Keywords: #Artificial_Intelligence #Decolonialization

Notes:

Related:

- 202409041135 - Abstract for Kyudai Alumni Event Paper
- 202409081317 - Outline, Decolonization RTD Guide Questions
- 202408071042 - Outline - Computation and Legal Reasoning
- Slides 1 and 2 - Good Afternoon. I am going to discuss something called the "Synoptic View" and how it relates to what should be the proper uses of AI, similar technologies.
- Slide 3 - Background
  - Where I'm coming from:
    - Before going to law school, I was a programmer who became interested in legal issues. I entered law school with the naive view that all of the law can be seen as just another software system - just systems of definite, inferrable rules built on top of each other.
    - With experience, my view is of course more conservative. Outside of trivial cases, it is not likely that there will always be a one-to-one correspondence between law and code - But it is still rewarding to approach the law as if it were so.
  - Computational Law - This is really the agenda of the field I consider to be working in, which is called computational law. It consists of encoding legal rules (or at least some aspect of it), into a computable form, and then use the tools of logic and analysis to automate some parts of legal reasoning. While my views about the computability of the law are less aggressive. I think this is still a fruitful path. It can give us useful applications. It can help us think more clearly about the process of legal reasoning. And it's interesting.
- Slide 4 - Relation to my dissertation
  - This is the chapter plan for my dissertation. I am concerned with using computational law techniques in order to improve the Competition Impact Analysis process.
  - This presentation is planned to be part of my doctoral dissertation - a chapter or a section where I look at normative frameworks for

evaluating the technology, and its appropriate role, generate alternatives and best.
    - I am currently here, encoding the OECD rules into structures called ontologies - the engineering phase of the work. At the same time, every now and then I look at the normative issues when it comes to the use of the technology - because these issues can guide how the technology is designed and deployed in the first place. Which I think is more efficient than figuring out liability once the damage is done.
- Slide 5 - Scott's "Seeing Like a State"
    - So one useful framework I've picked up for evaluating the technology is "Seeing Like a State", and related work from the sociologist James C. Scott. He elaborates on the history, motivations, and the pitfalls of the "synoptic view". I think a similar dynamic animates the use of artificial intelligence, and similar technologies.
- Slide 6 - Scott's "Seeing Like a State"
    - The premise of Scott's work is this historical moment prior to the birth of the modern nation-State. You're a kingdom and you need a regular supply of lumber to build things like ships (because you want to expand trade, or you want to go to war). You send a functionary to look at your primeval old growth forest and it's really suboptimal for the state's purpose. It's harder to locate and access the resources you need. The trees are not standardized in terms of size, growth rate. There is so much stuff that is extraneous to the State's requirements.
- Slide 7 - Scott's "Seeing Like a State"
    - In Scott's words, an old growth forest is not legible. It's hard for the state and its functionary to write a synopsis - or acquire a synoptic view, that can be the basis of policymaking. So the state develops something like "Scientific Forestry". Just one species optimized for lumber, everything laid out in a grid that every tree is accessible and no space is wasted. The forest has become more legible for the state and its functionaries.
- Slide 8 - Scott's "Seeing Like a State"
    - The State prefers (or requires) our physical and social environments to be more legible in order to carry out its basic functions. Scott argues that a lot of things that we now take for granted - like registration schemes for people and property, standardization of language. These all contribute to making state functions easier. And I make no judgment

about the morality of these state functions per se. Regardless of where it is in the political spectrum - a state's government has to carry these functions to some degree. So the design of modern cities serve those functions. The grid layout, the registration systems - these facilitate so the State can derive resources (through taxation and conscription), and just know what's going on.

- Slide 9 - The Dark Side
    - We enjoy many fruits of modernity because the environment has become more legible to the state. But these mechanisms may be in the background, but they are hardly neutral or harmless. The legibility of a city and its population certainly helped facilitate the Nazis in locating, transporting, and then eventually liquidating jews. We know now that the tree plantations are not the equivalent of forests, and that these monocultures are not sustainable. State development projects that run along this mode (rationalizing, legible) have often led to fiascoes - particularly in the 3rd world. However well intentioned, they have resulted in economic damage, and lives lost.
- Slide 10 - How It Goes Bad
    - Administrative Ordering - State uses abstract models. Officials rely on abstractions and remove themselves further from political accountability.
        - High Modernist Ideology - There is a well-packaged, rhetorical justification for prioritizing these models, and using them at scale
        - Authoritarianism - Centralized power is welded to the high modernist ideology, out of principle or convenience, and will deploy the awesome power of the state (including violence)
        - Weak Civil Society - With no one to oppose the project, it (and all its associated benefits and harms) proceed.
- Slide 11 - How does this relate to Artificial Intelligence
    - Impressive capabilities - Broad information base gives impression of knowledge; stochastic expressiveness gives impression of creativity.
    - But this is nowhere near intelligence based on our best understanding of the term. What we see is a sleight of hand.
    - Some drawbacks
        - Tremendous cost
        - Safety
        - Flatness and homogeneity

    - Regardless of the debates of the extent to which this is intelligence, the capabilities are robust enough to merit a degree of broad financial support and adoption
- Slide 12 - Administrative Ordering
    - Scott's concern with the move towards the synoptic view is that they are reliant on maps and models that do not reflect all information relevant to constituents
        - Ex: Scientific forestry failed to account for non-lumber uses of trees and forest ecosystems. Modern property regimes have failed to account for previously negotiated entitlements, and non-economic interests.
    - The same tendency for abstraction is inherent in the software development process. For most software solutions, the usual approach is to build a model for the phenomena that we want to manage by software. What we often here about is the concept of the algorithm - the steps and procedures, which are easier to review. What can be more insidious is the starting point - the choice of data structure.
    - You can really evaluate them based on the requirement of legibility. Except the question now is legibility for what purpose? The tendency is to flatten out people and social phenomena into simplified structures. (Experience in the law and programming class). The individual and group - reduced to a table or list structure. All the complexity that cannot fit that is ignored.
- Slide 13 - High Modernism Ideology
    - There is also the rise, in the circles of enterprise and government that are expected to develop and use these systems of a technology-centered ideology to just go ahead and prioritize these systems (over concerns regarding equity, safety, or the environment). It justifies how more of the physical and social worlds should be viewed through the lens of software. Like any ideology - it's not something that can survive sustained inquiry, but is very appealing. Like any ideology, it provides convenient, ready-made justifications as to why some set of people or activity should be privileged.
- Slide 14 - Authoritarianism?
    - Note the question mark. Maybe we're not there yet. I am not aware of any state-sponsored attempts at widespread adoption of these technologies. But perhaps instead of central states, we have the

structures built around large tech companies. There is growing concern about the reach and power of these companies. Are there sufficient incentives in the system to ensure that these companies make trustworthy systems.

- Slide 15 - Weak Civil Society?
  - Also a question mark. But it also does not help that the platforms developed by these tech companies have documented tendencies to atomize individuals and polarize societies.
- Slide 16 - Things to look out for
  - A part of the problem can be addressed at the policy-level.
  - The risk - is that this is state-intervention using oversimplified models
  - Scott focuses on smaller, tactical interventions that can be done by people at the ground level. So what follows is the start of a guideline for programmers making design choices for these systems, or government functionaries making choices at the procurement or deployment stage
  - Things to watch out for would include:
    - Thin formulaic simplifications
    - Imposed, not negotiated
    - Utilitarian, commercial, fiscal purposes
    - Monocultural, geometric
- Slide 17 -Metis
  - The alternative that Scott proposes is to look for and use "Metis" - the greek term used to describe the kind of practical, cunning knowledge that Odysseus had.
  - Instead of oversimplifications that appeals to universality, it relies on what is practical, makes use of local knowledge
  - It also gives priority to experience, intuition, improvisation
  - It does not have prejudices informed by a shallow aesthetic sense of what looks right, and so looks messier as an organic phenomena.
- Slide 18 - Bruges
  - So it is going to look messy and haphazard, but hopefully it will reflect a more stable, more sustainable order. Open, public AI models, just like communities that are built from the ground up, are more likely to contain metis, and to consider negotiated solutions.
- Slide 19 - End Slide

- Thank you very much for your time. This presentation, its related notes, as well as the current draft of my dissertation, can be found on this github page:

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Theme/Question

What this leads to

Opposite

Similar