# Comparative AI Regulations

**Course Duration:** One Semester (14 Weeks)
**No. of Credit Units:** 4 Credits
**Level:** UG and PG
**Pre-requisites** (if applicable): None

## Course Description

Welcome to the wild west of legal innovation, where the law is perpetually playing catch-up with machines that now write poems, diagnose diseases, and share facts of completely made-up cases. *Comparative AI Regulations* is your front-row seat to the global effort to govern artificial intelligence before it governs us. This course 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.

We will interrogate the normative assumptions underpinning the regulation of AI, unpacking how techno-legal imaginaries differ from Brussels to Bengaluru. We begin by exploring 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 then delve into a comparative study of regulatory responses. In the *Global North*, we will examine the EU's AI Act, the United States' fragmented federal and state approaches, the United Kingdom's evolving post-Brexit regulatory ethos, and Canada's cautious dance with rights-based AI governance. In the *Global South*, the course pays 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).

Themes covered include risk-based regulation, algorithmic transparency, fairness and bias, data protection, AI in public administration, national security implications, user trust and safety, and the tension between innovation and oversight. Particular attention will be given to how existing legal regimes—such as data protection law, consumer protection, constitutional rights, and competition law—are being stretched (sometimes uncomfortably) to accommodate AI.

Students will be encouraged to critically assess whether current regulatory models are fit for purpose, and to consider what principles should guide future governance. This includes engaging in comparative legal analysis of statutory texts, evaluating the constitutional and administrative implications of AI deployment, and interrogating the role of private actors in shaping de facto regulatory standards.

Students will also grapple with doctrinal questions of liability, jurisdiction, and rights enforcement, alongside broader critiques of how law legitimizes or resists technological power. Through readings, policy papers, legal instruments, case studies, and class debates, students will gain a grounded and global understanding of the competing priorities at play: innovation vs. rights, national sovereignty vs. international norms, and private power vs. public interest.

The course is designed for students with an interest in law, policy, technology, or global governance. No STEM background is required, but a tolerance for acronyms, ethical and policy paradoxes, and philosophical rabbit holes is highly recommended. If a student enjoys dissecting legal texts and unpacking power structures, this course is for them.

## Pedagogy

The course will use a blend of doctrinal teaching, comparative legal method, and experiential pedagogy to equip students with both substantive knowledge and critical skills. Students can expect interactive debates, moot simulations, policy-drafting sprints, a guest lecture from an industry specialist, and foresight workshops. Students will deploy AhaSlides and Kahoot! for collaborative activities and engage in structured peer debates. These exercises demand that students move beyond doctrinal knowledge toward the skills of design, critique, and negotiation.

- Doctrinal and Comparative Analysis: Students will engage with statutes, draft bills (e.g., EU AI Act, Brazil's PL 21/2020, India's Digital India Act), and case law to understand how legal categories adapt (or fail) to AI systems.
- Critical Engagement: Readings from legal theory, political economy, and decolonial scholarship will be woven into modules, encouraging students to interrogate law's embedded values and power structures.
- Interactive Simulations: Policy hackathons, moot-style liability trials, and drafting exercises will simulate real-world legal practice and regulatory decision-making.
- Collaborative Tools: Platforms such as AhaSlides and Kahoot! will be used for live polling, drag-and-drop stakeholder mapping, and structured debates, ensuring dynamic classroom participation.
- Comparative Case Studies: Students will analyze how the same AI application (e.g., facial recognition, credit scoring) is treated across different jurisdictions, grounding abstract theory in tangible examples.
- Assessment for Learning: Continuous assessment through short reflections, group simulations, and debates will ensure students receive iterative feedback to refine their analytical and legal reasoning skills.

## Course Structure

The course unfolds across seven thematic modules, spread over fourteen teaching weeks (with Week 7 reserved for a midterm assessment and Week 14 for review). We start with foundational concepts, move through behemoth laws of Global North, analyze the Global South positioning, grapple with

thematic challenges, understand advanced comparative/doctrinal issue complexities, and close with ethical and forward-looking reflections. This progressive difficulty ensures students move from comprehension to application to critical synthesis.

Each module zooms in on a core area of regulation:

| **Week #** | **Modules** | **Topics** |
|---|---|---|
| 1 | Module 1<br>Law, Technology, and the AI Regulatory Dilemma | • Defining "AI" (technical, legal, and policy frames)<br>• The "pacing problem" of law and technology<br>• Why AI isn't just "another tech" (opacity, autonomy, unpredictability)<br>• Normative foundations: human rights, risk, precautionary principle<br>• Law's regulatory modalities (command-and-control, co-regulation, soft law) |
| 2<br>3 | Module 2<br>The European Union: Risk-Based Regulation and the AI Act | • Structure of the EU AI Act (risk tiers, obligations, prohibited practices)<br>• Enforcement and institutional design (national regulators, EU-level boards)<br>• Relationship with GDPR and DSA<br>• Critiques: innovation chill, enforceability gaps<br>• The "Brussels Effect" in AI governance |
| 4 | Module 3<br>United States: Patchwork and Litigation as Regulation | • Federal vs. state-level regulation (FTC, NIST, EEOC, California)<br>• The AI Bill of Rights (OSTP, 2022) – ambition vs. enforceability<br>• Litigation pathways: liability, tort, anti-discrimination<br>• Private governance: Big Tech self-regulation and standards-setting<br>• Comparative analysis: "market first" vs. "regulation first" |
| 5 | Module 4<br>Global South Perspectives: AI, Development, and Digital Sovereignty | • India: Draft Digital India Act, NITI Aayog's Responsible AI strategy, DPDP Act<br>• Brazil: AI Bill of Law (PL 21/2020) and rights-based framework<br>• South Africa & Kenya: early strategies, link with POPIA and constitutional law<br>• China as a hybrid model: authoritarian regulation of algorithms, social credit<br>• Digital colonialism and techno-sovereignty |
| 6 | Module 5 | • OECD AI Principles (2019)<br>• UNESCO's Recommendation on the Ethics of AI (2021) |

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|---|---|---|
| | Cross-Border AI Governance and Global Standards | • G7 Hiroshima Process & GPAI initiatives<br>• Role of technical standard-setting (ISO, IEEE)<br>• Fragmentation vs. harmonization: geopolitics of AI regulation |
| 7 | *Pause and Assess* | *Mid-Term*<br>Policy Hackathon |
| 8 | Module 6 Thematic Challenges I: Bias, Fairness, and Human Rights | • Algorithmic bias and discrimination in housing, employment, credit<br>• Comparative anti-discrimination law (EU Charter, U.S. Civil Rights Act, India's constitutional equality jurisprudence)<br>• Intersection with human rights treaties (ICCPR, African Charter, etc.)<br>• Rights-based AI frameworks vs. risk-based ones |
| 9 | | |
| 10 | Thematic Challenges II: Transparency, Liability, and Accountability | • Explainability mandates vs. technical limits ("black box" problem)<br>• Product liability, tort, and administrative accountability frameworks<br>• Allocation of responsibility across supply chains (developers, deployers, users)<br>• Enforcement: regulators, ombuds, courts, industry codes |
| 11 | | |
| 12 | Module 7 Futures of AI Governance: Competing Models and Critical Lenses | • Innovation vs. precautionary principle: future regulatory philosophies<br>• Competing global models: EU rights-based, U.S. market-based, China's authoritarianism<br>• Decolonial critiques: AI and power asymmetries in global governance<br>• Prospects for hybrid governance models |
| 13 | | |
| 14 | *End and Reflect* | Revision |

## Course Vision

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.

This course positions AI governance as a comparative, interdisciplinary, and global field of study, connecting doctrinal analysis to lived realities.

## Intended Learning Outcomes

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

- Conceptual Mastery – Define and critically assess the legal and normative foundations of AI regulation, including concepts of accountability, transparency, and fairness.
- Comparative Analysis – Compare and contrast regulatory frameworks across jurisdictions (EU, U.S., Global South, China, etc.), identifying convergences, divergences, and underlying political economies.
- Doctrinal Application – Apply constitutional, administrative, tort, and data protection law principles to hypothetical AI-related disputes, and evaluate adequacy of existing legal regimes.
- Global Governance Literacy – Analyze supranational initiatives (OECD, UNESCO, G7, GPAI) and assess the prospects and limitations of harmonizing AI regulation globally.
- Critical Reflection – Evaluate AI regulation through feminist, decolonial, and human-rights-based critiques, recognizing the global asymmetries and digital colonialism embedded in governance debates.
- Practical Legal Skills – Draft policy recommendations, simulate compliance assessments, and engage in structured debates, gaining hands-on experience in legal problem-solving.
- Scholarly Contribution – Produce research or policy papers that situate AI regulation within broader fields of law, technology, and governance, thereby contributing to ongoing academic and policy debates.

## Assessments

| Assessment | Mode | Type | Maximum Marks |
|---|---|---|---|
| Moot-Style Exercise | In-Class | Liability of an AI system in a hypothetical harm scenario. | 15 |
| Mid-Term | In-Class | Policy Hackathon: Draft a constitution-style governance model for AI in a given jurisdiction. | 30 |
| Presentation & Viva | In-Class | Policy Presentation | 20 |
| Class Activities | In-Class | Debates, simulations | 5 |
| End-term Exam | | Comparative analysis or reform proposal. | 30 |

## Readings

Books

1. *The Oxford Handbook of AI Governance* (Oxford university press 2024)

2. Ebers M and Navas S, *Algorithms and Law* (1st edn, Cambridge University Press 2020)

3. Cohen JE, *Between Truth and Power: The Legal Constructions of Informational Capitalism* (Oxford University Press 2019)

4. Dhir M and Verma S, *AI for Good: India and beyond: Detailed Analysis of AI & Laws, Policies, Ethical Frameworks and Judgements* (1st edn, Notion Press 2024)

5. 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)

6. Aguerre C, Campbell-Verduyn M and Scholte JA (eds), *Global Digital Data Governance: Polycentric Perspectives* (Routledge 2024)

7. Mutambara AGO, *Artificial Intelligence: A Driver of Inclusive Development and Shared Prosperity for the Global South* (First edition, CRC Press, Taylor & Francis Group 2025)

8. Findlay M, Ong LM and Zhang W (eds), *Elgar Companion to Regulating AI and Big Data in Emerging Economies* (Edward Elgar Publishing 2023)

9. Brown I and Marsden CT, *Regulating Code: Good Governance and Better Regulation in the Information Age* (The MIT Press 2013)

10. DiMatteo LA, Poncibò C and Howells G (eds), *The Cambridge Handbook of AI and Consumer Law: Comparative Perspectives* (Cambridge University Press 2024)

Articles

1. Buenfil J and others, 'Artificial Intelligence Ethics: Governance through Social Media', *2019 IEEE International Symposium on Technologies for Homeland Security (HST)* (IEEE 2019)
2. Chan C and Petrikat D, 'Impact of Artificial Intelligence on Business and Society' (2022) 4 Journal of Business and Management Studies 01
3. Nothias T, 'An Intellectual History of Digital Colonialism' [2025] Journal of Communication 1-13

Statutes

1. EU AI Act (consolidated text)
2. OECD AI Principles
3. UNESCO Recommendation on the Ethics of Artificial Intelligence
4. GPAI Reports (Global Partnership on AI)
5. India's Responsible AI Strategy and Digital India Act Draft
6. Brazil's AI Bill of Law (PL 21/2020)
7. U.S. Blueprint for an AI Bill of Rights (OSTP, 2022)