

The “Ethification” of Artificial Intelligence. Investigating the Consequences of the Institutionalization of Ethics on the European Union’s Artificial Intelligence Regulatory Framework

By Simone Casiraghi

Abstract

Since the 1990s, the European Union (EU) has sought, through “soft law” initiatives by ethics experts and dedicated advisory groups, to strike a balance between promoting innovation and respecting the pluralism of European values, as a response to value conflicts related to, e.g., biotechnologies. Today, we have been witnessing an “ethification” of Artificial Intelligence (AI) in the EU, as discourses about ethics have been proliferating in recent policy, legislative and industry-led initiatives and ethics has become institutionalized at different levels.

Through the lens of law and science and technology studies (STS), this project articulates the implications of this ethification phenomenon, focusing on three EU-based case studies, that is, research ethics committees, ethics expert groups and standardization bodies.

Given the multifaceted nature of ethics and its invocation by disparate actors across scientific, policy, and industrial domains, this thesis addresses the pressing need to delineate the scope and articulation of ethics work. More specifically, it critically evaluates its democratic legitimacy under the lens of good governance principles of accountability, transparency, and participation.

The study's findings reveal that despite the aspirations for ethics to underpin a distinctive European approach emphasizing trustworthiness and human-centricity in AI development, ethical considerations often end up taking the form of a technocratic exercise. This trend risks undermining democratic legitimacy and lacks the robust checks and balances typical of traditional technology regulation. Consequently, this thesis advocates for a recalibration—a deflation or re-politicization—of the role of ethics in the governance of AI.