The Decision-Making Minority and the Constrained Majority

Wealth Concentration, Technological Power, and the Capture of Human Sovereignty

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Interdisciplinary legal article | Revised November 6, 2026
English version 1.8

English translation of Portuguese version 1.7, with a further English-language review and bibliographic clarification. Documentary cutoff: November 5, 2026. English renderings of Portuguese titles in the text and brackets are descriptive; they do not identify additional editions. The references retain the original titles and identifiers.

Abstract

This article examines the conditions under which wealth concentration can translate into control over the conditions of choice and restrict individual and collective autonomy. Its central hypothesis is that the formal right to choose can coexist with restrictions on the effective capacity to participate in setting, overseeing, and revising the conditions under which choices are made. The study combines doctrinal legal analysis, documentary research, and a narrative review of secondary evidence. It draws on the trilogy *Decisional Autonomy in the Age of AI*, *The Monetization of Vulnerability*, and *Captured Sovereignty* and examines distributional data, research on recommendation systems, competition reports, reports on environmental impacts and arms industry revenues, and records of the 2026 Texas election. It distinguishes wealth concentration, influence, conditioning, and capture and develops a documentary framework for investigating the cumulative criteria for the latter category. James Talarico's statements and campaign financing are examined as documents concerning political priorities and access to resources, without inferring causal effects from the election result alone. The article argues that democratic autonomy and sovereignty require material resources and effective capacities for participation in and oversight of the infrastructures that organize collective decisions.

Keywords: decisional inequality; wealth concentration; cognitive sovereignty; decisional autonomy; digital infrastructures; contestability.

Research transparency and limitations

Artificial intelligence assistance was used for documentary organization, translation, editorial preparation, and text revision. Intellectual responsibility and final approval rest with the author. The research is doctrinal and documentary, analyzing secondary empirical evidence without original experiments, primary data collection, or original causal validation of the proposed mechanisms.

1 From the distribution of wealth to decision-making power

Economic inequality affects freedom through the distribution of income and wealth and through the ability that wealth affords some actors to establish the conditions under which others work, obtain information, enter into contracts, and exercise their rights. This article investigates the conversion of economic resources into the power to define alternatives, influence rules, and hinder the review of decisions of collective importance.

The *World Inequality Report 2026* documents a deeply unequal distribution of wealth. This provides the distributional starting point. Explaining its consequences for decision-making requires identifying who controls a particular infrastructure, which decisions are affected, and what means enable the community to oversee or change the arrangement (World Inequality Lab, 2025).

The guiding question is: under what conditions does wealth concentration, combined with technological power and institutional influence, restrict the effective capacity of individuals and communities to participate in decisions that shape their own lives? The hypothesis advanced here is conditional. Wealth concentration creates opportunities for influence, but significant conditioning depends on its conversion into control rights, preferential access, control over information, or barriers to contestation and substitution. Capture additionally requires evidence of a significant loss of collective control, in accordance with the criteria developed in *Captured Sovereignty* (Genova, 2026c, pp. 10–19).

Convergent economic interests can produce exclusionary effects without centralized direction. The hypothesis of structural conditioning nevertheless requires evidence of control rights, mechanisms of influence, and concrete impacts. Allegations of unlawful coordination or a deliberate intention to harm others require additional evidence.

The central thesis is that a society may retain the formal right to choose while its effective capacity to participate in setting, overseeing, and revising the conditions of choice is restricted. Elections, legislatures, and courts may continue to function while material or institutional obstacles hinder oversight of indispensable private infrastructures. Investigating this possibility requires examining the available means of control and their effectiveness. The continued existence of formal institutions and technological dependence, considered separately, do not establish capture.

The argument extends a line of inquiry across three scales: the formation of the individual will; the economic exploitation of vulnerabilities; and control over the infrastructures that support collective decisions. The new focus concerns the distribution of the capacity to establish and revise rules, alongside the distribution of outcomes produced under existing rules.

Geopolitical multipolarity may coexist with oligopolistic concentration in private infrastructures. The normative challenge is to determine who governs the digital layers indispensable to everyday life and whether societies retain the material and legal means to challenge their operators.

The problem directly concerns fundamental human interests: life, dignity, health, education, and participation cannot depend exclusively on the convenience of the actors administering resources or systems. Nor may they be subjected to state authority that cannot be challenged. The proposed protection must apply to public and private power according to the same criteria of proportionate transparency, accountability, pluralism, and effective rights protection.

By contrasting groups frequently targeted in cultural controversies with the influence of great fortunes, James Talarico's statements provide discursive material for examining the contest over public attention. These statements neither replace inequality data nor establish coordination among economic actors on their own.

2 Research design and limits of inference

The research combines doctrinal legal analysis and documentary research with a narrative review organized around specific problems. The documentary cutoff date is November 5, 2026. The sources cover income and wealth distribution, rights of control over technology, institutional access, the effects of information systems, and instruments of contestation. The study does not claim exhaustive bibliographic coverage, undertake a meta-analysis, or produce original causal inference; it involves neither microdata collection nor original experiments. Sources were selected purposively for their relevance to the mechanisms discussed, prioritizing legal texts, institutional documents, and published research. This selection does not constitute a systematic review and must be considered when assessing possible coverage bias.

The corpus of the author's work includes the Portuguese version 8.20 of *Captured Sovereignty*, with an editorial date of October 13, 2026, and an availability date of October 16 recorded on its page on the author's website; *The Monetization of Vulnerability*, published in October 2026; and the articles *The Decision Does Not Begin with the Click*, *The Right to Challenge the System*, *Artificial Intelligence and the Continuity of Professional Learning*, *Platform Power over the Circulation of Information*, and *Who Controls Living Conditions in the Age of Artificial Intelligence*. Book 1 is examined indirectly through the synthesis in Book 3 and the article on anchoring; no verbatim passages are attributed to it without verification against its full text (Genova, 2026a, pp. 3–4; 2026b, pp. 24–26; 2026c, pp. 11–13). Information identifying the works and how to access them was checked against the author's website (Genova, 2026f).

The author's own works document the development of his interpretation but do not provide independent empirical confirmation of one another. The article of November 3, 2026, already connected strategic coordination, wealth concentration, and democratic sovereignty. The present study acknowledges that earlier work and shifts the focus to the inequality between defining the conditions of choice and choosing among alternatives already established (Genova, 2026i).

Using chronology requires identifying dates, versions, and access records, as well as checking whether the mechanisms attributed to the works appear in the passages cited. Earlier publication documents the trajectory of the interpretation; its assessment depends on the specificity of the mechanisms, comparison with independent sources, and consideration of situations in which institutional control remains effective. Declared dates and publication records do not, by themselves, verify the integrity of historical versions.

Talarico's criticism of billionaires is documented in a video released on July 30, 2025, according to a subsequent news report, and was repeated in a campaign communication on October 7 of that year. These records predate the trilogy. The author's article of September 24, 2026, Book 2, published in October, and version 8.20 of Book 3, editorially dated October 13, predate the election result of November 3, 2026. The chronology situates the formulations examined without claiming their priority within the broader debate (Genova, 2026b, 2026c, 2026h; Morris, 2026; Talarico, 2025).

External documentation includes World Inequality Lab statistics, FTC, CMA, OECD, UNCTAD, and SIPRI reports, Brazilian and European legislation, and empirical studies of digital recommendations, persuasion, productivity, and classification in health care. The election case brings together the candidate's own communication, a speech transcript, news coverage, and financing records described by specialist news outlets. Reporting on transfers and committee expenditures does not replace an independent audit of the filings submitted to the Federal Election Commission.

Each type of source answers a different question. Distributional statistics describe concentration. Contracts and institutional reports identify rights, dependencies, or barriers. Experiments estimate the effects of defined interventions. Observational studies depend on their identification assumptions. Doctrinal analysis connects facts to legal rules, powers, and consequences. None of these approaches fully substitutes for the others.

To avoid unsupported inferences across scales, the analysis distinguishes effects on users, barriers in particular markets, and loss of control over collective functions. Individual persuasion does not establish national capture; competitive advantage does not, in itself, prove an impairment of sovereignty. Illustrative hypothetical scenarios are identified as such.

The result is a legal and institutional interpretation supported by secondary evidence. The conclusions concern the mechanisms and contexts examined; they do not constitute a global measurement of human sovereignty.

3 Defining decision-making positions and human sovereignty

3.1 A position of power rather than a moral identity

The term decision-making minority identifies actors who, within a defined relationship, possess a disproportionate capacity to establish criteria, access conditions, operating parameters, and review mechanisms. The category is relational: it requires identifying what is being decided, the actual holder of power, and those affected. It is not interchangeable with the population of billionaires or the wealthiest 10%.

Substantial wealth may coexist with a minority shareholding that confers no control. A manager without a great personal fortune may exercise significant delegated powers. A public institution may concentrate decisions without depending on any particular businessperson. The inquiry must therefore follow corporate rights, contracts, administrative powers, incentives, and practices rather than use the value of a fortune as a substitute for evidence of control.

Constrained majority refers to individuals and organizations whose choices take place within environments they cannot change through means proportionate to the importance of the effects they experience. It does not denote intellectual incapacity, universal passivity, or an absence of resistance. The asymmetry may coexist with collective organization, innovation, legal mobilization, and institutional gains. Moreover, someone may control conditions in one relationship while depending on conditions imposed by another actor in a different relationship.

The opposition in the title thus describes an unequal distribution of capacities. It does not divide humanity into two fixed, internally uniform blocs. This limitation allows real conflicts to be investigated without assuming unanimity among those who benefit or identical interests among everyone else. Minority and majority designate asymmetric positions here; the study does not measure their demographic composition.

3.2 Choosing alternatives and participating in their definition

The article distinguishes two levels. At the first, a person chooses among available options: accepting an offer, using a service, following a recommendation, or rejecting it. At the second, decisions determine which options will exist, how they will be presented, which criteria will rank them, and how they can be challenged. Individual autonomy may be affected even when the first level remains formally open if the second becomes opaque, asymmetric, or materially inaccessible.

Organizing options involves criteria and priorities. Legal inquiry requires particular attention when these criteria favor the interests of those who control them, significantly affect third parties, or evade proportionate scrutiny and correction. These elements guide the investigation; they are not universal prerequisites for unlawfulness.

In this study, decisional inequality denotes the persistent, asymmetric distribution of the capacities to define conditions, know the grounds for decisions, challenge outcomes, replace arrangements, and avoid the improper transfer of costs. The term serves an analytical function, without a claim to lexical novelty or statistical validation.

3.3 The limited meaning of human sovereignty

Human sovereignty is used as an analytical and normative expression connecting personal autonomy, collective self-determination, and protection of the material conditions for exercising rights. It does not designate a world sovereign, replace the constitutional sovereignty of states, or confer on each individual an absolute veto over legitimate decisions

affecting them. Its operational content must be grounded in identifiable rights, procedures, and institutions.

The problem has independent antecedents. Zuboff (2019) analyzed the appropriation of behavioral data as a source of economic power; Srnicek (2017) described the concentrated organization of platform markets; and Cohen (2019) examined the reconfiguration of legal institutions under informational capitalism. Bygrave (2022) used cognitive sovereignty in discussing machine learning and data protection. The contribution claimed for *Captured Sovereignty* is to connect these questions legally at the collective, state, and infrastructural levels and propose defined criteria for diagnosing capture, rather than to introduce the questions themselves (Genova, 2026c, pp. 11–13).

Within this framework, protecting cognitive sovereignty does not authorize governments to determine an official truth. Public control must be democratic, legally constrained, and open to criticism. Replacing dependence on a company with dependence on an unchecked ruler merely changes who occupies the position of command.

4 What the numbers establish and what they do not

The *World Inequality Report 2026* provides the figures for 2025 summarized in Table 1. The number 2026 is part of the edition's title; the report's publication information records a 2025 copyright. Its publication date must not be confused with a measurement of wealth conducted in November 2026.

Table 1 Global distribution of income and wealth in 2025

Group in the global distribution	Share of income	Share of wealth
Bottom 50%	8%	2%
Middle 40%	38%	23%
Top 10%	53%	75%

Source: World Inequality Lab (2025), *World Inequality Report 2026*, executive summary, Figures 1 and 2, pp. 5–6. Rounded figures; groups ranked separately by income and wealth. Income shares may not sum to 100% because of rounding.

At the very top, approximately 56,000 adults, representing the wealthiest 0.001%, held roughly three times the wealth of the bottom half. This compares the wealth of groups; it does not measure vote shares, institutional control, or an individual capacity to direct behavior (World Inequality Lab, 2025).

Wealth is a net stock of financial and nonfinancial assets after debts are deducted; income is a flow. The note to Figure 1 uses 2025 purchasing power parity and states that the groups with the highest incomes and the greatest wealth do not necessarily comprise the same people. It also specifies the treatment of pensions and unemployment benefits before other taxes and transfers (World Inequality Lab, 2025).

These distinctions affect interpretation. A share of wealth is not equivalent to immediately available cash. The top 10% is not synonymous with billionaires. Using adults as the unit of analysis in these distributions requires caution when extending results to the entire population, including children. Nor is it appropriate to combine purchasing-power-parity figures with wealth rankings in current dollars as though they shared the same basis.

The World Inequality Database combines sources such as national accounts, household surveys, and tax data to address the limitations of individual datasets. This broadens the evidence base but does not eliminate revisions, coverage gaps, or uncertainty in measuring the extremes of the distribution (World Inequality Lab, n.d.). This article uses the published results and does not provide its own estimate of their margin of error.

Wealth indicators reveal a highly unequal distribution of resources that may be mobilized. Their significance for decision-making depends on the conversion of these resources into control rights, institutional access, or barriers to contestation. The analysis must reconstruct this chain through shareholdings, contracts, decision criteria, and effective exit options within the relationship and period examined.

5 The trilogy and the infrastructures of collective decision-making

5.1 How the will forms before the final act

The first book challenges the sufficiency of a click or signature as a complete representation of autonomy. In the synthesis examined in Book 3, the formation of the will involves information architecture, exposure, cognitive processing, and a legally significant expression of intent. The final act must also be assessed in light of the conditions under which it was formed (Genova, 2026c, pp. 11 and 16–17).

The Decision Does Not Begin with the Click examines a specific mechanism in greater depth: control over reference points. The article separates cognitive effect, structural configuration, and legal consequence. A recommendation may improve a decision; presenting it first does not prove manipulation. The question is whether there is persistent control over exposure, a significant impairment of independence, and a demonstrable basis for legal characterization (Genova, 2026a, pp. 3–4).

The present article adds a distributional question: who has the resources to define starting points, measure their effects, and change the environment, and who merely receives the outcome of that process? This connects autonomy to the distribution of capacities without assuming that every individual who is influenced has lost their freedom.

5.2 Vulnerability as a source of revenue

The Monetization of Vulnerability investigates the transition from information design to the economic exploitation of particular vulnerabilities. Retention, engagement, and data collection mechanisms may generate revenue from predictable behavior. This analysis requires recognizing risks without attributing an intention to cause suffering to every platform or imposing automatic liability for any adverse effect (Genova, 2026b, pp. 24–26).

For the present inquiry, the relevant position is that of an actor who simultaneously observes a vulnerability, controls some of the conditions that exploit it, and receives economic benefits associated with repeated behavior. Legally characterizing that position requires establishing knowledge of the risk, foreseeability, control over design, mitigation measures, and the connection with the alleged outcome.

Vulnerability may arise from environmental conditions even when a person understands the offer. Materially limited alternatives, high exit costs, and repeated stimuli may make reconsideration difficult. The analysis must consider these conditions alongside the conduct of the user and of those who organize and monetize the service.

5.3 From individual autonomy to collective cognitive sovereignty

Captured Sovereignty extends the analysis to infrastructures that sustain collective decisions. The book distinguishes influence, dependence, conditioning, and capture and recognizes legitimate forms of technological dependence. Establishing the significant loss of democratic control that constitutes capture requires additional, verifiable criteria (Genova, 2026c, pp. 11–13).

The next step is to ask how wealth distribution may affect control over the development of collective alternatives. Moving from the individual to the collective requires evidence concerning scale, the indispensability of the function, control rights, and institutional consequences; it does not follow from adding together isolated instances of persuasion.

5.4 Contestation and continuity in learning

The Right to Challenge the System emphasizes that access to evidence, independent review, and timely correction distinguish a formal guarantee from effective protection. The present article develops an implication: when the capacity to challenge a decision depends on resources that those affected do not possess, economic inequality reappears within the very procedure for defending their rights (Genova, 2026g).

Artificial Intelligence and the Continuity of Professional Learning adds the temporal dimension. The effective exercise of review rights requires individuals and institutions capable of understanding outcomes. The earlier research distinguishes AI-assisted productivity from learning and does not assert a generalized loss of skills in Brazil. Here, that concern is connected to the future distribution of the capacity to supervise systems, rather than treated as an already established prediction of professional decline (Genova, 2026e, pp. 2–6 and 11–12).

Finally, the article on who controls living conditions organizes questions of coordination, wealth, and power. The present article shifts the analysis from the possibility of strategic action to a question of legitimacy: even without centralized direction, what conditions enable those affected to participate in shaping rules, obtain reasons, and secure their correction? This is the specific contribution intended here (Genova, 2026i).

5.5 Scope of the electoral comparison

The sequence of books connects the formation of the will, the economic exploitation of vulnerabilities, and control over the infrastructures of collective decision-making. Its contribution should be assessed through conceptual precision and the capacity to distinguish dependence, conditioning, and capture. The date of a formulation does not independently establish its validity.

The election case allows this conceptual language to be compared with financing, message circulation, and voter responses. Because both sides received support from major donors, the result alone does not identify how much each contribution, platform, or message affected the outcome. This limitation guides the reading of the case in Section 6.3.

5.6 The multipolar order and concentration in the private layers of decision-making

Multipolarity describes the coexistence of different state and regional centers of influence; it does not imply an equal distribution of ownership of cloud infrastructure, platforms, and digital models. Geopolitically rival states may depend on a concentrated group of suppliers for communication, data processing, and AI services. Formal diplomatic autonomy and the material capacity to govern infrastructures do not necessarily move together.

For the second quarter of 2026, Synergy Research Group estimated global shares of 28% for Amazon, 20% for Microsoft, and 15% for Google in the cloud infrastructure services market: a combined 63%, using rounded percentages. The figures concern revenues in a specific market. Their relevance to the thesis lies in identifying the concentration of suppliers relevant to assessing exit costs, portability, and bargaining power (Synergy Research Group, 2026).

The European Union has adopted an explicit institutional response to intermediation positions considered strategic. Under the Digital Markets Act, the European Commission identifies seven gatekeepers—Alphabet, Amazon, Apple, Booking, ByteDance, Meta, and Microsoft—and 23 designated core platform services. The designation does not establish political culpability or a uniform intention; it gives institutional expression to regulatory concerns about market access, self-preferencing, dependency relationships, and contestability. It also shows that private infrastructures can be regulated and that a loss of control need not be irreversible (European Commission, 2026).

UNCTAD's *World Investment Report 2025* adds the international dimension: cross-border digital investment is concentrated in large multinational enterprises, and digital investment projects received by developing countries are highly concentrated in a small number of economies. Competition among major powers does not eliminate inequality between countries capable of building a computational base and those dependent on imported services, equipment, licenses, and capital. Within this asymmetry of contractual and technological power, formal sovereignty may diverge from the material capacity to decide (UNCTAD, 2025).

Businesses linked to Elon Musk, including X, Tesla, SpaceX, and the Starlink service, illustrate the intersection of communication, mobility, launch services, and satellite connectivity. Analysis must identify the corporate structure and actual powers in each activity. The combination of infrastructure, political financing, and contractual relationships with the state makes scrutiny of conflicts of interest relevant, without assuming identical interests among all technology companies.

A diversity of geopolitical poles may therefore coexist with private layers of intermediation that are difficult to replace. The thesis of captured sovereignty locates the focus of its legal analysis in this tension between formal public authority and material control over the means of exercising it.

6 Mechanisms converting wealth into decision-making power

6.1 Financing infrastructure and securing control rights

Capital becomes relevant to decision-making when it finances assets while securing rights over their use. The Federal Trade Commission report published in January 2025 examined partnerships between Microsoft and OpenAI, Amazon and Anthropic, and Alphabet and Anthropic. It identified, to varying degrees, economic interests, consultation, control or exclusivity rights, spending commitments to the cloud provider, and resource or information sharing. It also identified possible effects on access to inputs and the costs of changing partners (FTC, 2025).

The FTC documentation identifies contractual mechanisms using information available through September 2024 and public information through January 2025. The interests and clauses examined may strengthen an investor’s position within infrastructure on which other actors depend. A current assessment of each partnership requires checking the rights in force and their limitations.

In the United Kingdom, the Competition and Markets Authority’s market investigation, concluded on July 31, 2025, identified technical and commercial barriers to switching or combining cloud providers. Its summary records data transfer costs, interface differences, and limits on transferable skills. It distinguishes those barriers from practices it did not consider harmful to competition under the circumstances examined, including certain spending commitments and cloud credits (CMA, 2025, paras. 22–28).

The update of October 16, 2026, records measures by Amazon and Microsoft to reduce transfer costs and improve interoperability in the United Kingdom, alongside limited uptake, outstanding actions, and material barriers to switching or combining providers. This development allows examination of both the obstacles and the effectiveness of institutional responses, without treating the 2025 assessment as an immutable state of affairs (CMA, 2026, summary, paras. 5–8).

The investigation must distinguish technical dependence, market power, competition law infringement, and loss of control over public functions. Contractual terms unfavorable to a customer must be examined for their effects on alternatives and the grounds for the restriction.

A single relationship may exhibit some of these elements without satisfying the criteria for capture.

The AI Index 2026 reports that industry produced more than 90% of AI frontier models classified as notable in 2025. This indicator describes the origin of models within a specific methodological selection; it does not, in isolation, measure market share, state dependence, or dominance over all research. Assessing decision-making power also requires examining contracts, access to computing capacity, and opportunities for auditing and substitution (Stanford HAI, 2026).

A hypothetical scenario illustrates the difference. Two public bodies may use the same cloud service. The first retains documentation, technical staff, usable copies, and a tested migration plan. The second is unaware of critical dependencies and cannot change suppliers without interrupting an essential service. Both have a contract with a private company; they do not share the same capacity for control. That difference must be demonstrated.

6.2 Institutional access and public agenda formation

Economic influence may also operate before the final decision through unequal access to the settings in which problems are defined and alternatives considered. Kalla and Broockman (2016) conducted an experiment involving attempts to schedule meetings with 191 U.S. congressional offices. Whether the offices were informed that prospective participants were campaign donors was randomly assigned. When donor status was disclosed, senior officials made themselves available between three and four times as often as when that information was not disclosed.

The causal inference concerns the effect of disclosing donor status on access to those officials. The study does not estimate the purchase of decisions or the specific effect of billionaire fortunes. Its relevance here lies in showing unequal access before the formal decision; applying it to Brazil requires a separate investigation.

The OECD (2017) defines policy capture in terms of decisions being consistently or repeatedly directed toward particular interests at the expense of the public interest. The concept calls for examination of mechanisms and institutional integrity, rather than only instances of unlawful payment. This literature helps distinguish legitimate engagement, privileged access, and improper influence over decisions.

The interpretation developed in this article is that inequality may accumulate in stages. Actors with permanent staff to monitor proposals, produce studies, and participate in consultations may succeed in presenting their constraints as technically unavoidable. This is a hypothesis about agenda formation, not a finding about any named company. Testing it requires schedules, submissions, versions of proposals, conflict-of-interest declarations, and reasons for the choices made.

The involvement of private experts is not inherently illegitimate. The problem is the absence of sufficient scrutiny of competing information, particularly when the decision-making institution depends on the interested party itself to understand the issue. The

legitimacy criterion should include diverse sources, opportunities to respond, proportionate disclosure, and identification of the interests represented. Public technical capacity enables dialogue without subordination.

6.3 James Talarico and the visibility of the structural problem in public discourse

The statement "*The only minority destroying America* is the billionaires" appeared in a video posted by the candidate on July 30, 2025, according to Morris (2026), and was repeated in a campaign communication on October 7 of that year. It is a political intervention concerning collective priorities and is examined in that context (Talarico, 2025).

In the documented statement, the politician referred to transgender people, Muslims, and undocumented immigrants. The reference to transgender people concerns gender identity, which is distinct from sexual orientation. The analysis preserves that identification and examines the targeting of these groups in light of dignity and nondiscrimination.

Talarico's statement suggests three research hypotheses: controversies concerning social groups may receive disproportionate visibility; this attention may displace substantive debates about health, education, and income; and particular actors may benefit from the resulting structure. The first two require data series on media coverage and public agendas; the third requires evidence of incentives, financing, and causal connections. The simultaneous presence of cultural conflict and economic interests does not establish joint planning.

The connection with the author's trilogy is conceptual and does not imply that the arguments are identical. *Decisional Autonomy in the Age of AI* allows inquiry into how repeated framing of problems conditions preference formation; *The Monetization of Vulnerability* adds commercial incentives that may reward engagement, fear, antagonism, or selective exposure; *Captured Sovereignty* shifts the inquiry toward the institutional conditions of deliberation and the possibility of democratic control over information infrastructure. In this reading, collective attention is a politically significant resource, but it must not be confused with automatic control over citizens' beliefs (Genova, 2026b, 2026c, 2026d).

The percentages in the statement require comparison with sources using defined denominators. In a report published in 2025 and based on 2021–2023 data, the Williams Institute estimated that transgender people accounted for 1.0% of the U.S. population aged 13 or older and 0.8% of adults. The Pew Research Center's Religious Landscape Study estimated that 1.2% of adults identified as Muslim in its 2023–2024 survey. For unauthorized immigrants, Pew estimated 4.1% of the total population in 2023. These populations and periods are not interchangeable. Applying "the 1%" to billionaires also has a rhetorical function, because billionaire wealth does not characterize everyone in the top percentile. The statement is treated as a political document, while the figures are attributed to the respective studies (Williams Institute, 2025; Pew Research Center, 2025a, 2025b).

Financing associated with Talarico's candidacy offers a relevant contrast. In May 2026, *The Texas Tribune* identified large donations and incompletely transparent funding sources in a super PAC supporting the Democrat. In July, it reported that Reid Hoffman had contributed

US$10 million to the committee in June. As an independent-expenditure-only political committee, a super PAC is legally distinct from the campaign directly controlled by the candidate. The donation does not establish unlawful coordination or a political quid pro quo, but it confirms the presence of major donors on more than one partisan side (Guo, 2026; Habashy, 2026).

Billionaire support raises questions about consistency between the candidate's critical rhetoric and the means of financing the campaign. According to the report, Talarico responded that he would not unilaterally abandon permitted means of competition while the system retained them. That justification is open to normative debate. For legal analysis, transparency, limits, and accountability must follow the same criteria across partisan sides under the applicable rules (Guo, 2026).

According to election coverage, Talarico won the November 3, 2026, U.S. Senate race in Texas; he had not taken office by this article's cutoff date. In his victory speech, whose transcript was made available on November 4, he presented political conflict as an opposition between the top and bottom of the power hierarchy. He associated algorithms, media outlets, and political financing with social division; in another passage, he criticized prolonged wars. These connections are the speaker's positions, examined as documentary material (Rev, 2026, 9:44–11:27 and 16:46–17:35; *Texas Tribune*, 2026).

The thematic overlap allows political discourse to be compared with the trilogy's categories. Assessing their explanatory capacity requires checking the claims against documentation of control, incentives, exposure, and institutional responses. Similarity of themes does not substitute for this examination.

As a verifiable research agenda, the case suggests comparing four distinct data series: resources allocated to campaigns, policy decisions actually adopted, the distribution of media attention, and measurable changes in citizens' positions on public priorities. These series must account for alternative causes, documented connections, and possible noneconomic incentives. The central challenge is to prevent the fundamental rights of vulnerable groups from being artificially set against the discussion of social rights and the distribution of power, rather than to show that cultural differences are irrelevant.

6.3.1 Musk's financing and the limits of electoral influence in the 2026 Texas case

The U.S. Senate race in Texas, held on November 3, 2026, allows financing, political exposure, and the election result to be distinguished. According to a *Texas Tribune* report based on Federal Election Commission records, Elon Musk contributed US$75 million and subsequently US$83 million to the Senate Leadership Fund in September 2026. The committee transferred equivalent amounts to Texas PAC, which financed advertising supporting Ken Paxton and opposing James Talarico. Transfers between committees are movements within the same flow and must not be added to the original contributions to produce an inflated total (Birenbaum and Serrano, 2026).

In this comparison, the US$75 million and US$83 million contributions total US$158 million. National accounts of spending use different periods and committees, so no aggregate total is presented here (Robins-Early, 2026; Siddiqui, 2026).

At a campaign event on October 23, Talarico stated that Texas was not for sale, returning to that message in a November 4 interview. His victory over Ken Paxton documents the outcome of the contest. It does not estimate the marginal effect of financial resources, isolate the influence of each medium, or establish that financing was irrelevant. Those questions require data on both sides and specific research designs (Birenbaum and Guo, 2026; Ortiz, 2026; Smith, 2026).

The winning candidacy also received support from a super PAC financed by major donors, including Reid Hoffman, as documented above. Legal analysis must apply the same criteria to both sides regarding financial reporting, committee independence, disclosure, conflicts of interest, and compliance with the law. Attributing an unlawful quid pro quo requires specific evidence.

The case study also involves overlapping business positions: the same investor may control message distribution channels, fund political entities, and maintain businesses subject to public decisions concerning contracts and regulation. This concentration of positions warrants scrutiny; it does not, by itself, establish administrative misconduct or corporate wrongdoing. A November 4 *Reuters* report treated the possible effects of political change in Texas on Musk-linked companies as prospects, rather than established violations (Soni, 2026).

6.4 Emotional editing of campaign clips and private governance of visibility

The trilogy helps distinguish how edited campaign videos work: in Book 1, the organization of information precedes choice; in Book 2, competition for attention creates incentives to exploit emotions; in Book 3, the concern is who establishes, audits, and changes the collective conditions of message circulation. A clip may inform, summarize, or distort, depending on how it is edited and distributed.

The circulation of edited video clips on social media changes the relationship between exposure to a statement and understanding its context. A clip may faithfully preserve the main idea and broaden access to it; it may also shift the original meaning by omitting premises, juxtaposing scenes, adding suggestive captions, or using an emotional soundtrack. None of these operations alone proves deception. Empirical inquiry must distinguish legitimate selection, persuasive aesthetics, verifiable decontextualization, and factual disinformation, without treating short formats as inherently unlawful.

Munger and Li (2025) conducted an experiment on short TikTok edits of politicians. Under particular conditions, “thirst trap” videos increased perceived attractiveness; edits portraying authority and strength improved evaluations of Donald Trump, but not Joe Biden, in the context studied. The measured outcomes were perception and favorability. The finding

matters to the thesis because audiovisual editing can shape impressions of political actors before their policy programs are considered.

In another context, Solovev, Drolsbach, Demirel, and Pröllochs (2026) analyzed 25,292 videos posted by German politicians and parties in the lead-up to the 2025 federal election. Messages marked by negative emotions and hostility toward opposing groups received more engagement than positive communications. Parties classified as ideologically extreme on both the left and the right used this type of message more frequently and generated greater engagement than centrist parties. This is an observational finding about platform interactions, not a causal measurement of votes, and it does not establish that only one ideological current uses these techniques.

Exposure, engagement, attitude, and voting are distinct outcomes. A video's reach does not establish full comprehension, lasting persuasion, or electoral change. The chain to be investigated runs from production and editing through recommendation, actual exposure, interpretation, and possible changes in attitudes or conduct. Each stage requires appropriate assessment instruments and research designs.

The author's *Platform Power over the Circulation of Information*, published on September 24, 2026, already proposes examining criteria for visibility, evidence, appeals, and democratic sovereignty (Genova, 2026h). The specific contribution of the present study is to connect that architecture to an exceptionally large financing case and to the categories of decision-making minority and constrained majority. Research and regulation require auditable records of reach, targeting, payments for promotion, moderation decisions, ranking criteria, and appeal periods, with data protection, freedom of expression, and due process. Transparency must be proportionate to its oversight function and consistent with data protection and security.

6.5 Recommendations and persuasion in information environments

The contribution of structural cognitive influence lies in examining conditions that precede the final expression of the will. This perspective does not require technology to determine all of a person's responses. The inquiry is whether those controlling the environment have a recurring capacity to shape what users are exposed to and whether this produces significant effects, within what limits, and for whose benefit (Genova, 2026a, 2026c).

Experimental research challenges uniform explanations. Guess et al. (2023) replaced algorithmic feeds with chronological feeds on Meta platforms in a three-month U.S. study. User experience and exposure changed, but there were no statistically significant effects on the main measured outcomes, including polarization and political knowledge. These results are specific to the intervention, context, and outcomes assessed during that period. The study must also be read with its published errata, identified in the reference entry.

Gauthier et al. (2026) conducted an independent experiment in 2023 with U.S. users of X. The main sample comprised 4,965 participants who completed the final survey after an

average exposure of approximately seven weeks. Switching from a chronological to an algorithmic feed shifted some opinions in a more conservative direction; switching in the opposite direction produced no comparable effect. The authors identify starting and continuing to follow conservative activist accounts as a mechanism that helps explain this asymmetry. They found no significant effects on affective polarization or self-reported partisanship. Comparison with Guess et al. (2023) must account for differences in platform, intervention, period, and outcome.

Salvi et al. (2025) studied brief debates involving 900 participants and found personalized GPT-4 more persuasive than the human baseline condition. The correction published on September 3, 2026, however, changed the result of a key comparison: the difference between personalized and nonpersonalized GPT-4, originally reported as significant ($p = 0.04$), became $p = 0.0678$, which is not statistically significant at the conventional 5% threshold. That contrast alone therefore does not establish an additional benefit from personalization (Salvi et al., 2026).

The literature shows possible but heterogeneous effects on exposure, opinion, and behavior. It does not justify converting experimental odds ratios into fractions of the population supposedly manipulated. The legal response must consider function, scale, context, vulnerabilities, affected rights, and the strength of the evidence.

The proposed legal interpretation distinguishes legitimate influence from unchecked power over influence. A relevant, identifiable recommendation that can be reviewed may enhance autonomy. A recommendation presented as neutral while favoring a hidden interest and obstructing alternatives may raise different issues. A concrete attribution of legal responsibility requires identifying the objective, information disclosed, relevant operation, people affected, applicable rule, and evidence of the outcome or of a legally sufficient risk.

6.6 The power to choose the metric

A less visible form of decision-making power lies in defining what will count as success, need, or risk. When an organization chooses a variable to represent a human objective, that choice may favor particular groups even without an explicitly hostile classification. The analysis must address how the problem is formulated, alongside the mathematical accuracy of an answer.

Obermeyer et al. (2019) examined an algorithm used in U.S. health care management. The system predicted health care spending as a proxy for health needs. Because access to care was unequal, Black patients with the same risk score had a greater burden of illness than White patients. The study identified an inequality mechanism associated with the target variable: predicting expenditure was not equivalent to measuring clinical need.

The documented mechanism shows how a target variable can reproduce structural inequalities even when the algorithm adequately predicts the chosen outcome. For legal analysis, this makes it relevant to examine who selected the variable, which needs it represents, and which groups bear the effects of the classification.

The implication for the thesis is that control over metrics must form part of the examination of power. In health care, the question is who defines the relevant need; in education, what counts as learning; in public services, which conditions become eligibility requirements. A technical choice may embody a normative decision. Making it open to examination means specifying its purpose and enabling verification that the indicator adequately represents it, rather than replacing science with opinion.

6.7 Private benefits and socialized costs in civilian and military technology

UNCTAD's *Digital Economy Report 2024* describes the material impacts of digitalization across mining, manufacturing, energy and water consumption, and equipment disposal. Developing countries may absorb significant environmental costs in segments with lower value added while economic benefits concentrate elsewhere in the chain. The report also recognizes productive opportunities. The empirical task is to trace which actors obtain gains, who bears risks, and which instruments of prevention and compensation exist, rather than assume that every company transfers all costs (UNCTAD, 2024).

According to SIPRI (2025), the arms and military services revenues of the world's 100 largest companies in the sector totaled US$679 billion in 2024, a real increase of 5.9% over 2023. U.S.-based companies accounted for US$334 billion. SpaceX entered the Top 100 with approximately US$1.8 billion in military revenues, 103% above the previous year. The report states revenues in constant 2024 dollars and examines their expansion in the context of increased military demand. These figures do not, by themselves, identify a company's responsibility for the outbreak or prolongation of conflicts.

Wars impose severe human and material losses and may increase demand for military goods and services. Attributing responsibility for provoking or prolonging a conflict requires documentation of corporate and state decisions, contracts, acts of influence, conduct, and causation. Protecting affected populations requires investigating those responsibilities and preventing harm on the basis of evidence.

The legal and political problem persists even without deliberate coordination: essential communication, security, and connectivity activities may depend on private contracts while costs and risks are borne collectively. Military and satellite services may be socially necessary and legitimate; the normative question is how to ensure public oversight, contractual limits, the preservation of alternatives, and liability for harm. Captured sovereignty is concerned precisely with the difference between technological utility and institutional subordination.

To document cost shifting in concrete cases, the analysis should distinguish revenues and margins, funding sources, environmental and humanitarian impacts, contractual responsibilities, prevention, redress, and alternative suppliers. This approach avoids treating the socialization of costs as an automatic conclusion and enables identification of the decisions and actors actually responsible.

7 Dignity and the material conditions for sustaining and developing capacities

7.1 Inequality in the capacity to bear consequences

The distribution of decision-making power is distinct from the distribution of its costs. An arrangement may concentrate benefits among actors able to protect themselves while transferring risks to people dependent on shared resources. In *Captured Sovereignty*, the discussion of the privatization of continuity and the socialization of collapse addresses precisely this combination of exclusive protection, influence over priorities, and the transfer of burdens. It is not an allegation based merely on the possession of wealth or private consumption of services (Genova, 2026c, pp. 163–165).

The inquiry asks who can reduce their exposure and who remains subject to decisions they had no part in formulating. It is necessary to identify the origin of the costs, the beneficiaries, opportunities for prevention, compensation mechanisms, and responsibility for service continuity.

The stakes become more serious when the cost is a loss of care, subsistence income, access to education, or the opportunity to defend oneself. In these cases, delay is also a dimension of inequality. A person with reserves may wait for a dispute to be resolved; another may suffer irreversible harm before the procedure concludes. Hence the importance, already developed in *The Right to Challenge the System*, of examining timely correction rather than only subsequent acknowledgment of error (Genova, 2026g).

Protecting dignity limits the reduction of people to indicators of profitability or productivity. The Brazilian Constitution does not make this foundational value conditional on an individual’s economic contribution. The interpretation advanced here is that unemployment, illness, aging, or limited purchasing capacity does not diminish the legal value of life. Expressions treating people as surplus must be criticized, never accepted as a legitimate normative classification (Brazil, 1988, arts. 1, III, and 3).

The absence of evidence of a deliberate project of elimination does not make foreseeable and avoidable exclusion acceptable. These are different questions: intention requires its own evidence; a duty to prevent or correct depends on the applicable rule, risk, control, and opportunities for action. This distinction preserves the seriousness of the human consequences without adding an allegation unsupported by the available evidence.

7.2 Access to artificial intelligence and the capacity to govern it

Distributing access to a tool may produce concrete benefits. Brynjolfsson, Li, and Raymond (2025) analyzed the phased introduction of a generative assistant among 5,172 customer-support workers. They found an average productivity increase of 15%, measured in issues resolved per hour, with heterogeneous results and especially large gains for less experienced workers. The rollout studied must not be described as a randomized experiment, nor should its results be generalized to every occupation.

The findings show that technological assistance may produce benefits while dependence in matters of governance persists. A professional may work better with a particular tool while still lacking access to relevant update criteria, means of auditing its effects, or a viable alternative if access is withdrawn. Assisted performance and the capacity for control must be assessed separately.

The learning issue is equally institutional. When reviewing outcomes depends on skills that must be acquired and preserved, the capacity for control requires work organization, time, and practice. The article on professional learning supports this concern without claiming that all automation destroys knowledge. The present study adds that the distribution of these conditions may determine who retains the capacity for independent judgment in the future (Genova, 2026e).

As an institutional proposal, effective human review presupposes access to relevant grounds, technical expertise, sufficient time, and the authority to correct. Merely designating a person as a reviewer does not establish that these conditions exist; the reviewer's actual work must be assessed.

7.3 The majority cannot be reduced to a collection of consumers

The language of individual choice is insufficient when a decision affects shared conditions. Allowing each user to close an account does not replace discussion of public service continuity, research integrity, worker protection, or the distribution of an activity's environmental costs. Nor is it enough to advise vulnerable people to leave a channel on which they depend for access to opportunities.

Some problems require collective capacities beyond individual consumption options. An affected person is also a rights holder, a worker, a participant in institutions, and a member of a political community. Reducing that person to a customer may leave out precisely those effects that cannot be avoided through an alternative transaction.

8 When conditioning becomes capture

Capture remains a useful category if it is not confused with every inequality, dependency, or technological failure. Under *Captured Sovereignty*, identifying capture requires meeting all four criteria within the same arrangement and period: functional indispensability; asymmetric control; opacity, limited reversibility, or the absence of a viable alternative; and a significant impact on collective will, public decision-making, rights, or essential functions (Genova, 2026c, pp. 11–13).

Table 2 Criteria for capture and a documentary inquiry framework

Cumulative criterion	Analytical question	Elements to examine
Functional indispensability	Which function depends on the infrastructure? Are there alternatives compatible with its continuity?	The service's remit, operational dependencies, and alternatives actually available.
Asymmetric control	Who can define or change criteria, access, and operating conditions?	Contracts, allocated powers, control rights, and documented organizational decisions.
Opacity, limited reversibility, or absence of a viable alternative	Can the relevant operation be understood and the arrangement corrected or replaced?	Access to information, documentation, migration costs and time frames, and technical capacity.
Significant impact	Which right, public decision, or essential function was affected, during what period, and through which mechanism?	Decision records, demonstrable effects, institutional responses, and competing explanations.

Source: criteria drawn from Genova (2026c, pp. 11–13). The questions and documentary elements are analytical extensions proposed in this article. The table assigns no scores and does not offer an empirically validated instrument.

Indispensability is relative to the function examined, not a universal property of a brand. Asymmetric control requires identifying actual powers rather than merely differences in wealth. The elements of the third criterion are alternatives: opacity, limited reversibility, and the absence of viable alternatives need not all be present simultaneously. The impact must, in turn, be connected to the arrangement rather than inferred from its size.

The documentary record must support an inference of a significant reduction in the institutional capacity to understand, audit, challenge, interrupt, or replace the operation. An audit clause is insufficient if it cannot be exercised; the absence of unrestricted access to code does not prove capture when other proportionate means allow effective control. What matters is how the available means function. This article does not provide an empirical case demonstrating all the cumulative criteria for capture; the table organizes the investigation.

Consider, hypothetically, an administrative service that uses an external system to classify requests for assistance. The contracting body retains formal decision-making authority but cannot explain refusals, retrieve relevant records, or correct the procedure before serious harm occurs. If the service is essential and no operational alternative exists within an appropriate time frame, the criteria warrant investigation. Legal characterization nevertheless depends on the documentary record of the case, not the hypothetical description.

In the opposite scenario, a dominant company and economic dependence may coexist with independent oversight, sufficient access to evidence, functional review, and a genuine possibility of substitution. These elements weaken or exclude the capture hypothesis within the defined scope. They do not necessarily eliminate other competition or contractual issues.

The theory must accommodate negative findings if it is to serve as an analytical instrument rather than a self-confirming label.

There are therefore two distinct assessments. The first investigates capture under the proposed category. The second examines specific infringements or duties. Discriminatory treatment may be unlawful without capture; severe structural dependence may reveal governance gaps without an existing finding of individual liability. The legal response must correspond to what has actually been demonstrated.

9 Existing legal rights and the limits on their application

9.1 The Constitution and economic power

The 1988 Brazilian Constitution connects dignity, citizenship, pluralism, and popular sovereignty while also protecting property and free enterprise. Article 170 links the economic order to a dignified existence and brings together free competition, consumer protection, environmental protection, and the reduction of inequality. It neither grants the wealthy immunity from rights-based claims nor permits economic freedoms to be eliminated solely on the basis of moral disapproval (Brazil, 1988).

The proposal reconciles economic activity, fundamental rights, and institutional control. Human sovereignty is an interpretive synthesis rather than a freestanding constitutional provision: any concrete legal claim must identify applicable rules, relevant conduct, and proportionate measures.

The same requirement constrains the state. A policy presented as protecting sovereignty is not legitimate if it imposes censorship, disproportionate surveillance, or discrimination. The political community is not interchangeable with the government of the day. Democratic control over the conditions of decision-making also requires protecting dissent, diverse information, and challenges to public bodies themselves.

9.2 Data protection and the review of decisions

Article 20 of Brazil's General Personal Data Protection Law (LGPD) guarantees the right to request review of decisions based solely on automated processing of personal data that affect the data subject's interests. Paragraph 1 requires the controller, upon request, to provide clear and adequate information about the criteria and procedures used in the automated decision, subject to commercial and industrial secrecy. Where such secrecy is invoked to withhold the information, paragraph 2 allows the national authority to conduct an audit to examine discriminatory aspects (Brazil, 2018).

The current wording of Article 20 does not impose a general requirement for review by a natural person or unrestricted access to source code. Decisions supported by algorithms but actually made by people require specific analysis under other duties and legal regimes; the word "solely" limits the provision's scope.

This article's contribution is interpretive and institutional. For review to provide real protection, the procedure must allow relevant challenges and correction. The proposal to

preserve human expertise, independence, and adequate time must not be mistaken for a literal statement of a universal requirement already contained in the LGPD. Distinguishing enacted law from governance design makes the argument more precise.

9.3 Consumer and competition law and civil liability

In consumer relationships, Brazil's Consumer Protection Code (CDC) provides grounds for adequate information, protection against abusive practices, and safeguards against exploitation of a consumer's weakness or ignorance under Article 39, IV. Reversal of the burden of proof under Article 6, VIII, depends on the statutory conditions and judicial assessment. Vulnerability does not amount to incapacity, and an algorithmic interface does not, by itself, give rise to civil liability (Brazil, 1990).

Each claim must identify the practice, actor, affected right, and prerequisites for the legal consequence sought. An award of damages requires the elements of liability to be established under the applicable regime. For specific relief aimed at preventing or removing unlawful conduct, the sole paragraph of Article 497 of Brazil's Code of Civil Procedure (CPC) does not require proof of harm, fault (culpa), or intent (dolo). This rule does not dispense with the claim's other prerequisites and must be distinguished from the separate requirements for urgent interim relief (Brazil, 2015).

Law No. 12,529/2011 permits examination of infringements against the economic order, but Article 36, paragraph 1, provides that gaining market share through a natural process based on greater efficiency does not constitute the violation defined in item II of that article. The distinction between a dominant position and abuse must be preserved. Exclusive rights, barriers, and integrations must be assessed within the relevant market and in light of their effects, rather than condemned solely because of the size of the actors involved (Brazil, 2011).

The concept of capture does not authorize piercing the corporate veil, imposing undifferentiated joint and several liability, or presuming intentional wrongdoing by shareholders. Holding an actor responsible requires a legal basis and proven connections between actor, conduct, and consequence.

9.4 Access to evidence and procedural inequality

Concentrated knowledge about a system may create asymmetry in litigation. The CPC allows dynamic reallocation of the burden of proof in the circumstances specified in Article 373, paragraph 1, through a reasoned decision and with an opportunity to discharge the burden. Paragraph 2 prevents reallocation from creating an impossible or excessively difficult burden. Article 381, III, permits taking evidence in advance when prior knowledge of the facts may justify or avoid filing an action (Brazil, 2015).

These provisions do not authorize unlimited exploratory requests. A claim must specify facts, period, documents, and relevance while protecting third-party data and legitimately confidential information. The interpretation advanced here is that confidentiality cannot become an absolute refusal of all verification. The solution requires proportionate means,

such as restricted access, expert examination, and a defined subject matter, as appropriate to the case.

Decisional inequality acquires an evidentiary dimension here: those controlling the records may be better placed to explain the relevant operation, while those subject to the decision may possess only evidence of its external effect. The procedure must address this asymmetry without replacing the opportunity to be heard and reasoned decision-making with an automatic presumption of fault arising from the use of technology.

9.5 A limited European comparison

Article 38 of the European Union's Digital Services Act requires providers of very large online platforms and very large online search engines covered by the regime to offer at least one option not based on profiling for each recommender system they use. Article 40 provides for access to data for research under specific conditions. These instruments address choice architecture and the capacity for external scrutiny (European Union, 2022).

The comparison does not imply equivalence with Brazilian law or unrestricted access to all data for any interested party. The institutional lesson is narrower: contestability may depend on obligations operating before individual litigation and on organized channels for research. Any adaptation requires examining legal authority, data protection, security, costs, and suitability for the context of application.

10 Redistributing income and distributing the capacity for control

Complementary measures are needed: material protection enabling people to study, obtain health care, and refuse degrading conditions, and a distribution of capacities for control enabling them to discuss rules, understand the grounds for decisions, and demand correction. Income transfers without changes in governance may preserve dependence; participation channels that fail to address material deprivation may go unused.

This combination does not dictate a single ownership structure or economic policy. Instrument selection requires public justification, distributional assessment, and examination of alternatives. Taxation, universal services, competition, public procurement, and participation by those affected may operate along different dimensions. The proposed common criterion is whether an intervention reduces an identified deprivation and increases the capacity to understand, challenge, or change relevant decisions without creating another center of power immune to control.

10.1 Six capacities to preserve

The first capacity is to participate in defining the terms. When an arrangement affects rights and collective functions, those affected need proportionate means to discuss objectives, criteria, and alternatives before the debate is reduced to accepting a completed outcome. Participation does not mean an individual veto or replacing legally allocated powers with decision-making through assemblies alone. It means that consultations, representation, and

deliberative bodies must allow verifiable influence over the reasons and conditions of decisions, with reasoned responses to relevant objections.

The second capacity is to know. The aim is to ensure relevant information about purpose, important criteria, limits, responsibilities, and channels for challenge, rather than require every citizen to master the code of a complex system. Information must suit its recipient and the problem. An enormous volume of documentation may remain useless if it does not help explain why a person was classified in a particular way.

The third is to challenge. A review procedure must be accessible, timely, and capable of receiving reasons that do not fit the interface's standardized fields. Contestation loses its purpose when it imposes costs incompatible with the right at issue or when response times make the outcome practically irreversible. Design must consider the decision's impact and the specific vulnerability involved rather than assume that the existence of a button resolves the problem.

The fourth is to correct. Transparency and listening are insufficient if no one has the expertise and authority to change the outcome. An organization must be able to identify who is accountable for the decision, under what conditions review has an effect, and how recurring errors feed back into management. External oversight must also have proportionate consequences; otherwise it becomes a documentary exercise without protective capacity.

The fifth is to replace. A genuine ability to change a solution, restore a function, or use alternative infrastructure limits dependence. This does not require continual migration or full duplication of every service. It requires examining costs, time frames, data access, and continuity in proportion to the function's importance. An exit clause that the institution cannot implement provides only nominal protection.

The sixth is to learn. Individuals and institutions must retain the means to develop the judgment needed to know, challenge, correct, and replace. This connects the present article to the continuity of professional learning: purchasing technically sophisticated results is insufficient if the way they are used erodes, without replenishment, the expertise needed to assess them (Genova, 2026e).

Participating, knowing, challenging, correcting, replacing, and learning are six governance capacities proposed in this study building on Book 3. They form neither an empirically validated index nor a list of universally applicable duties already in force; their implementation depends on the rights affected, function, risk, and sectoral regime.

10.2 The costs and adverse effects of governance instruments

Competition may expand alternatives but must be examined together with users' rights. Poorly designed interoperability may increase data exposure; indiscriminate disclosure may reveal personal information or legitimately protected knowledge. The appropriate requirement is access proportionate to the oversight function, with procedures and safeguards, rather than full public disclosure of every component.

The same care applies to audit requirements. Excessively uniform duties may impose costs that smaller actors cannot absorb, thereby preserving the largest incumbents. The intensity of control should reflect impact, scale, asymmetry, and risk, using shared mechanisms where appropriate. Proportionality means selecting means that can deliver protection without consolidating unnecessary new barriers; it does not mean dispensing with protection where harm is severe.

Opening models or code may facilitate investigation, adaptation, and diversification. It does not, by definition, resolve the concentration of computing capacity, shortages of specialists, or maintenance difficulties. This article therefore equates neither open licensing with sovereignty nor state ownership with democratic control. Both may contribute, but they must be assessed by the capacities actually retained and the rights protected.

When contracting for important public functions, the proposed interpretation recommends incorporating the capacity for control into service planning and assessment: relevant documentation, defined responsibilities, continuity arrangements, and team training. This guidance does not authorize arbitrary requirements or the exclusion of suppliers solely because of nationality. Requirements must correspond to the function, risk, and applicable legal regime.

The recommendation is to preserve institutional verification capacity so that the actor with an economic interest in maintaining an arrangement is not the only one capable of explaining, assessing, and changing it. Cooperation among public bodies, universities, and independent auditors may form part of the response, with defined powers and responsibilities and information protection.

10.3 From general guidance to institutional instruments

On fiscal and social policy, the article advocates assessing tax progressivity and mechanisms for cooperation against tax evasion, connecting resources to the conditions of health, education, social protection, and participation. The proposal does not prescribe a universal tax rate or estimate revenue. Its point is that reducing material deprivation and funding public oversight capacity must form part of distributional assessment, rather than treating inequality merely as a difference in consumption. Specific tax choices require legislative authority, proportionality, feasible administration, and an assessment of effects.

Regarding institutional influence, the recommendation is to make the interests represented, relevant meetings, submissions received, and reasons for their acceptance or rejection identifiable. Conflict-of-interest declarations and rules governing transitions between regulatory positions and regulated activities may form part of the design under the applicable legal system. The objective is to enable arguments and responsibilities to be scrutinized while preserving legitimate engagement. A register alone does not establish integrity: what matters is the ability to reconstruct how a decision was formed.

Regarding production, debate about the gains from automation should include affected workers and users. Training, transitions between roles, the organization of working time, and

the distribution of gains may form part of negotiation and sectoral policies. These are proposals for governance and normative development, not uniform obligations inferred merely from using AI. Outcomes must be assessed through working conditions, access to opportunities, and service quality, alongside the return on invested capital.

Regarding technology, authorities, contracting parties, and research institutions should connect each measure to the capacity it seeks to restore. A duty to provide documentation supports knowledge; a procedure with decision-making authority supports correction; technically feasible portability arrangements support substitution. This connection allows costs and effectiveness to be compared and measures producing only apparent compliance to be identified. Participation by those affected must run throughout the process: they should not appear merely as recipients of a solution devised without discussion of their needs.

11 A verifiable research agenda for decisional inequality

An analytical hypothesis is more rigorously tested when the investigation allows for findings that contradict it. The appropriate unit of investigation is a defined arrangement: function, actors with actual powers, affected groups, relevant rules, and period. The global character of inequality data does not remove the need to specify units and mechanisms.

The proposed framework follows five elements: available resources; control rights and practices; the conditions of choice established; effects on those affected; and institutional responses. The relationships between these elements are hypotheses to investigate. Their simultaneous presence is not automatic proof that the first caused the last.

11.1 Propositions and assessment criteria

The first testable hypothesis is that wealth concentration is associated, within defined arrangements, with a concentration of actual rights to define and revise the conditions of choice. Investigation must compare wealth with shareholdings, contracts, internal rules, and control practices. The correspondence weakens when wealth does not translate into relevant powers or when governance effectively distributes decisions and their oversight. This is a relationship to investigate, not an association estimated by this study.

The second proposition is that functional indispensability and actual difficulties of substitution help explain the strength of conditioning. Examining it requires comparing similar functions, recording effective alternatives, and distinguishing technical, economic, legal, and organizational difficulties. The hypothesis weakens when institutions can migrate, renegotiate, or correct the service without losses that compromise the function, despite supplier concentration. Continuing a contract does not establish an inability to exit: it may reflect quality, preference, or reasonable cost.

The third proposition is that review rights provide limited protection when relevant information, time, expertise, or the authority to correct is missing. Assessment may track access to the procedure, time frames, reasons given, response quality, and correction of established errors. The reversal rate must not be interpreted alone: high rates may reflect

effective review or numerous inadequate initial decisions; low rates may indicate initially correct decisions or ineffective contestation. The indicator must be compared with the subject matter and independent evidence.

The fourth assessment guideline distinguishes gains in assisted performance from preservation of an autonomous capacity for control. An organization may improve both, only one, or neither. Productivity assessments should, where relevant, be accompanied by checks of understanding, skill retention, and responses to new situations. Favorable findings on learning or independence constitute relevant evidence against generalized predictions of deterioration, rather than exceptions to be dismissed to protect the thesis.

11.2 Documentary research and the limits of causal inference

Investigation may begin with public documents: disclosed contracts, administrative and judicial decisions, governance rules, oversight reports, and academic research. For each document, the analysis must specify the fact it supports, the period and unit concerned, and what remains unknown. Divergent sources and negative findings must form part of the analysis. This design enables independent research using secondary sources while recording the limitations of each piece of evidence.

Comparisons over time may help, but a change following the adoption of technology must not automatically be attributed to it. Changes in demand, budgets, staffing, legislation, and management may produce competing effects. Studies using comparison groups or defined interventions offer additional opportunities when their assumptions are defensible. This article neither implements those designs nor reestimates the research cited.

Assessment must distinguish two levels: conditions of dependence and control, which may range from preserved control to capture under the proposed criteria, and the existence of sectoral infringements. Unlawful conduct may coexist with different degrees of dependence; it is not a required stage on a scale of capture. Documenting absent criteria or the recovery of control following institutional action prevents changing circumstances from being treated as permanent states.

12 Objections and the scope of the thesis

The objection that private companies innovate, broaden access, and generate social gains is relevant. The findings of Brynjolfsson, Li, and Raymond (2025) are included precisely because documented benefits must not be ignored. The question is whether those benefits coexist with sufficient control over conditions, consequences, and corrections. Establishing utility does not complete the governance analysis; establishing risk does not eliminate utility.

Another objection is that contemporary complexity requires specialization. The requirement for control defended here does not demand that every user fully understand every technology. It calls for an institutional division of knowledge with identifiable responsible parties, competent oversight, and opportunities for challenge. Functional dependence may be legitimate when accompanied by proportionate capacities for verification, correction, and exit.

A third objection is that public concentration may be as problematic as private concentration. The criterion adopted here accommodates that possibility. A state invoking sovereignty to prevent criticism, impose opacity, or exclude groups does not satisfy the proposed standard of democratic control. The alternative to unaccountable private concentration is not equally unchallengeable state concentration.

Nor does the argument grant a numerical majority the right to suppress minorities' freedoms or protections. Constrained majority describes an asymmetric position rather than a license to eliminate pluralism. The protection of fundamental rights limits both wealth-based power and majority decisions. The human sovereignty defended here would become incoherent if it allowed people to be deprived of rights in the name of a supposedly homogeneous collective will.

Global data describe income and wealth distribution, whereas empirical studies and institutional investigations examine specific contexts. Bringing them together supports a legal agenda concerning resources, control, and conditioning. A diagnosis of capture remains dependent on the documentary record of each arrangement.

These limits do not diminish the significance of risks to life, dignity, and rights. They prevent that significance from being defended through inferences that fail under scrutiny. A decision restricting access to care, income, or a means of defending one's rights may be legally serious even when it does not establish the capture of an entire society.

13 Conclusion

Wealth concentration affects freedom when it translates into the power to define criteria, alternatives, and infrastructures on which others depend. Wealth inequality already has material consequences; its conversion into control over the conditions of decision-making adds a distinct legal and democratic dimension. Decisional inequality describes the distance between those who establish these conditions, those who bear their effects, and those able to demand their review.

The *World Inequality Report 2026* documents wealth concentration, while the other sources examine institutional access, contractual rights, information architectures, and distributional consequences. Connecting these materials identifies mechanisms for investigation; it does not estimate a global causal chain or attribute identical effects to every actor and context.

This article's contribution is to connect resource distribution to the capacities to establish, know, and revise the conditions of choice and to offer a documentary framework for examining them. Drawing on the trilogy, the article connects this problem to the formation of the will, the economic exploitation of vulnerabilities, and control over collective infrastructure. Applying the framework requires independent sources and consideration of situations in which control remains effective or is recovered.

The designation of capture must be reserved for arrangements in which the cumulative criteria and a significant loss of control are demonstrated. Abuse, discrimination, harm, and

barriers may require responses on their own legal grounds. Neither formal consent nor the nominal existence of a review channel settles the question of substantive freedom.

The normative approach combines protection of living conditions with the distribution of capacities for control. Participating, knowing, challenging, correcting, replacing, and learning must be put into practice in ways that reflect the relevant sector and legal regime, with attention to costs and third-party rights. Decisions affecting human existence must remain subject to publicly justifiable reasons, accountability, and effective contestation.

The Texas case brings together substantial financing on both sides and the result of an electoral contest. Its analysis requires distinguishing resources mobilized, exposure, and voter responses. The presence of major donors in different partisan positions reinforces the need to apply the same standards of transparency and accountability to all actors.

A person’s dignity and rights do not depend on income, purchasing capacity, or economic utility. Protecting life, health, and democratic participation requires material conditions and effective means to discuss alternatives, demand reasons, and correct decisions that compromise them. This requirement applies to public and private actors and protects dissent and minority rights. The right to decide one’s own future must be accompanied by the capacity to participate in setting, overseeing, and revising the conditions under which that decision is made.

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