

## AI “Ethics Shopping” and “Governance Shrinking” in Africa: A Critical Opinion

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**Abstract:** In this opinion piece, we provide a preliminary outlook on the continental African AI ethics-governance landscape, highlighting how the current practices across African national governments and Western-led cooperate entities might be that of “AI ethics shopping”, which ultimately led to “AI governance shrinking”. Drawing on insights across the ethics and governance landscape, this paper proposes a provisional lens through which African communities could approach, design, and domesticate AI policies and governance frameworks. It also argues, and counterintuitively, that in the purposive absence of active African participation in global AI discourses, adaptation of a bottom-up grass root outlook is the most efficient way for African states to engineer a socially appropriate ethical governance framework for AI, and one that transcends the vicious cycle of regulatory dependence and dominance. This paper suggests that one of the ways to realize this critical objective for effective AI governance is to nationalize data as it would inspire not just institutional inputs but will also drive cooperate participation (from within) in developing socially appropriate AI technologies. Also, the nationalization of data will allow for tailoring comprehensive ethical policies and strategies that could support addressing systematic social issues such as the digital divide, ethical and data privacy concerns, and the potential impact on employment which could impact ongoing efforts in AI governance activities in Africa.

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## 1. Introduction

Artificial general intelligence (AI/AGI) is not a miracle or plague, it is a collection of tools and methods that seek to mimic the cognitive mental state of humans as a mechanical thing that can be operationally represented and executed with measurable outcomes. In short, AI embodies specific human values and preferences where subjective beings are objectified as things to be commanded and used. From the classic AI literature, the common assumption is that AGI simulates the mind, consciousness, perceptions, and actions as programmable things to be developed and tested using scientific techniques for the betterment of humanity. Across AI-related literature, it is evident that the foundational premise of AI research and development is the embodiment of liberal human perspectives as a first step towards realizing the potential of a workless society and human longevity.

Equally relevant to the AI ethics-governance landscape is the recognized concern that unregulated development, deployment, and utilization of AI technologies pose potential risks to the social well-being of people and national security of nations [Schmitt, 2022]. There has been continuous strive for adopting AI technologies towards realizing the sustainable development goals [Nasir et al., 2023]. However, researchers and practitioners have raised concerns that national governments and multi-national organizations might be “ethics shopping and shrinking”; a situation where entities adopt AI ethical principles superficially as a political or business campaign strategy to avoid sustained regulation [Wagner, 2018]. To move beyond shopping and shrinking, others have advocated for a more reflective approach that extends discourses from technology perspectives to wider reflections on power dynamics, social values, and the need for public participation in formulating ethical governance frameworks for AI solutions [Floridi, 2019].

As a result of premature deindustrialization in Africa, multistakeholder efforts have been unleashed to develop regulatory frameworks that promote responsible digital innovation to drive economic prosperity. Although it is happening at a snail's speed across the continent, the landmark EU AI act signifies a comprehensive attempt to regulate the use of a rapidly evolving technology that has wide-ranging societal and economic implications. On the African continent, regional approaches to AI ethics governance tends to follow the former with various efforts where regulatory frameworks and policies have been identified across Mauritius, Egypt, Rwanda, and South Africa for example [Wakunuma et al., 2022].

Even with the positive strive towards AI readiness in Africa, such efforts might be characterized as exhibiting attributes of mimicry of the master narrative: the stereotype of Africa catching up, which tends only to control and regulate technology designs, and not amplify and strengthen the need for social participation in ethical governance of AI. Therefore, this opinion piece provides a preliminary outlook on the continental African AI ethics-governance landscape, highlighting how

the practices across national governments and Western-led cooperate entities might be that of “AI ethics shopping”, which ultimately led to “AI governance shrinking” [Floridi, 2019]. Drawing on insights across the ethics and governance landscape, we propose a provisional lens through which African communities could approach and domesticate AI policies and governance frameworks. Admittedly, mirroring frameworks from Eurocentric nations raises questions about whether this is the optimal way to develop and implement a uniquely African approach to AI research and development. Nonetheless, we argue, and counterintuitively, that in the purposive absence of active African participation in global AI discourses, adaptation of a bottom-up grass root outlook is the most efficient way for African states to engineer a socially appropriate ethical governance framework for AI, and one that transcends the vicious cycle of regulatory dependence and dominance.

## **2. The Global AI Dilemma: From Out of Control to Up for Alignment**

With AI as an emerging technology, researchers and practitioners have directed attention towards the rhetoric’s informing and shaping AI narratives globally. As the frontier AI is driven by both the public and private sectors, one has to account for the power relations underpinning its research, development and adaptation in critical sectors of the global economy e.g. justice system, finance, healthcare, defense and so on. This has led to a series of visions and projections as to what a good AI society will look like and how the prosperity of all can be ensured and guaranteed [Cath et al., 2018; Wamba et al., 2021]. The requirements for a good AI society has gained a strong interdisciplinary basis as some researchers have established the need for going beyond absolutist values by embracing pluralism in policy and regulatory operationalization [Hadfield-Menell et al., 2019; Christian, 2020] even when there is limited synergy in the visions of what a good AI for all might be across key nations and industry leaders. From recent developments across the USA/EU/UK/China, it is evident that there is limited synergy in the visions of what a good AI society should look like, how those provisional visions can be operationalized and scaled, and more importantly, how the AI control, alignment, and shut down debate could inform research and development of AI for the common good.

Even where there is an analogy between the AI "control problem" [Bostrom, 2017] and the wave of AI “alignment problems” [Christian, 2020], the central argument across the literature is concerned with understanding how to design and deploy human-friendly AI agents based on universal human values. This ambition can be attributed to Westernization and Globalization ideals that have sought to design and adopt technology (via whatever means and shortcuts) to improve the conditions of social life. Often, there is an over-inflated expectation around applied AI researchers and practitioners for the so-called AGI to lead to a workless society premise on untamed happiness and longevity. Such an outlook could be attributed to the techno-optimism culture that has shaped the global cooperation-led technology section. For others, the “moral

questions about the deployment of AI amount to an esoteric doctrine, a matter of trolley dilemmas and advanced mathematics, to be delegated to specialists and engineers and solved by technical adjustments, rather than a matter of monopolistic powers which should be addressed by legal tools” [Tafari, 2022 p.2].

Even the landmarked EU AI Act that set out a global benchmark for the regulation of AI is premised on a risk-based approach to global governance and partnership. It is through global platforms such as the global partnership in AI (GPAI) and the global governance of AI forum (GGAF) that we’ve begun to foresee pathways for transnational cooperation that goes beyond absolutism and embraces pluralism. Even with the above, the global landscape of governments, private sectors, and non-profit actors towards common AI societies are largely Eurocentric. For example, the UK/EU pathway seeks to promote individual values using the risk-based approach to develop ethical and legal frameworks for regulation. The emphasis is to engage AI towards improving economic outcomes while minimizing social disruption [Cath et al., 2018]. The USA route is premised on the need for global dominance and national competition via a recycling approach that espouses empowering positive liberty of people and entities with limited regulatory overarch and extended innovation [Montasari, 2023]. The Chinese nationalist outlook on AI adopts the connectivity approach similar to the Belt and Road initiatives to expand existing markets, gain global competitiveness and drive economic and social development [Roberts et al., 2021]. This begs the question: Are there concrete visions for a continental African AI society that can be implemented and operationalized to ensure minimal risk and maximal benefit for the common man and the public? Our position is that of negation, and perhaps, this is evidenced by the summers of AI principles and guidance’s that are merely distractions, business as usual.

Therefore, in these provisional notes, we reflect on how the spring of AI regulation and policies in Africa is merely a mimicry exercise with little substantial geopolitical and transnational utility to direct global governance towards sustainable development. We identify how mimicry, as a resistance strategy for interrogating normative standards, could be adopted to outline new modes of conversations and partnerships on using AI for the common and public good. Just as parrots mimic their master as a mockery, the African AI mimicry outlook could be seen as a purposeful camouflage towards revealing the un-sustainability and un-sustainment of Eurocentric models where often African nations alike are continuously coursed to seek legitimacy and relevance by rising up or catching up to Western values. This way, our short analysis might be considered as presenting mimicry as a discursive operation of power where the inconsistency in AI potentialities and actualities require radical proposals that transcend the Western one-world worldview.

We also argue that relying on the rhetoric of the race to the top - for both the USA and China and Microsoft and Google - distracts from the bigger picture of artificial intelligence as a collection of epistemic tools that embodies the dominant values of society [Wright, 2018; Barnes & Chin, 2018; Harari, 2019]. The AI race narrative, just like the European development race via colonialism, has a profound and prolong impact on the future of Africa, and unfortunately, Africa is behind the starting line. The new digital scramble, and the dark age indeed [Chinganga, 2023].

### **3. The AI Governance in Africa: From Scramble to Ramble**

The emergent interest in the adoption and utilization of AI in Africa is conspicuous as AI technologies have been applied to distinct sectors such as healthcare, agriculture, and financial services among others. Initiative such as the global partnership on AI (GPAI) has furnish new directions on the global landscape of AI governance (see. [Schmitt, 2022]). However, it is pertinent to state that the unique socio-economic, cultural, and technological specificities of Africa call for specialized approaches to developing and implementing AI governance frameworks, policies and ethical guidelines that would supports Africa's unique challenges and maximize her opportunities. While many African governments are lagging, fewer others have taken the bold steps to establish national AI policies, ethical guidelines, and regulatory frameworks for AI governance.

For instance, Mauritius led the way to launch Africa's first AI strategy in 2018, with the aim to identify priority projects that are AI-enabled in the various sectors of our economy, skill attraction/capacity building for efficient and effective adoption, incentives to catalyze implementation and adoption of new technologies for improved public services delivery to support AI implementation<sup>1</sup>. In 2019, Egypt launched their national AI strategy to exploit AI technologies to support the achievement of Egypt's sustainable development goals, to the benefit of all Egyptians. Also, the Egyptian government aimed to play a key role in facilitating regional cooperation within the African and Arab regions and establish Egypt as an active international player in AI<sup>2</sup>. Reports also reveal that Nigeria has recently drafted their AI strategy document with a view to maximize the potentials of AI to drive development in various areas of the economy<sup>3</sup>.

Furthermore, according to Organization for Economic Co-operation and Development (OECD.AI) policy observatory 2022<sup>4</sup>, countries such as Uganda, Tunisia, South Africa, Morocco, Rwanda, Kenya, Ethiopia, and Algeria has also come up with policies, although not strictly about AI but includes emerging technologies in the Fourth Industrial Revolution. These policies aimed to

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<sup>1</sup> <https://ncb.govmu.org/ncb/strategicplans/MauritiusAIStrategy2018.pdf>

<sup>2</sup> [https://mcit.gov.eg/Upcont/Documents/Publications\\_672021000\\_Egypt-National-AI-Strategy-English.pdf](https://mcit.gov.eg/Upcont/Documents/Publications_672021000_Egypt-National-AI-Strategy-English.pdf)

<sup>3</sup> <https://sciencenigeria.com/fg-finalises-policy-on-ai-commends-volunteers-for-contributions/>

<sup>4</sup> <https://oecd.ai/en/>

facilitate the design, testing and refinement of governance protocols and frameworks to maximize the social benefits and minimize the risks of advanced science and technologies in the society. Apart from national efforts from fewer countries in Africa, the African Union (AU) as a regional body has also completed the drafting of regional AI strategy for the continent and plans to launch it in January 2024 [Alayande and Falajiki, 2023]. This strategy and other similar initiatives such as Smart Africa aim to ensure that Africa plays active roles in the evolving global AI and data governance discourses.

A critical analysis of Africa's national and regional efforts reveals a reactionary attempt to AI governance actions and activities in the West and not a bottom-up approach. Many African nations rely on handouts from the EU/UK/Canada and big tech philanthropy (cooperation's and businesses), a good example is the UK AI summit. We believe that the practices of mimicry and handouts are grossly unsustainable and has the potential to perpetuate data/digital colonization in Africa [Birhane, 2020] via ethics shopping and governance shrinking.

Two global positions inform the AI ethics narrative. First, the ethical AI strand is concerned with integrating ethics into AI narratives as a computational endeavor where algorithms or instructions embody well established ethical principles in computation syntax. In this position, ethical AI is not isolated from ethical principles and technological practices, Second, the AI ethics strand is concerned with designing and evaluating machine agents to be ethical in their computational processes and outcomes using ethical syntax to be applied within a formalized system of thinking. What is evident within the turn to ethics and governances of AI is that both positions present epistemic and normative concerns where unfair outcomes such as bias and discrimination are explored, and the transferable effect of the deployment of AI such as exclusion or prosecution anticipated and rectified. This begs the question; are ethical principles useful enough 'architectures' to drive sustainable development? Munn answers to the negation [Munn, 2023].

For Floridi [2019], AI ethics shopping, blue washing, and lobbying are systematic distractive appeals where principles and values are mixed matched to justify specific political or market positions as posteriori. This is further supported by a meta-analysis that showed how the calls for diversity "in the ethics market" is merely lobbying of specific ideals by re-wording of vocabulary rather than transformation of the community of practices [Floridi et al., 2018]. This led Tafani to argue at length that "AI ethics narratives are based on imposture and mystification: on a false narrative", which "in absence of AGI, algorithmic fairness and value alignment cannot be anything more than cargo cult ethics and ethics washing, i.e. a tool of distraction to avoid legal regulation"...but more so, "a mystification whereby public issues of structural injustice, whose solution would be very costly for tech giants, are substituted by science fiction, and law is replaced with industry self-regulation, turning concrete issues into abstract and empty

statements, collective issues into individual duties, and political issues into technical ones” [Tafari, 2022 p.2]. This is making a strong case for the need for well-established ethical standards that transcend the cottage industry like culture of importing principles to justify current industry standings as posterior.

Furthermore, Floridi [2019] noted how AI governance dumping and shrinking are destructive tactics used in ambiguous and less enforceable context e.g. healthcare-related tobacco space. This is a common practice across the global south and north where unethical concepts and products are developed in more affluent states and tested in developed nations. Both destructive practices are concern with “exporting research activities about digital processes, products, services, or other solutions, in other contexts or places (e.g. by European organizations outside the EU) in ways that would be ethically unacceptable in the context or place of origin and (b) importing the outcomes of such unethical research activities”..... “actors are more likely to engage in ethics dumping and shrinking in contexts where disadvantage populations, weaker institutions, legal uncertainties, corrupted regimes, unfair power distributions, and other economic, legal, political, or social ills prevail” [Floridi, 2019 p.190-191]. In short, this is an example of global double stand.

From our brief reflection, it is evident that the unintended consequence of ethics shopping and governance shrinking in the African context is the unsustainable assumption around the present and future potential benefits of AI domestication in critical sectors of the economy. This is premised on precepts of valuable common considerations. The point to be made here is this: we’ve seen a wide spread of public relations stunt were the call for more partnership and advisory groups across the digital divide is amplified. However, the global power imbalance denotes how those abstraction initiatives – with their prolonged legal interpretation and slow effective enforcement - are merely to address the symptoms and not core issues surrounding AI as a phenomenon. In short, shopping and lobbying for ethics as an alternative to juristic legislation and sustained regulation is unfounded. Dumping and shrinking destructive governance mechanism in less economically affluent communities is misguided.

As we live in a highly unequal world, AI development and deployment will be unequally divided. As large percentage of the African countries do not have the capacity to develop AI systems at scale - due to infrastructure, manpower, and geopolitical issues - their move towards governance is merely a makeover for demonstrating willingness to be part of the global narrative. If African nations desires to institutionalize AI governance, the first and critical step should be to nationalize data. As a 21st century kind of crude oil, data is a critical resource and a currency in the evolving global AI-driven discourses. Nationalizing data makes it readily available for essential purposes. This is critical and has the capacity to inspire not just institutional inputs but will also drive

cooperate participation (from within) in developing socially appropriate AI technologies. Also, nationalization of data will allow for tailoring comprehensive ethical policies and strategies that could support in addressing systematic social issues such as digital divide, ethical and data privacy concerns, and the potential impact on employment which could impact on ongoing efforts in AI governance activities in Africa. Data sovereignty is key [Hummel et al., 2021], and perhaps the central point of this position paper.

#### **4. Conclusion**

To conclude, we relied on decolonial theorist Frantz Fanon for action-oriented inspirations towards achieving a continent-wide data sovereignty. In “Wretched of the Earth”, Fanon went at length to call for action across the African continent:

"COME, then, comrades, it would be as well to decide at once to change our ways. We must shake off the heavy darkness in which we were plunged and leave it behind. The new day, which is already at hand must find us firms, prudent and resolute. So, my brother's, how is it that we do not understand that we have better things to do than to follow that same Europe? That same Europe where they were never done talking of Man, and where they never stopped proclaiming that they were only anxious for the welfare of Man: today we know what suffering humanity has paid for every one of their triumphs of the mind.

COME, then, comrades, the European game has finally ended; we must find something different. We today can do everything so long we do not imitate Europe, so long we are not obsessed by the desire to catch up with Europe. Comrades, have we not other work to do than to create a third Europe? The West saw itself as a spiritual adventure. Today, we are present at the stasis of Europe. Comrades let us flee from this motionless movement where gradually dialectic is changing into the logic of equilibrium. Let us reconsider the question of mankind. Let us reconsider the question of cerebral reality and of the cerebral mass of all humanity, whose connexions must be increased, whose channel must be diversified and whose message must be re-humanized.

COME, brothers, we have far too much work to do for us to play the game of rear-guard. Europe has done what she set out to do and, on the whole, she has done it well; lets us stop blaming her but lets us say to her firmly that she should not make such a song and dance about it. We have no more to fear; so, let us stop envying her. So, comrade, let us not pay tribute to Europe by creating states, institutions, and societies which draw their inspiration from her. If we want to turn Africa into a new Europe, and America into a new Europe, then let's leave the destiny of our countries to Europeans. They will know how to do it better than the most gifted among us. But if we want to advance a step farther, if we want to bring it up to a different level than that which



Europe has shown it, then we must invest, and we must make discoveries. For Europe, for ourselves and for humanity, comrades, we must turn over a new leaf, we must work out new concepts, and try to set afoot a new man" [Fanon, 1963 p.251-255].

The quasi-political statements above are not meant to show forceful intimidation or invitation, they are instead calling for changes that can challenge and articulate current and emerging choices in/from Africa. Be sincere colleagues, would one prefer the sustainment of present negotiation in Africa or the prevention of future one? It is evident from the AI control and alignment literature that the techno-optimism vision of future technologies perpetuates a recycling of the asymmetries of mythological imaginaries. It also suggests how techno-cultures reify global inequalities that obscure the possibilities of the proximate (and projected) future that drastically departs from the injustice of present. The past and future are unequally divided, we hope to inspire new thinking about the present, with or without artificial intelligence.

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