

Artificial Intelligence and democratic practicability

PREMISE

The title that I wanted to adopt for this contribution, while referring to fundamental theoretical questions for continuing to give meaning to our civil life, does not concern only the "theory" of democracy. Leaving „ this issue to the constitutionalists, I wanted to look closely” concrete, operational aspects of the perspective from which to evaluate the impact of AI on the democratic life of communities. And the concept of "political practicability" (perhaps somewhat outdated in current times) is precisely to indicate the forms, the concrete methods (if they exist) that the state systems make available to citizens to stimulate their participation in public life, as well as , on the side of the communities, the new tools that technology allows to use to "substantiate" democratic participation.

In fact, I hope all of us want to share not only the analyzes on the changes that AI induces in the common perception of democracy, but also the opportunities (if any) that technology offers us to start processes and systems to defend it and, possibly , strengthen it.

1)

If during the twentieth century the prevailing object of the political debate was centered on the state/ market relationship, the current century seems to be dominated by the various opinions on the relationship governed/rulers.

The general crisis that the forms of Western democratic systems have undergone has placed the issue of political representation at the center of public attention.

Net of the new forms of political organization: born or strongly “ ex novo” (or “ reborn”) in Europe ad critical of what was considered fundamental for a democracy (United States), being evaluated more and more critically was and is the ability of the rulers to correspond to the aspirations of civil society or, more trivially than giving effect to the promises made in the electoral phase. ,

This process has advanced in "combined" with at least two other phenomena of great importance for the assets of political systems:

Ø a general redefinition of the structures of the world economy which has seen the emergence in a disruptive way of the economic structures of the so-called "immaterial economy" which are radically transforming production and, above all, the distribution of the wealth produced.

Ø The progressive "disintermediation" of relations between the governed and the governed.

These are sufficiently well-known themes and therefore to be taken for granted here.

The worrying consequence of all this is the growing disaffection with the vote and, I would add, with all systems of collective participation in public choices.

Worrying not only for the progressive loss of political legitimacy of the organizations that contend for power, but because the verified separation between citizens and state organizations has led someone to theorize that the forms of democracy practiced in Western countries are now unsuitable for containment and development of the new emerging forms of sociality.

Certainly the theme of the crisis of representative democracy is on the agenda, but in the meantime:

Ø how to deal, here and now, with the questions that the development of technology and in particular Artificial Intelligence poses to the maintenance and development of democratic systems? Ø How does the

use of systems centered on AI sw affect the relationship governed / rulers?

Ø How is it possible to hypothesize its use for the benefit of the communities, whether territorial or national, and of the organizations that could arise within them?

2)

Step back.

The use of digital technologies to aggregate, consolidate and manage political consensus has been widespread for several years now. Just think, for example, of the use of social media in recent electoral campaigns, such as those of Obama in 2008 and 2012, or the role they played in Donald Trump's victory in the 2016 US presidential election, or innovations on the digital side introduced by new organizations such as Momentum, the movement in support of Jeremy Corbyn as leader of Labour.

However, the political groups that have taken on digital technology as a driving asset for their political proposal are essentially Podemos, the M5s and the Pirate Parties of Northern Europe. They have often been described as "digital parties" or as "network parties" due to the way they have enthusiastically embraced a range of tools and services that have come to symbolize the present digital society. This digital character is visible at different levels of depth: in their external communication and in their internal organization.

Externally these formations have exploited the communicative power of social networks such as Facebook and Twitter or YouTube to build an active base of supporters and sympathizers. Internally they have developed a number of online decision-making platforms to call members to discuss and vote on policies, internal offices and candidates.

This is the past.

The pervasiveness of AI that we are witnessing today has also radically changed the way in which we think about the use of technologies in the political sphere.

The issue has already been the subject of attention from the EU, or rather from the special AIDA commission launched in 2021 by the European Parliament.

On the subject of AI and the future of democracy, the following considerations emerged:

Ø The future of democracy will depend on maintaining media plurality, the possibility of dissent and a person-centred public discourse;

- Ø The goal of reducing or removing uncivilized and divisive content therefore seems to be in direct conflict with the business models of platforms oriented towards maximizing user involvement. As the offline world has moved online, offline laws and standards have not been updated accordingly;
- Ø Information critical to the survival of democracies is no match for motivated disinformation fueled by increasingly influential platforms and AI-powered algorithms;
- Ø Along with disintermediation, a crisis of truth and a crisis of perception are emerging, amplified by the persuasive power of new AI applications that can lead to a crippling information asymmetry that threatens democracies,
- Ø The protection of fundamental democratic values such as freedom of expression and human dignity can no longer be guaranteed and democratic governance models are increasingly in competition with digital authoritarianism which is emerging as a viable alternative model;
- Ø use technology to optimize content and fill gaps in perception that often lead to division and polarization.

It is clear that the central theme is, first of all, the governance of technology. Clearly divisive issue. For some, the use of AI systems would even lead to a strengthening of democracy, for others we would find ourselves faced with a catastrophe of civilization to the point of coining, as we have seen, terms such as "digital authoritarianism" or "algocracy".

Not unlike what happens in all other fields of human activity, AI leads us to "restructure" the models of democracy we are used to thinking about. And this restructuring does not only involve a new paradigm to be used to analyze and evaluate the transformations of the current legal systems, but at the same time the awareness of being able to have a formidable tool on whose use both the return to autocratic systems may depend contemporary salsa, is a significant enhancement of the powers of civil societies.

3)

What experiences do we have with the use of AI systems in politics?

A first disturbing reference can be found in a 2019 study by a Spanish university research center (Center for the Governance of change). Based on the results obtained from the research, it was found that 30% of the electorate would be in favor of replacing their representatives with AI systems. Which sheds a far from positive light on where the lack of correct information on the criteria for using AI in the political field could lead.

In 2018 a candidate in the election of a Tokyo city administrative district chose to be represented by an AI system. And he took about 4,000 preferences. The author of the system, during the electoral campaign, declared that the basic algorithms would have made it possible to fight corruption, dialogue with other political forces and guarantee "fair and balanced opportunities for all" (J.Lachlan -[www.otaquest.com/ tama-city-ai-mayor](http://www.otaquest.com/tama-city-ai-mayor)).

But the Japanese experience is not unique.

The New Zealand SAM (Semantic Analysis Machine) of 2017 is another system that is capable of making decisions based on facts and opinions. The application, in the form of chatbot messages, responds to issues of local interest in the field of housing, training, immigration and, in the intentions of the developer, pursues the objective of bridging the "historic" gap between the promises made in the pre- election and achievements. Its "knowledge base" is represented by the opinions of citizens (connected via twitter) and the outputs concern assessments of the possible scenarios that would emerge in the event of adopting different choices. In this sense, SAM is able to set up "strategies".

Alongside these examples of experimentation of AI technologies in political processes, the most widespread use concerns the governance of public policies. Refinement of the offer of services, health, immigration, social policies, simulations on the risks that would be encountered in the event of specific policies, and, particularly in the USA and the United Kingdom, security and criminal justice (repeat offending). In the international arena, it is hardly necessary to mention the use of intelligent systems for the control and simulation of conflicts and/or scenarios that could prefigure them.

4)

All of this, of course, poses several problems.

Since any system is the result of human work, the adoption, albeit (apparently) for simple administrative purposes of AI systems in the public sphere, requires an in-depth analysis of the reciprocal interrelationships.

How to evaluate, for example, the objectives to be pursued in modern democratic and pluralist contexts? We are sure that there is a shared understanding of the concept of "public good" ? Or "good results"? It is evident that we are dealing with answers that are strongly dependent if not on "ethical" assessments, on the perspectives from which the assessment moves and, ultimately, also on the possible different interests in the field.

Still. How to implement divisive choices "in themselves"? In politics, you know, you choose. You have to choose. And what then is the reference political horizon? How to implement, for example, ^{what if} implement redistributive policies? Current events in Italy in recent years are sufficiently explanatory. Not to mention the migrant affair.

What "population" to consider, moreover, as a reference for the choices? In a situation in which not only are inequalities still powerful, but the digital divide is far from being overcome, there would be the risk of increasing the already significant distance between power and large sectors of citizens.

How then to "instruct" an AI system that should inevitably operate on the basis of value choices? The inclusion of the most articulated opinions, trends, theories, references, interests in the operational DBs would bring out a "majority" in whose name to decide. Any mediation with the remaining "minority" would be precluded.

And how then to guarantee the coherence of public policy in the event that, on specific provisions of the same matter, majority and minority find themselves "exchanged"?

I do not think it is necessary to resort to Machiavelli to predict that such a system of government would have little chance of survival.

It is clear that an AI system could hardly reproduce correctly the political dimension of choices. Choices anchored not only to the will of the majority expressed from time to time, but open to a possible future, indefinite but in any case functional to the achievement of political results.

The essential link between democracy and freedom requires that no position prevails by default" over the others, leaving the doors open for possible future developments. Decisions cannot be the result of optimized calculations (Mirelle Hildebrandt- 2016)

5)

In line with the attention that the Union is paying to the development and diffusion of AI systems, Italy too has been formulating analyses, assessments and strategies on the matter for some years.

I am referring both to the "artificial intelligence white paper at the service of the citizen by the Agency for digital Italy in 2018 Artificiale 2022-2024" issued , that al Strategic Intelligence Program directly by the Government in November 2021. " edited

Taking up the European Guiding Principles on the matter, the 2021 document states that ..." the development of AI must be focused on economic and social inclusion, human rights and environmental sustainability....".

In reality, in the community documents there are several ideas regarding the correct adoption of AI systems which should be followed with greater commitment by the member states.

For example, the European White Paper (2020) states that the impact of AI in our societies should be considered not only from the point of view of individual benefits but also from that relating to societies as a whole. In fact, AI could , play a central role both in sustainable development and in supporting democratic processes and social rights.

Furthermore, in 2019 the Commission issued a communication defining 7 requirements which should represent as many guidelines for the implementation of AI systems. They

I am :

- Ø Human intervention and surveillance
- Ø Technical robustness and safety
- Ø Confidentiality and data governance
- Transparency
- Ø Diversity, non-discrimination, equity
- Ø Social and environmental well-being
- Accountability

While the requirements are directed at businesses, the feedback process has revealed that

although the member states have issued numerous prescriptions, the national legislations of many economic sectors are particularly deficient in terms of transparency, traceability and human surveillance of the processes concerned.

In conclusion: although European standardization is naturally oriented towards general and abstract principles and while correctly framing the advantages that could derive to society as a whole from an adequate implementation of AI systems, no operational recommendation is formulated to the states regarding the legislation to be adopted.

This deficiency would appear to date, May 2023, filled by the next definitive version of the AI **Act**, the **European regulation** on artificial intelligence which should consolidate a common and harmonized framework of rules and regulations for:

- Ø the placing on the market, commissioning and use of AI systems; Ø the prohibition of certain artificial intelligence practices; Ø specific requirements for high-risk AI-systems and obligations for the operators of such systems;
- Ø Ensure transparency for AI systems intended to interact with people physical;
- Ø emotion recognition systems, biometric categorization systems and AI systems used to generate or manipulate images or audio or video content;
- Ø in the field of market monitoring and surveillance.

It seems clear that the rules, existing or forthcoming, mainly concern the economic aspects or in any case the AI systems managed by economic operators.

Which, mind you, is certainly positive. The existence of common constraints or limits to the management of individual data will hopefully determine a barrier to the excessive power of private supranational organizations whose turnover is based on the free collection of information that concerns us all.

The absence of some regulatory framework is instead dramatically relevant precisely in the matter of "democracy", that is, the inspiring criteria of the governed/governing relationship, and how the AI intervenes on it.

As far as Italy is concerned and in relation to the issues that interest our reflections here, in the document cited above (Artificial Intelligence Strategic Program 2022-2024), the role of AI is outlined as an optimizer of "administrative processes by improving services and performance for citizens and businesses by reducing costs. "Moreover, "the PA is called upon to play an active role in the AI revolution in the private sector for the benefit of the community (open data, geolocation tools, purchase of AI products and services, funds for AI, experimenting with AI solutions)..."

A panorama of intentions and willingness to say the least limited. Objective No. 3 of the aforementioned Strategic Program (Develop and adopt an anthropocentric and reliable AI) is limited to hoping for the development of "responsible" AI technologies and systems.

Nothing is said about issues actually disruptive to everyone's security and freedom:

- Ø Who controls the composition of public knowledge bases that AI systems they use for the provision of services to citizens;
- Ø Who controls the use of these databases by public authorities;
- Ø Who designs the operational algorithms and with what criteria;
- Ø What are the "secondary" objectives that AI systems can pursue outside of what was publicly stated.

These issues are obviously central to public policies, it is in their conduction and management that democratic "control" takes over, since as citizens we would be very unlikely to be able to impose any opening of the information bases of the information multinationals. At this level, perhaps, it is possible to operate as a European Union even if there are doubts, and how!

6)

The prolonged collective inattention to the use of AI systems and the centralized control of large masses of data (personal and otherwise), the choices and public policies of the ruling classes in the last thirty years - both the result of the hegemony of neoliberal thought - have unbalanced digital transformation processes in favor of goals that reduce social justice and threaten democracy. The maximization of profit, the acquisition of power and control, the hegemony over people's opinions and preferences have prevailed over other objectives, which are also present.

While arranging the digital transformation of the power necessary for the diffusion of knowledge and with them, for a general improvement of the conditions of the weakest, it turns in the opposite direction.

A rebalancing is not only necessary but possible:

- 1) The risks that a distorted use of technology and now of artificial intelligence have produced widespread awareness also in sectors of the ruling class (see the contents of many EU documents);
- 2) The contrast to an authoritative and arbitrary use of personal data always takes place more as part of the necessary opposition to growing social inequalities.

In this way, various options become feasible, both at Community and national level, which can establish significant alliances between sectors of civil society and labor organisations:

- Ø Build judicial initiatives and mobilizations against the use of algorithms that harm rights, also by exploiting the principles established by the European Regulation 2016/679 (on the protection of personal data);
- Ø Contract the use of the algorithms in the framework of the national employment contracts and of the local negotiations;
- Ø Experimenting with "collective platforms" at a territorial level (municipal, sub-municipal or large area) for the collection and use of data to plan/create essential services (experience of attempted in France but also participatory budgets Italy);

- Ø Require Universities and public research infrastructures to create mixed teams in the development of algorithms and to monitor/research their use. Ø Require that all public data used be in an open format, eroding the power of monopolies;
- Ø Carry out educational campaigns, starting from primary school. OR

The goal, which I hope is shared between us, is to make the "social regression scenario" evolve towards which many believe we are on the path of ^{towards} "social emancipation" that technology can help us achieve.

Fabio Del Papa

(Net Left)