The Power of Framing: Big Tech Influence on AI Regulation and Policy Discourse

Amanda Dahl

International School for Government, Kings College London

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The influence of big tech lobbyists in the UK poses a challenge to the creation of strong regulatory frameworks for artificial intelligence (AI). Lobbyists use their financial resources and political connections to advocate for a pro-innovation stance, stating that “regulation stifles AI innovation” (Petit & De Cooman, 2020) and calling for minimal oversight and decentralised regulation. This framing of the issue de-emphasises the possibilities of regulatory failure and instead builds a narrative of conflict between innovation and regulation, branding government oversight as a barrier to investment and technological progress. It is an example of “pro-innovation bias” (Ferreira et al., 2020) and in the case of AI regulation there is a chance that this approach may have unintended consequences. This essay will evaluate the framing and influence tactics employed by big tech which resulted in a policy approach to AI regulation with a strong pro-innovation bias. It will discuss the scope of multinational corporate influence on AI regulation in the UK and argue that lax regulation may actually deter responsible investors from supporting AI technologies, leading to market uncertainty, economic instability and even policy disaster rather than the desired growth.

The UK policy paper, “A pro-innovation approach to AI regulation” (the “White Paper”) proposes a decentralised regulatory framework which relies on existing regulators to work closely with business to address risk but doesn’t yet commit to any legislative changes. Its stated aim is to ensure the UK becomes an “AI superpower” by creating the right conditions in which technological innovation can thrive. (DSIT, 2023)

Framing, in the context of public policy and political discourse, is the shaping of a complex set of issues to influence how they are perceived and thus how policy is formed (Borah, 2011). As applied to AI regulation, framing is used by pro-innovation lobbyists to stress the potential for AI to improve societal quality of life through major advancements in technologies across a broad range of sectors. Interestingly, they also highlight potential risks for harms as a consequence of the technology, from AI-driven unemployment to deep fakes, but choose to de-emphasise potential risks from under-regulation, instead welcoming a “context-specific” and “decentralised” approach to regulation (Feeney, 2023).

The broader narrative is consequently framed that a post-Brexit United Kingdom is hindered from addressing major societal and economic challenges because of a lack of innovation. Pfotenhauer et al. (2018) term this a “deficit model of innovation”, where the diagnosis of underlying systemic issues is firmly placed at the hands of over regulation, underinvestment in innovation and overly risk-averse attitudes in policymaking.

Big tech companies have a global presence and are working to influence AI regulation in all regions of the world. It is difficult to gain a clear picture of big tech lobbying efforts in the UK because, as illustrated by McKay and Wozniak (2020), there is a lack of transparency in the UK due to weak lobbying regulation, poor data about interactions between lobbyists and government and a lack of visibility of those interactions.

It is easier to gain understanding of the scope of big tech lobbying efforts in the context of AI regulation in regions where there is greater regulation and transparency towards lobbying itself. For example, at every stage of the policymaking process of the EU Artificial Intelligence (AI) Act (European Commission, 2024), there were numerous and intensive lobbying efforts by multinational corporations, where it was made clear that “AI is increasingly central to the business models of large tech companies such as Google, Microsoft, and Meta... Google, in private meetings with the Commission, described itself as an ‘AI first company’ with ‘AI driving all their products.’”(Schyns, 2023)

The pro-innovation bias driven by the “deficit model” of innovation helps influencers to craft a narrative framed as a positive step towards societal and economic growth. Rather than outright dismissal of risk, there is instead a push to anticipate regulation by incorporating risk into the pro-innovation narrative. On the surface this can appear as a pragmatic, balanced argument. However, as Ochigame (2019) points out, in many parts of academia, corporate financial influence means that the discussion surrounding AI risk and ethics is “aligned strategically with a Silicon Valley effort seeking to avoid legally enforceable restrictions of controversial technologies.”

The impact of this influence is seen in the White Paper, where ethical and human rights risks are called out to some degree alongside the myriad potential benefits of AI innovation. The assumption of the policy is then that, because risks have been acknowledged, it is therefore acceptable to proceed with the desired decentralised, loose regulation.

But the arguments in the policy lack foresight. The potential consequences of the White Paper's regulatory recommendations could be far reaching, in that the absence of centralised regulation and reliance on self-enforcement may backfire, leading to negative outcomes including reduced investor confidence, market volatility, and ethical concerns. At worst, such a regulatory environment surrounding unproven and powerful technologies could lead to disaster. As Dunleavy (1995) states, “policy disasters” are characterised as the unintended consequences of poor intentional choices by high ranking policymakers and regulatory disasters are a particular form of policy disaster. From the collapse of Northern Rock, to Three Mile Island, Fukushima and the Grenfell Tower, poor communication, lack of trust, misunderstandings and especially the strong financial incentivisation of influencing parties all contribute to the confluence of events leading to major regulatory disasters (Black, 2014).

Given the risks associated with minimal regulation in AI, including the potential for these technologies to cause unforeseen harms and ethical dilemmas, it is not enough simply to mention the risks in a policy paper decreeing decentralised, loose regulation. Rather, there is a need for greater transparency, accountability, and public awareness to mitigate the negative impacts of industry lobbying on regulatory decision-making in the AI sector. Further research or policy action, consulting expertise from across academia and learning from the policy approaches of liberal democracies around the world will ensure that AI regulation prioritises public interests and ethical considerations while fostering true innovation and confident investment in the sector.

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