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Master Thesis

The EU as a Normative Power in the field of artificial intelligence?
Challenges and concepts in the governance and regulation of digital technologies using the example of the EU and its human-centred approach to AI.

European Studies (M.Sc.) | Comparative Public Governance (M.A.)
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Submission: 22.01.2021
Word count: 23.186

Abstract

Artificial intelligence (AI) is considered to trigger substantial socio-economic changes. It is thus well-established that the regulation and governance of this technology are crucial but challenging for policymakers and involved stakeholders. This thesis aims to determine the normativity of the European Union, with regard to its AI-strategy. Specifically, the Normative Power Europe theory is applied to the EU's approach of promoting a human-centric approach to AI. In this context, "normativity" is defined alongside the normative intent, -process and -impact. To assess the EU as normative power in the field of AI, a latent qualitative content analysis was applied to a 38-item text-based dataset. The result showed that, albeit with some limitations, the EU's approach and its execution can be considered as normative. The results suggest an alternative, human-centred AI-regime can be established, when using the EU's normative approach as a blueprint. However, the thesis identified considerable flaws and inconsistencies in the overall AI-strategy, laid out by the EU, confirming the novelty of this regulatory approach.

Keywords: Artificial intelligence, European Union, Normative Power Europe, qualitative content analysis, AI-governance

“Humans were always far better at inventing tools than using them wisely.”
– Yuval Noah Harari

List of abbreviations

AI	Artificial Intelligence
AI HLEG	High-level Expert Group on Artificial Intelligence
China	People's Republic of China
CSDP	Common Security and Defence Policy
CFR	Charter of Fundamental Rights of the European Union
CPE	Civilian Power Europe
COE	Council of Europe
CEU	Council of the European Union
EU	European Union
EC	European Community
GDPR	General Data Protection Regulation
ML	Machine Learning
NPE	Normative Power Europe
TEU	Treaty on European Union
TFEU	Treaty on the Functioning of the European Union
U.S.	United States of America

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1. Introduction

The undeniable uprise of artificial intelligence (AI) has already triggered far-reaching effects. While those are not yet necessarily of socio-economic nature, governments around the world are apprehensive and adjust their technological agendas. Maleficent AI could potentially be used to influence people's attitude towards certain (e.g. political) issues, as it could be seen during the *Facebook-Cambridge-Analytica* scandal (Shastri, 2019). Intentional opacity practices, the way organizations and companies collect, and process personal data of their consumers certainly leads to power-asymmetries between citizens and processing entities (Giannopoulou, 2020). The palpable misalignment between AI development and a regulatory framework is nurturing the gap between citizens and AI-systems.

Governments have increasingly come to share the conviction that the effects of AI on society, economy and politics can be erratic (Franke & Sartori, 2019), which entails a set of complex challenges. Policymakers around the globe seek to prepare their economies, societies and public institutions for the expected disruption and follow rather different concepts to meet their goals. The EU set itself two seemingly contradicting priorities for AI. One being the aspiration to become a global leader in AI and the other being to eliminate risks for society that might arise alongside the development and deployment of AI systems, while putting the human "in the loop" (Berger, 2018). With the *Communication on Artificial Intelligence* (2018), the *Ethics Guidelines for Trustworthy AI* (2019) and the *White Paper On Artificial Intelligence* (2020), the EU provided three pillars that contribute towards an alternative future of AI, compared to the current leaders in the field of AI; China, Russia and the United States. And yet, what exactly does the EU's alternative to AI look like and does it satisfy the widely acknowledged image of the EU as a normative power?

This thesis concentrates on two main issues. Firstly, it inspects the EU's stance towards AI, as it is represented in its wider AI-strategy. Does the proposed pathway for the future of European AI confirm the EU's role as a normative power? Therefor the thesis will conduct a qualitative content analysis (QDCA), dissecting the concept alongside various dimensions. Secondly, by portraying the EU in the context of its putative normative approach, it shall set an example for the general complexity of governing AI in the 21st century. The development and deployment of AI-systems is an issue of global importance. The EU, as lighthouse for human-centric AI, poses a great chance for its citizens and an alcove for an alternative AI-industry. Can the proposed AI-strategy, however, function as a governmental-blueprint for other actors in the international arena to confirm the role of the EU as a *Normative Power*? The following thesis attempts to answer questions concerned with the European Sonderweg in the AI-debate by applying the *Normative Power Europe* theory. The analysis will therefore have an analytic EU-internal view to assess the actual existence as well as the chances of an alternative, circumspect AI-approach in the rather pluralistic tech-landscape of the EU. The following subsection shall therefor further introduce the reader to the specific values of the EU in the context of technology.

1.1 European values in the context of technology

As it can be seen in various different national AI-strategies around the globe, the concept of AI, including its benefits and threats, is addressed with rather different approaches. Certainly, the relationship between technology and national identities is closely associated with cultural, political and historical features of every country, which is what makes AI-strategies a matter of highly contextual nature (Csernatoni, 2019; Giannopoulou, 2020). China has begun to construct a digital authoritarian state by using surveillance and machine learning tools to control restive populations (Pokorny, 2019), and by creating what it calls a "social credit system" (Batke & Ohlberg, 2020; de Jong et al., 2019; Wright, 2018).. The U.S., on the other hand, has a more corporate approach and tailors its AI-development – which is heavily dependent on data access – for the private sector. The Trump administration (2017-2021) has made AI a priority in national research agendas, leaving a wide set of opportunities for American tech companies (de Jong, 2019). Despite the ongoing discussions about the role of AI and its influence on public and political debates in the recent past (see *Cambridge Analytica, NSA*), the U.S.-mentality towards data protection and regulation (also referred to as *Californian Ideology*: Barbrook, 1996) can still be considered liberal (Lee, 2018), keeping the government's influence rather moderate. The antitrust hearings of the "big four" in 2020 have, however, challenged this mentality of liberalism towards data privacy and ignited a fervid debate about the influence of tech-companies (Feld et al., 2018). Compared to China, the United States' stance towards AI is hence to be seen differentiated as the public opinion experienced a major shift towards scepticism, while upholding liberal values as studies show (Daly, 2020). Furthermore, the rising public awareness and the powerful companies create a complex stakeholder-landscape, which potentially depicted an influence for the EU in its composition of an AI-strategy.

Unlike China and the U.S, the EU seems to have a different understanding of and approach *to* AI, which is based on the weight of its history and how societies must protect themselves against misinformation, surveillance and the spread of ideas that dehumanize others (Pichot, 2019). Hence, the EU is framing AI alongside a set of fundamental rights of ethical, legal and democratic nature, as it can be seen, for instance, in the *Ethics Guidelines for Trustworthy AI*, provided by the AI HLEG (2019). While this is just an example not indicating any coherence in the EU's AI-strategy, it certainly does illustrate a commitment to some values that are enshrined in EU law. The EU treaties as well as the EU charter of Fundamental Rights (CFR) address a number of themes, which could potentially be contested by AI. At the same time the EU seeks to not only uphold certain norms, but also convey them (Emanuel Macron, 2018). What norms exactly are central to the EU's AI strategy is, however, yet to be identified (see *Chapter 1.2*). In combination with the aforementioned historic context (Manners, 2002) and the hybrid polity of the EU (Diez, 2005) this constitutes a somewhat "complicated" relationship to technology. Hence, it is crucial to shed light on political tools and narratives, utilised in the European AI-strategy.

The problematic relationship between technology and the EU is, however, two-dimensional and does not only rely on historic predispositions and derived values. Particularly in the field of digitalization and AI, the contextuality of each EU-member state becomes visible. While Estonia is far ahead with the process of digitalizing its government and connected public services, Germany – despite major financial investments (Franke, 2020) – lags behind in terms of fundamental technology infrastructure (Kersting, 2019). This furthermore explains the significant differences in national AI-strategies of EU-

member states (Moltzau, 2019). Thus, the EU is confronted with the task to find a compromise between diverging and maybe disruptive national strategies in the European AI-landscape and becoming a global leader in ethical AI, based on European values. As a regulatory powerhouse (Csernatoni, 2019; p. 8), the EU is one of the first actors that attempts to regulate AI, potentially setting an example for other states to follow. The human-centric approach is certainly motivated by historic predispositions and norms and clearly differs from the concepts that have been established by other leading actors in the field (U.S., China and Russia) and thus comes with a number of yet unforeseeable obstacles for policymakers. The following section will emphasize the relevance of this thesis with regard to the aforementioned complexities in the European realm of technology. It will locate this issue in the wider academic discourse and identify the scientific void in the field of global and European AI-governance models.

1.2 Relevance of the thesis and thematic classification

To begin with, including perspectives from the humanities and social sciences will be a key factor in the future of AI development and deployment (James & Midford, 2019). It shifts the focus away from the question on how things should be built to the questions of what and *why* to build things (Berridge, 2018). Despite the often criticised politicisation of AI, it is undeniable that a non-technical examination of AI is crucial for the societal harmony of future generations (Csernatoni, 2019).

A look at the data set (*See Appendices*) and the dates of publication, underlines the novelty of politics in association with AI. Surely, previous research has explored this very relation extensively. Fast (2020), for instance, questioned people's capacity and psychological motivation to take meaningful action against the systemic surveillance through algorithms, claiming that the psychology of privacy is changing. This would ultimately change the role of governments as people don't protect their privacy anymore, thus becoming a responsibility of political institutions. This leaves the question whether it is possible to create an inclusive AI-landscape, in which all stakeholders have an equally strong influence on the development of AI-policies, as the technology itself is supremely complex. With regard to the present case, one could specifically ask for the role that citizens play in the policy-making process. Equally important is the critical examination of the role that is attributed to the public sector, which has been done on a national level for Germany (Kersting & Graubner, 2020). A stakeholder analysis of the EU's AI-strategy is crucial to shed light on the underlying dynamics, which fuel European ambitions. Stix (2019), Dafoe (2018) or Vesnic-Alujevic (2020) conducted related studies, although without examining the actual role that is attributed to the different stakeholders.

Bellanova (2017) chose a critical approach to the politics of data protection to counter surveillance, very much like Giannopoulou (2020), who identified a misalignment between algorithmic processing and a regulatory framework. The article extensively discusses the adaption of the EU legal framework and the GDPR explicitly. Based on *contextual theory,* Bellanova (2017) summarizes that the post-GDPR era has illustrated how data protection rules remain challenged by the constantly evolving technology and the "data society" around it (p. 340). The *Centre for Governance of AI* (e.g. Dafoe, 2018), which is part of the Future of Humanity Institute (University of Oxford), is working on AI-policies and regulations. This is worth mentioning, since their broad research agenda includes an attempt to conceptualize the "ideal AI governance" as well. Although these scholars extensively discussed the EU regulatory framework and its implications the

central narratives and *visions* that are conveyed by this framework are not addressed. This, however, is essential as it contributes to an understanding of how the EU seeks to realise its strategy and what latent political instruments it seems to utilise. Franke & Sartori (2019), for instance, identified *EU cooperation* to be a central narrative, based on a member state case-study. This thesis will conduct a more comprehensive analysis in order to contest the findings of Franke & Sartori (2019). Regardless of the performance of the European strategy, the regulatory "toolbox" of the EU could set an example for other states that seek to realise similar visions.

Unlike Parviala (2019), the research of Franke & Sartori (2019) does not consider the EU as a central actor in the field of AI and assesses its international role. By applying the *role theory*, Parviala (2019) seeks to identify the EU's true motivation, that is driving it in its AI-aspirations. The paper identified patterns of soft and normative power. The data selection as well as the methodological procedure, however, lack in their depth and detailedness. Furthermore, the article does only briefly address the actual values that are conveyed by the AI-strategy. In order to assess the normativity of the EU and the key actors, norms need to be considered as central elements of analysis. Generally, the current academic discourse about the governance of AI and different approaches to it, is dominated by case-studies which observe AI-strategies on national level (Dutton, 2018; Franke & Sartori, 2019; Ossewaarde & Gulenç, 2020), rather than examining the EU as a supranational, normative actor. This leaves the question of potential systemic challenges, the EU will face in the future, unanswered. Idealisations, misperceptions and incoherent approaches to AI might pose an even bigger impediment for governing institutions than materialistic circumstances like financing or digital infrastructure (Ossewaarde & Gulenç, 2020).

Combined, this leaves a scientific gap for the present research and furthermore underlines its relevance. The conducted data set is – with regard to previous research on this issue (Parviala, 2019; Stix, 2019) – comparatively large (*See* Chapter 3.3) and hence attempts a more comprehensive overview. Moreover, this thesis assumes the role of the EU to be normative, shifting the focus away from the role-debate itself, to the self-proclaimed normative power-role (Manners, 2002; Pace, 2011; Sjursen, 2006). By analysing a majority of the documents published by the EU regarding its AI-strategy, this thesis also paints a more detailed picture than previous research in this field. Surely there have been discourse analyses (Berger, 2018; Humerick, 2018; Sharma, 2019; Stix, 2018, 2019), aiming to understand the relation between an AI-driven future and the EU's aspiration to become a powerful but safe and ethical actor in this "race". This thesis will build upon the existing research and apply the *Normative Power Europe* theory to the question of how and why the EU wants to act, and ultimately achieve the communicated goals in AI.

1.3 Research questions

The research questions, which depict the basis this thesis, can be derived from the void that has been left by previous research that dealt with EU core values in AI-politics. In fact, the research field of AI-politics is, compared to other domains, relatively new, which somewhat explains this void. Therefore, it is first of all important to outline the concept of the EU. Surely, the three aforementioned key documents characterize the concept to a certain extent. However, this research included a more extensive qualitative content analysis, painting a more detailed picture of the outlined AI-concept. Hence, the

first sub-research question will be of descriptive nature, eventually contributing to answer the main research question of this thesis:

SRQ1: What key actors can be identified in the AI strategy, proposed by the European Union?

SRQ2: *How does the European Union envisage AI in its AI strategy?*

By applying a qualitative content data and content analysis (QDCA) the thesis will identify central actors and their interrelation. The dataset is utilised to detect overlapping codes as well as repeating political visions and narratives. From sketching the European AI landscape, this thesis will derive an overview of who might be the driving force behind the ambitions to push forward an alternative approach to AI and who might be left behind in the debate. At the same time the second sub-research question seeks to better understand the approach itself. The previously established stakeholder map will be helpful to characterize the EU's vision on AI, as different dominant actors, have different influences, that will be made visible through the data analysis.

It is likewise important to emphasize what norms are transported with the aforementioned concept as it ultimately shows the true intentions of the EU. Do these norms contribute to a human-centric AI and ultimately confirm the EU as a normative power? Can these norms actually be applied to technology? Does the EU transport norms after all? There could be many pending subsequent questions that would contribute to this thesis. The following, however, is fundamental to the overarching goal of this thesis as it seeks to identify potential norms and evaluate their relation to EU-core norms, as they are communicated and promoted by the institutions and the treaties. The following shall therefore function as the second sub-research question:

SRQ3: What norms do EU-institutions convey with the EU's concept of artificial intelligence?

As norms are usually conveyed subliminally, it is important to conduct a detailed latent analysis of the present content. A simple keyword search, for instance, would not sufficiently uncover normative patterns. The fourth and last sub-research question has the aim to lay out the main challenges that the EU will face in its mission to establish a concept of AI, which represents an alternative to existing approaches. These challenges could be homemade and result from incoherencies in the bigger picture that is analysed in the dataset. They may also be grounded in a lack of feasibility or societal, economic and political dynamics. With this research question the thesis furthermore seeks to provide a case for what other institutional bodies might be confronted with in the wake of digitalization. Certainly, the EU is unique in its construction and given competencies, though similar societal, political and economic changes will be triggered by AI elsewhere, too.

SRQ4: What obstacles might affect the European Union in the implementation process of its AI-concept?

Ultimately, the four sub-research questions shall contribute to the process of achieving an answer to the main, overarching research question. Is the EU acting in a

normative manner? Is its AI-strategy coherent or rather applying double-standards? The final analysis will show whether the self-proclaimed attributes hold to be valid. Furthermore, a detailed characterization of a normative power and thus a "normative way" will set the criteria, necessary to answer the research question.

RQ: To what extent is the EU acting in a normative way, with regard to its AI-strategy?

The methodological approach that was utilised for this thesis shall find correlations, co-occurrences and patterns in how the EU approaches AI and consequently assess its normativity in this regard. Furthermore, it could reveal incoherencies and differences in communication in between the different documents.

1.4 Outline

The above section introduced the reader to the wider thematic framework. More importantly however, it portrayed the association between a seemingly totally technological field and political science. The lack of research that has been done in this field, combined with the formulated research questions, constitutes the relevance of the thesis. This relevance seeks to be confirmed in the second half of this thesis. By elaborating on the *Normative Power Theory*, the reader will be introduced to the fundamental theoretical concept as well as ideas of how to conceptualize it. In several sub-chapters, the reader will be provided with a robust framework that approaches normative power with a top-down-perspective, starting with the broad array of theories that explore the role of the EU in international politics. Locating Manners' (2002) ideas in this field will lead to a characterization of a normative power, followed by objections to this concept. The debate triggered a progress that led to different operationalizations, which will be utilized for this thesis. Naturally, the subsequent chapters will explain the methodological procedure that was constructed to best answer the research questions. The analysis chapter will mainly focus on the findings, retrieved from the document analysis. Key issues that have been identified during the process of coding will then represent the different subchapters. Ultimately, these phenomena and the understanding of such, will contribute to answer the initial research questions. The conclusion will include a discussion and an outlook for future research, in order to wrap up this thesis.

2. Theoretical Framework

2.1 Introduction

„Europe has a responsibility and a role vis-à-vis China and the US, because our vision, our DNA, in terms of the relationship between freedom, justice, fairness and individual rights, is unique. You can only find this balance of values in Europe.“ (Emanuel Macron, 2018). Regarding its values, the EU has a certain self-understanding and often perceives itself as a force for good, equipped with characteristics to shape “what is normal” (Manners, 2002) in a global and regional perspective. In order to answer the research questions, posed at the outset of this thesis, the following section shall elaborate on different concepts of AI as well their evolution over time. The theory of Normative Power Europe (NPE), as it was presented in Manners seminal work in 2002 will then be presented to provide the theoretical framework for this thesis. Therefor it is necessary to present previous research and paint a bigger theoretical picture that gives context and understanding of predecessors to NPE. Surely, modern assumptions of the EU’s international and regional role were exposed to objections from academia. In fact, Manners ignited an international debate, revolving around the question of what actually distinguishes a normative power. With the arguments of pundits in mind, the two remaining sub-sections of this chapter will attempt to characterize a normative power and what a “normative way” of action should look like, according to the literature. This will then be applied to the existing technological agenda, formulated by the EU using concepts of normative intent, normative process and normative impact (Niemann & De Wekker, 2010).

2.2 Conceptions and evolution of AI

Before the theoretical concepts are presented, the following section shall provide the reader with some necessary background information about the emerging field of artificial intelligence. Given the fact that this thesis is located in the field of political science the definition as well as the historical context will be brief and lack in their profoundness. Hence, the following section will be a rather crude oversimplification of what AI is capable of doing and where it stems from. As the analysed EU-documents approached AI in a similar, simplified way, the present thesis will do the same and focus on the normative implications of advanced AI technology. In fact, it is difficult to define AI and its different embodiments, as it has been problematic to agree on a definition of *intelligence* itself (Carriço, 2018). The overarching goal of this chapter is hence not to define all fields of application in a comprehensive and detailed manner, but still provide enough information to make distinct connections to the EU’s political strategy.

As with many other inventions that eventually triggered technological paradigm shifts and thus major leaps in society, AI found its origin in the military. At the outset of the Cold War, in the 1950s, the U.S. and the USSR began to heavily invest into research and development of their aerospace and surveillance sectors. The U.S. developed a strong research infrastructure in the Californian Bay Area, fueled by heavy investments (Pichot, 2019). The goal-oriented investment agenda led to inventions like the semiconductor and a number of companies to build them, which made the foundation of a personal computing revolution we are still experiencing today (Pichot, 2019, p. 5). The first reference of the term “artificial intelligence” can be dated back to this time, when McCarthy (1959) held the first seminar on the subject and labelling it as AI. The idea to “amplify people’s own

knowledge and understanding" with the help of electronic systems, occurred even earlier (Bush, 1945). The Bay Area – known today as Silicon Valley – consequently became a science hub and today is home to the four largest tech companies, Google, Apple, Facebook and Amazon (sometimes referred to as "GAFA"). The development of AI and a respective branch in the industry, however, was faltering at times. The literature (e.g. Smith et al., 2006) refers to this era of stagnation as "AI Winter" – a period in which scientific and commercial activity drastically declined, due to cuts in government spending. Lee (2018) describes the evolution, from early ideas and definitions, over the AI-winter, towards modern AI in four waves. The first wave, described as *Internet AI*, has been around since the 1990s. The majority of AI engines was used to recommend and suggest content to internet users, based on their own data that was fed to algorithms. It leveraged the labelling of internet users' data and peaked in 2012 (p. 107). *Business AI* (2nd wave) was shaped by correlations. Companies like IBM started to mine databases for such hidden correlations, that were then used to consult humans that would not find these correlations. IBM's *Watson* (e.g. used in healthcare) is only one of many examples that entered the market in the earls 2000s. Hence, the first wave somewhat constituted the second as companies were already labelling their data for decades. Insurance companies could then use AI to visualize hidden correlations within their massive datasets and reappraise seemingly insignificant variables (p.111). The third wave gave AI eyes and ears. It digitalized the physical world through sensors and smart devices. Facial and voice recognition did not only revolutionize the way we interact with smartphones. It also amplified the vulnerability of digital privacy, since *perceiving AI*-devices are in everyone's pocket. *Perceiving-AI* is gaining ground since the early 2010s and brought AI on many political agendas, given the potential peril to human rights like equality, respect for privacy or anti-discrimination.

The late 2010s mark a transition period from the third to the fourth wave, which Lee (2018) labels as *Autonomous AI*. It integrates and culminates the first three waves and paves the way for AI-engines that are capable of making autonomous decisions. Tech companies developed initial approaches already and political agendas are seeking to adapt, also with regard to the somewhat asymmetric pace of development. But the evolution of AI also illustrates the broad field of applications and the numerous definitions that could be derived from them. Essentially, AI seeks to make computers function like human minds and be capable to do things a mind could do (Boden, 2016). Frankish (2014) understands AI as an interdisciplinary approach to understanding, modelling and replicating intelligence and cognitive processes by invoking various computational, mathematical, logical, mechanical and even biological principles and devices. Generally speaking, scholars still lack clarity when it comes the conceptualization of AI. Roff (2019) remarks that there is no agreement on what to include and exclude in the field of AI which makes the concept hard to grasp and the benefits or threats hard to estimate, let alone eliminate. She concludes that this also applies to the definition of AI governance, since it includes hard laws, professional standards and norms it requires a finer-grained level of detail than currently present (Roff, 2019, p. 133). The EU chose an approach that, to a certain extent, builds upon the scholars discussed above: "Artificial Intelligence refers to systems that display intelligent behaviour by analysing their environment and taking action — with some degree of autonomy — to achieve specific goals. We are using AI on a daily basis, for example to block email spam or speak with digital assistants." (European Commission, 2018e). Needless to say, this definition just gives a small glimpse of what the EU understands under the broad term "AI". The first sub-research question aims to

understand the overall concept of AI the EU is trying to entrench. By further narrowing down the idea and setting lines of inclusion and exclusion (Roff, 2019), threats and benefits of AI-engines will be demarcated in the analysis chapter.

2.3 Discussing Normative Power

Based on the absence of any military force, scholars began to debate the role of the EU (formerly European Community: "EC") in the international system. Contrary to other superpowers in the classic sense, the EU had great influence in the international arena due to its accumulated economic power. While the Soviet Union and the U.S. attended an arm-race, the EU remained unarmed, without any intention to change that. Hence, Duchêne (1972) introduced the concept of civilian power Europe ("CPE"), which perhaps marked the first occasion that addressed the special role of the EC in the world. Duchêne sketched out that the EC as a peaceful, civilian group of states that is connected to the world's strongest economies with no combined military power, has an interest in using civilian means to exercise influence. As a global civilian power, it would promote norms instead of geopolitical self-interests. Besides being long on economic and short on military power, a civilian power holds three central characteristics; (1) The economic power is central to achieve national goals, (2) diplomatic cooperation is the primary tool to solve international problems and (3) international progress is achieved by the willingness to use legally binding supranational institutions.

Duchêne illustrated his concept of the EU's role in the international system and attributed the supranational construct with the ability to "civilize international relations" (Manners, 2006). This narrative has been harshly criticised as it represents a Eurocentric strategy of "narrativizing history, so that Europe can congratulate itself for progress which in contemporary terms invokes the culture of capitalism" (Spivak, 1999). Kirste & Maull (1996) define a "civil power [as] a state whose foreign policy role concept and role behaviour are tied to objectives, values, principles, forms of influence, and instruments of exercising power that serve to civilize international relations". "Civilian power" as a conceptual category did become an ontology of states rather than a style of action or domestication. Furthermore, CPE assumes a fixed status of the nation state. With direct physical power and national interests at the centre of Duchêne's ideas, the state was indeed rather undynamic. Bull (1982) criticised this notion since it would lead to inefficiency and a lack of self-sufficiency. "Europe is not an actor in international affairs and does not seem likely to become one." The civilian approach to describe Europe's role in the world however, remained influential in the academic discourse. Bull (1982), on the other hand, suggested to establish nuclear deterrent forces as well as an improvement of conventional forces. West-Germany was supposed to be attributed with a more important role in the EC-framework. Similar plans were intended for France in order to – perspectively – create a peaceful coexistence with the U.S. and the USSR. And indeed, while Duchêne's concept remained influential, one can argue that the EC slightly shifted from a civilian to a military power. Since the new three pillar basis (within the TEU-framework) included a common foreign and security policy – which was planned to include a common defence policy at some point – critics were supported in their assumption. These arguments were then strengthened by the plans of the European Council to establish a 60,000-unit Rapid Reaction Force within the framework of the European Security and Defence Policy (ESDP) in 1999. This was interpreted as a legitimate indicator for the EC to traverse from a civilian power, making use of civilian instruments, to a military power, making use of respective instruments. The militarization

was seen as controversial and for many marking a milestone in the shift from a purely civilian power to a militarized civilian power (Smith, 2000). According to pundits (Zielonka, 1998) this was weakening the EU's distinct profile of having a civilian international identity, while others claimed that this process would just recreate the integration of a state on a grander scale (Smith, 2000). The same critique, however, applies to more recent undertakings as well. The militarized EU-border control institution FRONTEX is often questioned regarding its accordance with the EU's proclaimed international role (Ekelund, 2019) and the use of tear-gas against Albanian protesters in 2009, was certainly a form of physical force (De Zutter, 2010).

It is of importance to keep in mind the era in which these scholars fought their debate and also the international system, representing the foundation for their assumptions and perceptions of the nation-state. This somewhat short-sighted construct was equipped with direct physical power, rather than soft civilian power let alone normative power. Eventually, the cold war found an end with the collapse of numerous regimes, formerly under the umbrella of the USSR. It was the communist and socialist national ideologies that were perceived as untenable. Rather than power of sheer force, a construct of norms and beliefs collapsed due to the lack of trust in the system by the leading elites and the citizens. Hence, despite the minor role military and civilian power are playing in the field of AI, it is important to see the context from which the theory of normative power Europe emerged. It furthermore sheds light on the role that the EU played in world politics and where the power of ideas and norms outperformed the power of empirical force (Manners, 2002).

Bull's (1982) suggestion for a militarization of the EC, in order to be part of the international system and his demand for deterrence mechanisms, depict a *realist* point of view. Advanced technologies like AI and threats of those were obviously not considered, as they were not yet developed. Cybersecurity, for instance, does not necessarily need physical infantry to defend a country. And while this seems to be a discernible point to make, owing to normal developments of mankind, it does underline the one-dimensional perspective on the international role of states and their power in the 1980s, which was decisively shaped by the cold war. The theoretical discourse was dominated by a dichotomy of civilian and military approaches to explain the true role of the EC. Liberal ideas, the progressive globalization and the ascent of the internet added more dimensions to this debate and eventually questioned the concept of power itself (Nye, 1990). And yet, the traditional form of power remained important as it still defines contemporary states, for whom core norms are sovereignty, non-interference and non-intervention (De Zutter, 2010, p. 1108). Moreover, the early stages of the debate, amid the cold war, showed that the EC decided to take an alternative path. Contrary to the U.S. and the former Soviet Union, one chose a rather coercive form of power when pursuing goals in foreign policy. Clearly, this was partly due to a lack of political resources, keeping in mind that European integration was still in its infancy. Of course, this section is somewhat limited in its theoretical farsightedness and does not include forms of power that were discussed outside the realm of European studies, such as the Lockean Identity (Wendt, 1995) or Morgenthau's ideas about realism.

2.3.1 Manners' Concept of Normative Power Europe

As an introduction to the concept that is central to the subject of this thesis, the following sub-section shall present the *Normative Power Europe* theory as it was originally outlined in Manners' seminal work "Normative Power Europe: A contradiction in terms?" (2002). As the above section has shown, the EU's international role is rather unique and hence vigorously discussed. The developments of the 1990s in the field of international relations, led Manners to rethink the established notions of the EU being either a military or civilian power. Both approaches are located in discussions of capabilities and need to be augmented with a focus on normative power of an ideational nature (Manners, 2002, p. 239).

> "[…]The Union's action on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement, and which it seeks to advance in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law" (European Union, 2012)

Article 21 of the Treaty on the European Union lays out the fundamental ideas and norms that are core to the EU and shows that it is constructed on a normative basis. NPE, however, goes further and suggests that this basis determines the EU to act in a "normative way" in world politics (Groothuis & Niemann, 2012). It is built on the crucial and usually overlooked observation that the most important factor shaping the international role of the EU is not what it does or what it says, but what it is (Manners, 2002, p. 252). So, what actually is the European Union? Firstly, one has to mention its historical context. The European Community emerged from the second world war and pooled its resources as well as its sovereignties, to form a strong but most importantly peaceful partnership (Sjursen, 2006). Secondly, the EU in its current form, represents sui generis, combining elements of supranationalism and intergovernmentalism, making it a hybrid-polity (Manners, 2002). This combination of historical background and unique constitutional framework has in the aftermath of the cold war, expedited a commitment to set universal norms (as defined by the UN) at the centre of its relations with its Member States and third parties.

More importantly, however, what normative power *is* has to be defined by its relations to other states and its own member states (Diez, 2005). It is certainly essential to circumscribe the independent variables that led to the creation of the EU as a normative power. And yet these variables as well as the question of influence and independence do not sufficiently recognize the concept of normative power. A normative power is not only a specific kind of actor in international politics, since it also includes a characterization of a relationship (Manners, 2002; Diez, 2005). This relationship can be seen as the actual instrument of power as it enables the normative actor to make a third party do what it wouldn't have done without this relationship. A case example is the abolishment of death penalty, which was on the statues of 25 from the 43 member states of the CoE (the UK was the last to abolish the death penalty in 2000) (Manners, 2002, p. 246; De Zutter, 2010) or the adoption of children's rights (Haukkala, 2008; Manners, 2008). These examples suggest that this relationship does not necessarily rely on military power. Rather norms as well as their promotion achieve what has classically been done with armed conflicts or economic sanctions. This ultimately constitutes the ability of the EU to shape conventions

of normalcy in international relations. Some scholars claimed that it is rather unlikely (e.g. Sjursen, 2006; Forsberg, 2011) to promote such strong values without any empirical force as a backup. Telling other parts of the world, what their political, economic or social reality should look like, while still respecting the given contextuality is indeed a difficult task without the means to promote these values. Hence, Manners saw himself confronted with two questions: What are the central norms to NPE and how is it diffusing those without the support of traditional power?

NPE defines five core norms within the vast body of Union laws and policies that are comprised in the *acquis Communautaire* (also "EU acquis") (Manners, 2002, p. 242). Most of these norms can hence be found in Article 21 TEU (as referenced above). The guiding premise, by which all EU decisions are made, and relations are shaped is *peace*. Peace and *liberty* were fundamental values in the aftermath of WWII, as they set standards for future politics. *Democracy*, *rule of law* and the *respect for human rights* were established shortly after. The establishment of these depicts a relic of the dichotomy present between the democratic and liberal West and the opposing communist values of the East. The norm of *social solidarity* became important, since it opposed the trend of liberalization that was part of the Single European Act, seeking to realize a single market. As political identities saw a rise in the 1990s, alongside racism and persecution of minorities (Fukuyama, 2019), *anti-discrimination* was granted more attention and was thus considered a core norm of the EU as well. The first Earth Summit in Rio de Janeiro (1992), with the Sustainable Development Goals (SDGs) as its most precious outcome, can be interpreted as reaction to the resource demanding development of an increasingly globalized world. At the same time, it was an attempt to establish a globally accepted norm-regime advocating for *sustainable development*. Following the summit of Rio, the SDGs were incorporated in the treaty of Amsterdam in 1997 (Manners, 2002, p. 243). *Good governance* became an integral part of the EU-norm set, to ensure the absence of double standards. In the 1990s, but also today the EU is confronted with the issue of applying different criteria for normative behaviour in its foreign policy, than within its own borders.

These core values, that found their way into the different treaties over time, ultimately contributed to form a European identity and communicate a certain coherence in EU-actions. The values of peace, liberty, democracy, rule of law and the respect for human rights (the five core norms) go beyond a simplified idea of serving economic or military interests for its member states and trade-partners in the world (Manners, 2002, p. 244). The four "minor" norms of social solidarity, anti-discrimination, sustainable development and good governance furthermore show how the EU adapted its central themes to the dynamics of society. While the norms themselves are represented in the treaties and form an integral aspect for the actions of all EU-institutions, it is somewhat inconspicuous how the EU promotes and spreads these norms. A third party, as well as a member state that just accepts these guiding norms as given facts, does not yet entitle the EU as a normative power. In fact, it needs to diffuse the aforementioned norms in both an internal and external way. Manners suggests five factors that function as instruments of diffusion.

Contagion is based on the unintentional diffusion of ideas from the EU to other political actors. In the past this happened through the integration of other countries. The association of new EU member states, that are being integrated or consulting mechanisms

for whole regions (MERCOSUR or the nuclear agreement with Iran) can lead to a contagious diffusion of norms, beyond EU-borders. *Informational diffusion* means the strategic communication of ideas from the EU. This could be a new policy initiative or declaratory communications, for instance, the *White Paper: On Artificial Intelligence* (European Commission, 2020f). A relationship between the EU and another third party, such as an inter-organizational cooperation agreement, the membership of an international organization or enlargement of the EU itself can lead to a *procedural diffusion*. The *Declaration of cooperation on Artificial Intelligence* would be an example for a gradual, procedural diffusion of EU norms and ideas in the field of AI. According to Manners (2002, p. 245), the EU also diffuses its norms in an overt way by its sheer physical presence in other states (e.g. embassies of EU member states, settlements of EU institutions or EU related organizations). This diffusion mechanism, however, is not exclusive to a normative power. Other states with other attributed international roles perform the same *overt diffusion* as well. The *cultural filter* affects the impact of international norms and political learning in third states and organizations. The filter can either lead to learning and adoption of norms or the rejection of them. As leading examples Manners mentions the diffusion of democracy in China, human rights in Turkey and a sense for environmentalism in Britain.

The above section has introduced the reader into the theoretical concept of Normative Power as Manners outlined it in 2002. Since then, the EU was confronted with numerous challenges as well as new policy fields that emerged from these challenges. The initial concept of NPE was thus challenged as well by questions regarding counterterrorism (Groothuis & Niemann, 2012), its Neighbourhood Policy (Haukkala, 2008) and its role in the future of AI. Hence it is essential to sketch out the debates surrounding Manners concepts. The following section will therefore summarize scholarly objections, as they shaped the contemporary understanding of NPE, that is applied in this thesis.

2.3.2 Scholarly objections and limitations to Manners' NPE

Haukkala (2008) claims that Manners' notion of normative power is based on an understanding of the EU as a norm entrepreneur that is too passive, with regard to its international relations. Haukkala argues that the EU is in fact taking more active steps in promoting its norms and values. The enlargement can be interpreted as the main instrument of normative power and the diffusion of norms. Surely, Manners stated that contagion and procedural diffusion lead to the establishment of EU norms in other countries, though it could be interpreted as a "side-effect" and not an actual tool of promoting one's norms. The EU could be envisaged as a regional normative hegemon that is using its economic and normative clout to establish a set of highly asymmetrical bilateral relationships that facilitate an *active* diffusion of its norms and values (Haukkala, 2008, p. 1602). It is hence important to differentiate between the active and passive influence the EU enjoys over its credible future members (Vachudova, 2005). Passively, the EU-membership can be regarded as attractive and states actively seek to become candidates and eventually join the Union (Vachudova, 2005, p. 81). During the accession process, the Union takes the more active part by exercising conditionality (Copenhagen criteria).

Besides its inflexibility, Manners was also criticized from a neo-realist angle(Hyde-Price, 2006) . EU-member states would use the EU as a means to realize their own foreign

policy interests and would rather seek for self-actualization instead of pursuing EU-goals in international politics. Hence, the EU is not only predisposed to act normatively by its hybrid-polity (Manners, 2002), but also used as a collective instrument to shape the member-state's external interests with a combination of hard and soft power (Haukkala, 2008; Ekelund, 2019). Diez (2005) disenchants the concept with regard to its novelty and the EU as a trailblazer. In fact, a historical comparison illustrates that the notion of normative power is hardly novel and unique to the EU (p. 620). Historical empires or contemporary global powers like the U.S. or China have also diffused their norms. The normative power-narrative would furthermore establish a certain EU identity, by turning third parties into "others" and representing the EU as a positive force in the world. Therefore, some identified a lack of reflexivity concerning the normative self-image of the EU (Diez, 2005; Ekelund, 2019; Persson, 2017, p. 1418; Staeger, 2016). This eurocentrism – which to pundits depicts a fundamental misalignment of NPE – has been further criticized by Bicchi (2006) who doubted the *universal* nature of norms, spread by the EU. Instead of promoting universal norms the EU may actually seek to levy its norms on third parties to expand its influence. The inconsistency between the EU's rhetoric and behaviour, paired with a lack of reflexivity may eventually undermine its credibility as normative power (Nicolaïdis & Howse, 2002).

Aggestam (2008) suggested to rename Manners' initial concept, since "normative power" is based on the decline of military power in the international system. Since this is not the case and the EU as well-established characteristics of a traditional great power (CSDP), "Ethical Power Europe" would represent the EU's status quo in a more appropriate way (Aggestam, 2008, p. 3). Manners (2006) finds himself in a quandary and argues that, on the one hand, NPE is endangered by the militarization of the EU but that, on the other hand, this does not necessarily lead to an impairment of the EU as nor1mative power. The simple fact that an actor in the international system possesses military power does not contradict the idea of normative power if military power plays a minor role, compared to a more fundamental and normative ethos (Forsberg, 2011; p. 1188).

More fundamental and relevant to this thesis, however, is the question of conceptualization. Manners (2002) seminal work somewhat lacked in its depth and conceptualization. Certainly, one has to consider the novelty of his approach, which explains the lack of research and consequently a poor conceptualization to actually assess normative power. Therefore, Manners initial ideas shall retrospectively be interpreted as can opener for a debate that reconsidered the EU's role in the international system, measured by global dynamics of the new millennium. Nevertheless the notion that NPE lacked in depth was shared by many (Forsberg, 2011; Niemann & De Wekker, 2010). Sjursen (2006) remarks that the attempt to conceptualize the EU as such has proven a fruitful avenue for research. The question of conceptualizing NPE would even go beyond this discussion and thus be indeed challenging. For Sjursen (2006) the concepts of normative, ethical (Aggestam, 2008) or civilian power (Duchêne, 1972) are too indiscriminate and somewhat fuzzy. She demands a conceptual apparatus that allows to distinguish what might be *normatively* acceptable. The normative, ideational (also "force idée") or civilizing power of the EU is linked to the core characteristics of the organization which predisposes it to act in a normative way. In order to identify the EU as a normative power, it would be crucial to assess whether or not its external action relies on norms that may be tested and found to be in accordance with their values applied internally.

2.4 Normative Power Europe in the realm of European AI-politics

The conceptual inaccuracy (Sjursen, 2006) is tackled by Niemann & De Wekker (2010), as they examine normative power alongside three dimensions. Normative intent (how genuine is the EU's normative commitment?), normative process (does the EU pursue an inclusive and reflexive normative policy?) and normative impact (does the EU have the ability to shape conceptions of what is normal?). These three dimensions depict the variables that underly the assessment of the EU's normativity in the international arena. Manners himself attempted to attribute and identify typical characteristics of a normative power more recently (Manners, 2009a, 2009b). A normative power should be *legitimate, persuasive, socializing* and promote the principles of partnership and ownership. Forsberg (2011) developed a perhaps less ambitious but clearer analytical framework consisting of four different mechanisms of normative power, which partly overlap with Manners'. *Persuasion*, which is a direct form of power; *Invoking Norms* and thus activating commitments; *Shaping the discourse*, which represents an indirect form of power; and the *Power of example*, attributing the EU with the power of a role model in certain discourses. De Zutter (2010) attempted to "spot a normative power" (p. 1117) by assessing four criteria (Material condition, identity and role, relational dimension and impact). As Niemann & De Wekker (2010) (see also Groothuis & Niemann, 2012) developed the allegedly most suitable analytical framework for the concept of normative power, it will be utilized for this thesis and thus presented in the subsequent sections. The operationalisation of these dimensions can be found in *Chapter 3.5*. The following subsections shall define the theoretical concepts from which the expectations for the later analysis will be derived.

2.4.1 Normative intent

There is no doubt that norms and interests are often hard to distinguish and run parallel (Diez, 2005). Nevertheless a real normative actor would be, to the greatest possible extent, committed to the self-imposed norms and not hide behind a normative rhetoric to actually pursue its own interests (Ekelund, 2019). It is therefore important to evaluate how serious and genuine the EU is in its normative intentions. Niemann & De Wekker (2010) suggest four criteria that indicate whether an actor in the international system actually means what he says. First of all, the promoted norms should be at the centre of attention. This forms a central issue, with regard to the research questions: it is not exclusively important which norms are supported with a specific, but also their position amongst other transported narratives. Niemann & De Wekker (2010) expect the conveyed norms to be central. Yet, the position or centrality of a norm is somewhat hard to assess.

When norms conflict with self-interests, this is a powerful indicator for the relevance of the norm because the policy has been invoked despite political or economic costs (Niemann & De Wekker, 2010, p. 7). Are material interests at stake for the actor? For instance, does it make the actor *less* attractive as a location for the industry to settle down? Is there a strong internal or external opposition, hampering the implementation of norms (e.g. lobby)? If core values like democracy, equality or anti-discrimination distil from the agenda that is under observation, it represents a strong indicator for normative commitment. Burdens of political, economic or societal matter, that the putative normative power is willing to take for the sake of realizing its goals are an additional criterion that is expected from a normative power.

Another way to find out about genuine normative intentions is to investigate double standards. Those would suggest that norms do not constitute the most important basis for making decisions. Does the actor or its respective institutions apply the same standards that they ask of a certain third country or negotiation partner? This could be crucial in trade association negotiations or, in the case of AI-politics, data privacy regimes. In case of an accordance of external and internal normative demands, one can point to a higher degree of consistency and thus a normative way of implementing AI. With regard to the given data set, it could be particularly interesting to assess the consistency between promoted norms on EU level and what is demanded from EU-member states. Furthermore, the communicated norms have to be followed by actions. With regard to Europe's AI landscape, one would declare elements of protectionism or dominantly articulated economic interests as double standards since they indicate a discrepancy between EU internal and external standards. Reprimands for flouting EU norms – which are considered universal – in both an internal and external dimension, would be considered as a strong indicator for consistency.

"Coherence goes beyond consistency. It is about the connectedness of claims or actions through shared principles. Inconsistent behaviour or inconsistent norm application are only incoherent if they cannot be explained through a justifiable, i.e. principled, distinction" (Niemann & De Wekker, 2010, p. 8). The normative intent's final criterion can thus be seen as rather crucial. If, for example, existing double standards remain unjustified they constitute a major incoherence and hence a severe challenge to the policy's legitimacy.

2.4.2 Normative process

Does the EU pursue an inclusive and reflexive policy strategy while promoting universal norms or rather an "our size fits all"-approach? This is important for an exploration of normativity in several aspects: If the EU really is a force for good, it certainly cannot exclude external input, (self-)criticism and reflection about the possible impact of its actions. If this reflexivity isn't ensured, the EU risks acting too Eurocentric (Sjursen, 2006; Forsberg, 2011). Two elements constitute *reflexivity*: (a) learning and adapting behaviour when faced with better arguments and (b) anticipating effects of exporting an EU norm to non-members and adjusting EU-policy to those consequences. The interplay of governance and science is particularly important in the case of AI, as the technology itself is still in progress. Thus, a normative power is expected to constantly question its own policy process and consult external experts to ensure this process of reflexivity.

While it certainly is important to consult those, who are responsible for developing and deploying AI-driven technologies, it is equally important to take into account the view of those who are affected. However, there is a fine line between giving voice to and speaking for others. A normative power is expected to act *inclusively* and give a role to those whose normality is affected. When applying this to AI one has to point out civil society as it depicts the primary target group for both AI-surveillance and AI-marketing. So, does the EU include actors from civil society in its AI-undertakings? Scholars are rather indecisive regarding the interplay of governing entity and society in the field of technology and particularly advanced algorithms. Fast (2020) argues, that AI is too advanced already and that people lack the capacity and motivation to secure their own privacy, thus making it the responsibility of governments. Giannopoulou (2020) and

Bellanova (2017) support this assumption and identify a misalignment of AI development and regulatory framework. Nevertheless, applying Niemann & De Wekker (2010) to AI-governance research, we can assume that the EU indeed gives civil society a stage to articulate its standpoint, in order to enrich and guide the normative discourse on AI. Since the EU's self-proclamation as a force for good risks being linked to a particular context and thus may not correspond to the overall understanding of "goodness" in other parts of the world, the EU runs the risk of being claimed "Eurocentric". According to Manners (2002) and Diez (2005) norms can be considered "universal" when they are acknowledged through the system of the United Nations (UN) and are not merely EU-specific.

2.4.3 Normative impact

The novelty of AI-governance and the immatureness of other national AI strategies forbids to assess the normative impact the EU could possibly have applied. This could be subject to future research. Normative impact on member states however, e.g. by tackling the disruptive AI development landscape in the EU, could indeed indicate a regional normative impact and thus lead to the assumption that the EU is exercising its normative power. According to Niemann & De Wekker (2010), however, the normative impact ultimately implies a true normative power. Does the EU actually have the ability to shape perceptions of what is "normal"? (Manners, 2002). The normative impact could, however, be seen internally as well. A normative power is expected to have a strong regional influence as well, which is conveyed through policies and *contagion*.

2.5 Conclusion

The above section extensively discussed the concept of *Normative Power* in the realm of European AI policies, as well as the concept of AI and its evolution. The term "AI" itself can be seen as ill-defined. The various potential fields of application pose an obstacle for clearly demarcating the term. After discussing the flaws in Manners' initial concept, the debate that evolved around it was examined. Especially the real-world applicability of the concept was heavily criticised and led to an alteration of the theory. Niemann & De Wekker (2010) therefore provided three different dimensions, from which this paper derives its theoretical expectations for the analysis. First of all, a normative power is expected to have a genuine normative intent. Hence, the conveyed norms should not only be represented in treaties, but furthermore have a central function and position in the political endeavour that is pursued. With regard to the research questions this could mean that norms are promoted with different connotations and positions. Moreover, based on the above section, this thesis expects a normative power to sacrifice self-interests and overcome political, economic and societal obstacles in order to realise its normative agenda. Coherence in the political agenda is regarded as a criterion as well, since it represents the connectedness of cross-institutional claims.

The execution process of this very endeavour is expected to be inclusive and reflective. Hence, all parties "who's reality is affected" are expected to be involved in the policy-making process. Similarly, research and expertise are seen as crucial as it gives the actor an external, ideally unbiased review of its own behaviour. This provides am anticipation for the first research question and the overall stakeholder composition, that underlies the agenda that is executed by a normative power.

Certainly, a normative power is also expected to have a normative impact, which is, however, hard to estimate. It could be an internal adaption of policies or also refer to the external expertise that is consulted during the normative process of pursuing a political agenda. Overall, the analysis will show in how far the EU' AI-strategy stands up to these expectations and whether the criteria for a normative power can be met.

3. Methods

3.1 Introduction

The following section shall provide the reader with an overview of the set of methods that was utilised to approach the analysis of this thesis, which ultimately aims to deliver answers to the research questions. By dissecting and framing the European AI strategy, a distinct picture of the case that is subject to this research, shall be painted. The background, motivation and evolution of the European concept will depict the central elements of observation and justify the case selection. Subsequently the method of data selection as well as the composition of the dataset itself will be elaborated and justified. As this thesis utilised a qualitative content analysis a brief description and argumentation for why it qualifies as the most suitable method for the present case will follow. The coding scheme, which emerged from the theoretical expectations and the chosen method can be retrieved from this chapter as well, in order to give the reader an understanding of the analysis process. Finally, this chapter will display the criteria that were operationalised to identify patterns of normativity in the analysis, while giving an overview of the key research activities. Compiled, the subchapters seek to elaborate and justify the application of the composed method portfolio.

3.2 Case description

With regard to overarching aim of this thesis it was crucial to demarcate the European AI-strategy. This subsection shall further specify this very case. As with many political ambitions that eventually entered the agenda of the EU, the UN can be seen as one potential initiator of the AI-strategy that is subject to this thesis. The "AI for Good Series", which was first held in 2017, could be identified as the first initiative to point out the opportunities of AI, if developed and deployed with *sustainable development* as a priority. The *Communication on Artificial Intelligence* (2018) provides a good overview of the pathway that the EU wants to follow in its AI undertakings and sustainability can be seen as an essential element of it, potentially linking the EU with the ambitions of the UN on a global governance level. It was furthermore communicated to all main EU institutions, including the committee of the regions as well as the social committee. This is particularly interesting as one can assume that the initial strategy integrates a social perspective and incorporates the regions of the EU. Moreover, the date of publication could be interpreted as the starting point for the EU's initiative to establish a European model of AI. Of course, there was a certain degree of activity in the research of social and ethical implications on EU-level, prior to the aforementioned communication in 2018 (EECS, 2017; European Data Protection Supervisor, 2015). A Critical review on AI-policies and reports between 2015 and 2018 has been provided by Vesnic-Alujevic (2020), showing that there was a strong normative agreement amongst actors on EU-level. Albeit the consensus on similar socio-technical imaginaries and ethical ideas, the authors found a lack of comprehensiveness, connectedness (between the different actors) and a strong focus on ethical frameworks without considering the actual feasibility of regulation (p. 10). The *coordinated approach,* which was part of the Commission's 2018 communication, can thus be considered as an attempt to tackle the aforementioned defects of the rather uncoordinated European AI-landscape of the pre 2018 era. While the lack of coordination undeniably triggered following actions of the EU, it was not the only factor that culminated in the coordinated long-term strategy. Regardless of the fact that the EU itself claimed to be competitive in the AI-landscape (European Commission, 2018a), it was

certainly confronted with a challenge, given the uncertainties surrounding Brexit (Berger, 2018; Csernatoni, 2019). Furthermore, the EU was under pressure since other, allegedly competing actors, were formulating ambitious AI-goals with elaborated strategies and investment plans, amplifying the fear of falling behind. The authors of the French national AI strategy fortify this concern, claiming France and Europe to be future "cyber colonies" to third countries and big tech companies respectively (Franke, 2020).

National strategies from EU-member states, as for instance the French one, posed another push factor in the years 2017-2019 (Moltzau, 2019). As the member states diverge in their philosophies, however also realized that AI cannot find a fruitful foundation single-handedly, a declaration on cooperation was signed (European Commission, 2018g). This can be seen as a fundamental step to counter an emerging disruptive technology landscape and cooperate in research and development (R&D). Furthermore, it can be seen as a step that somewhat demarcates the EU from AI-powers like China, the U.S. or Russia as it has to pool the resources and muster the interests of all its member states.

The *Ethics Guideline for Trustworthy AI* (2019) published by the High-Level-Expert Group on Artificial Intelligence (AI HLEG) represents another milestone in the development and a fixation of an AI-strategy. The AI HLEG was established by the European Commission in 2018 and is composed of independent experts on technological development and ethics. The diversity of backgrounds, reaching from industry to research, is a factor that might contribute to rather differentiated ideas and ethical conceptions towards AI. The most recent document, that can be considered a cornerstone for EU-ambitions, is the White Paper on AI, published in February 2020. Its main purpose is to set out a policy that, in the long run, "supports a regulatory and investment-oriented approach with the twin objective of promoting the uptake of AI and of addressing the risks associated with certain uses of this new technology" (European Commission, 2020f, p. 1).

The three aforementioned documents alone, however, do not provide a sufficient depth and reliability to the question in how far the EU exercises normative power, regarding its AI-strategy. In fact, an extensive qualitative analysis of the aforementioned documents will most certainly lead to a bias, as it is a small set of selected policy-papers that might neither represent the EU's actual stance in the AI debate nor images it in its entirety. Therefor – to counter the initial cherry-picking – this analysis conducted a more extensive set of data, composed of 38 EU-documents. Type-wise the selection is rather diverse, including official communications, fact sheets, speeches, press releases, studies, etc. While, for instance, fact sheets and brochures are short and come with a lot of oversimplified illustrations, the studies in the dataset are extensive in their length and density of provided information. This mix covers a large share of the informational spectrum and incorporates academic findings in the same way as it does "simple" illustrations about AI. This broad coverage was a main criterion during the process of data gathering, in order to paint a broader picture of how the EU *as a whole* approaches AI.

It is likewise important to demarcate the case of EU AI-strategies and locate it within the field of research. As it was elaborated earlier in this thesis (*see 2.2 Conceptions and evolution of AI*), AI is not to be understood as a single concept but a family of technologies, each requiring a different regulatory approach. Therefore, it is important to differentiate between AI or ML driven applications that affect human individuals in their

daily lives versus, for instance, robots used in manufacturing. Certainly, to some extent robots pose a threat to European values as well, since automation jeopardizes jobs that were previously occupied by humans. The German national AI-strategy, for example, has a strong focus on preserving the domestic industry. Especially SMEs (*Mittelstand)* shall be digitalized in order not to be overtaken by foreign competitors. At the same time, polls show that there is a growing fear amongst German citizens to loss their job due to automation (Bundesverband Digitale Wirtschaft, 2018). This vagueness that underlies the concept of AI – particularly in a multi-stakeholder landscape like the EU – will be addressed in the analysis too. The lack of clarity in demarcating AI from other technologies depicts an impediment which is not EU-exclusive. Uncertainty regarding the best approach towards AI is represented on a plenitude of national agendas (AIHLEG, 2019b). Hence, the document analysis aims to identify cross-institutional patterns that indicate how AI is envisioned and demarcated in the European realm, including its contextual difficulties and chances. The overall case, that is underlying the analysis, is hence the EU's multi-institutional AI-strategy with regard to the idea of pursuing its normative ideas and beliefs (*see Chapter 1.2*).

3.3 Methods of data collection

A look at the data set (*see Appendices*) makes clear that a majority of the documents was retrieved from the European Commission. Taking into account that the AI HLEG was launched by the Commission too, the institutional bias in the data set becomes even more visible. This could potentially lead to an underrepresentation of other institutions that might as well contribute to the overall AI-landscape. The number of publications dealing with digitalization in relation to societal, ethical issues and future challenges, published by the European Commission surmounts the activity of other institutions by quite a large margin. Out of the 38 documents, 24 were derived from the Commission itself – not including four documents published by the AI HLEG. The underrepresentation of the European Parliament (and its *Research Service*) (8 units in the dataset) as well as the European Economic and Social Committee (one document) also lies in the nature of the institutional landscape of the EU. Due to the fact that the Commission almost exclusively holds the right of legislative initiative and executes the policies, passed by the Parliament. Hence, the Commission occupies a majority of the research that has been done in the field of AI-governance. Addressing the exact reason for this imbalance in publications, however, would extend the scope of this thesis. Another major contributor to research in AI-ethics and politics is the Council of Europe (COE), with a main focus on regulations and future challenges for human rights (Burić, 2020; Kleijssen, 2019). And yet, the COE is not an EU-institution, making it incongruous for the data analysis in this thesis. Through panel meetings and conferences, the COE is providing the EU with expertise concerning the issues, surrounding AI. The actual normative influence and interdependence between these institutions though, will not be assessed within this thesis (Schumacher, 2012). A certain diversity in the selection of the publishing institutions was still a main criterion for the composition of the data set at hand.

Striking are also the dates of publication, ranging from the earliest document in February 2018 (EESC, 2018) to a number of documents published in July 2020. This rather narrow time span is worth mentioning as it highlights two key characteristics of this research. First of all, it underlines the topicality of AI with regard to upcoming social challenges and chances. In fact, the year 2018 marked the starting point for many EU-initiatives. With the Commission's *Communication on Artificial Intelligence* and some

previously released press statements on the issue (e.g. European Commission, 2018b), the EU initiated its strategy relatively late, compared to other international competitors as well as EU-member states (Lee, 2018; Moltzau, 2019). While this verifies the topicality of this research, it also sets the first limitations to this thesis before the analysis could even be executed. The 38 documents at hand represent a major share of the ones available at the time of research. Considering this rather low number as well as the rapid and continuous progress in publishing new papers and implementing new policies, a good data selection for this thesis was crucial. Furthermore, for all documents in the data set the English version was selected to ensure conformity.

3.4 Methods of data analysis

Given the fact that this thesis derives its assumptions from a quantitatively large selection of texts (*see Data Selection*) a qualitative content analysis (QDCA) is the most suitable method to use. By reducing the complexity of the material, essential concepts, issues and rationales can be highlighted and visualized. At this point it is crucial to demarcate the qualitative dimension of content analysis from the quantitative dimension. While it could be argued that the modern approach to QDCA is a hybrid method, combining both qualitative and quantitative elements (Burzan, 2016; Mayring, 2010), it is less about the sheer frequency of words as they occur in a given text. In fact, QDCA is trying to paint a bigger picture and contextualize text passages in an overarching discussion with multiple actors involved. By asking the questions of *how*, *where* and *why which* words and arguments appear, this thesis will attempt to gather an in-depth understanding of the EU's AI conceptualization and strategy.

Surely, it is also of importance to analyse the frequency of words and concepts as they appear in a given dataset, since it might shed light on the level of meaning that was attributed to different norms and ideas in the gathered data. Concepts that occur less frequently might be less seismic to the EU's strategy. Seemingly odd points, double standards or general incoherencies in the argumentation, on the other hand, will be revealed with qualitative approaches and a careful observation of the data. Hence, QDCA is neither purely qualitative nor purely quantitative instrument. As QDCA evolved from the field of quantitative studies, which Berelson (1952) defined as "a research technique for the objective, systematic and quantitative description of manifest content of communication", it tried to counter limitations of methodological predecessors. Kracauer (1952) stated that quantitative methods are limited to the analysis of *manifest* content analysis. Manifest analysis is conducted very close to the text document at hand, using keyword search-tools to visualize patterns in the data. A latent analysis, on the contrary, digs deeper and analyses the fundamental implications and interprets those. This is particularly interesting, since a single occurrence of a phenomenon in a given unit of analysis can be meaningful as well and might be ignored in a quantitative manifest research design (Schreier, 2019). Hence, this thesis will execute a latent text analysis in order to correspond with the exploratory and interpretive research question designs, that seek to provide a deeper understanding of the development process of Europe's alternative to AI.

As aforementioned, however, this thesis will utilize elements of quantitative research as well. Even though frequencies play a minor role in the subsequent analysis, the coding (*see 3.4.1*) can be considered as a tool to examine frequencies (Berelson, 1952). As the method was adapted to larger sets and different types of data, coding was helpful

as it contributed to a reduction in complexity. Mayring (2010) therefore suggested to label the method as "category driven qualitative oriented text analysis", which would be a more appropriate term as it gives credit to the element of coding. The classic QDCA can be located to the field of psychology. The field of application, however, altered over the years so that it became common practice in political science as well. Thus, in the present study, codes will be used as "umbrellas" that summarize paragraphs. Deriving from the theoretical framework, which delivered a set of patterns that shall help to identify a normative power, the following criteria shall guide the document analysis:

- Genuineness
- Peripheral value
- Self-interest
- Double standards
- Coherence
- Reflexivity
- Inclusiveness
- Promotion of universal norms
- Normative change
- Internalization

These dimensions of normativity set the frame and foundation for the coding scheme which can be retrieved from *Chapter 3.5*. The following section shall elaborate the method of coding in order to give the reader an understanding of how the codebook was composed.

3.4.1 Coding

According to Mayring (2010) there are two main approaches to the coding of material for a QDCA. The deductive approach deduces the categories from previous research and the provided theoretical framework. The codes (or sometimes referred to as "categories") will be constructed and defined, prior to the process of analysis. Primarily, the idea behind this top-down approach is to extract fixed elements from the material. Therefore, it is essential to precisely define which elements fall under one category. These definitions are then supported by excerpts from the texts, functioning as exemplifications in order to give the researcher, as well as the reader an idea of the coding-process. Furthermore, the deductive method relies on certain coding-rules. Particularly the rules of delineation are important as they set demarcations between seemingly alike categories (Kuckartz, 2007).

"Unlike deductive analysis, inductive research does not involve the testing of pre-conceived hypotheses, instead allowing the theory to emerge from the content of the raw data" (Miller, 2013). Hence, the codes are not derived from the theoretical framework and do not refer to any progress of the analysis, as they are also established before this process. The main purpose of an inductive coding strategy is to curtail the text analysis a priori. The present research, however, utilized a hybrid of inductive and deductive coding. The main, guiding construct for the coding was derived from Manners (2002) seminal work on the Normative Power Europe theory. As it was highlighted within the theoretical framework of this thesis, Niemann & De Wekker (2010) were the main contributors to the actual operationalization of Manners theory. The deductively derived variables, which

can be seen equal to code-groups, were then supported by codes. These were gathered in both, deductive and inductive manner. The literature on NPE delivered some key characteristics of a normative power, which were incorporated in the codebook in order to make their potential existence visible. A first examination of the material then suggested that the preliminary codebook lacked in depth, which is why more codes were added while further analysing the material. This also happened with the intention to adapt the codebook to sector-specific normative dynamics of AI. Following the suggestions of Mayring (2010) the used codebook was reappraised at a *tenth* and *half* of the analysis. Factors like the appropriate representation of the content, an appropriate relation of the codes, potential interrelations between the codes and the option to merge categories, were then applied to the preliminary codebook to finalise and apply it to the remainder of the dataset. As Kuckartz (2007) pointed out, the conceptualisation of codes can be both, a single word or a combination of words. In order to guarantee some reliability of the findings, a combination of single word-codes and multi word-codes was created for this thesis.

3.4.2 Document analysis

The analysis itself has been conducted via *atlas.ti*. It provides a clear structure, when handling larger sets of text-data. The coding process was commented with memos to critically reflect the research progression and adapt code changes to the first stages of analysis. As the coding progressed, frequential patterns within the code-groups became visible which were then set in relation to other elements of Manners' NPE as it was operationalised by Niemann & De Wekker (2010). The adjusted codebook grasped all facets of the theoretical construct and provided the researcher with a good set of tools to conduct a QDCA. Generally, the method was the most suitable as it depicted a combination of rather strict rules and room for the researcher to interpret the method. The method furthermore gave insights to the data set that went beyond frequency but clarified code-cooccurrences between EU-norms, visions on AI and stakeholders in the European AI-landscape. By interpreting these cooccurrences, the research could identify possible interrelations and overlaps. Additionally, the selected list of documents represents a set of fixated communications, studies or speeches. Contrary to, for instance, expert interviews there is less room for interpretation, less margin for era in the process of transcribing or dependence on conversational flows between the researcher and the interviewee. Particularly with regard to the context of *norms in AI,* a more reliable result is achieved by analysing institutional documents, since individual biases that might alter the result are avoided.

3.5 Coding scheme

Variable	Groups	Definition	Code(s)
Normative Intent	**Genuineness**	*Are norms at the centre of the AI-concept, outlined by the EU institutions? Does this norm take a central position in the AI-concept, outlined by the EU institutions? If norms mostly take a central position or make up a central argument, one can determine the level of genuineness.*	"Promotes AI transparency" "Emphasizes AI safety" "Promotes Anti-discrimination measures"

			"Building on European values" "Considered as key AI-characteristic" "Promotes good governance" "Promotes liberty" "Promotes peace" "Promotes respect for human rights" "Promotes the rule of law" "Promotes social solidarity" "Promotes democracy" "Promotes sustainable development"
	Peripheral Value	*Norm has a peripheral, minor value in the AI-concept outlined by the EU institutions. When norms take a peripheral role in the argument, one can argue that they contribute less to the overall genuineness of the EU as a normative power. When norms compete or interfere with self-interests, this can be seen as a good indicator for the relevance of the norm because the institution implemented it, despite political or economic costs.*	"AI liability" "Amplify inequality"
	Self-Interest	*When norms compete or interfere with self-interests, this can be seen as a good indicator for the relevance of the norm because the institution implemented it, despite political or economic costs.*	"Competitiveness" "Threatens core EU values"
	Double Standards	*Double standards suggest that norms do not constitute the most important basis for making decisions. Not given when EU doesn't apply the standards for a third country that it applies*	"Protectionism"

		internally. Communicated norms have to be followed by actions. Furthermore, does the EU apply the same standards for different third parties?	
	Coherence	*Connectedness of claims or actions through shared principles.*	"Ethical AI demanded" "Human-centric" "Need for agreed ethical framework" "Opportunity is considered bigger than barrier"
Normative Process	**Reflexivity**	*The institution learns and changes its attitude/behaviour when it is faced with „better" arguments. The institution is furthermore respecting the contextuality of third parties by adapting its policies to upcoming consequences and not applying an „our-size-fits-all"-approach.*	"Acknowledge future challenge(s)" "Acknowledging complexity" "Acknowledging lack of action" "Acknowledging opportunities" "Acknowledging need for data access" "Including research" "Planned adjustment to change" "Value-related implementation required"
	Inclusiveness	*Does the EU take account of the views of those whose normality will be affected? Inclusiveness means that the EU decision-makers give a role to internal or external actors (or affected third countries) during the process.*	"Consumer Protection" "Public-private-AI-partnership" "EU cooperation" "Including civil society" "Including public sector"

			"Promotes social solidarity"
	Promoting Universal Norms	*The EU runs the risk of being an imperial power instead of a true normative power by not understanding to concept of „goodness" in other parts of the world. Norms count to be universal when they are acknowledged through the system of the UN and not merely EU-specific.*	"AI for the greater good" "Tackling complexity" "Tackling inequality" "Promotes sustainable development" "Promotes democracy"
Normative Impact	**Normative Change**	*The degree to which the norms projected by the EU are being referred to in the political and media discourse. Norms, becoming part of the discourse, can be seen as a first sigh of norm adoption and thus normative change.*	"Initiate value-related project" "Implemented adjustment to change"
	Internalisation	*When norms are ascribed the same significance and meaning in different contexts and forums, then there is an increased probability that the relevant actors really meant what they said.*	"Implemented adjustment to change" "Independent research conducted"

3.6 Conclusion

The above chapter highlighted the main methods that were utilized during the analysis of this thesis, which will later provide the conclusion with the insights required to answer the main research question as well as the various sub-research questions. The EU with its AI-strategy in the context of a normative self-conception were outlined and demarcated as the case. Given the extensive dataset that was gathered prior to this research, a software supported QDCA (*atlas.ti*) according to Mayring (2010) proved to be the most practicable and reliable method. The below analysis will be structured alongside the five key research activities.

The first subsection will set a guiding framework for the reader by identifying the key stakeholders in the European AI-strategy. It depicts the first redline that was visible throughout the data analysis and will be continued in the subsequent sections. The analysis visualised that diverging standpoints amongst the actors led to complex dynamics in the institutional landscape. By analysing the frequency and the overall strength and form of representation, the section will draw clear lines between actors that play a subordinate role and the ones that are the centre of attention. Conducting such sector-specific approach shall provide a more comprehensive view on the case at hand and also assess the *inclusiveness* and *reflexivity* of the EU during the process of

policymaking. Moreover, the section will provide an answer to the first sub-research question.

As the first section identified the actors that have an essential part in the European AI-landscape, the second section will illustrate how they envision the future of AI. What are the central narratives? What is set out to be achieved with this alternative approach? More generally; how can the strategy be characterised, based on what could be found in the EU-documents? The existence and strength of *self-interests, double-standards,* and first signs of *coherence* within the AI strategy will potentially be determined. Protectionism, competitiveness or the articulated need for an ethical AI-framework are concepts that will be subject to this observation. By doing so, the section provides key insights that will subsequently build the foundation for section three.

Locating European values across the documents will ultimately be informative to whether the EU indeed acts in a normative way, with regard to its AI-strategy. It will be the purpose of the third section to set these norms in relation, to determine which ones are prioritised and which ones seem to be of peripheral meaning. During the process of analysis, the dataset was critically examined and coded. Unlike a keyword-based search, this research executed a latent analysis, interpreting the meaning *behind* phrases as well. Norms are usually transported subliminally, making a keyword-based search insufficient for the present subject. Surely, the frequency of occurrence of the different normative concepts can be seen as an indicator as well, shall however not be the sole factor for final considerations.

As it was highlighted in previous sections, the EU is in a somewhat difficult link to technology, given the strong position of, for instance, data privacy and consumer protection. Thus, section four shall be dedicated to pinpoint the challenges that were made visible during the document analysis. These challenges can be of external nature or be based on incoherencies and flaws, identified across the dataset. In order to follow the structure, which was established in section one of the analysis, the final part of the analysis will consider potential impediments from different analytical viewpoints as well. Illustrating these challenges will also show to what extent the EU acts *reflective,* as it might acknowledge future challenges or a lack of action in certain areas. Already existing or planned, norm-related adjustments to these changes will indicate *normative change* and *internalisation*. Finally, the conclusion will critically reflect on the previous sections and discuss the main research question of this paper: *To what extent is the EU acting in a normative way, with regard to its AI-strategy?* As it was highlighted in the theory part, the normativity of an institutional body can be determined alongside its normative intent, normative process and normative impact, which were assessed in the different subsections of the analysis. The conclusion will assemble and contextualize the key findings.

4. Analysis

4.1 Mapping central stakeholders in the European AI-strategy

The document analysis identified four significant actors that were considered both essential for the process of implementing policy adaptions as well as using their influence in the agenda setting. By "actors" the thesis refers to branches, which would include related institutions, organizations or initiatives (etc.). Yet, the analysis clarified that not all stakeholders' interests are represented equally. This could, for instance, be explained by the composition of the dataset itself, which may have led to biases in terms of publishing institutions. On the other hand, the dataset represents a randomized sample of publications, eliminating this potential limitation. Hence, the thesis emphasizes four key stakeholders in the European AI-landscape. While the frequency in which the actors occur in the dataset is a helpful indicator to measure the significance of each individual actor, it will not depict the sole criteria from which this analysis draws its conclusions. In fact, the dataset provided strong narratives attributing the stakeholders with different traits and meanings. Moreover, these narratives changed from document to document, eventually creating visible political dynamics. The following section shall characterize and map the role these actors play in the European AI plans, as well as the influence they have on each other. The assumptions made in the following chapters will additionally be supported by respective phrases from the dataset, in order to eventually answer the first sub-research question in an interim conclusion.

4.1.1 Civil Society

The civil society marks a crucial element of the AI-strategy that was subject to this analysis. EU-citizens should mark the beginning and the end of all considerations, evolving around an ethical and human-centred AI. Indeed, the civil society is depicted as a pivotal point, since it represents the weakest and most vulnerable stakeholder in the chain. Ultimately, individual citizens – as private persons, employees or employers – will be the ones that are affected by upcoming technological changes. However, civil society is a complex construct with a degree of contextuality. Owing to the given extent of this thesis, it will generalise this concept and consider subtleties of society where possible.

> "*We conclude that to build and retain trust in AI we need a multi-layered approach that includes the critical engagement of civil society to discuss the values guiding and being embedded into AI, public debates in different for a to translate these values into strategies and guidelines, and responsible design practices that encode these values and guidelines into AI systems, so that they are ethical-by-design*" (European Commission, 2018a).

While it is undeniable that the civil society is a main point of consideration in the EU's strategy, the analysis showed an ambiguous picture of the actual role attributed to civil society; Shall people only be prepared for the transition to not be rendered powerless and hence play a passive, receiving role? Or should they actively participate in the design process of AI applications and their regulation? Some documents suggest a rather passive part, mentioning the outstanding importance of *upskilling* to prepare the broader society for the anticipated socio-economic changes triggered by AI. Themes like consumer protection or the right to be forgotten, which are recurring subjects to discussion, suggest an image of a rather passive civil society, which needs to be protected. However, the

technology of AI is extremely complex, which, to a certain extent, predetermines the role civil society can take in the process of development. Fast (2020) and Bellanova (2017) emphasise the complexity of algorithms, which goes beyond the capacity of the common citizen. At the same time the EU strategy repeatedly stresses the importance to involve various stakeholders – including civil society – to be part of the development of legal and regulatory frameworks in order to include broad expertise and different perspectives (Council of the European Union, 2020).

> *"Public acceptance of AI has been cited as a key condition for the sector to flourish."* (Boucher, 2020)

Furthermore, the EU has to consider the importance of public acceptance towards AI, which underpins the centrality of civil actors in the decision-making process. While this might pose a challenge (see Chapter 4.4) in the implementation process it is also crucial to mention it at this point, since it influences the role that EU-citizens are playing in the AI-debate. A thorough integration could indeed be the key for public acceptance, albeit the analysis found no clear concept of how this might be realised, considering the technical complexity of the topic. This, however, does not weaken the position that was attributed to representatives of civil society.

4.1.2 Public Sector

Given the fact that the European civil society is accredited with an important, however, passive role in the AI-strategy laid out by the EU, it is logical that the public sector is corresponded with an equally important role. Yet, the document analysis found that the EU finds itself in a dilemma when it comes to a potential balance of utilising the benefits and managing the threats that come along with AI in various public services. This certainly had an influence on the role that was attributed to the public sector as a whole, consequently linking it to the civil society which it seeks to serve. While the civil society lacks the technological expertise to represent an active part in the design process of AI and its regulation, the public sector shall be very much part of it in the future:

> *"Public authorities and political institutions at all scales need enough expertise and capacity to respond effectively to governance challenges raised by AI"* (Boucher, 2020)

The role is thus central, as the public sector represents an agent between AI services developed by tech-companies and citizens who will integrate these very services into their private and professional lives. This can be on a regulatory basis but also on an educating level, considering the aforementioned "up-skilling", which will be in the sphere of responsibility of public schools and comparable public educational institutions. At the same time an integration of AI-services in public services can aid the achievement of good governance, which was a central narrative identified in the dataset:

> "*We recognise the potential of digital technologies, including AI applications, to improve the protection of the right to good administration, the right of access to documents as well as the right to petitions.*" (Council of the European Union, 2020)

A great opportunity is given to the public sector, as AI can make governments or administrations on any level, cheaper and services such as transport, energy or waste

management more sustainable (European Commission, 2020b). Hence, the dataset depicted a win-win-situation: equipping public services with AI-technology will eventually trigger a trickle-down effect, creating benefits for both citizens and the public institutions themselves. On the other hand, goals that were formulated on EU-level (e.g. sustainable development) are pursued as well. The public sector could benefit in economic terms too; public procurement processes could be digitalised and coupled with AI to be more cost efficient, studies from the dataset suggest (AIHLEG, 2019c; European Commission, 2020b; Misuraca & van Noordt, 2020).

> *"However, the use of AI in public administration and public decision making is no risk free and has several implications. Firstly, it has a non-negligible impact on the relationship between a state and its citizens. Secondly, the use of AI algorithms risks to deliver oversimplified solutions and undesired social outcomes."* (Delponte, 2018)

While the analysis found clear assessments of potential benefits as well as risks that would go along with an extensive conflation of public services and AI, less can be found about the actual role that public service institutions are taking in the implementation and development process. It is, however, visible that the affected institutions play a somewhat twofaced role. The discourse puts an emphasis on the regulation and governance *of* AI, rather than on the governance *with* AI:

> "*Most of the current debate tends to place government either in the role of 'regulatory actor' or at best 'facilitator', i.e. setting out the framework conditions for private actors and citizens to deploy and use AI in an ethical manner. This leaves the alternative role of the public sector as 'first buyer' and direct beneficiary of AI take-up and implementation rather obscure, if not neglected.*" (Delponte, 2018)

The reasoning for this somewhat difficult role is grounded in the nature and main purpose of the public sector, which is to serve EU-citizens and protect them from harm. This harm can be, for instance, found in algorithmic decision-making processes. Well elaborated downsides of digitizing the public sector are accompanied with the temptation to increase efficiency. This dilemma of governing algorithms, while governing by algorithms puts the public sector into a dual role with both passive and active elements.

4.1.3 Private Sector

The third central actor that was identified in the AI-strategy was the private sector. It is undeniable that the industry is the driver of technological progress, given the resources it is equipped with. At the same time, it is the source of all concerns for the EU and its human-centred approach, since tech-companies might not go along with the norm-related goals, formulated on EU level. This constitutes a rather difficult relationship between the private sector and the administrative bodies. The quote below, suggests a one-sided dependency which determines the role that the private sector is playing in the EU's considerations.

> *"For Europe to tackle the opportunities and challenges created by AI, it needs a thriving and vibrant private sector. The private sector is a key player in generating economic growth and creating relevant and growing employment opportunities through its success."* (AIHLEG, 2019c)

The proposed AI-strategy furthermore closely links the private to the public sector as public-private-partnerships (PPPs) depict a central tool, utilised for the development and responsible implementation of AI-technologies in the respective sector. Additionally, PPPs shall tighten the link between public and private entities using investments that are closely linked to ethical-by-design conditions. This, again, leads to a dilemma, considering the restrictive nature of regulations in the field of AI:

> *"Since many new AI applications are developed by start-ups, regulatory impact assessments should also consider to what extent new or revised regulations disproportionally affect these companies."* (Delponte, 2018)

The report points out that indeed, not all tech-companies are superior giants, but especially the European AI-landscape is characterised by small start-ups and SMEs (Csernatoni, 2019). Hence, the document analysis found a regulatory approach with flair, to be a central characteristic of the relationship between private and public sector. The report quoted above indicates another trait as well, which can be seen as a central narrative. Like the civil society, the AI-private sector is seen as very complex and agile, making it difficult to attach it with a distinct role in the AI-strategy. Contrary to civil actors, however, the private sector is representing an active part, since it is considered the main source of AI-development.

4.1.4 Research Sector

> *"The role of research and academia is therefore essential in creating the foundational layer for all actors and activities needed for Europe to master these changes."* (AIHLEG, 2019c)

The research sector is considered to be the most important actor in the European AI-strategy. It occurs in the highest frequency in the dataset and uptakes central positions in most of the individual documents. Certainly, one could assume a bias as reports or studies make for the largest part of the dataset and are published by organizations which can be associated with the research sector. Yet it is only logical that science is *the* key actor in developing concepts to approach AI, considering the novelty of AI and its indisputable "hype" over the last decade. Unlike other, conservative and already-established technologies, AI is still "in the making", which was a central narrative in the dataset as well as in this thesis. Furthermore, AI is technical per se, making it a scientific matter. This creates a dependent relationship between the EU and European research centres on AI, where information and expertise flow into the political agenda. This doesn't only grant the research sector with a central position but also major influence on both the development of AI and AI-politics. The implementation of the High-level-expert group on AI, well as the establishment of several Centres of Excellence (CoE) underline the significance of research in the AI-strategy.

> *"Europe's competitive edge in artificial intelligence depends on the quality of our research, and on the excellence of our universities in disseminating knowledge of it and in preparing students for jobs involving the use or development of AI systems. However, there is a worldwide scarcity of AI expertise and in fact keen competition to attract the best AI talents."* (Servoz, 2019)

The analysis furthermore found the research sector to be a central feature in the EU's global competitiveness. Several reports in the dataset show that, after the U.S., the EU has the largest share (30%) of top AI-publications (European Commission, 2018h). Thus, the heavy focus on research is not solely based on the desire to deploy ethical-by-design AI but certainly economically motivated as well. Tremendous funding schemes, aimed at enhancing the attractiveness of the EU as a research hub, support the assumption that academia is a central actor in two respects: (a) promoting the development of a human-centred AI and (b) ensuring global AI competitiveness.

4.1.5 Interim Conclusion

The first section of the analysis has identified four key actors in the AI-strategy. While they all had central positions in the analysed documents, roles and certain attributes were interpreted in differing manners. This does not only answer the first sub-research question (*What key actors can be identified in the AI strategy, proposed by the European Union?*) but furthermore prefigure the existence of *inclusiveness* and *reflexivity*. The developers (private- and research sector), deployers (public sector) and end-users (civil society) are somewhat equally integrated into the process, hence indicating a high degree of *inclusiveness*, regarding the EU's way to govern AI. However, the factual *inclusiveness* has to be seen in a differentiated way, as not every actor is attributed with the same role and importance throughout the policy-making process. This may be due to limited capabilities in the civil society and the public sector, making it a systemic issue caused by the complexity of the issue itself. The outcome of the data analysis, however, suggests that the EU in fact considers competitive advantages, thus emphasizing the position of AI- industry and -research. The latter, to a certain extent, indicates *reflectiveness* in the AI-strategy and the policies and tools surrounding it. Yet, the above section alone did not deliver enough indications to ultimately estimate this dimension of the EU's normativity. Concluding, one can say that the theoretical expectations (an inclusion of the research sector and the civil society) are met. Yet, the limited inclusion of civil actors somewhat contradicts the expectations towards a normative power.

4.2 A European Vision on AI

Drawing from the data analysis, the "European Vision on AI" can be categorised in different dimensions, which also build on the narrative, illustrated in the above section. In order to establish a globally competitive European AI-landscape, EU-wide cooperation amongst all the aforementioned stakeholders is central. Promoting strong ties between the member states, central stakeholders as well as EU forums, is essential, considering the lack of competence the EU is facing on levels of digitalisation and technology. "EU cooperation" was identified as the most frequently occurring code in the dataset, represented in every document analysed. Besides the lack of authority over the member states' strategies, the analysis identified several reasons that point out the centrality of "cooperation" in the field of AI. In order to create an even playing field and counter disruptive tendencies, the EU is focusing on *Digital Innovation Hubs* that shall support the development of and the access to new AI technologies. At least one hub will be established in every member state, to coordinate future developments and "*facilitate access of all potential users, especially small and medium-sized enterprises, companies from non-tech sectors and public administrations*" (European Commission, 2018f). Another tool that turned out to be central in the dataset was the Declaration of Cooperation on AI, which was signed by 25 countries in 2018, at the early stages of AI-policies in the European realm.

> *"The Declaration of Cooperation on AI* […] *was signed* […] *to work together on the most important issues raised by AI; from ensuring Europe's competitiveness in the research and deployment of AI, to dealing with social, economic, ethical and legal questions* […]*" (*Kritikos, 2019*)*

The above quote visualises two points that were emphasised in association to the code EU cooperation. Competitiveness in the field of AI cannot be reached when it is in the responsibility of single member states. Member states (e.g. France) are already expressing their concern that Europe will become a "cyber colony" (Franke, 2020), in case it does not merge its AI-resources and the UK, representing the only globally competitive AI-hub, is leaving the EU by the end of 2020. Compared to putative AI "superpowers" (Lee, 2018), European AI-mavericks would certainly fall behind in a global perspective. Moreover, the quote grabs upon the perks and downsides of the given degree of contextuality in the EU. On the one hand, differences between member states can hamper agreements on EU-level – especially in technological development – as every member state is equipped with different resources and follows often diverging interests. On the other hand, it is this diversity, especially in ethical, social and legal viewpoints, that can foster the EU's credibility as a normative power as the picture of AI is based on consensus, different cultural backgrounds and thus also inclusiveness.

> *"We should learn from the examples of successful internet companies and develop European data ecosystems bringing together the public sector, the commercial sector, academia and the third sector, and the general public."* (European Commission, 2019a)

The first element of the European vision on AI, that was identified in the analysis is hence an EU-wide cooperation in AI, not only between the member states but also the different stakeholders involved. As it was shown in the above section already, this element supports the assumption that the EU is acting inclusive in its AI-strategy, not imposing its visions on member states. One could argue that the EU is not equipped with the required legislative competence in the areas of research and digitalisation, however, it clearly communicates that AI is a matter of EU-cooperation to achieve economic competitiveness for each of the member states. The interest in cooperation and coordination can hence be seen as reciprocal.

While the above dimension of the EU's vision was all-encompassing, fostering a cooperation between all key actors and member states, the following dimension particularly incorporates the research sector and its image of AI. The strong representation of academia and science is deeply enshrined in the narrative of the AI-strategy and can be identified as a red line A majority of the documents that were analysed, stresses the lack of research that has been conducted so far, especially with regard to effects on the end-user's life and behaviour. This conveys the image, that technological progress is sacrificed in order to protect central European values such as consumer protection. By attributing the research sector with such central overarching role, however, the EU confirms old stereotypes of a technocracy (Kurki, 2011). Unlike, for instance, the rather liberal and unregulated AI-market in the U.S., the European vision on AI and its deployment is based on empirical findings, derived from research initiatives. Multiple reports argue that without sufficient empirical assessments of the potential

effects of AI on the respective field of application, decision-makers should desist from incorporating the technology, as it may impose unforeseen threats (AIHLEG, 2019c; Delponte, 2018; European Commission, 2018a). A potential European AI start-up culture, driven by creative freedom, could be hampered by an intervening research sector. This strongly correlates with the fear of a "brain-drain"-scenario in which young AI-talents, are enticed from European companies and research centres. This could lead to a reinterpretation of the above features as intellectual-protectionism, since the strong research sector might depict a clincher of the EU in the global AI-race. Furthermore, the analysis found a strong code-cooccurrence between the research sector and themes involving civil society. This association confirms another idea of AI, that is often proclaimed by the EU:

> *"*[…] *AI should be understood as a socio-technical system and should be assessed according to the society in which it has been created, while society's role in the development and applications of AI/ML should not be under-estimated* […]" (van Wynsberghe, 2020)

AI being envisaged as socio-technical, was identified as a distinct feature of the overall approach that the EU is drawing in the analysed documents. Compared to other technologies that caused paradigm shifts in the past (e.g. the steam-engine), AI is expected (and already is) to influence a wider spectrum of areas of life. This may result in a more comprehensive socio-economic paradigm shift, which is very well observed and recognised in the analysed documents as well. Unlike other technologies, that revolutionized and thus inevitably changed societies, AI is not only affecting a specific public or industrial branch. The EU recognises AI as a universal technology, potentially interfering on all levels of citizens' private and work life (Council of the European Union, 2020; European Commission, 2018f; Servoz, 2019). The combination of AI's all-encompassing, universal nature and the unique human-technology interaction it creates, leads to another guiding principle that was distilled from the analysis. Contrary to technologies like cars or smartphones, the interaction between humans and AI-driven systems, is built on an interdependency. This demands a higher degree of trustworthiness, considering for instance, AI applications in healthcare. "Trustworthy", too, describes a trait that we look for when interacting with other humans, which distinguishes AI from previous technological paradigm-shifts. Hence, the EU declared "trustworthy AI" a leading principle when developing or deploying new technologies (AIHLEG, 2019b).

> "*We therefore identify Trustworthy AI as our foundational ambition, since human beings and communities will only be able to have confidence in the technology's development and its applications when a clear and comprehensive framework for achieving its trustworthiness is in place.*" (AIHLEG, 2019b)

The demand for trustworthiness in AI represented a frequent and central concept in the dataset, while showing code-cooccurrences with "EU cooperation", "competitiveness" and the inclusion of research and civil society. Moreover, the concept was represented as a distinct feature in reports like the *Ethics Guidelines for Trustworthy AI* or the *White Paper on AI,* which can be regarded as pillars of the EU AI-strategy (*See* Chapter 3.2). This furthermore underlines the importance for the EU and marks a focal point in the overall vision on AI. However, the analysis found an overlap of the promotion of trustworthiness in AI and certain self-interests of the EU. As it was hinted above, it shall strengthen the

global competitiveness of the EU in the field of AI-related technologies and the research of such. Certainly, compared to, for instance, the Chinese approach, trustworthiness can be seen as a competitive advantage, especially for consumers. Labelling and certifying AI-software made in Europe as "trustworthy", could then be closely associated with consumer protection and depict a silver bullet for the European start-up landscape. According to the results of the analysis, AI-safety, -liability and -transparency represent the main conditions to constitute "trustworthy AI". Especially transparency cooccurred with trustworthiness frequently: *"A crucial component of achieving Trustworthy AI is transparency which encompasses three elements: 1) traceability, 2) explainability and 3) open communication about the limitations of the AI system."* (AIHLEG, 2020).

The socio-technical approach as well as the demanded trustworthiness of AI-systems then lead to the overarching narrative that was visible throughout the dataset. The EU is visibly placing the "human" in the centre of its approach to AI, which is confirmed by the aforementioned represented concepts. The human-centric approach to AI seeks to ensure that human values are the foundation for the way in which AI is developed and deployed, used and deployed. Humans are hence quite literally in the "driving seat" and in "the loop", fundamentally shaping the discourse of European AI (EESC, 2018). Therefore, the human-centric approach depicts the guiding vision, that was derived from the analysis. This assumption is supported by the frequency in which the dedicated code occurred. The foundational elements of trustworthiness (AI-safety, -transparency and -trust), the documented socio-technical view – incorporating the research sector and the civil society – and the tool of EU cooperation, can be considered the vision-portfolio to implement a human-centric AI.

4.2.1 Interim Conclusion

The above section has illustrated how the EU envisages AI and which stakeholders are seen to be central, within this rather manifold vision. A distinct pattern of EU cooperation was analysed in the dataset, which functions as a tool to realise the ambitious approaches, also with regard to the global competitiveness in the field of AI. Competitiveness, according to the dataset, shall be achieved through a strong research sector, which is deeply embedded in the socio-technical vision on AI. However, the overrepresentation of research and promoted initiatives involving it, led to a technocratic picture that might hamper a potential start-up culture in the EU. On the other hand, the EU is apprehensive of a future brain-drain, thus showing patterns of intellectual protectionism when it comes to more attractive conditions for young AI-talents in foreign countries (e.g., the U.S.). The vision of a "trustworthy AI" accompanies the socio-technical approach, which puts humans "in the loop" – a repeating metaphor referring to the integration of humans in the design-process of AI-applications. This points to the overtopping vision that is promoted through the AI-strategy: A human-centric AI.

The answer to the second-research question can hence be answered by simply pointing to this central approach. Still, this would not describe the vision in its entirety, as the dataset found other concepts and methods, to achieve this vision, to be substantial too. Thus, one can state that the theoretical expectations of a normative power are met. Regarding the EU's normativity, the analysis identified strong *self-interests* concerning the global competitiveness. These are however, backed by an incorporated multi-stakeholder approach and cooperative inclusion, which is portending a certain degree of *coherence* between driving self-interests and the self-claimed normativity. Still, the strong focus on

global competitiveness contradicts the theoretical expectations to a certain extent, as a normative power is expected to act genuinely and mainly for the sake of pursuing its normative agenda, rather than economic interests. Yet, what founds the human-centric approach that was distilled from the above section? Is it building on European values? The following section will identify the central norms that are conveyed with the overall AI-strategy and furthermore look for reoccurring normative patterns that may explain the intent of following such approach. Building on the theoretical expectations, one would not only assume the norms to be aligned with EU-treaties, but also being in a central position of the AI-strategy.

4.3 Identifying central normative narratives in the EU's AI-strategy

As it was highlighted within the theoretical framework (*See Chapter 2.3.1*) the EU follows a set of norms, which is deeply enshrined in its treaties and shall depict the basis of its internal and external political actions (Manners, 2002; Diez, 2005). The above section pointed out that the EU follows a human-centric vision, with regard to its AI-strategy for which it utilises a set of sub-approaches and tools. As, however, questioned per the third sub-research question (*What norms do EU-institutions convey with the EU's concept of artificial intelligence?)*, it is also important to assess what norms are conveyed with the AI-strategy in order to formulate empirical arguments for or against the EU's normativity in this very field. The analysis found that the examined documents, indeed build on European values (as defined by Manners, 2002). Particularly paper with a focus on the human-centric approach, showed a strong code-cooccurrence with the pre-defined set of values. Less overlap was identified when examining data from rather economy-focused documents. Furthermore, the strength and position of the norms differed, highlighting the importance of some concepts and the, maybe peripheral, value of others. This might be due to the given characteristics of AI and hence, different dynamics of sectors it tangents with.

> "*The use of AI systems should be given careful consideration, particularly in situations relating to the democratic processes, including not only political decision-making but also electoral contexts*" (AIHLEG, 2020)

The most central value that was identified during the analysis was "democracy". Especially the threat that AI poses to democratic mechanisms (e.g. trough e-government) depicts a central narrative in the European AI-strategy. Furthermore, the analysis found democracy to be intertwined with a couple of other European values, making it an "umbrella-concept" from which other normative dimensions are dependent. The quoted text-segment below, stands representative for democracy as a focal point in the considerations of the EU; automated decision-making in, for instance crucial public services, can threaten core EU-values like *anti-discrimination, social solidarity* and *the respect for human rights*. All of these are given conditions in a democracy. This creates the image that the EU's AI-strategy is conveying democracy-related values on many levels, which is a necessity, considering the manifold interference of AI and democratic processes.

> "*The increased use of AI-based algorithmic decision-making in the domains of financial services, banking and criminal justice without the involvement of human judgement or due process can reinforce harmful social stereotypes against particular minority groups and amplify racial and gender biases" (Kritikos, 2019)*

While democracy depicts the norm with the most central position and the most code-cooccurrences within the dataset, *social solidarity* was identified as the strongest conveyed norm, regarding its frequency of occurrence. As AI is very likely to impact the distribution of wealth by automating jobs and shifting educational requirements (AIHLEG, 2019a; Dafoe, 2018), concerns about economic- but also gender-inequality form a central narrative in the present EU-documents. Institutions such as, for example, the AIHLEG propose a number of measurements to prepare for the anticipated socio-economic changes in their reports. Helping vulnerable demographics, encouraging impact assessment and to sponsor coaching initiatives for Women in AI, shall enable an AI transformation in a socially responsible way. Generally, the value of social solidarity is conveyed by promoting the human-centric approach to AI (AIHLEG, 2019c). Ensuring a genuine inclusion (Boucher, 2020) of all members of civil society is hence a crucial element, which explains the dominant position of this European value in the analysed strategy. The analysis also confirms what has been identified in the first two sub-sections: in order to realise a socially responsible AI-transition for its citizens, the EU is dependent on its research-sector that shall convey European fundamental values (Servoz, 2019).

Thus far, this chapter has shown that the civil society (as the affected actor) as well as the public sector and European research centres (as norm-agents) are deeply involved in the normative considerations of the EU in its AI-strategy. Another main value that is enshrined in the treaties is *sustainable development* (Manners, 2002, p. 243). The document analysis indeed found a strong code-cooccurrence between sustainable development and initiatives that build on European values, which indicates that SDGs and environmental concerns have a central position in the normative realm of the AI-strategy.

> "*Sustainability and ecological responsibility of AI systems should be encouraged, and research should be fostered into AI solutions addressing areas of global concern, for instance the Sustainable Development Goals*." (AIHLEG, 2020)

Contrary to the values of social solidarity, anti-discrimination and democracy, the EU finds itself in a quandary regarding the actual effect of AI on sustainability. Concerning the aforementioned norms, the analysis found a clear association between AI and a potential threat to the core EU values. Monitoring and careful deployment were seen as essential, to eliminate potential harm to the democracy. The interrelation between AI and sustainable development is rather obscure. On the one hand, the EU envisages AI as a functional instrument to reach the ambitious SDGs by initiating smart-municipality projects (European Commission, 2018d). On the other hand, the EU acknowledges the environmental risks, posed by the enhanced use of digital technologies. AI and robotic technologies require a considerable computing power, which comes with high energy costs as well as increased demand of natural resources for chip and battery production (Bird et al., 2020). The analysis found a stronger association between sustainable development and the support of European values, compared to the threats AI might pose for environmental goals. Still, the EU-strategy lacks a clearly formulated approach, with some reports pointing out the importance to reach, for instance climate goals, while others stress the resource intensity. It can hence not be clearly defined which sector conveys sustainability-related norms as the strategy rather focuses on the affected sector, which is the civil society.

One might also think that, considering the uprise of cyber-warfare and issues of data security, the core value of *peace* would depict a central normative narrative in the dataset. This, however, was not the case as the analysis has shown. A reason for this could be the policy field of security and defence, which is not prioritised in the AI-strategy. Similar things can be said about *liberty* and the *rule of law,* as they all appear in an equally low frequency. As liberty shows thematic overlaps with values associated to "democracy", it could be reasoned in a limitation to the coding of this thesis. AI-transparency, -safety and -liability for example, could very well be interpreted as elements of liberty. Despite not being particularly coded, one could make a similar case for *rule of law* being conveyed by the EU. Regulations like the GDPR or the European ePrivacy Directive have already been implemented and can be viewed as respective normative tools in the realm of AI-legislation, with effects reaching beyond EU-borders.

> *"Incorporate humanities, social sciences, and gender research into AI research programmes to increase diversity and guarantee a multidisciplinary approach"* (AIHLEG, 2019c)

Some of the core EU-values that were outlined by Manners (2002), however, are hard to grasp and code, given their broad spectrum. While elements of sustainable development or anti-discrimination can be clearly identified in a given document, concepts like the aforementioned rather describe processes and the "bigger picture". *Good governance* can also be seen as one of these overarching, guiding principles that do not necessarily fall under certain codes. Hence, indicators for good governance can be seen in the policy-process that underlies the AI-strategy. Since it includes the civil society and vulnerable minorities in its considerations, one can state that the AI-strategy indeed conveys good governance. The fact that it builds on ethical principals and transparency, supports this statement.

4.3.1 Interim Conclusion

It was the purpose of the above section to locate European values across the dataset and interpret their relative standing, within the AI-strategy. In fact, the analysis found differences in their prioritisation, with democracy and associated values like social-solidarity or anti-discrimination as central normative narratives. Core values like liberty, rule of law, peace or good governance were less frequently represented in the dataset. Albeit their seemingly more peripheral position in the analysed documents, the above section underscored that these norms are not necessarily conveyed by particular reports or studies. It is rather the bigger picture and the overall policy-making process that confirms or denies their position as guiding principle. Especially the principle of good governance, can be seen in the European approach to AI as whole, rather than in specific documents. Transparency, inclusiveness and acting along ethical principles clearly confirm the centrality of good governance in case of the EU's AI-strategy. As this thesis utilised a latent analysis, this outcome was, however, anticipated. Instead of clearly emphasising the norm-agents that shall convey the normative ideas behind the AI-strategy, the EU focused on those whose normality will most likely be affected. This confirms the inclusive pattern that was distilled from the previous sections. The fact that the EU addresses such a broad spectrum of norms, furthermore, underlines the all-encompassing nature of AI.

Despite its central position, the way in which the EU interprets the relation between AI and sustainable development, remained unclear depicting a paradox in this analysis. While many reports stress the great opportunities that AI brings for reaching the SDGs and climate goals, a considerable number of studies pointed out the resource-demanding nature of AI and robotics. Hence, one can argue that sustainable development is certainly conveyed by the analysed strategy, even though, in a rather ambiguous way. It furthermore shows that AI is often not thought through to the end, with regard to its two-faced nature, bringing both risks and opportunities. In conclusion, the answer to the third sub-research question is given above. Yet the answer is twofold, as some norms could directly be derived from the dataset, whilst others (e.g. good governance) are conveyed in latent manner by the strategy as a whole. Despite the aforementioned controversy, the theoretical expectations of norms being central, is met by the dataset.

4.4 Key challenges and limitations of the EU AI-strategy

One could very well continue the multi-stakeholder narrative that underlies this analysis and distinguish between economic, societal, ethical and political challenges that the EU is confronted with, when pursuing its AI-ambitions. This, however, would not cover the entirety of impediments that were found during the analysis. Some challenges are of external nature – resulting from the complexity of AI itself – and have been partly addressed in the above sections already. Some others stem from the AI-strategy that was analysed in this research and portend internal incoherencies, lack of coordination or realistic solution approaches. By differentiating between *external* and *system-immanent* challenges, this chapter seeks to cover the shallow issues as well as the ones that have deeper roots and were manifested during the document analysis. Pointing out system-immanent flaws shall, however, not be understood as critique. In fact, this chapter argues that internal flaws pose the biggest challenge for the feasibility of the AI-strategy. Furthermore, impediments can contribute towards the overall normative intent of the EU, as the strategy might be implemented despite political or economic costs, while sticking to central EU norms.

First of all, the document analysis identified that the EU generally approaches AI with caution and the awareness of the challenges and the complexity that come with it. Both respective codes occurred equally frequent in the dataset. From an economical perspective, the previous section hinted the difficult standing of the EU on the global AI market already. While the EU itself envisions its alternative, human-centric approach to AI as the "silver-bullet" (European Commission, 2020f) for its AI-market, it remains to be seen whether there will be an AI-market that incorporates this feature. Certainly, there is a considerable push from other regulators (U.S.) and private actors (Google, Microsoft), marking a trend in trustworthy AI. Yet, these actors have a clear advantage by being well-established shareholders of the global AI-market. At the same time the Brexit intensifies the economic pressure that lays on the EU's strategy as the formerly main European AI-hub is not part of projects such as the EU Digital Single Market anymore.

> "*All developed economies recognise the game-changing nature of artificial intelligence. Many countries have recently released national strategies to make sure they reap the benefits of AI* […]. *Everybody recognises that not keeping up in this race means a substantial loss of competitiveness and will eventually result in unemployment in all sectors of the economy.*" (Servoz, 2019)

The above quote can not only be referred to the economic challenges that await the EU in the future. It once more stresses the importance to consider the society as well. The expected societal implications impose a plenitude of obstacles for the EU and other policymakers around the world. Hence, the digital transition process in which employees and private persons are "upskilled", is seen as crucial in the European AI-strategy. As it was seen at the outset of the analysis chapter, civil society depicts the most vulnerable and at the same most affected stakeholder (*See* Chapter 4.1.1). Another sector that imposes obstacles for the European vision on AI is the public sector. While the first chapter already saw its position as rather peripheral in the stakeholder landscape, the below citation confirms this assumption with regard to conducted research.

> "*As a recent literature review highlights, the focus of research on AI take-up lies – almost exclusively – in the development and applicability of AI in the private sector. Only a very small portion (59 out of 1438) of the articles published between 2000 and 2019 discuss AI for and in the public sector*" (Misuraca & van Noordt, 2020)

Considering the importance that is attributed to public institutions – the mediator between developer, deployer and end-user – the lack of public sector-related research poses a challenge of immanent nature for the EU. In fact, the research sector, which has an even more central position in the analysed strategy, contains a number of shallow but also immanent problems. The aforementioned brain-drain certainly is one of them, threatening the vision of a strong European research landscape. Attractiveness for young talents, shall for instance, be achieved by creating AI-research hubs. Yet, while some reports (European Commission, 2020a) mention that there is a lack of such hubs, other reports claim that there are plenty installed already, with many more anticipated (AIHLEG, 2019c). Contradictions like this depict a pattern in the dataset, suggesting a rather uncoordinated research-landscape. The plenitude of different research-initiatives that is proposed by the different stakeholders involved, supports this assumption and poses a challenge since competitiveness in the research sector, according to the EU-documents, can only be achieved with a coordinated approach. Furthermore, there is a visible lack of *independent* research. Most of the research is conducted by institutes that are either EU internal (e.g. the Parliamentary Research Service) or commissioned by the EU (e.g. the AIHLEG). This could certainly depict a limitation in the composition of the dataset, as it only included reports and studies that were derived from EU channels. One could, however, also argue that the analysed documents just occasionally referenced research that was conducted outside of the rather contextual EU sphere. Potentially valuable research from the private sector, for example, is not represented which makes the industry seem to be reclusive. In the long run this could lead to an extensive politization of AI, hampering the inclusiveness and reflexivity of the EU-approach.

Nevertheless, this thesis argues that an unmonitored inclusion of privately funded research projects could very well undermine the integrity and aspired normativity of the European AI-strategy. Tech-lobbying will, regardless of the integration of private research, pose a great challenge in the upcoming decade. Another system-immanent obstacle was found in the claimed vision of EU cooperation (*See* Chapter 4.2). The analysis identified a discrepancy between the very strong narrative to involve all the relevant stakeholders and the actual inclusiveness as it is portrayed and conveyed in the AI-strategy and associated projects. Surely, there are attempts (e.g. the European AI Alliance) to coordinate and consult all central stakeholders. Yet, there is no strategy presented to

actually involve representatives of the civil society in the policymaking process. Likewise, the private sector is not fully incorporated either, which is underlined by the fact that there is no feasible approach presented to merge industry and research in a healthy way. Consequently, there is no coordination between the aforementioned parties either, which could hinder the development of a European AI in the long run. This assumption is supported by a lack of code-cooccurrences along the fields of industry, research and public sector.

4.4.1 Interim Conclusion

The above section identified two dimensions of challenges, that the EU is or will be confronted with when pursuing its AI-strategy. Especially the civil society was pointed out as the most affected party, considering the upcoming digital transition process. Economically, the EU is challenged by the Brexit and its – compared to the AI-establishment – alternative approach to AI. It is hard to estimate, whether the human-centric approach will give European AI-start-ups the competitive advantage that the EU depicts as its silver-bullet. More importantly, however, the analysis identified system-immanent limitations which could hinder a successful implementation of the AI-strategy. Particularly the lack of cooperation and coordination, which represented a central narrative in the EU's overall vision on AI, is often not consequently realised. The public- as well as the private sector seem somewhat detached from the research-sector. Still, the fact that the EU is seeking to pursue its AI-goals despite economic and political costs, indicates that it is willing to abandon self-interests for the sake of promoting a human-centred AI, beyond European borders. This confirms the theoretical expectation, that a normative power is willing to overcome obstacles in order to pursue its normative agenda.

5. Conclusion

This thesis aimed to identify the extent to which the EU acts in a normative way, with regard to its AI-strategy. More generally, it tried to uncover challenges and explore concepts that are used when dealing with AI-governance. For this purpose, the EU depicted a good subject of analysis, as it seeks to realise alternative ways, driven by its complex nature. Based on a qualitative data and content analysis of 38 EU-documents, that stood representative for the EU's approach to AI, it can be concluded that the EU is promoting a normative AI-approach with some limitations. The normativity was measured alongside three central variables, which were derived from Niemann & de Wekkter (2010). The normative intent took into account the *genuineness,* the *prioritisation* (central vs. peripheral) *of values,* the *treatment of self-interests, double standards* and the overall *coherence* of the AI-strategy. Overall, the thesis states that, regarding the normative spectrum that is affected by digital technologies, the EU follows a true normative intent. This confirms the findings of Parviala (2019) who categorised the EU as a normative actor in the field of AI.

The process in which the concept was discussed, developed and deployed, was identified as *normative* too. Particularly the strong integration of the research sector ensured a high degree of constant reflexivity. The research sector was attributed with such dominant role, that the AI-concept partly feeds technocratic stereotypes. The extent to which the EU acts inclusively has to be critically evaluated, given the discrepancy between claims in the analysed documents and the actual involvement of actors like the industry or the civil society. The dominant position of the research sector could furthermore threaten the universality of the promoted norms in the long run, as the analysis identified a lack of independent research that was conducted or cited in the dataset. Overall, the process of implementing and developing the AI-concept, with a multi-stakeholder and cooperative approach can be regarded as *normative with limitations*. Regardless of this limitation, the thesis identified *EU cooperation* as the main political tool for the EU to establish a competitive AI-market. In this sense the findings of Franke & Sartori (2019) can be confirmed and adapted to a supranational, EU-level. Similarly, the aforementioned limited inclusiveness of actors that are depicted as crucial in the dataset, supports the findings of Vesnic-Alujevic (2020). Indeed, the proclaimed incorporation of, for instance the civil society, is not backed with plans to actually realise this intention. Furthermore, the different parties appeared to have separate fields of responsibility, which leads to a lack of interconnectedness (Vesnic-Alujevic, 2020). Moreover, this supports the findings of Fast (2020), as AI is too complex and technical to be discussed on a multi-stakeholder level, that truly and equally integrates all affected parties (e.g. civil society).

Certainly, in order to evaluate a normative power, it is crucial to assess its *normative impact* on third parties or, in the case of this research, on member states. Considering the novelty of the approach – that was subject to the analysis – the actual normative impact on third countries was hard to estimate. In retrospective, this can be regarded as a limitation to the research. Nevertheless, the implementation of the AIHLEG or the EU AI Alliance, indicate an internal normative change, that might have external normative effects in the future. Additionally, legislations like the GDPR suggest a certain internalisation of AI-related norms like trustworthiness. Furthermore, one could argue that these implementations (e.g. GDPR) as well as the overall European alternative to AI, triggered foreign actors to rethink their own strategies (Albrecht, 2016; Houser, 2018)

and had effects on foreign companies as well (Winde & Dernbach, 2020). It would, however, be a conjecture to claim a correlation between the European way and rethinking-processes in other countries, like the U.S. In fact, having the EU as the sole unit of analysis depicts a limitation to this thesis. A future research could therefor conduct a cross-country comparison in order to reveal normative interrelations and impacts.

By analysing the interrelations of AI-stakeholders, visions of AI-governance, central normative narratives and resulting challenges, this thesis has illustrated the difficult, however feasible, connection of human-centred norms and AI, using the example of the EU. These seemingly rather contradicting concepts impose a number of challenges as well as opportunities for an alternative future of AI. The thesis has furthermore revealed that the EU is jeopardising vital self-interests, in order to fully implement its own, human-centric vision on AI, while striving to be competitive. Going against the established concepts of market leaders can furthermore be seen as *normative* itself. While the potential benefits of AI certainly had a prominent position in all the analysed documents, the EU can still be characterised as a cautious actor in the field of AI-politics. Contrary to national AI-strategies, which often portray the technology as a silver-bullet to realise political, economic and social agendas (Ossewaarde & Gulenç, 2020), the EU approaches the upcoming and inevitable changes with a balanced blend of technological realism, diligence and self-reflectiveness.

The EU is the first international actor of this economic power and magnitude to regulate AI, with such normative approach. The incoherencies and system-immanent flaws could hence be interpreted as childhood diseases. On the other hand, initiatives like the AIHLEG can be used as blueprint for other like-minded countries (e.g. Singapore, Japan or Canada) to follow the EU and set new trends to establish ethical and sustainable AI-governance models. This approach often results in complex and incremental policy-making processes and yet, ideally, considers the voices of every affected party. This constitutes a dialogue to eventually create an AI-regime for the greater good. Owing to the given infancy of the European AI model, future research should reconsider the findings of this thesis and examine their applicability, once the strategy is fully implemented.

Certainly, the method as well as the theory that were utilised for this thesis have to be critically reflected as well. While the qualitative content analysis provided clear tools to process large amounts of text-data, the composition of the dataset could be adapted in future research. Owing to the fact, that the selected documents were solely derived from EU-institutional channels, an internal view on the vision of AI was created. By conducting external studies and reports, an external more reflected image could be generated, as to be seen in the article by Vesnic-Alujevic (2020). Furthermore, the limitations to the Normative Power Europe theory – particularly its application – were once more confirmed during this research. Albeit the clear structure that was provided by Niemann & de Wekker (2010), it proved to be difficult to apply the concept to larger sets of data. In combination with the limitation of the dataset, which conducted an EU-internal view, the thesis had its difficulties to assess the normative impact of the analysed AI-strategy. As this thesis depicts a novelty, regarding the application of the NPE on an AI-strategy, future research could assess the effect of the EU as a normative power on other players in the field of AI.

Moreover, the norms that were pre-defined in Manners' concept, do not necessarily apply to modern digital technologies. While previous research has

successfully applied the theory to political themes like FRONTEX (Ekelund, 2019) or geopolitical issues (Niemann & de Wekker, 2010) the same set of norms was only partly applicable to the European AI-agenda. This finding does not weaken the statement that the EU is indeed acting normatively as it still represents values that are deeply enshrined in its foundational treaties, while approaching AI. It rather underscores the already acknowledged fact, that EU-policymakers will be urged to adapt their set of values in the near future. As it was the case in the past when, for instance, sustainable development entered the value portfolio of the EU, future adaptions of these guiding principles will be needed to ensure the aforementioned normativity. Hence, this thesis argues that Manners' concept of Europe as a Normative Power needs an adjustment to modern dynamics as well. AI is, without any doubt, influencing all sections of international politics and thus heavily contests Manners' theory.

Finally, the thesis has illustrated the difficult relationship of technology and European values. By explaining this relationship with the *Normative Power Europe* theory, the present thesis found a new way to approach AI-governance and challenges that come with it. Despite the contextuality that is given in the realm of European AI-politics, the empirical findings are very well applicable to other cases with comparable contexts (e.g. liberal democratic values). The thesis found the norms to be conveyed subliminally, rather than directly. The EU can thus be characterised as a "silent" force for good AI, without actually proclaiming its attested role as normative power. Contrary to other, already established AI-regimes, the EU has the chance to approach AI in a more conscious and normative way, protecting its citizens and inherited values, while being a role model for like-minded countries. Despite the detected problems, this could trigger a global trend of human-centric, ethical AI with the EU as a normative compass.

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