# The Democratization of Global AI Governance and the Role of Tech Companies

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Can non-state actors like multinational tech companies counteract the potential democratic deficit in the emerging global governance of AI? We argue that, while they may strengthen core values of democracy such as accountability and transparency, they currently lack the right kind of authority democratize global AI governance.

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After a period of intense fascination with Artificial Intelligence (AI) applications, including Large Language Models (LLMs) such as ChatGPT, the public discussion is quickly turning toward the issue of the social, political, and ethical impact of these technologies. Multiple regulation and governance initiatives are under way at the national and regional levels. However, since cutting-edge AI development often takes place in multinational companies or international research labs, and AI technology creates cross-border externalities, an additional level of transboundary regulation and cooperation is

necessary to solve problems or provide goods associated with AI technologies. 'The global governance of AI' can be said to refer to the rules, processes and decision procedures established by governments, international and intergovernmental organizations, non-state and private actors to regulate the development and deployment of those systems (Erman and Furendal 2022b; cf. Zürn 2012). It includes soft regulations like internal ethics guidelines in multinational AI-developing companies like Microsoft, and the 'Bletchley declaration' signed by 28 countries and the European Union (EU) in 2023. It can also take the form of hard regulations, such as the AI Act currently under negotiation in the EU. Unlike the national level, regulatory efforts at the global level typically lack a clearly defined central institution or hierarchy. This means that global AI governance initiatives are partly overlapping and not always aligned, and is best described by the concept of 'regime complex' from international relations theory (Tallberg *et al*, 2023).

Despite the rapid pace at which this regime complex is developing, little attention has been paid to how democratic the processes by which it takes shape are. It has become a trope for AI-developing companies to speak of a need to 'democratize' AI, but this often means simply that AI technology should be made more accessible (Seger et al 2023). Moreover, when the democratization of AI *governance* is discussed, a common approach is to evaluate proposals by whether they can successfully prevent 'bad' outcomes such as AI bias or existential risks, or make 'good' outcomes such as increased economic productivity more likely (Erman and Furendal 2022a). Likewise, the public discussion about AI regulation tends to focus on the pros, cons, and viability of concrete proposals, such as whether AI development should be put on hold, to allow research into the impact of AI to catch up (Future of Life Institute, 2023), or whether we should create a new global institution akin to the International Atomic Energy Agency (Altman, Brockman, and Sutskever 2023). The problem with such an outcome-focused understanding, however, is that it reduces AI governance to a challenge of executing an agenda that is already set, thereby overlooking who has influence over the agenda and in what ways. It thus directs our attention towards the effects of governance mechanisms rather than the societal goals pursued and the means by which to achieve them. However, this fails to take the normative ideal of democracy seriously. In broad strokes, political theorists have suggested that governance arrangements are democratic to the extent that those affected by the decisions have a direct or indirect say in the decision-making on equal terms

(Valentini 2014). For AI governance to be democratic, this entails that those who are affected by AI technology should identify and decide upon the goals of AI governance collectively.

This ideal seem unattainable at the global level, however. Global political institutions are typically said to suffer from a *democratic deficit*, since it is difficult for citizens to stay informed and exercise influence over political processes several levels removed from their daily lives. In response to this challenge, earlier debates around global governance have often gravitated toward the democratic potential of non-state actors such as non-governmental organizations (NGOs), advocacy groups and social movements. The hope is that such civil society actors could represent citizens' interests and make sure they appear in the decision processes of international organizations and institutions, and that they could function as watchdogs, holding those who wield power accountable. It is suggested that, ideally, civil society actors can thereby help *democratize* global governance, by promoting more inclusion, representation, and transparency (Nanz and Steffek 2008; Dryzek and Anasoca 2021). This makes it appropriate to ask whether non-state actors may help democratize the global governance of AI.

Drawing on our ongoing research, we suggest that one should not be too optimistic. This is primarily because in global AI governance, one kind of non-state actors is far more prominent than the civil society actors usually entrusted to help offset democratic deficits: AI-developing tech companies. The machine learning approach to AI is, by now, so resource-intensive that breakthroughs are restricted to multinational corporations, such as Microsoft and its affiliate OpenAI, or start-ups funded by wealthy individuals, such as Anthropic. At the same time, a narrative is being cultivated about AI technology as inherently complex and difficult to understand, and of politics as so cumbersome that ill-informed elected officials are likely to cause more harm than good if they try to regulate AI on their own. The CEO of OpenAI, for instance, has not only provided policy advice at a U.S. Senate subcommittee hearing, but also privately met with American law-makers as well as the leaders of several European countries (Kang 2023).

Listening to technological experts might be necessary in the difficult process of finding suitable regulation for a rapidly moving policy area. At best, involving non-state actors

could help produce outcomes that are preferable, albeit not more *democratic*, than the alternative. At worst, it allows for regulatory capture by companies which can hardly be said to represent the voices of ordinary people, let alone of marginalized groups (cf. Free Press 2023). It is thus crucial to ask what role tech companies may have in the democratization of global AI governance, one of our age's most important policy areas. Drawing on our current research, we make two claims. First, the democratic potential of non-state actors depends on whether they wield epistemic, market or moral authority in global AI politics. Second, although including non-state actors in the global governance of AI could improve the prospects for future democratization, the prospects for them becoming democratic agents of the kind that contribute to the democratization of global AI governance appear bleak. These insights should inform the discussion around the democratic challenges facing the global governance of AI.

**Different forms of authority and the democratic role of tech companies**

AI-developing companies have come to exercise significant influence over the emerging global governance of AI in two overlapping ways (cf. Hall 2005). First, they possess *epistemic authority,* rooted in their position as trustworthy judges of what constitutes knowledge and acceptable evidence in the AI domain. In this role, they not only develop AI but also inform the production and dissemination of knowledge, which in turn could shape public opinion and policy decisions. OpenAI and DeepMind, for instance, partly function as research institutes, probing the limits of AI technology's capabilities in research papers that inform regulatory efforts. Second, they wield *market authority* and exert influence over economic and political decisions. Microsoft, for instance, arguably has significant power over AI development and regulation since its recent acquisition of the coding platform Github and investments in the AI-developing company OpenAI, which in turn has lobbied lawmakers in the negotiations on the EU AI Act (Perrigo 2023). Given that the category of non-state actors includes companies such as these, simply granting access to non-state actors is not guaranteed to democratize the global governance of AI.

It is quite clear that tech companies cannot be considered to be 'democratic agents', by which we mean agents that decide on policies and laws 'on behalf' of others, since no one

has in fact authorized them to do so. In global governance, this occurs either by *direct* authorization through a democratic procedure (e.g. when EU citizens elect the EU parliament) or by *indirect* authorization through delegation by a directly authorized body (e.g. when member state governments appoint members in the EU's European Commission). When tech companies are invited into regulatory processes, however, they do not represent anyone but themselves. And even if they attempted to transmit citizens' concerns into the decision process of international organizations, that would not be enough to make them democratic agents, since their authority has not arisen from the rightful source. This political-theoretical analysis suggests that, although tech companies can be said contribute to improved global governance in many ways, by fulfilling different kinds of rightful ends, they cannot reduce the democratic deficit in the global governance of AI.

That said, indirect authorization has taken place in more established policy areas in global governance, where non-state actors have become democratic agents through delegation of authority, playing crucial roles in several phases of the policy cycle of international organizations. The International Committee of the Red Cross (ICRC), for example, has mandate under the Geneva Conventions to monitor the implementation of international humanitarian law. What is important to notice in these cases, however, is that authority is typically delegated not to companies but rather to NGOs and other civil society actors, who exert a kind of *moral authority* derived from the fact that their mission is to promote what are generally seen as morally desirable goals. Arguably, with more international legislation in the AI domain, and deepened collaboration between (democratic) states in international organizations, non-state actors with moral (and possibly those with epistemic) authority may become democratic agents in a similar way in the future.

While the prospects for tech companies with market authority becoming democratic agents remain bleak, we argue that they may still become 'agents of democracy', by which we mean agents that strengthen core values of democracy in their decision-making, e.g., the values of accountability, transparency, inclusion, openness, and deliberation. Non-state actors with moral authority, such as AlgorithmWatch, may be said to already be agents of democracy by providing input on ethical and human rights related considerations, and efforts to ensure that algorithmic decision-making is used in ways

that are consistent with democratic values and principles. Market authorities, on the other hand, operate within the structure and logic of the market, and may thus appear less likely to improve their democratic credentials in ways that scholars have hoped for. However, one should not disregard the fact that multinational companies often publicly support democratic values such as transparency, accountability and respect for human rights, in their own AI development and in their interactions with law-makers. The most charitable interpretation of the role of tech companies in the global governance of AI hence says that they could, in principle, act as agents of democracy (Erman and Furendal 2022b, 2022a), as long as their commitments to democratic values are not simply an attempt to gain support and trust from consumers through 'ethics washing' (Bietti 2020). Importantly, though, while they may strengthen the empirical prerequisites for future democratization of global AI governance by acting as agents of democracy, this does not take them closer to becoming democratic agents themselves and as such contribute to democratization.

## Conclusion

AI is often perceived to be both a great threat and promise to democracy. Pessimists worry about the way LLMs and other forms of AI can undermine communication and trust. Optimists point to how AI enables technological innovations in voting procedures, or allow more voices to be heard in the democratic process, although rarely exploring this in light of existing democratic theories. In this Comment, we have suggested that the public debate should also recognize the distinct and additional point that the governance of AI should be as democratic as possible. Given the impact that AI technology already has on societies, it is crucial that there are democratically legitimate channels for the people affected by AI to have a say about how it is being developed and deployed. Specifically, we have argued that, while some non-state actors – most probably those with *moral* or *epistemic* authority – may become democratic agents in the future, and as such contribute to the democratization of global AI governance, most of them – in particular those with *market* authority – are more likely to increase their democratic credentials as agents of democracy, improving the empirical prerequisites for future democratization.

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