

COMPARATIVE AI REGULATIONS

Responsible Faculty Instructor:
Aneeshaa Dev [aneeshaa.dev@jgu.edu.in]
Assistant Professor, JGLS

Credits: 4

Credits Type:

Cross-registration: No

Pre-requisites: No

COURSE DESCRIPTION (COURSE VISION):

Comparative AI Regulations is your front-row seat to understanding the global effort to govern artificial intelligence before it governs us. This course offers a comparative overview to global regulations governing artificial intelligence by covering three major regions, the EU, the US, and the Global South, with the express aim to interrogate the normative assumptions underpinning the regulation of AI. It explores the rapidly evolving landscape of AI governance through a comparative legal lens, examining how different jurisdictions are responding to the promises and perils of AI.

Comparative AI Regulations will unpack how techno-legal imaginaries differ from Brussels to Bengaluru. It will explore the conceptual foundations of AI regulation: What exactly is being regulated when we talk about "AI"? What makes AI distinct (or not) from other emerging technologies? Who bears responsibility when things go wrong, and how do traditional legal frameworks cope, or fail, in assigning accountability? Can existing legal systems even stretch to accommodate these disruptions, or are we witnessing the birth of an entirely new regulatory paradigm? The course will delve into a comparative study of global regulatory responses. In the *Global North*, we will examine the EU's AI Act and the United States' fragmented federal and state approaches. In the *Global South*, the course will pay close attention to how issues of digital colonialism, developmental asymmetries, and techno-sovereignty complicate universalist regulatory ambitions, with countries such as India, Brazil, China, Kenya, and South Africa framing AI governance within these contexts. Supranational efforts, such as those by the OECD, G7, and UNESCO, will also be examined to understand global attempts at harmonization (or the lack thereof).

Comparative AI Regulations is designed to prepare law students to critically engage with one of the most pressing challenges of our time: governing artificial intelligence across fragmented, often contradictory, global legal landscapes. The vision of the course is to build lawyers, policymakers, and scholars who are not only fluent in statutory and doctrinal frameworks but also capable of interrogating the deeper normative, ethical, and geopolitical stakes of AI regulation. Students will develop the ability to analyze and compare jurisdictional approaches, identify structural gaps in legal frameworks, and craft innovative solutions that are sensitive to both global and local contexts.

TEACHING METHODOLOGY:

Teaching methodology includes close readings of legal and policy texts, seminar-style in-class lectures and discussions, interactive debates, simulated multi-stakeholder negotiations, and case-based analysis.

Power-point lecture modules, anecdotal and literary excerpts, documentaries, workshop-format interactions with an expert will contribute to the holistic treatment of the subject.

Students will deploy AhaSlides and Kahoot! for collaborative activities and engage in structured peer debates for most classes.

INTENDED LEARNING OUTCOMES:

By the end of the course, students will be able to:

- Define and critically assess the legal and normative foundations of AI regulation.
- Compare and contrast regulatory frameworks across jurisdictions.
- Evaluate adequacy of existing legal regimes and analyze supranational initiatives.
- Draft policy recommendations, simulate compliance assessments, and engage in structured debates.
- Produce research or policy papers that situate AI regulation within broader fields of law, technology, and governance.

READING LIST (upto 10 select readings):

1. Bryson JJ, 'The Artificial Intelligence of the Ethics of Artificial Intelligence: An Introductory Overview for Law and Regulation' in Markus D Dubber, Frank Pasquale and Sunit Das (eds), *The Oxford Handbook of Ethics of AI* (Oxford University Press 2020).
2. Yeung, K. (2018). Algorithmic regulation: A critical interrogation. *Regulation & Governance*, 12(4), 505-523.
3. Bogucki, A., Engler, A., Perarnaud, C., & Renda, A. (2022, September). *The AI Act and emerging EU digital acquis: Overlaps, gaps and inconsistencies* (CEPS In-Depth Analysis No. 2022-02). Centre for European Policy Studies (CEPS).
4. Beyond Section 230: Principles for AI Governance. (2025). *Harvard Law Review*, 138(6), 1657.
5. Couldry, N., & Mejias, U. A. (2018). Data colonialism: Rethinking big data's relation to the contemporary subject. *Television & New Media*, 20(4), 336-349.
6. Harvard Law Review Blog. (2023, June 22). Data colonialism and data sets. <https://harvardlawreview.org/blog/2023/06/data-colonialism-and-data-sets/>
7. Whaples, A. (2025). AI regulation across borders: Legal challenges and prospects for international cooperation. *San Diego International Law Journal*, 26(2), 317-349.
8. Hohma, E., Boch, A., Trauth, R., & Lütge, C. (2023). Investigating accountability for Artificial Intelligence through risk governance: A workshop-based exploratory study. *Frontiers in Psychology*, 14, Article 1073686.
9. Co-governance and the future of AI regulation. (2025). *Harvard Law Review*, 138(6), 1609.
10. Maas, M. M. (2025). The global AI governance architecture: Past and futures. In *Architectures of global AI governance: From technological change to human choice* (pp. 181-283). Oxford University Press.

WEEKLY READING PLAN (WEEKLY OUTLINE):

A weekly plan is provided below:

MODULES	WEEK(S)
<p>MODULE 1: LAW, TECHNOLOGY, AND THE AI REGULATORY DILEMMA</p> <p>This module examines why AI resists traditional legal categorization and why regulators worldwide are scrambling to retrofit, redesign, or reinvent governance architectures for algorithmic systems. Students will engage with foundational theoretical frameworks (Lessig’s modalities of regulation, Reidenberg’s Lex Informatica, socio-technical governance theory) alongside industry realities such as algorithmic opacity, model training pipelines, cross-platform data flows, and black-box unpredictability. The module lays the conceptual groundwork for understanding AI as both a technological artefact and a regulatory object whose risks, impacts, and legal touchpoints vary dramatically across jurisdictions.</p>	<p>Week 1</p>
<p>MODULE 2: THE EUROPEAN UNION: RISK-BASED REGULATION AND THE AI ACT</p> <p>This module introduces students to the EU’s AI Act, which is the world’s first comprehensive, horizontal regulatory framework for AI and situate it within the EU’s broader digital regulatory philosophy of fundamental rights protections, harmonize market standards, and govern AI through ex ante risk management. Students will interrogate whether the Act over-relies on technical determinism, whether the risk-based architecture can meaningfully respond to socio-political harms, and the Act’s interaction with existing EU regimes such as the GDPR and the Digital Services Act (DSA). The module also highlights industry implications, compliance burdens, and critically engages with debates on regulatory overreach, technocratic governance, democratic legitimacy, and the geopolitics of exporting European AI norms through regulatory diplomacy.</p>	<p>Weeks 2 - 3</p>
<p>MODULE 3: UNITED STATES: PATCHWORK AND LITIGATION AS REGULATION</p> <p>This module examines the United States’ fragmented and sector-specific approach to AI governance, where regulation emerges less through comprehensive federal statutes and more through a mosaic of agency guidance, sectoral laws, executive orders, state legislation, tort litigation, and private enforcement. Students will analyze how constitutional constraints, market-driven policymaking, and federalism produce a governance model that prioritizes innovation and risk-tolerance while externalizing harms</p>	<p>Weeks 4 - 5</p>

<p>onto courts and administrative agencies. The module critically interrogates whether litigation-driven accountability is sustainable for complex AI systems, and explores how industry malpractice, algorithmic discrimination cases, and state-by-state divergence complicate coherent federal oversight.</p>	
<p style="text-align: center;">MODULE 4: GLOBAL SOUTH PERSPECTIVES: AI, DEVELOPMENT, AND DIGITAL SOVEREIGNTY</p> <p>This module situates AI governance within the political economies of the Global South, where regulatory priorities are shaped by developmental needs, infrastructural asymmetries, geopolitical dependencies, and historical trajectories of technological extraction. Students examine how AI regulation in emerging economies is entangled with digital sovereignty, data colonialism, capacity constraints, and reliance on foreign platforms and compute. It also interrogates how Global South actors exercise agency by crafting divergent governance models in India, Brazil, China, Kenya, and South Africa.</p>	<p>Weeks 6 - 7</p>
<p><i>MID-TERM ASSESSMENT: SIMULATION</i></p>	<p>Week 8</p>
<p style="text-align: center;">MODULE 5: CROSS-BORDER AI GOVERNANCE AND GLOBAL STANDARDS</p> <p>This module examines the supranational efforts and the transnational dimensions of AI governance – where data, models, compute, and algorithmic services routinely flow across borders while legal systems remain territorially bound. Students explore how international organizations (OECD, UNESCO, G7, GPAI, ITU), standards bodies (ISO/IEC, NIST), trade frameworks, and cross-border data rules shape the emerging global governance architecture. The module highlights tensions between interoperability, sovereignty, human rights protection, and global competitiveness, focusing on real industry problems such as multinational AI model deployment, cross-jurisdictional audits, and supply-chain vulnerabilities in compute and data. A critical lens is applied to assess whether global standards democratize AI governance or consolidate power in technologically dominant states.</p>	<p>Weeks 9 - 10</p>
<p style="text-align: center;">MODULE 6: THEMATIC CHALLENGES</p> <p>This module engages with the foundational normative and operational challenges arising from AI deployment across public and private sectors. Students examine fairness, discrimination, and human-rights impacts of algorithmic systems and interrogate transparency, explainability, accountability allocation, and liability regimes, focusing on real industry constraints (black-box models, proprietary systems, API-based deployments) and doctrinal gaps</p>	<p>Weeks 11 - 13</p>

<p>across jurisdictions.</p>	
<p>MODULE 7: TRANSPARENCY, LIABILITY, AND ACCOUNTABILITY This module examines forward-looking trajectories of AI governance and the competing regulatory paradigms that may shape the next decade. Students analyze structural shifts in global power, emerging governance architectures (compute governance, model-level regulation, algorithmic auditing ecosystems), and the growing influence of private actors who increasingly function as de facto regulators through model design choices, API constraints, and content policies. The module explores critical lenses, including feminist, decolonial, environmental, and political economy approaches, to interrogate who benefits from current AI regulatory movements and who remains structurally marginalized.</p>	<p>Week 14</p>
<p><i>REVISION WEEK</i></p>	<p>Week 15</p>