# At the Tensions of South and North: Critical Roles of Global South Stakeholders in AI Governance

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## ABSTRACT

This paper aims to present a landscape of AI governance for and from the Global South, advanced by critical and decolonial-informed practitioners and scholars, and contrast this with the Inclusive AI Governance discourse led out of Global North institutions. By doing so, it identifies gaps in the dominant AI governance discourse, and bridges these gaps with relevant discourses of technology and power, localisation, and historical-geopolitical analyses of inequality led by Global South aligned actors. Specific areas of concern addressed by this paper include infrastructural and regulatory monopolies, harms associated with the labour and material supply chains of AI infrastructure, and commercial exploitation. By contrasting Global South and Global North discourses surrounding AI risks, this paper proposes a systemic restructuring of AI governance processes beyond current frameworks of Inclusive AI governance, offering three roles for Global South actors to substantively engage in AI governance processes.

## KEYWORDS

Global South AI, Coloniality of AI, Inclusive AI governance, AI Policy

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## 1 INTRODUCTION

This paper examines critical and cross-geographic perspectives of harm reduction strategies in AI governance. It calls for those working in AI governance, as well as relevant areas of international trade law, intellectual property, technical standards and certification, and human rights to substantively engage with elements of the Global South discourse that are in tension with the dominant discourse.

It aims to present a landscape of AI governance for and from the Global South - advanced by critical and decolonial-informed practitioners and scholars - and contrast this with the dominant AI governance discourse led out of Global North institutions. By doing so, it identifies gaps in the dominant AI governance discourse around interpretations of justice, rights and geopolitical representation, bridging these gaps with separate but relevant discourses of technology and power, localisation, and reparation led by Global South aligned thinkers and actors. By contrasting these two discourses, this paper discusses what key differences and tensions might mean substantively for the building of AI governance processes.

This paper opens with the growing popularity of Inclusive AI governance, introducing the paradox of participation - wherein inclusion can exist while structural harms persist. It then presents a brief digest of AI "for and from the Global South", enumerating several critical concerns expressed by the Global South discourse, but neglected by the dominant AI discourse led by Global North institutions. These critical concerns include digital sovereignty as relevant to low and middle income countries, infrastructural and regulatory monopolies, harms associated with the labour and material supply chains of AI technologies, beta testing, and commercial exploitation.

The following section argues that Global South actors play a key role in restructuring AI governance, proposing three roles of Global South actors - 1. As challenging functions to exclusionary governance mechanisms, 2. Providing legitimate expertise in the interpretation and localisation of risks - which includes a whole-systems and historic view, and 3. Providing a source of alternative governance mechanisms - e.g.: South-South solidarity, co-governance, democratic accountability, and a political economy of resistance.

The final section of this paper proposes that key differences between the Global South and dominant Global North discourses can be explained in part by historic power dynamics. Here, this paper describes the coloniality of power in AI governance, and recasts popular AI Governance frameworks, such as the Fourth Industrial Revolution, in a historic light.

### 1.1 Terminology: Global South & North

Both the Global South and Global North are heterogeneous. Given the complex plurality of Global South stakeholders, it is crucial to examine the limitations and utility of "Global South" and "Global North", since much of the current literature on power asymmetries and unequal distribution of AI risks tend to fall into this generalised framework. On one hand, it is a useful unifier for solidarity-building across the Global South, and on the other it omits heterogeneity and internal incongruence of Global South AI development strategies and discourse.

Since the end of the Cold War, the Global North was associated with stable states and economies, whereas the Global South referred to economically disadvantaged nation states. A more nuanced understanding of the Global South is the deterritorialised geography of capitalism's externalities [1], imprinted with well-studied colonial legacies. Global South perspectives centre the displaced priorities,

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concerns, and voices of the global majority. As Singh and Guzmań [2] articulate "we treat 'Global South' as an imperative to focus on cognate lived experiences of the excluded, silenced, and marginalized populations as they contend with data and AI on an everyday basis".

The dominant AI discourse is spearheaded by the Global North - namely Western European and North American state actors, and, within the growing multi-stakeholder governance model - industry, standards setting organisations, and military research/funding bodies. It is also a deterritorialised reproduction of political, epistemic, economic, and moral hierarchies promulgated during European colonisation. As Glissant [3] puts it, "The West is not in the West. It is a project, not a place".

The Global "Souths" [4 ; 5] are highly heterogeneous, presenting divergent "political regimes, levels of development, ideologies, and geopolitical interests" [6] which engender regional contestation, and set real limitations to coordination and collective mobilisation. The AI discourse from the Souths "operate on a wide spectrum between optimism of leapfrogging and digital transformation of societies on one end and the pessimism of human suffering caused by new forms of data capitalism and colonialism on the other" [7]. In addition, agendas between the Global South and North are not to be seen as inherently dichotomous or antagonistic. The North/South binary does not account for subjugated peoples within the borders of wealthier countries, and vice versa - "economic Souths in the geographic North and Norths in the geographic South" [1].

North/South binaries are also blurred by Chinese government and industry leadership in AI governance and applied R&D - with pervasive tech industry actors, such as BATX (Baidu, Alibaba, Tencent, Xiaomi) driving market competing with US based GAFAM firms (Google, Amazon, Facebook, Apple, Microsoft). For example, Chinese investment, research, production, and standards-setting power inevitably shapes dominant discourse and is of great significance to the Global South, with indeterminate long-term outcomes. China's Digital Silk Road under the Belt and Road Initiative has been characterised along a spectrum of neocolonialism in the Global South [8], to a viable South-South alternative to Western domination [9], given China's history of invasion by Western governments and status in Third World politics [10].

## 2 THE GROWING POPULARITY OF "INCLUSIVE AI GOVERNANCE"

There is an increasing consensus that global governance is experiencing a "crisis of confidence" surrounding its "legitimacy, transparency, accountability and equitable representation" [11]. The growing popularity of "Inclusive AI Governance" has emerged from the advocacy of Global South aligned actors within high-level AI Governance forums - those who identify the systemic disadvantages of exclusionary dynamics for the Global South. It has also been prompted by the visibility of work by Jobin et al.[12], who review the global landscape of AI ethics guidelines, drawing attention to the underrepresentation of Africa, South and Central America and Central Asia in AI ethics debates, wherein "more economically developed countries are shaping this debate more than others, which raises concerns about neglecting local knowledge, cultural pluralism and the demands of global fairness". Similarly, Jasanoff and Hurlbut [13] remind us to query - "who sits at the table, what questions and concerns are sidelined and what power asymmetries are shaping the terms of debate". Eugenio Vargas Garcia [14] explicitly asks within the international governance of AI - "Where is the Global South?".

High-level initiatives who have adopted inclusive multi-stakeholder approaches to AI governance include the United Nations Secretary General's Office of Digital Cooperation (now Technology Envoy Office), Global Partnership on AI (GPAI) in partnership with the International Development Research Centre (IDRC), Organisation for Economic Co-operation and Development (OECD), the United Nations Educational, Scientific and Cultural Organization (UNESCO), World Economic Forum (WEF), and Institute of Electrical and Electronics Engineers (IEEE). They aim to integrate Global South voices and perspectives in the formation of "global guidelines, standards, and frameworks on responsible and ethical AI". These initiatives fall under the rubrics of "AI for All", "AI for Good", or "AI for SDGs", which are critiqued for their limited and vague definitions of what 'social good' means. As Green [15] states advances - "good isn't good enough". Further, as observed by Ulnicane et al. [16], inclusive governance may have normative appeal, but it "is not specific about addressing some well-known challenges of the proposed governance mode such as risks of capture by vested interests or difficulties to achieve consensus".

Inclusive governance initiatives have thus far failed to identify adequate methodologies and protocols to redress power imbalances in order to substantively engage with underrepresented stakeholder groups. In addition, these initiatives rarely engage in a historical-geopolitical analysis of inclusion/exclusion dynamics, and the institutional structures which distribute risks unevenly across regions, societies, and communities.

### 2.1 The Paradox of Participation

"A root cause of failure of developmental projects lies in default attitudes of paternalism, technological solutionism" and predatory inclusion [17;18]. Inclusion processes can often be procedural and numeric, used for virtue signaling and promotional purposes. Proportional inclusion can certainly exist while structural harms persist, with "little evidence of the long-term effectiveness of participation in materially improving the conditions of the most vulnerable people or as a strategy for social change" [19]. This dual reality is described as the "paradox of participation" [19; 20; 21], where structural reform, which is the substantive practice of cultivating heterogeneity, is not achieved, and the distribution of resource, agenda-setting and decision-making power remains status quo [22].

We often see an expressed desire for global beneficence of AI technologies without action towards mitigating the institutional and systemic reproduction of inequality [23] This feature of benevolence from elite institutions is described by Cusicanqui [24], Benjamin [25], Freire [26], and many others. Sylvia Cusicanqui's concept of *gatopardismo* describes the "political philosophy or strategy of advocating for revolutionary changes, but in practice only superficially modifying existing power structures". Ruha Benjamin describes *techno-benevolence* - tech-based interventions that intend to address inequalities, but instead reproduce or deepen dependency and extractivism. Paolo Freire's appraisal of benevolence

articulates "in order to have the continued opportunity to express their "generosity," the oppressors must perpetrate injustice as well. An unjust social order is the permanent fount of this generosity [...] True generosity consists precisely in fighting to destroy the causes which nourish false charity" [26]. This "violence of care" - coined by Marjo Lindroth and Heidi Sinevaara-Niskanen [27] vis-a-vis the inclusion of indigenous actors in global climate governance - is often reflected in the logics of inclusion within global governance, AI governance being no exception, as well as corporate social responsibility efforts within Big Tech [28;29].

## 2.2 Interrogating the Global South as peripheral to Governance

Before tracing some of the landscape of AI governance discourse by/from the Global South, we must first question the belief of Global South as peripheral to AI development or governance. As advanced by Weiss [30], who challenges the ahistoric characterisation of global governance analyses, it is a "convenient narrative", open to critique, that the Global South has had "little impact on universal normative developments", or "was largely absent from the founding of the United Nations whose values came only from the West". This was especially inaccurate for the period of decolonisation and post-colonial independence after WWII and into the late 20th century [6], or during BRICS resistance to OECD agendas [30] As examined by Helleiner [31] in 'Principles from the Periphery: The Neglected Southern Sources of Global Norms,' Global South agency and influence has been "a genuine but essentially ignored source of global norms" - from resisting non-beneficial impositions of Western values, blocking asymmetric proposals, to articulating perspectives, policies, and new normative frameworks

Further, the Global South is neither inoperative, "a passive recipient, nor [...] the periphery of emerging developments in these data-driven technologies" [7]. As elucidated in the following sections, the Global South is very much shaping the development of AI systems : through AI/ML research and industry ecosystems, a source of large-scale commercial data extraction, labour markets for data labelling and annotation, sites for beta-testing of AI systems, and the provision of rare earth minerals and materials required to build physical infrastructures that make AI products and services possible (data centres, graphics processing units, transistors, lithium batteries, etc.) [32 ; 33].

It is therefore necessary within inclusive governance efforts to assess structural and agentic framings of the Global South/s within AI governance, in ways that do not fall into the "hype of the rest" [34] and idealise beyond the realities of long-standing inter and intra-regional inequalities and constraints - most low/middle-income countries are still attending to population access to internet connectivity, electricity grids, or dearth of required infrastructure for wide-scale implementation of AI systems [35 ; 36 ; 37].

AI governance and policy discussions must, in light of this, be granular enough to neither impose "tired portrayals" [38] of deficit narratives, nor convey unfounded optimism, nor ignore emerging AI/ML research and industry ecosystems emerging out of the Global South - for example, tech start-up ecologies in Africa such as the 'Silicon Cape' in Cape Town, 'Silicon Savannah' in Nairobi, 'Sheba Valley' in Addis Ababa, and 'Yabacon Valley' in Lagos [38]. Though AI policy and governance frameworks are disproportionately being debated and developed in Europe and North America - 58%, in comparison to 1.4% in Africa [39] , it is important not to sideline activities of different national bodies such as Nigeria's National Agency for Research in Robotics and Artificial Intelligence (NARRAI), Rwanda's Ministry of ICT and Innovation (MINICT) National AI Strategy, or Sierra Leone's Directorate of Science Technology & Innovation [36 ; 40].

# 3 A BRIEF DIGEST OF "AI FOR AND FROM THE GLOBAL SOUTH"

Drawing from Professor Rafael Capurro's [41] essay "Information Ethics for and from Africa", which highlights the monopoly of a range of Western ethical traditions in the development of ethical information systems, this section will provide a brief digest of "AI for and from the Global South".

Discourses surrounding the adoption and deployment of AI systems (e.g: digital ID systems) vary significantly across geographies of the geopolitical Global South, operating "on a wide spectrum between optimism of leapfrogging and digital transformation of societies on one end and the pessimism of human suffering caused by new forms of data capitalism and colonialism on the other" [7]. Further, regions and countries "have their own specific cultures and infrastructural contexts that will shape what appropriation of data-driven technologies might mean for them" [7].

Over recent decades, we have seen engaged efforts and mobilisation towards understanding and centering the needs, interests, values, and influence of the Global South in normative frameworks within fields of ICT, digital technology and more recently AI. There are emerging scholarly and practitioner communities working to understand the consequences of AI development within political, everyday contexts and histories of the "Global South". There is an ever-widening, transnational discourse of AI ethics and governance constituted by scholars, civil society, entrepreneurial and government actors concerned with the role of AI systems in the compounding of geopolitical [42] and societal inequalities [23]. This discourse operates under a different logic than mainstream AI governance spaces, by seeking to foster "forms of counter-hegemonic globalisation" [43], and emphasises developing AI regulation and applications which are operational in localised contexts, or relevant to contextual harms and violations of dignity [44], routinely neglected by empowered decision-makers who work within a dominant status quo.

"Southern" [4] AI discourses tend to engage with the downstream effects of imperial histories, as well as constructive critiques of capitalist structures that scale exploitative, unsustainable, unequal and harmful practices which remain unquestioned by mainstream AI governance. These draw from areas of postcolonial computing [45], decolonial computing [46], data extractivism [42 ; 47 ; 33], culturally sensitive AI and human rights [48 ; 44], data colonialism [38], indigenous data sovereignty [49], feminist design practices [50], design justice [51], and data justice [52 ; 53]. Communities for transnational solidarity and collective action have also rallied to address harmful impacts of AI - from the 2017 AI and Inclusion Conference, to work carried out by Article 19, Web Foundation, Research ICT Africa's Africa Just AI Project, Tierra Comuń, the

Non-Aligned Technology Movement, Global Data Justice Project, Technology Justice Lab, Research ICT Africa, Big Data Sur, Black in AI, Digital Asia Hub, amongst others.

This body of work is in some ways novel, and in many ways departing from existing areas of critical theory and ICT [54; 55], intercultural information ethics [41], critical data studies, new media studies [56], ICT for development [57] science technology and society, and values in technology [58 ; 59 ; 60 ; 61 ; 62].

## 3.1 Critical Concerns from the Global South

*3.1.1 Digital Sovereignty, Infrastructural and Regulatory Monopolies.* Global South adoption of "infrastructural and regulatory landscapes and histories of Euro-America" [63] in the form of ESOs (European Standards Organizations) as well as international Standards Development Organizations (SDOs), raise concerns of power consolidation across Western European, North American, and Chinese industries and governments. The production and ownership of technological infrastructure by Global South countries, as well as digital sovereignty (i.e.: data ownership, usage and storage), are essential for countries in the Global South to accrue benefit from AI R&D [64 ; 65]. These are precursors to participating in the technological advancements and associated benefits advertised by the Fourth Industrial Revolution [64; 66].

Nonetheless, issues outlined above, as well as first mover advantages in trade, unequal public-private partnerships, models of manufacturing, procurement protocols, cost of development and pricing of technologies have not yet been identified as sites for necessary reform in mainstream AI governance discourse, requisite to assuring wider international benefit of AI technologies.

*Sovereignty.* Kovacs and Ranganathan [67] caution against any uncritical operationalisation of sovereignty, reminding us that "it is important to ask under what conditions it becomes possible to reclaim sovereignty despite these violent roots". The justification of territorial and digital sovereignty, and concomitant self-determination differ greatly between systems of governance (e.g. European, African, or Indigenous systems of governance), domestic and foreign policy agendas, stages of technology infrastructure development, particularities of national regulation, and IP legislation. Given this variability of notions of sovereignty - for example tensions between state and Indigenous sovereignty [68] - understanding which are legitimised in AI governance discourse and which are sidelined, and why, is crucial. For example, the Indigenous Data Sovereignty movement, advocating for the "right of Indigenous peoples to control data from and about their communities and lands, articulating both individual and collective rights to data access and to privacy" [69], embody valuable examples of beneficial governance, but present critical challenges to state actors leading the dominant AI governance discourse.

*Pricing and Ownership.* As described by Sampath [64], the pricing of exported products "is not determined by a mark-up price set by the Southern producer, but continues to be dependent on the demand generated in Northern export markets". This precludes developing countries' self-determined industrialisation and development, leading to the continuation of structures that encourage extractive dependencies [70] of Global South countries on Global North private companies and regulators. Financial monopolies of rich industrialised governments and industries, as well as political power and trade advantage, are characteristic of modern-day globalised capitalism [71; 72; 73].

Similar monopolies and dependencies are observable in digital infrastructure - GAFA companies (Google, Amazon, Facebook, and Apple) hold high market share in Global South countries, while maintaining infrastructural monopolies that create extractive dependencies. When analysing GAFA companies, Rosa and Hauge [74] find that their points of interconnection essential for accessing content delivery networks (CDNs) are concentrated in Global North countries, with more than twice as many countries in the Global South having no points of interconnection. This means that internet service providers (ISPs) in the Global South incur higher access costs, while revenue-generating data move unidirectionally from the South to the North [74]. Given this asymmetry in financial monopolies and infrastructural dependencies between the Global South and North, Rosa and Hauge [74] argue that governance debates "should be reconfigured to account for the complexities of privatized digital information infrastructure and the extraterritorial effects of U.S. laws embedded into the design of these platforms".

The unfettered access and monetisation of Global South national data by Big Tech is detrimental to growing local data economies. In a similar account of unequal infrastructural ownership, African critical data infrastructure (submarine cables, terrestrial fibre-optic networks and data centres) are majority owned by non-African telecom companies. Given that many African countries do not have national data centres, sensitive population data are largely hosted on servers abroad, e.g. Ireland. In response, initiatives such as Smart Africa and the African Tax Administration Forum are developing privacy and taxation policies for Big Tech [75; 76] germane to AI governance discussions.

Monopolies of AI-relevant IP regulation by rich industrialised governments and proprietary technologies held by Big Tech further preclude the autonomy of Global South countries [77]. Current solutions of technology transfer [78] and technical assistance from North to South are also impeded by patent rights, which according to Intellectual Property Watch [79], can "severely reduce technology transfer since they bring high licensing fees and can thus impede the knowledge adaptation to local conditions". Rectifications to such monopolies are highly complex, but initial steps include capacity building and guidelines development within regional IP offices based on South-South cooperation, and reforming private sector incentives.

*3.1.2 Extractive Logics as a Systemic Pattern.* "Extractive logics as a systemic pattern" of data economies are increasingly being accounted for [80] - from surveillance capitalism [81], to large-scale extraction of information by capitalist enterprises [42; 47], all the way to the extraction of rare earth minerals used to build physical infrastructures underpinning AI systems. Pollicy, a Ugandan research institute, map 'digital extractivism' - from cheap digital labour, to "illicit financial flows, data extraction, infrastructure monopolies, digital lending, funding structures, beta testing and platform governance" [82 ; 83]. Sampath [64] describes extraction from low/middle-income countries by the technology industry, through

introducing "as many applications, platforms and other digital products/services as possible in order to extract the maximum amount of data". This represents "a shift from valuing people as consumers to extracting value through a proliferation of complex instruments" [84].

In a coherent articulation, Paola Ricaurte [47] explains - "Data-centered economies foster extractive models of resource exploitation, the violation of human rights, cultural exclusion, and ecocide. Data extractivism assumes that everything is a data source. In this view, life itself is nothing more than a continuous flow of data".

*Material Extractionism.* Contrary to a conventional focus on the immaterial nature of AI, Global South centred AI discourses call to attention the obfuscated human labour [85] and material infrastructural components [32] of AI, in order to underscore the wider impacts AI systems can have across human and environmental registers. Tapia and Penã [86] articulate that "dominated by a liberal framework, the material conditions of production of technological devices that allow digital communications are still ignored" - the "Weight of the Cloud", so to speak [87].

Environmental concerns are still peripheral within the dominant AI governance discourse, and though emerging - e.g: GPAI's "A responsible AI Strategy for the Environment" [88] - most work on environmental sustainability such as Green AI or AI & Sustainability overlook concerns raised by Global South advocates. While AI can indeed be used to optimise energy use and support renewable energy / green technologies, the argument that AI is a solution to the climate crisis is circuitous, and governance frameworks cannot omit the environmental costs of AI/information infrastructure [32]. As Crawford [33] reiterates - "The data economy is premised on maintaining environmental ignorance".

The energy cost of training machine learning models or developing natural language processing systems is increasingly incorporated into mainstream models of AI harms [89 ; 90]. Nonetheless, still neglected are harms from intensive water and fuel usage of server farms, consequent chemical and e-waste, as well as the opaque supply chains and infrastructures of tech/AI companies - described by Abraham [91] as "a murky network of traders, processors, and component manufacturers [...] the hidden link that helps in navigating the network between metals plants and the components in our laptops".

AI companies engage in geological extraction through investments in smelters and mining concessions for mineral sourcing needed for hardware. In addition, contracts by Microsoft, Google, and Amazon have provided tools to the oil and gas industry for extraction optimisation [92], further degrading our environment and ecological services. The buds of such considerations are appearing dominant AI policy discourse [93]; in a European Parliament report, Bird et al. [94] recognise that - "The extraction of nickel, cobalt and graphite for use in lithium ion batteries –commonly found in electrical cars and smartphones– has already damaged the environment, and AI will likely increase this demand" [95]. This analysis also requires that we look at the human cost of environmental degradation which are disproportionately carried by the Global South. Extractive industries similarly first impact racialised, vulnerable and neglected groups, via exploitation, state and mining industry violence on indigenous communities, and increased gender violence [96].

*3.1.3 Beta Testing, Commercial Exploitation and Contextual Incompatibilities.* Beta-testing is a form of commercial exploitation, entailing "the testing and fine-tuning of early versions of software systems to help identify issues in their usage in settings with real users and use cases" [17]. This practice exhibits a pattern of selecting populations that are systemically more vulnerable to risks, or jurisdictions that lack pre-existing safeguards and regulations around data usage, given this practice would violate laws in their localities [97]. For example, predictive policing developed by Palantir and used by the New Orleans Police Department, or the use of election analytics in the Kenyan and Nigerian elections by Cambridge Analytica before their deployment in Western democracies [17] It is therefore crucial to resource capacity for low and middle countries to strengthen legal and institutional protections of marginalised people's rights in ways that work to address long-standing exploitative commercial practices.

Converse to beta-testing, there are also contextual incompatibilities of imported AI systems resulting from a lack of country-specific training datasets from developing economies [98], or misrepresentation of populations and their socio-cultural or political behaviour in existing training datasets. For example, a learning algorithm trained on North American traffic flow or public health datasets is unable to be directly implemented in Central America, Africa or Asia, risking misapplication [99]. Key to the Global South discourse is grappling with geographic core-periphery patterns of data availability [100] and asking who is able to access, participate, or be represented - and for whose gain [101].

*3.1.4 Data Labour Markets and Workers' Rights.* There is a growing movement and literature surrounding the role of workers in AI Governance [102]. A whole-systems assessment of risks and costs of AI systems recognises the underlying human labour. "Ghost workers" [85] are low-paid workers who drive the AI economy - they annotate and classify large volumes of data to improve computer vision, natural language processing, or other types of algorithms

These workers are often hired from countries in the Global South - optimising for labour costs, contracted by specialised annotation platforms such as Microworkers, Samasource, CrowdFlower, or Amazon Mechanical Turk. These companies indeed provide jobs, but lack appropriate policies mitigating workers from exploitative industry practices. Without accountability structures, employers have been known to withhold remuneration, denying "the rights of workers to safer, dignified working conditions" [103] - disproportionately impacting those who are economically vulnerable, especially acute in countries with limited labour protection laws [104].

Tech worker coalitions such as Turkoptikon, labour unions such as UNI Global Union, or research initiatives such as Fairwork are essential in shaping industry and policy level practice, providing a worker-centred understanding of risks and harms. "Unskilled labourers" are excluded from "expert"-centred governance processes, and are nonetheless as essential for the development of AI systems as they are for robust protective regulations.

# 4 KEY DIFFERENCES BETWEEN DOMINANT AND GLOBAL SOUTH DISCOURSES: WHAT DOES THIS MEAN FOR AI GOVERNANCE?

"Minimising risks and maximising benefits" has been an important directive in orienting the AI ethics, safety, and governance discourse in the Global North. The identification of immediate and tail-risk harms at different scales range from runaway AI [105] and lethal autonomous weapons, to devastating de-democratising effects of AI driven platforms, and areas of "bias and fairness, accountability, transparency, explainable AI, and responsible AI" [7].

The Global South discourse expands these concerns to wider systemic issues outlined above as critical concerns, which understand AI R&D and industry within a geopolitical and historic context of exploitation between the North and South by way of infrastructure, trade, regulation, geopolitical and financial power, industry monopolies, epistemic hierarchies, extraction of natural resources, etc. The absence of such issues from dominant AI governance discourse makes it clear that involvement of Global South constituents is necessary for more comprehensive risk assessment and governance of AI systems.

These significant differences between Global South and Global North discourses surrounding the risks of the AI industry warrants a systemic restructuring of AI governance processes beyond current frameworks of Inclusive AI governance. In order for the unequal distribution of risks of AI systems to be comprehensively assessed and mitigated, the integration of Global South voices and perspectives (governments, civil society, industry, academia) in the formation of governance processes is only the first step - integration must be in conjunction with a co-construction of roles that ensure Global South actors can engage in co-governance.

# 5 BEYOND STATUS QUO AI GOVERNANCE: ROLES OF THE GLOBAL SOUTH IN GLOBAL AI GOVERNANCE

The purpose of inclusion is structural reform - the redistributing resource allocation, agenda-setting and decision-making power [22]. Based on the spectrum in inclusion-exclusion dynamics provided by Marchetti [106] of ostracisation, exclusion, co-option, inclusion, and integration - to which critical views would add structural reform, dismantling, and alterity - inclusion is only the first positive step away from exclusion.

Within this view, internal efforts towards inclusion are necessary, but primacy is conferred to contesting and interrogating the very governance structures and geopolitical / economic infrastructures that Global South actors are being included into. Postcolonial, or "Southern" views [5] challenge established AI governance at multiple levels - which issue-framing is conferred legitimacy, unquestioned ideological assumptions of governance processes, discursive power and its financial drivers, bringing to light regulatory capture, etc.

Efforts towards meaningful inclusion, and critically-led integration of Global South actors into AI governance processes requires an intentional formalisation of their roles. These roles must be co-constructed with Global South actors - from civil society, industry, academic institutions, and governments - alongside a negotiation to reform exclusionary dynamics in governance processes. Proposed roles of Global South actors proposed by this paper are three-fold - 1. Acting as a challenging function to exclusionary governance mechanisms 2. Providing legitimate expertise in the interpretation and localisation of risks, demands, and issue-framing, which includes providing a whole-systems (e.g.: supply chain to deployment) and historic view of AI systems 3. Providing a source of alternative governance mechanisms - South-South solidarity, co-governance, democratic accountability, and a political economy of resistance.

## 5.1 Challenging Function to Exclusionary Governance Mechanisms

A key role of the "Global South" within global governance systems, including AI governance, is fundamentally a challenging function to dominant legal and governance structures that disproportionately support the accretion of safety and capital to certain groups, to the neglect of marginalised communities [106]. Global South state and non-state actors have long intervened upon, challenged, and shaped international law, trade agreements, intellectual property law, and protocols of technology procurement from commercial providers. Non-state actors provide the body of a "political economy of resistance" - a subset of which has been described as "data activism" [53 ; 107 ; 52] - ranging from back-engineering statistical models [108] and advocacy for facial recognition moratoriums, to applying strategic litigation and co-developing policy proposals with directly affected communities. These practices articulate "new forms of political participation and civil engagement in the age of datafication" [109].

As Global South actors intervene upon and challenge exclusionary AI governance mechanisms, and shape AI governance processes, tensions between state and non-state actors must also be a point of strategic focus. Though efforts to mitigate the harms of AI technologies within a wider political economy [110] at macro and micro levels are mutually dependent, government level and citizen level aspirations often diverge. As an example, the Kenyan government's National Integrated Identity Management System was contested by the Nubian Rights Forum and the Kenya Human Rights Commission who took legal action on the basis that the system violated "the right to privacy, equality, and non-discrimination enshrined in Kenya's constitution" [111].

## 5.2 Legitimate Interpretation of Harms

"The key feature of transnational activism in global governance is precisely its stubborn attempt to influence the normative battle on the right and legitimate interpretation of crucial global issues" [106]. Aforementioned critical neglected areas - of digital sovereignty in light of colonial histories, infrastructural and regulatory monopolies, material supply chains of the AI industry, workers' rights, data extractionism, beta testing, commercial exploitation, regulatory capture, contextual incompatibilities - are current in Global South discourses but not yet integrated in global AI governance agendas.

The integration of these issues must be defined and framed by those who experience the costs incurred by AI systems and their wider political economies. Governance decision-making power is held by elite groups constrained largely to Europe and North America and composed of bureaucrats, industry leaders, and regulators

who are often removed in their experience and knowledge from the realities of how harms operate [112].

It is in fact those at the sites of harm who practically understand required solutions (see section 5.3.1.). Efforts to govern and regulate the building and deployment of AI systems, especially in the development of protective guardrails, often neglect the legitimate capacity of Global South state and non-state actors to interpret the harms which they are subject to. Regional, financial and institutional credibility results in elite institutions, industry and governments - largely based in Western Europe, North America, and China - are disproportionately conferred legitimacy in defining AI-mediated harms and their corresponding mitigating actions. Civil society and Global South actors are conferred disproportionately less legitimacy, visibility, and influence.

Recognising the legitimate expertise of impacted groups counterbalances the tendency of AI governance initiatives to assume universal notions of harm, where definitions are inaccurately generalised in ways that neglect cultural, regional, jurisdictional divergences. Assumptions of universalisms often entail hegemonic impositions of ideologies or blueprints of progress particular to a powerful minority - in the case of AI governance, governments of information mature economies and industry in North America and Western Europe [113 ; 114]. This is highlighted by Arora [115] within digital privacy - "as technology companies expand their reach worldwide, the notion of privacy continues to be viewed through an ethnocentric lens.

It disproportionately draws from empirical evidence on Western-based, white, and middle-class demographics". "Southern" philosophical perspectives of privacy, definitions of privacy-related harm, use-cases of what privacy protection looks like, and locally germane legislation - where privacy regulation "dignifies those at the margins, by giving their privacy its contextual integrity" - are therefore essential. For example, the South African government's Smart ID in the context of South Africa's history, evokes for certain citizens "past identification systems such as the Population Registration Act by the apartheid government used to racially segregate citizens" [115]. In order for definitions of harm and regulatory standards to be contextually operationalisable, comparable rather than universal global standards have been proposed as part of the coordination of global regulatory responses to AI technologies [116].

## 5.3 Providing Alternative Governance Mechanism

As aforementioned, one of the roles of Global South actors within AI governance is a challenging function to the inequitable distribution of the benefits and costs of AI systems, and interrogating the governance, geopolitical and economic infra/superstructures that AI industries and their regulations that shape this inequality

There is a distinct community of Global South oriented practitioners developing new forms of political objectives, praxis / action repertoires, and strategic organisation [109] that describe alternative mechanisms for governance. Some of these concepts and practices of reform are summarised in the following section, structured under Stefania Milan's [117] framework outlined in "Social Movements and Their Technologies" - classifying different action repertoires of mobilisation as "inside", "outside", and "beyond" institutions of decision-making power. These include participation, co-governance, and mechanisms for democratic accountability within institutions of power, efforts of South-South solidarity oriented outside institutions of power, and a generative political economy of resistance oriented beyond institutions of power.

### *5.3.1 Inside: Participation, Co-governance & Democratic accountability.*

*Participation & Co-governance.* Co-governance is a more developed framework of inclusive or representative governance, that seeks to "shift the balance of power in favour of crisis-affected communities" [118]. It understands that AI risks cannot be adequately defined by those who are distanced from AI risks by dimensions of power and institutional safety [16 ; 52 ; 119], and that legitimate assessment of harms is not possible without participation of Global South state and non-state actors - allowing for proportionate and systemic influence of equivalent guardrails. As Kak [44] articulates, there is a "need to approach the political economy of AI from varying altitudes- global, national, and from the perspective of communities whose lives and livelihoods are most directly impacted in this economy". The slogan "nothing about us without us" - originating from Central European political traditions [120] and later adopted in the disability rights movement around the development of innovative technologies [121] emphasises that no policy should be developed without direct participation of affected communities.

Centering the knowledge of those most exposed to risks has been long developed by Participatory Action Research, and Critical Development Studies [122]. Participatory artificial intelligence entails the "involvement of a wider range of stakeholders than just technology developers in the creation of an AI system, model, tool or application" [123 ; 124], or product risk assessments carried out with impacted communities. This is to ensure that AI technologies, and their regulation, are able to respond to "specific social, economic, and cultural demands" [116]. The specificity of these demands is necessary for adequately contextualised protective regulation - NGO and public sector entities have "more ethical breadth in the number of topics covered, more engaged with law and regulation, and generated through processes that are more participatory" than the private sector [119] or international organisations.

*Democratic accountability.* It is well understood that there are accountability deficits in global governance bodies "which lack formal mechanisms of democratic accountability that are found in states, such as popularly elected leaders, parliamentary oversight, and non-partisan courts. Instead, the executive councils of global regulatory bodies are mainly composed of bureaucrats who are far removed from the situations that are directly affected by the decisions they take" [125]. As McGlinchey et al. [112] offer, "civil society action at the international level is predominantly focused on building political frameworks with embedded democratic accountability." Notions of "counter-democracy" [126] are also useful here. Counter democracy is "not contrary to democracy, but a vital and perennial aspect of it [...] counter-democratic actors organise distrust against power-holders, pressuring them to strengthen accountability" [127].

Co-governance for accountability has been designed into programmes in Brazil, Mexico, the US and India, across policy areas ranging from participatory budgeting, anti- corruption, poverty reduction, infrastructure provision, school reform, electoral administration, and police reform [128]. Some of these programmes have achieved significant pro-accountability success by "giving social actors direct access to state institutions", and creating conditions where citizens can challenge governments through the media or courts [128]. This form of vertical accountability is noted within AI governance in the series of facial recognition moratoriums, as well as contestations of AI industry regulatory capture led by civil society and impacted communities.

As a "nongovernmental and noncommercial space of association and communication" [129], civil society is well situated as a mechanism of accountability to global governance and state bodies. Civil society organisations operate by monitoring policy publications and participating in policy reviews, increasing public visibility and transparency of global governance processes, working towards redress of harmful externalities from regulation or lack thereof, and advancing formal accountability mechanisms for global governance operations [130]. This work benefits all sectors of society, and is often under-resourced and under-compensated, and with global AI initiatives often requesting civil society to participate in consultations on a voluntary basis [112], highlights the need for such initiatives to match these invitations with resources and compensation.

*5.3.2 Outside: South-South Solidarity.* South-South coalition building and solidarity is an important asset for low and middle income country governments to multilaterally advance advantageous agendas within AI policy and international norms development. Geopolitical coalitions such as the UN South-South Initiative, Group of 77 and Non Aligned Movement - key in the decolonisation and independence movements in Africa, Asia, Latin America, Middle East, and other regions - are examples of alternative governance mechanisms that can be engaged with through AI global governance initiatives. Today, these coalitions represent two-thirds of UN membership, and 55% of the global population.

Though they are state-led, grappling with state-civil society tensions, these bodies act as a mechanism for Global South governments to assert self-determination through multilateral action, develop and uphold collective and anticipatory interests, and engage in capacity-building in ways that interrupt dependencies on Global North governments and industries [6]. Importantly, these coalitions embody an experiential and institutional memory that reaffirms and articulates continuities of colonialism in contemporary global inequality.

In 2020, Professor Ulises Mejias proposed a Non Aligned Technology Movement, with a primary goal of transitioning from technologies that reinforce aforementioned dependency dynamics, to technologies that support the self-determination of developing countries [131]. The design, development and deployment of AI technologies, and their governance, are being further re-thought by indigenous-led groups such as the Global Indigenous Data Alliance, and others aligned with postcolonial self-determination. These calls for reformist or "alternative" governance mechanisms understand how administrative, cultural, economic, and epistemological legacies of European colonialism are integrated within global governance structures emergent out of the postcolonial era [132 ; 64].

*5.3.3 Beyond: A Generative Political Economy of Resistance.* Questions as to how AI systems should be designed, developed, deployed, and governed are being asked beyond government and industry approaches to AI governance. Resistance practices which seed the possibility of alternative designs and use / non-use of AI systems are a "political economy of resistance" [53]. These include forms of algorithmic resistance in Latin America [133], counter-surveillance [134] , grassroots data activism, free software movements from hacker culture [135], and new data epistemologies [109]. As Milan and Trere[́52] conceptualise the Global South, it is a "place of (and a proxy for) alterity, resistance, subversion, and creativity". Alternative systems and solutions are also being built at a local level - from "creole technologies" [136] to innovation ecosystems based on collection and ownership of data by local communities [47], which can provide blueprints for alternative models.

# 6 POWER ANALYSIS: EXPLAINING KEY DIFFERENCES

The incongruities between Global South and Global North conceptualisations of AI risks, and the ways in which regimes of Global North government and industry dominance are reproduced, point to a gap in understanding histories of "structural power which privileges certain actors at the expense of others" [137]. Ideals of technological progress and industrialisation, looking to the future, often obfuscate our histories. Such ideals are "deeply entrenched in a wider social context that encourages us to ignore the historical roots of current inequalities– which, in fact, are not amenable to a technological solution alone" [64]. In order for AI governance to materially mitigate risks for a global majority, and be a truly representative and participatory process, it must be embedded within a "broader analysis of power and political dynamics" [138 ; 139].

## 6.1 The Coloniality of Power in AI Governance

Contemporary legacies of European colonialism in interpersonal, societal and geopolitical power asymmetries are described by the concept of "coloniality" [132]. Coloniality is the continuation of inequality emergent from "the historical processes of dispossession, enslavement, appropriation and extraction [. . .] central to the emergence of the modern world" [140]. These inequalities and consequent harms are reproduced within dimensions of authority, economy, politics, race, gender and sexuality, knowledge and subjectivity [141 ; 132]. The coloniality of power is a useful explanatory framework for comprehending the concentration of harms and benefits of AI systems across the Global South and North, across social hierarchies, and informs emerging frameworks that recognise continuities of colonial exploitation, extraction, and dispossession in the use of labour, material resources, and data in AI industries - such as data colonialism and data capitalism [142 ; 47 ; 42 ; 38 ; 81 ; 45 ; 46].

Within this framing, we can understand the perhaps genuine intention to develop inclusive governance and directing the problem-solving potential of AI research to local and global problems related to inequality, as missing a core macro-historic analysis of how institutions, governments, and bureaucracies shaping AI governance processes themselves reproduce structural injustices in latent or active ways.

For example, international laws which would underpin the global governance of AI systems are argued to have been constructed by and rooted in institutions of geopolitical domination and imperialism. As Raval, Kak and Calcanõ [63] argue - "in post-colonial societies governance infrastructures and legal frameworks are also shaped by colonial legacies. The ensuing struggles over legislation and record-keeping practices, problematic efforts at digitalization and complex dependencies on foreign enterprise — have all resulted in unreliable, dynamic and highly contested practices of data governance." There is therefore a need for AI Governance to continuously question the histories of legal systems and what harms they preclude and enable - "what has historically been considered to be legal, and institutionalised through formal rules, is not necessarily moral or desirable for an equitable future" [64].

Tools for interrogation can be drawn from critical legal scholars such as Anthonie Anghie, associated with the Third World Approaches to International Law (TWAIL) movement - which understands that concepts in international law were developed during the formal colonial era which resonates in practices today. Theoretical approaches to justice within AI governance and international law are grounded in Western ethical values [63; 115 ; 143] which are "too parochial and eurocentric to meet global challenges" and contextualised within conceptual frameworks within "Hindu law, Muslim law, African laws and Chinese law" [144]. This leverages the argument for legal pluralism, and by extension troubles notions of eurocentric universalisms in favour of complex but necessary pluralism within global AI governance.

### 6.2 Historicising Popular AI Governance Frameworks: The Fourth Industrial Revolution

Under the Fourth Industrial Revolution (4IR), the AI industry is estimated to produce an "additional economic output of around US$13 trillion by 2030, increasing global GDP by about 1.2 % annually" [145]. Though economic benefits may indeed accrue to certain Global South economies, these claims do not recognise longstanding exclusionary path dependencies and first-mover advantages within commercial trade, or infrastructural initiatives and partnerships.

Economic benefits of AI often fall under "hyperbolic claims that big data and the data economy are the new 'frontier of innovation,' with 'cost-effective,' 'profit-generating' properties for all" [64], and do not recognise selective enrichment, and market concentrations that the AI industry enables, resulting in a "Matthew effect" [146 ; 147], which deepens inequalities between the Global North and South, as historic inequalities "intertwine with new power asymmetries to create newer, and more drastic, degrees of exclusion" [64]. As Chan et al. [139] articulate "those best-positioned to profit from the proliferation of artificial intelligence (AI) systems are those with the most economic power".

These exclusionary path dependencies are congruent with prior industrial revolutions - the First Industrial Revolution relied on the extraction and exploitation of labour, knowledge and natural resources from European colonies, made possible by military-led efforts by Western European and consequently North American colonial administrations. Colonial regimes were maintained by unequal and racialized [148] legal, political, and economic systems which persist today. We can therefore understand modern inequalities as embedded in consecutive iterations from the First Industrial Revolution, similar to how technological advancements have been iterated upon over sequential Revolutions. Illustrative of this overlap are the aforementioned treatment of ghost workers and exposure of marginalised populations to the risks of beta-testing, features of the capitalist mode of production that maintains North-South economic asymmetries [149], and are continuous with dynamics of extraction and exploitation between ex-colonial administrations and ex-colonies [150 ; 151; 152].

It is particularly pertinent to note that both notions of Industrial Revolution and Global South are closely tied to colonial histories, and though these terms are utilised regularly by the dominant AI governance discourse, their associated histories are omitted.

## 7 CONCLUSION

Over recent decades, there has been a growing transnational discourse of technology ethics and governance integrating the needs, interests, values, and influence of the Global South actors in normative frameworks within fields of ICT, digital technology and now AI. By outlining aspects of this Global South discourse, including critical concerns neglected by the dominant AI discourse led by Global North institutions - from infrastructural and regulatory monopolies, to harms associated with the labour and material supply chains of AI technologies - we can better identify substantive gaps in current dominant AI governance processes, and bridge them with expertise from the Global South.

Despite current efforts towards inclusion of the Global South in AI governance processes , it is clear that inclusion is the first step of a long effort towards institutional reform that allows for adequate distribution of agenda-setting, decision-making, and resource power, as well as accountability. Necessary steps for governance processes are to: 1. engage in a historical-geopolitical analysis of structural inequality and the coloniality of geopolitical power asymmetries and international legal frameworks 2. co-construct roles for Global South actors to substantively engage in AI governance processes 3. identify mechanisms and protocols that mitigate "paradoxes of participation" and redress institutional power imbalances in order to meaningfully engage with underrepresented stakeholder groups. Without this, AI governance within elite institutions will continue to express a desire for globally beneficial AI without mitigating the institutional and systemic reproduction of inequality.

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