencies. Instead, BUBIs and BUBAs would be part of a technology that independently monitors and regulates the capitalization of aggregated Black data. In order to get at the heart of what I am attempting to imagine, in Part I, I will work to reverse engineer this idea via a narrative depiction of a Black technosphere I am describing. In Part II, I will outline some of what might be necessary for the work toward the world described in the story. In Part III, the components I will focus on are data ownership, data citizenship, and web3 technology.

11. “[A]n identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person” *Id.* art. 3(1), at 55.

12. Animal Welfare (Sentience) Act 2022, c. 22 (UK), <https://www.legislation.gov.uk/ukpga/2022/22/enacted> [<https://perma.cc/LH5Q-8MWD>].

13. See *Universal Basic Assets: A Manifesto for a More Equitable Future*, IFTF (Dec. 2017), <https://www.iftf.org/projects/uba/> [<https://perma.cc/877M-MJPQ>] (“[The UBA framework] identifies a fundamental set of resources every person needs access to, from financial security and housing to healthcare and education.”); Florin Bonciu, *Possible Implications of Universal Basic Income and Universal Basic Assets on Economic Growth and Development*, 6 GLOB. ECON. OBSERVER, no. 1, 2018, at 88, 91 (“The Universal Basic Income is . . . a form of social security based on a periodic cash payment unconditionally delivered to all on an individual basis.”). See generally Juliana Uhuru Bidadanure, *The Political Theory of Universal Basic Income*, 22 ANN. REV. POL. SCI. 481 (2019); Hilary Hoynes & Jesse Rothstein, *Universal Basic Income in the United States and Advanced Countries*, 11 ANN. REV. ECON. 929 (2019).

Together, each plays a special role that when combined helps to fuel working together toward BUBIs, BUBAs, or both.

I. A BLACK TECHNOSPHERE

Somewhere in the not-too-distant future. . .

Black communities do not pay for internet, utilities, improvements to their street(s), or improvements to their homes—these are some of the basic assets Black communities now possess.

On a daily

Black people wake up and dream.

And now

They have resources to build.

This story takes place somewhere in the fifteen years after the time you are reading this. It occurs shortly after the great data cohesion. Yet, depending on when you are reading this Essay, the story might have already taken place. The great data cohesion came about after a landmark case that determined data to be synonymous with physical bodies under U.S. law. That landmark case was followed by another lawsuit in the EU that determined the same outcome. So, personal data is now treated as if it were the individual it is attached to. This cross section between flesh, circuitry, immaterial constellations, and their mathematical representations all meet together at this intersection. It was the first known legal dimensional/timeline collision of its kind.

Ether, a Primrose company, is on the verge of releasing a haptic technology that emits a sub-atomic buzzing feature which notifies a person every time their data is used or accessed. You can think of it as a living ledger that is basically a web3 indicator that data dividends are soon to follow. The world has entered the early stages of the tetratic era when it comes to data proliferation.¹⁴ Collectively, people now create 3^{978} geopbytes¹⁵ every 90 seconds. There have come to be so many traceable data points that data appears to function as a second shadow. Data quite literally follows the person it is connected to and observably looks like another iteration of the person walking closely behind their physical/material self. Given the amount of data interactions taking place each day, this haptic technology holds ramifications for the well-being of those who wear it (imagine the potential of a perpetually emitting quantum sound bath where a body is constantly bathed in vibrational frequencies most in tune with its harmonic alignment). What the public does not know is that the more people's information

14. See Philip Butler, *A Black Tetratic Future: Blackness and the Age of Hyper-Exponentiation (Hyper-4)*, in *CRITICAL BLACK FUTURES: SPECULATIVE THEORIES AND EXPLORATIONS* 37, 46 (Philip Butler ed., 2021).

15. 1 geopbyte = 10^{30} bytes or 1,000,000,000,000,000,000 gigabytes.

interacts with the rest of the technosphere, the more it enhances the emotions a person is experiencing—manifesting into physical abilities—when the sub-atomic buzz hits. Essentially, it harnesses the energy of a felt emotion at the time the emotion surfaces.

This story takes place on a rainy afternoon in Chicago. Our main character, Iman, arrives at the train station . . . *Iman thinks to themselves: "I'm running late. I can't miss the train. My mom needs her pills by 3 o'clock and I have to get my art installation to the museum by 5."*

The rain continues to beat upon the canopy covering the stairwell to the L train. It feels louder and louder like the Aziza¹⁶ are running around on top of the train station. When Iman arrives at the turnstile, they scan their eyes and a message that reads "Covered by Chicago Black data" appears, and the gate opens.

A message appears in Iman's AR Sync (an augmented reality (AR) system consisting of contact lenses and bone conducting earbuds). It's from Mom.

"Don't forget to bring my orange juice," appears in a 3D Times Square-styled ticker on a bench at the train station. You see, Iman's mother does not trust this new world. For her, no matter how much things have shifted for Black people in the United States, she is an old-school revolutionary. For Iman's mother, things could shift at any moment. For that reason, Iman is responsible for running certain errands for her.

Iman replies, "Yes, ma'am."

There was one time Iman tried to have a robo-courier deliver dinner for their mother, but she shot it. She shot it right between the circuits. The courier company tried to file a lawsuit for attempted murder of a humanoid. However, as part of the Chicago Black Data Collective, Iman's mother was able to access a decent defense attorney who got the charges reduced. She was put on house arrest for ten days. Not that she was going anywhere during that time anyway. *The charge normally carries a sentence of seven to ten years and a fine.* To avoid having their mom overusing her data credits, Iman just makes sure she has certain things squared away.

To help them alleviate some things in their own life, Iman has built a relationship with a courier named Tyler. Iman's mother doesn't know about the arrangement and has come to know him as Iman's friend. But he is not available today. *Iman breathes to themselves sarcastically, "Today of all days Tyler has to take his son to a baseball game."* Iman realizes they are trippin'. Black dads prioritizing their children continues to be important for the future. Iman steps onto the train, tucking their art exhibit into their coat pocket. The exhibit is a techno-artistic skin chip that embeds itself in the epithelial cells of its wearer. They have been working on the idea for the last couple of years. It came from them seeing the

16. The Aziza are an African fairy people that live in the forest. They possess magical powers and are said to help hunters and forest travelers. SUZANNE PRESTON BLIER, *AFRICAN VODUN: ART, PSYCHOLOGY, AND POWER* 83 (1995); see also *AFRICAN FOLKLORE: AN ENCYCLOPEDIA* 179 (Philip M. Peek & Kwesi Yankah eds., 2004); Sbantrelle P. Lewis, *Fon*, in *2 ENCYCLOPEDIA OF AFRICAN RELIGION* 270, 271 (Molefi Kete Asante & Ama Mazama eds., 2009).

beauty of various bodily system states and is intended to help activate specific emotions based on one's ability to think of them, much like a mental or body state selector tool. Their goal is to help people match the moods they want to be in with the moments they want and need them. It is an immersive piece that allows people visiting the exhibit to experience its effects in real-time. Iman is actively working to redefine the boundaries of art, technology, and *the* body.

The train pulls off. Iman looks at the time. It's 2:40 pm.

"Why did she leave these pills in my house?" they mutter. "Couldn't she have waited to do this next week?"

A young lady on the train looks at Iman and raises a question: "Have you heard? They're releasing the Xibro-chip to everyone on the 21st."

Iman replies, "I haven't. What are the news stations saying?"

"That the rest of the public will get access to a pilot version that will make it easier for people to be more connected to their data and feel its usage."

"Oh, then we must be getting close . . ."

Primrose is part of the New Hampton Data Network (NHDN). Its technology falls under the counterintelligence tech New Hampton is developing in their research and development facilities. They've been *thinking of a master plan*. The network connects futuristic Black cities and neighborhoods (FBCN) across the country via an intercity trade agreement that shares both access to and revenue from their aggregated data, technology departments, and infrastructure. The Chicago Black Data Collective is part of the FBCN, but each city processes its own data as a local municipality within the FBCN. According to the NHDN, people's data shadow is a local server and quantum computing system that stores the ledger of everyone's data transactions in addition to reproducing their movements. This becomes important as the open-source framework for the quantum buzzing of the haptic notification system tech has been circulating throughout the network for the last three years—even before the great cohesion. The NHDN is not only a set of first adopters; they are also its makers. And Iman's new installation is a tipping point for an era-defining shift in people computer interface.

Ten minutes have passed. Iman looks at the time in their AR Sync environment.

"I'm still five stops away. I don't think I'll make it to Mom in time."

Iman lets out a large sigh and without hesitation they pull out the chip from their jacket and place it on their hand, where it begins to sync with their body. They then twist the toggle on their wrist device. The body buzz starts. Within seconds Iman disappears from sight and is able to walk through the walls of the L Train. Tapping into the gratitude felt in connection with the art exhibit later today they take flight, heading to Mom's house.

Iman passes over Bronzeville, then Wrigley Field, and lands right outside their mother's old-timey brownstone in Hyde Park. It's the last home on the street to be upgraded. The rest of her block, much like the rest of the South and West Sides of Chicago, has recently undergone a future-fitting process. Each building now has its own garden scape with an eco-epicenter that provides fresh produce. The streets run on a grid that warms up the pavement, melting snow and

alleviating weather-based hazards in these sections of the Windy City. Facial recognition is used to protect the residents from external unwanted surveyors and visitors who have attempted to do harm to recently beautified sections of the city.

Halo, a social artificial intelligence (AI) system, is embedded within each person's AR Sync system. It teaches everyone in the South and West Sides about the social and physical boundaries of the people next to them using AR Sync's bone conduction sensors and visual field monitor. Halo was built to foster greater interpersonal relationships leading to a stronger more trustworthy sense of community.

Outside, the sidewalks read people's bio-signatures to ensure a customizable ergonomic experience in order to optimize everyone's posture and joints. You know, for longevity. The interconnected data networks not only make these adjustments possible, but they pay for their upkeep and iterative development as well.

A melodic AI voice can be heard in the distance: "Data update in T-minus twenty seconds," informing everyone that a new ledger will be patched through to the surrounding area shortly.

"You need anything Ms. Stone?" The neighborhood kids yell through Iman's mother's window making sure she is alright.

"No babies. Iman is on their way. I've got everything I need." The neighbors love Iman's mother. Everyone knows Ms. Stone. She has been the mother of the community for the last few decades. So people don't mind if she does not want to upgrade her home with the more advanced technological amenities. She is just fine. They pitch in to help make it so.

Iman turns off their art and returns to the realm of sight. They know the dangers of what they just did. The flip side of being part of the NHDN is the danger. These cities bring a considerable amount of wealth to the United States, but their being future-forward Black cities places them at odds with the government. If Iman was caught using this unapproved technology, it could expose the work of the collective and put everyone at risk.

"Invisible flying Black people!?"

Iman turns around. It's their friend Tariq. He laughs and gives Iman a pound.

"Where have you been?" Iman asks. "I pinged you yesterday."

"Apologies. Had my comms turned off until about an hour ago. I figured I'd just meet you here."

Iman hands Tariq a chip. "Is that it?" Iman nods and heads into the house. Pills in tow. Tariq heads off to the gallery.

"Momma!"

"I'm here, baby. You got my orange juice?"

"Now you know I wasn't going to forget it. How could I with all the messages you sent?"

Ms. Stone jokingly tells Iman to watch their mouth as she gives them a big hug.

“Ooooooh I’ve missed you all day, Sunshine.” Iman smiles back with the warmth of a thousand kisses. Ms. Stone asks Iman about their art exhibit later that day.

“It’s going to be raining all day. You sure you don’t want to postpone?”

“No ma’am. It’s more important that we get this out to the world today. More important than the weather itself.”

“Well, I’m not gon’ make it out tonight. It’s too rainy and cold for me.” She stands up, holds Iman’s hands, looks them in the eyes, and smiles.

“You know I’m proud of you right?”

“Yes ma’am.”

“Good. Now go turn the channel so I can watch the rest of my shows. I got to catch up on the Real Husbands of Accra. Those men are something else! And that one with the hair, mmm mmmm, shol is fine!”

Iman adjusts the holographic settings on their mother’s home. It’s one of the few upgrades she would allow.

An alert comes through on the AR sync. It’s marked urgent with a vanishing mode stamp. Iman opens it. It has no words. Just a buzz frequency that communicates its message somatically. Iman nods to confirm receipt, kisses Mom, says goodbye, and heads out the door. It’s 3:45. Plenty of time to make it to the exhibit. Iman heads to the South Side Community Arts Center to set up.

Tariq is already there when Iman arrives. He asks if there is anything else that needs to be taken care of. Iman points to the light sensors that mark the edges of the exhibit. At 5:15 Iman walks into the back. What do they see? Themselves.

The Iman that was running behind was a data-body. It is a version of Iman that is Iman approved and is allowed to be seen/visible in certain settings while disappearing/invisible in others. Not only does data function as a currency, it can also be materialized based on whichever historical version a person wants the world to interact with. Today, Iman had to finish prepping for the exhibit. And it seems like their mother didn’t catch on. She was completely unaware.

Finally, a solution that works to help alleviate some of the weight of being their mom’s primary caretaker and the city’s foremost biotechno-artist.

The doors to the exhibit open at 6:30. People begin to arrive. Each receives a chip as they enter the gallery. At 7:00, Iman takes a microphone and begins to tell people about the inspiration behind the exhibit.

“This piece is meant to demonstrate the fruit of our data-infused environments. In order to make this work, I’ve had to use a quantum processor that combs through 15,000 qubits per microsecond per square inch. It then projects that information back into each environment, holding the past, present, and future in tension. This is the culmination of an entire era. . . So, I invite you all to activate it with me so that we can experience the beauty of this work together.”

Iman begins to countdown: “5, 4, 3, 2, 1.” Everyone places the chip on their skin, and it begins to take root. The people toggle their wrist devices activating the quantum buzzing. At 7:05, the entire room disappears. Each person materializing somewhere else seemingly out of thin air. The time is upon us . . .

Invisible flying Black people are part of their master plan.

II. EVIDENCE OF BLACK POSTHUMANISM IN THE STORY

Iman's story encompasses several layers of a Black posthuman future. Among those layers are two primary categories: (1) the Black posthuman achieved through technological advancement and (2) Black posthuman ways of life that stem from Black posthuman onto-epistemic¹⁷ frameworks which reconfigure or rearrange reality altogether. It arises as a part of what Sylvia Wynter describes as a "framework of belief" armed with the ability to "create a counter world . . . [and engage] creatively in th[at] destiny."¹⁸

The technological Black posthuman manifests in the Black-centered technosphere we see popping up across various U.S. cities in the story. Specifically, we see it manifest in a near-future version of Chicago's South and West Sides. Black posthumanism's emphasis on the local and the complex subject

goes beyond bipedal semi-hairless creatures. Personhood in this sense would then extend to anything that exists. Extending personhood beyond certain biological configurations is important because it implies anything on the planet might be imbued with volitional qualities/will. Defined within this context will is the congruence of agency, resolution, and desire. People being more than a specific biological configuration also carries implications concerning whether the planet itself is aligned with what it understands as its own present trajectory or not.¹⁹

When there are no archetypal subjects, then anything that exists becomes a significant agent of relationality. In this case, social reorganization is seen through a tech ecosystem grounded in the logic of centering Blackness and Black people. It works to burrow further into the locality of each person (previously conceptualized as human, superhuman, or otherwise) within a certain geographical location. This coordinate-oriented locality invites a more intimate and fluid relationship between people, space or place, and technology whose complexity reflects those same elements or variables.

Emotion technology that augments physical capabilities²⁰ becomes an example of that Black technological posthuman. Here, Black people are in a relationship

17. Onto-epistemology speaks to the ways ontological frameworks influence and interact with knowledge systems. See Beatriz Carrillo, *Conceptualizing and Enabling Transformative Learning Through Relational Onto-Epistemology: Theory U and the u.lab Experience*, 21 J. TRANSFORMATIVE EDUC. 514, 516 (2023).

18. Sylvia Wynter, *Black Metamorphosis: New Natives in a New World* 183–84, n.d. (unpublished manuscript), https://monoskop.org/images/6/69/Wynter_Sylvia_Black_Metamorphosis_New_Natives_in_a_New_World_1970s.pdf [<https://perma.cc/8FH3-46Z7>].

19. Philip Butler, *On Demon Time: Time Dilation, Elapsed Time and the End of the World*, BLACK SCHOLAR, Summer 2023, at 17, 19.

20. Presently, there are two primary types of posthumans: (1) posthumans that emerge as a result of transhumanist advancements, i.e., through technological advancement, and (2) posthumans that result from the onto-epistemic reorientation of personal identifiable understandings of personhood, meaning

with modalities that open portals to extra-human faculties (for example, invisibility, walking through walls, flight, etc.). Some of the simpler modalities also fit within the realm of Black tech posthuman(s). For instance, the fact that these cities have been building this technology on their own and possessed the necessary technological resources before the general public suggests a type of Black technological posthuman because not only are Black people demonstrating techno-self-determinism, they are also technologically ahead of their contemporaries whereby the global society is operating in response to Black imagination and Black inventiveness. Remember, Iman brought this haptic technology to the world with the use of the NHDN's collective resources.

The Black posthuman onto-epistemic shift is one that is present from the onset of the story. Data is equivalent to the person that it represents. While the conversations around data ownership and data citizenship presently oscillate between language concerning property rights (namely the right to exclude), proprietary rights, access versus privacy, and bundles of rights,²¹ this story offers a different designation—data as people's physical bodies. Their own biotechnology, or body as technology.²² The story offers this as a Black posthuman configuration of reality. Data as physical bodies (or biotechnology) both personifies and objectifies data while simultaneously equating bodies as both objects and subjects. This duality is not meant to infer another binary; however, it is meant to demonstrate the multiplanar aspects of any given being. Here, a body is both biology and technology; concepts that are often disparate are now considered simultaneously separate and melded together. Biotechnology infers that even beyond its designation, there are more planes of existence to discover and experience. These are also an example of Édouard Glissant's consent "not to be a single being,"²³ because here Black biotechnology can be anything. In this sense, data is considered organic, alive, and changing.²⁴ It is not a static thing, especially since people change over time: their data would be expected to follow those trends. Personal data and

someone who no longer identifies as a human or someone who does not see humans as the center of the universe. See generally Craig T. Nagoshi & Julie L. Nagoshi, *Being Human Versus Being Transhuman: The Mind-Body Problem and Lived Experience*, in BUILDING BETTER HUMANS? REFOCUSING THE DEBATE ON TRANSHUMANISM 303 (Hava Tirosh-Samuels & Kenneth L. Mossman eds., 2011); Thomas D. Philbeck, *Ontology*, in POST- AND TRANSHUMANISM: AN INTRODUCTION (Robert Ranisch & Stefan Lorenz Sorgner eds., 2014).

21. See, e.g., Tommaso Fia, *An Alternative to Data Ownership: Managing Access to Non-Personal Data Through the Commons*, 21 GLOB. JURIST 181, 183–84 (2021); Patrik Hummel, Matthias Braun & Peter Dabrock, *Own Data? Ethical Reflections on Data Ownership*, 34 PHIL. & TECH. 545, 547–48 (2021); Kathleen Liddell, David A. Simon & Anneke Lucassen, *Patient Data Ownership: Who Owns Your Health?*, J.L. & BIOSCIENCES, July–Dec. 2021, at 1, 37, 39–40.

22. See BUTLER, *supra* note 3, at 24.

23. Manthia Diawara, *One World in Relation: Édouard Glissant in Conversation with Manthia Diawara*, NKA, Spring 2011, at 4, 5.

24. Data's aliveness is starkly different from current conceptions of data. But its origination points and evolution suggest a time-delayed mirror of the people that produce it. It may function as coordinates of a past self or reality, however the story it tells implies an aliveness that stems from its amalgamation. Even though a single datapoint may be isolated, that isolation does not negate the implications embedded in the story implied by the rest of the data it is connected to.

content are not simply replicas, spectres, or remnants of a person's presence. Data would then be as alive as the people responsible for their creation. Both become imprints of the person in question. Datapoints mark moments which reflect decisions made as a past version of one's self. The physical data representation of Iman highlights the way data carries the potential to become materialized while encapsulating a previous version of the person it is attached to. It also offers a sense of disembodied yet re-embodied consciousness emerging from personal data, content, and their subsequently iterative manifestations.

III. DAOs, OWNERSHIP, AND CITIZENSHIP

This Part will expound on elements in the story that require further exploration as a means to imagine the materialization of the story's contents in our physical reality. Specifically, this Part will look at the potential for data to travel across decentralized autonomous organizations (DAOs) that operate on web3/blockchain technologies through protocols inspired by non-fungible tokens (NFTs), which take seriously what it would mean for datapoints to be minted and tracked across Internet platforms. The impetus of this Part is to explore what it means for data to be treated like a digitized biological body whose value is perpetually tied to the progenitors of said data, allowing them to benefit from their data's fiduciary momentum.

In *Towards DAOs of Difference*, Inte Gloerich places Sylvia Wynter²⁵ in conversation with DAOs as a way to talk about difference via decentralized organizational structures across blockchain technologies.²⁶ Here, we have coins (think bitcoin or ethereum), NFTs, and encrypted messaging that allow for a decentralized server to host and disseminate information pertinent to what is being stored.²⁷ With this in mind, Gloerich begins looking at the humanist abstraction of people(s), bod(ies), and land(s):

Western colonisers reduced the people they enslaved to labour and the nature they encountered to arable land. . . . At the same time, enslaved people were reduced to a dehumanised asset functioning as a cog in the machinery of early global capitalism. . . . Mirroring the role of historical colonialism in the establishment of early capitalism, data colonialism is the process through which data readies that which it represents for capitalist appropriation and extraction.²⁸

Gloerich then moves to consider the ways DAOs also have a significant role in emerging form(s) of colonialism (namely data colonialism and blockchain colonialism).

25. See *supra* notes 5, 18.

26. Inte Gloerich, *Towards DAOs of Difference: Reading Blockchain Through the Decolonial Thought of Sylvia Wynter*, 12 APRJA, no. 1, 2023, at 162.

27. See Chris Dai, *DEX: A DApp for the Decentralized Marketplace*, in BLOCKCHAIN AND CRYPTO CURRENCY: BUILDING A HIGH QUALITY MARKETPLACE FOR CRYPTO DATA 95, 99 (Makoto Yano et al. eds., 2020).

28. Gloerich, *supra* note 26, at 164.

By facilitating and naturalising the production and capture of ever-newer forms of data, data colonialism is able to find corners of . . . life that have not yet been capitalised upon . . . [via] their one-dimensional purpose as an individually replaceable resource for profit on the market in the form of labour and land.²⁹

In her reminder of the one-dimensionality of anti-Black socialites, she reinforces the notion of Blackness's oppositionality³⁰ within the larger sociopolitical environment. Black oppositionality speaks to the histories of nonhumanity and vigilant erasure of Black being and Black cultural production, which are things unprotected under U.S. laws or any legal system in the West that rely on citizenship and humanity for their execution. In contrast, an eye towards data as biotechnology sets the stage for ownership of data, but not in the same sense as property or proprietary information. It would fall closer to the right of publicity, which protects people against the nonconsensual commercial use of one's name, image, and likeness.³¹

Personal data ownership has gained significant traction in recent years. Personal data scholarship has outlined some advantages and potential economic models that could emerge from the right to publicity. Lisa Raimondi talks about a two-pronged approach to Biometric Data Regulation, which combines the right of publicity with the state of California's Consumer Privacy Act (CCPA):

[T]he CCPA could work in conjunction with the right of publicity, by providing evidence of the commercial value of a non-celebrity's biometric data. Working in concert, the CCPA would operate as a preventative measure by deterring companies from usurping user identities, while the right of publicity would operate as the endgame by enjoining companies' continued use or control over users' identities.³²

This particular solution opens the door for a data ownership model that recognizes the market value of individual persons who are part of large datasets. The market value of clean, collated, and organized data continues to soar.³³ What is particularly important for this discussion is the aggregate or collated version of data. Alone, an individual's personal data is worth very little. However, once combined with a considerable amount of personal data from multiple sources, it

29. *Id.*

30. See MARQUIS BEY, *BLACK TRANS FEMINISM* 6, 71 (2022).

31. See Robert C. Post & Jennifer E. Rothman, *The First Amendment and the Right(s) of Publicity*, 130 *YALE L.J.* 86, 89, 92, 120 (2020).

32. Lisa Raimondi, Note, *Biometric Data Regulation and the Right of Publicity: A Path to Regaining Autonomy over Our Commodified Identity*, 16 *U. MASS. L. REV.* 198, 230 (2021).

33. See *Data and Analytics Market Size and Forecast (by Country, IT Solution Area, Size Band and Vertical) to 2027*, GLOBALDATA (Dec. 30, 2023), <https://www.globaldata.com/store/report/data-and-analytics-technology-market-analysis/> [<https://perma.cc/RP3E-QPPX>].

transforms into something else altogether.³⁴ A reliance on aggregate datasets implies that (aside from celebrity) no one person's data will be the defining factor. However, the combination of people's data also implies that data aggregation might be one of the greatest opportunities for community organizing in the post-digital, early-quantum eras. The requisite of the many in terms of data value places an inherent emphasis on community—a deeply valued way of life embedded in the heart of Black communities. While legal experts continue to argue over conceptualizations of data ownership, data ownership becomes a way to deploy technology in order to place power in the hands of the people because, as Chairman Fred Hampton said, “The people have to have the power—it belongs to the people.”³⁵

While Hampton was admittedly talking about a class struggle across racial lines, I want to raise three related questions: What is the Afrofuture if Black people owned their own data? What technologies might help aid Black people in benefiting the most from the aggregation of Black personal information? And what technologies might Black people create when they have the resources to back themselves? I think it is important to break the fourth wall for a moment in saying this Essay is pointedly discussing these topics with Black peoples in mind. Still, questions concerning the need to focus solely on Black people and their data might surface, particularly when the data divide is something that affects everyone. Well, as a Black posthuman scholar, my concern is with the welfare, well-being, and freedom of Black people—not humans. So, if for nothing else, I am writing from the perspective that this juncture in history is one that affords Black people chances for sociopolitical repositioning in ways that present opportunities to reverse the kinds of alienation Black folks have faced over the last 500 years. Regardless, if I was not writing specifically to and for Black people, my argument might be construed as something not concerning Black people at all—a problem that universal solutions often pose. Similarly, other scholars have highlighted a variety of economic models as offerings for being advantageous toward opportunities surfacing around data and the potential revenue it could generate.³⁶ However, conversations concerning what might emerge from the fray of the data boom very scarcely talk about companies and governments engaging in revenue sharing with the people who actually contribute their biometric data. In many cases, people would have to create their own datasets and market them for sale on

34. See Emmanuel Dhyne, Luis J. Álvarez, Hervé Le Bihan, Giovanni Veronese, Daniel Dias, Johannes Hoffmann, Nicole Jonker, Patrick Lünemann, Fabio Rumler & Jouko Vilminen, *Price Changes in the Euro Area and the United States: Some Facts from Individual Consumer Price Data*, J. ECON. PERSPS., Spring 2006, at 171, 172; Chao Li, Daniel Yang Li, Gerome Miklau & Dan Suciu, *A Theory of Pricing Private Data*, ACM TRANSACTIONS ON DATABASE SYS., Dec. 2014, at 1, 1–2.

35. Fred Hampton, *Power Anywhere Where There's People!*, Speech Delivered at Olivet Church (1969) (transcript available at <https://www.marxists.org/archive/hampton/1969/misc/power-anywhere-where-theres-people.htm> [<https://perma.cc/P7ML-DR9Z>]).

36. See Laura Kempainen, Timo Koivumäki, Minna Pikkarainen & Antti Poikola, *Emerging Revenue Models for Personal Data Platform Operators: When Individuals Are in Control of Their Data*, 6 J. BUS. MODELS, no. 3, 2018, at 79, 83.

their own. Still, what I want to lift up would require a return to the data dividend briefly mentioned in the Introduction.

Data dividends would ensure that people receive a portion of the sale of their data as it moves across market(s). However, the current data market continues to extract value out of Black communities without allowing Black communities to be the beneficiaries of said value. In 2022, the data market valuation reached \$100.84 billion.³⁷ However, little to no Black people are benefitting from the transactions taking place on the data market exchange.³⁸ Effectively, Black people are active participants when it comes to adding to the droves of data being compiled, yet Black people see very little to none of the capital accumulated. Still, the primary means for monetizing Black data has been through its utility for surveilling Black bodies and neighborhoods while building models that create digital fences around Black life to reify cartographies of Black criminality. The transactions taking place across data market(s) often exclude many types of people. That is to say Black folks cannot be left outside these spaces where capital is being generated (as long as we live in capitalist societies).³⁹ This is mainly a nod to the widening wealth gaps in conjunction with the potential for exponential shifts in wealth distribution. We have seen the reverberating impact of U.S. wealth gap(s) on Black communities. In their 2013 brief entitled *The Roots of the Widening Racial Wealth Gap: Explaining the Black-White Economic Divide*, Thomas Shapiro, Tatjana Meschede, and Sam Osoro find that “[t]racing the same households over 25 years, the total wealth gap between white and African-American families nearly triples, increasing from \$85,000 in 1984 to \$236,500 in 2009.”⁴⁰ At the time of their writing, the top 1% owned about 30% of all wealth.⁴¹ As of 2023, that number had remained constant.⁴² Correlatively, the \$236,500 in

37. GLOBALDATA, *supra* note 33.

38. There are very few outlets where anyone can take advantage of the data market. Data as a fiduciary qualifier is still something people across the world need a greater level of education around. This is also the case in Black communities. One of the few spaces for Black people to benefit from the monetary value of their data is Clture.io. Clture.io is a platform that pays individuals for their behavioral data as it is stored on various platforms, such as Netflix, Meta Platforms, YouTube, etc. *How Much Can You Really Get Paid for Your Data?*, MEDIUM: CLTURE.IO (Oct. 25, 2021), <https://medium.com/clture-io/how-much-can-you-really-get-paid-for-your-data-595df91c9b47>.

39. I mention this while keeping in mind the myriad voices that critique wealth generation and Black capitalism. This is not to say that Black capitalism is the key to Black liberation. However, it is to suggest that until we are not operating in a capitalist environment, it is important to recognize the mechanisms and levers which allow the world to function.

40. THOMAS SHAPIRO, TATJANA MESCHEDÉ & SAM OSORO, INST. ON ASSETS & SOC. POL’Y, *THE ROOTS OF THE WIDENING RACIAL WEALTH GAP: EXPLAINING THE BLACK-WHITE ECONOMIC DIVIDE 1* (2013), <https://heller.brandeis.edu/iere/pdfs/racial-wealth-equity/racial-wealth-gap/roots-widening-racial-wealth-gap.pdf>.

41. *See Distribution of Household Wealth in the U.S. Since 1989*, BD. GOVERNORS FED. RSRV. SYS. (Mar. 22, 2024), <https://www.federalreserve.gov/releases/z1/dataviz/dfa/distribute/table/#quarter:137;series:Net%20worth;demographic:networth;population:all;units:shares> [<https://perma.cc/QYA2-M49N>].

42. *See* BD. GOVERNORS FED. RSRV. SYS., *supra* note 41 (noting that the top 0.1% holds 13.6% of wealth and the remainder of the top 1% holds 16.7%).

2009 has risen to \$983,000 in 2023.⁴³ One might infer that the multibillion-dollar data market, which is currently in its nascent stages, has the potential to exponentially exacerbate this phenomenon. In 2023, 120 zettabytes of data were created.⁴⁴ A zetta-byte is equivalent to one sextillion bytes or 10^{21} (1,000,000,000,000,000,000,000) bytes.⁴⁵ Put another way, one zettabyte is equal to one trillion gigabytes.

In *Data, the New Cotton*, Chaz Arnett speaks to the persistence of racial capital (defined as the process through which “capital accumulation is built from the creation and leveraging of racial difference”) into the present.⁴⁶ His article not only highlights “the commodification of data emittance and exhaust in a new kind of marketplace for behavioral predictions,”⁴⁷ but also notes the targeting and excavation of value stemming from the surveillance of Black communities.⁴⁸ He draws from work on surveillance capitalism and its relation to Black people:

More recent scholarship has shown . . . that “racial subjugation is not a special application of capitalist processes, but rather central to how capitalism operates,” even within emerging structures of data marketing. Connecting the production and exploitation of racial difference to monetary extraction and profit accumulation, rather than individual biases, is critical to adequately see, understand, respond to, and ultimately dismantle surveillance capitalism. It is not an ancillary focus or concern—it is central.⁴⁹

Surveillance capitalism builds upon the foundation of racial capitalism, which extracts value from Black communities based on a one-dimensional projection or depiction of Black people. However, the value being extracted is more often than not foundationally embedded in what anti-Black imaginations have deemed valuable about Black communities in this near post-digital age—predictive data that allows governments and corporations to profit off the criminalization and supervision of Black communities.⁵⁰ Relying on Black data to track, create, and subsequently recycle notions around Black criminality works to maintain racial hierarchies via a reliance on what can be described as digital tactics of subjugation.

43. Ana Hernández Kent & Lowell R. Ricketts, *The State of U.S. Wealth Inequality*, FED. RSRV. BANK ST. LOUIS: INST. FOR ECON. EQUITY (May 3, 2024), <https://www.stlouisfed.org/institute-for-economic-equity/the-state-of-us-wealth-inequality> [<https://perma.cc/NGS7-WHQR>].

44. Eric Dreshfield, *Data Quality and Its Impact on Data Cloud and Salesforce AI Success*, SF BEN (Dec. 6, 2023), <https://www.salesforceben.com/data-quality-and-its-impact-on-data-cloud-and-salesforce-ai-success/> [<https://perma.cc/2U62-YKFU>].

45. *See id.*

46. Chaz Arnett, *Data, the New Cotton* 3 (Univ. Md. Sch. L., Legal Stud. Research Paper No. 2022-07, 2022); *see also* Shoshana Zuboff, *The Age of Surveillance Capitalism*, in *SOCIAL THEORY REWIRED: NEW CONNECTIONS TO CLASSICAL AND CONTEMPORARY PERSPECTIVES* 203, 203 (Wesley Longhofer & Daniel Winchester eds., 3d ed. 2023).

47. Arnett, *supra* note 46, at 3.

48. *Id.* at 5–7.

49. *Id.* at 4 (footnote omitted) (quoting Angela P. Harris, *Foreword* to *HISTORIES OF RACIAL CAPITALISM*, at vii, vii (Destin Jenkins & Justin Leroy eds., 2021)).

50. *See id.* at 3. *See generally* SIMONE BROWNE, *DARK MATTERS: ON THE SURVEILLANCE OF BLACKNESS* (2015).

This is different from valuing Black communities. Valuing Black communities sees Black people as active and full participants contributing to future economic systems, not as agents to protect the state against.⁵¹ Surveillance capitalism relies on the ontological framework of racial capital and its role in the codification of only allowing Black people to be seen in a one-dimensional fashion—specifically other than human.

I would like to offer that web3/blockchain or DAO technology would be a viable way to track the movement of people's data. Specifically, NFT protocols (via the minting, sale, tracing, and perpetual royalty of what is sold⁵²) would provide a solid blueprint for the collection, storage (via ledger), minting, sale, and tracking of Black data through its various destinations. This becomes especially important given the ways personal data, biometric data, and content meet at the site of the individual whose information originates with them—even after being de-identified.

Block chain technologies are often “thought of in relation to [upholding a type of] truth because their distributed consensus algorithms produce an immutable”—an admittedly questionable concept—“and publicly accessible history of events.”⁵³ Since blockchain creates a type of value through the sale and ownership of goods exchanged (in this case it is data), it also resets what constitutes as real through the decentralized ledger hosted on individual devices. Herein lies the significance of choosing blockchain over other digital options: The decentralization of data storage and upkeep not only further plays into the notion of a digital communal economy; it also provides a level of transparency needed in order to see the multi-pronged trajectories of data once it enters the digital ether. Still, blockchain technologies possess the ability to extend data colonialism. Blockchain colonialism builds upon the foundation of data colonialism by “introducing novel governance systems that are embedded even more intrinsically in the logics of economic exchange, making possible further alienation from the nature and life at hand.”⁵⁴ It prepares pre-excavated territories of life for continuously expanding value extraction—a form of “digital frontierism.”⁵⁵

But what if we took these colonial technologies and flipped them on their heads? Where instead of technologies of extraction they were to become funnels that siphon away from the colonial apparatus? And in an anti-colonial stance would Black people then demarcate the boundaries of their data and its

51. This is opposed to starting off by seeing Black people as criminal and then deploying statistical data to affirm those assumptions.

52. See Qin Wang, Rujia Li, Qi Wang & Shiping Chen, *Non-Fungible Token (NFT): Overview, Evaluation, Opportunities and Challenges*, ARXIV (Oct. 25, 2021), <https://arxiv.org/abs/2105.07447> [<https://perma.cc/4KSL-57TT>].

53. Gloerich, *supra* note 26, at 167.

54. *Id.* at 165.

55. See Jim Thatcher, David O'Sullivan & Dillon Mahmoudi, *Data Colonialism Through Accumulation by Dispossession: New Metaphors for Daily Data*, 34 ENV'T & PLAN. D 990, 991–92, 998–99 (2016).

movement across markets? What if we utilized DOAs via NFT protocols to “transform a myriad tiny worlds[] and smuggle out lively and strange cultural forms into more consensual realities in the world at large”?⁵⁶ It is here that I offer there is a future whose cosmogony starts with an intentional grouping of Black people who see the value of compiling their personal data for a world that is all their own. And that would require more thinking of a master plan . . .

56. Ruth Catlow & Penny Rafferty, *Introduction: What is Radical Friendship Made of?*, in *RADICAL FRIENDS: DECENTRALISED AUTONOMOUS ORGANISATIONS AND THE ARTS* 26, 40 (Ruth Catlow & Penny Rafferty eds., 2022).