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The Artificial Intelligence Influence on Structure of Power: Long-Term Transformation

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Abstract

Integration of artificial intelligence (AI) into public administration marks a pivotal shift in the structure of political power, transcending mere automation to catalyze a long-term transformation of governance itself. The author argues AI's deployment disrupts the classical foundations of liberal democratic constitutionalism — particularly the separation of powers, parliamentary sovereignty, and representative democracy — by enabling the emergence of algorithmic authority (algocracy), where decision-making is centralized in opaque, technocratic systems. Drawing on political theory, comparative case studies, and interdisciplinary analysis, the researcher traces how AI reconfigures power dynamics through three interconnected processes: the erosion of transparency and accountability due to algorithmic opacity; the marginalization of legislative bodies as expertise and data-driven rationality dominate policymaking; and the ideological divergence in AI governance, reflecting competing visions of legitimacy and social order. The article highlights AI's influence extends beyond technical efficiency, fundamentally altering the balance of interests among social groups and institutions. While algorithmic governance promises procedural fairness and optimized resource allocation, it risks entrenching epistocratic rule — where authority is concentrated in knowledge elites or autonomous systems — thereby undermining democratic participation. Empirical examples like AI-driven predictive policing and legislative drafting tools, illustrate how power consolidates in executive agencies and technocratic networks, bypassing traditional checks and balances. The study examines paradox of trust in AI systems: while citizens in authoritarian regimes exhibit high acceptance of algorithmic governance, democra-

cies grapple with legitimacy crises as public oversight diminishes. The author contends "new structure of power" will hinge on reconciling AI's transformative potential with safeguards for human dignity, pluralism, and constitutionalism. It proposes a reimagined framework for governance — one that decentralizes authority along thematic expertise rather than institutional branches, while embedding ethical accountability into algorithmic design. The long-term implications demand interdisciplinary collaboration, adaptive legal frameworks, and a redefinition of democratic legitimacy in an era where power is increasingly exercised by code rather than by humans.

Keywords

artificial intelligence; separation of power; structure of power; algocracy; epistocracy; liberal democracy.

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Introduction

It is difficult to find a developed country that does not recognize the vital importance of implementing artificial intelligence (AI) in public administration. Of course, the question of how to define AI remains subject to debate; however, the overall trend toward its integration into governance is robust and sustainable. In electronic government, the role of AI has become more significant than it was previously. The reason for this shift is straightforward: AI can perform certain tasks in ways that surpass human capabilities. As a result, public administration can become faster, less expensive, and more efficient one through the implementation of AI technologies. The countries who will avoid the implementation of the AI in the public administration may become degenerative exceptions due to the fact of the international rivals.

In modern history, governments have continuously sought tools to automate basic human functions. Initially, the primary goal was the development of military technologies. Beyond defense, computers have been employed for decades by government agencies to support administrative and data management tasks, including tax collection and the operation of large national benefit programs [Relyea H., Hogue H., 2004: 16].

Today, the implementation of new governance systems based on AI can be either fully automated or semi-automated [Danaher J., 2016: 247]. Removing the human element introduces both structural advan-

tages and disadvantages. This new era of decision-making without human intervention requires thorough and foundational analysis.

The potential for rapid advancements in AI technology has prompted widespread concern, including calls for government regulation of AI development and restrictions on its deployment. Such concerns are not unprecedented — fear of technological change and demands for governmental oversight have accompanied nearly every major technological innovation.

Therefore, it is crucial to understand the legal, political, and ethical obstacles societies face in the full implementation of AI in governance and public administration. Public decision-making typically requires moral and political legitimacy [Peter F., 2017]. Scholars have identified different approaches to understanding AI: the technical approach, which studies algorithms as computational tools; the sociological approach, which examines algorithms as products of interactions among programmers and designers; the legal approach, which considers algorithms as entities within legal frameworks; and the philosophical approach, which explores the ethics of algorithmic decision-making [Barocas S., Hood S., Ziewitz M., 2013: 3].

The hypothesis of the research is implementation of AI in public administration leads to a transformation of the classical structure of state power. Implementation of AI usually necessitates reconfiguring existing processes, and the current power structures are no exception. The present model of political decision-making is increasingly misaligned with the development of AI. Society must either slow the pace of AI development or reform the existing governance system to better accommodate these changes. The author argues the most pressing challenges lie not primarily in legal or technical domains, but in philosophical and ethical considerations. These emerging issues may ultimately challenge classical political philosophy and contemporary legal systems.

The author focuses on the heart of liberal democratic constitutionalism such as separation of powers and representative democracy. These principles have historically ensured checks and balances within state institutions and safeguarded citizens from arbitrary governance. However, the deployment of AI challenges these foundational elements by introducing new forms of authority — often opaque, technocratic, and centralized ones — that do not easily align with democratic frameworks.

The author also explores how the integration of AI into public administration disrupts the classical structure of state power and poses significant risks to liberal democratic constitutionalism. It investigates

whether algorithmic governance can maintain democratic legitimacy, especially when decision-making becomes less transparent and more reliant on epistemic elites or autonomous systems. Furthermore, it examines how AI may erode parliamentary sovereignty.

Ultimately, the article seeks to answer the central research question: How does the integration of AI into public administration challenge the foundational principle of liberal democratic constitutionalism — separation of powers? In doing so, it calls for a rethinking of governance structures that can accommodate technological advancements without compromising democratic ideals.

This article consists of five sections, including the introduction. The first chapter outlines the core functions of public administration and proposes a classification relevant to the current research. The second chapter examines the legal, political, and ethical challenges associated with replacing human decision-makers with AI. The third one presents conceptual proposals for the long-term integration of AI in governance. Finally, the conclusion summarizes key findings and discusses implications for future research and policy.

1. Use AI in Public Management

To understand how AI transforms public administration researchers must examine two interrelated dimensions: the nature of AI technologies and their impact on current and future social processes; and the evolving concept and structure of power. This chapter focuses on the AI's role in public management — with the latter being explored in detail in the subsequent chapter.

The author does not attempt to offer a definitive definition of AI applicable across all domains of public management. Indeed, no universally accepted definition of AI is available, even among experts in the field. Citing Alan Turing's foundational work, highlight an approach that emphasizes AI's capacity to «act humanly» — a perspective rooted in early conceptions of machine behavior [Turing A., 1950: 442]. However, what distinguishes AI from earlier technologies is its ability to operate autonomously. Already, AI systems can perform complex tasks such as driving vehicles or managing investment portfolios without direct human supervision.

For the purposes of the study, the definition proposed by the High-Level Expert Group on Artificial Intelligence serves as a comprehensive

framework: "software (and possibly also hardware) systems designed by humans that, given a complex goal, act in the physical or digital dimension by perceiving their environment through data acquisition, interpreting the collected structured or unstructured data, reasoning on the knowledge, or processing the information, derived from this data and deciding the best action(s) to take to achieve the given goal"[1]. Despite its complexity, this definition captures the breadth of AI applications and provides conceptual coherence for the analysis.

However, it is quite important to understand that the implementation of AI in public management represents a form of algorithmization — a process wherein decision-making and administrative functions are increasingly governed by algorithms. As Kushner notes, algorithms do not merely perform tasks but also construct and implement regimes of power and knowledge [Kushner S., 2013: 1243–1244]. Their deployment carries normative implications [Anderson C., 2011: 530], shaping how authority is distributed, exercised, and perceived. The system where algorithms make decisions and (or) implement decisions has a different name in the literature: algorithmic authority [Shirky C., 2009] or algorithmic governance [Musiani F., 2013: 3]. More pragmatic term we find in Dodge and Kitchin "automated management". They describe this term as decision-making processes that are automated, automatic and autonomous; outside of human oversight [Dodge M., Kitchin R., 2007: 270].

While algorithmization is not a novel phenomenon: examples exist even in ancient administrative systems [Miyazaki S., 2012: 1–3], but the pace and depth of change driven by AI are unprecedented. Unlike traditional automation, which follows predefined rules, modern AI systems can learn and adapt, potentially expanding the scope of tasks they can perform.

From a technical standpoint there is no inherent distinction between algorithmizing private sector operations and public administration. However, the political significance lies in identifying which state functions are deemed essential and how they should be classified. First, the present chapter will give the general understanding of the public administration from the AI implementation perspective. Second, the examples of the AI projects in public administration will be given. Third, the chapter present the brief classification of the public administration process.

[1] The European Commission. Ethics Guidelines for a Trustworthy AI. Brussels, 2020, p. 36.

From the cybernetic perspective the algorithmizing of the processes might be possible without the informational technology. The informational technologies' functions were the prerogative of the humans. The humans did the simple tasks, such as delivering letter, collecting the papers, etc. The effectiveness of the public administration was and still depended on these simple tasks. AI goes further and tries to implement even more complicated tasks. However, AI is limited by the possible options, which were programmed for it. Self-educated systems may enlarge the possible options for the activity, but the origin of the code establishes the red line for such activity.

The implementation of AI may influence on political system and foster tremendous social changes. It's obviously not the first time that a techno-scientific field's promise to bring about utopia (or dystopia) has been exploited. Given the behaviorist core of today's celebrated AI systems, it's worth revisiting the 20th century debates on behaviorism-based visions of a future society. In a critique of B.F. Skinner's promises that human behavior can be reshaped to produce a desirable society using the scholar methods of reinforcement, Noam Chomsky wrote: "One waits in vain for psychologists to make clear to the general public the actual limits of what is known. Given the prestige of science and technology, this is a most unfortunate situation" [Chomsky N., 2010].

Slavery, feudalism, capitalism and socialism are the systems that gave the answer for the main question: how society must be organized. The main feature and precondition in these systems is the status of the different people within society. The situation in legal, economic, and political spheres predetermined the answer for the general question. There is no doubt that AI influences on all three spheres. That is why the society needs to find appropriate model for the future governing. The phenomenon of algorithmic governance is a part of a long historical process and since the time of Max Weber, the approach to the legal-bureaucratic organization of the state is subject to the same modernizing trends as the design of industrial factories. The continuation of this trend we may find, for example, in New Public management. The speed, scale and ubiquity of the modern technologies that make algorithmic governance possible are grander [Danaher J., Michael J., Hogan M., 2017: 2, 7] and may change the classic structure and the essence of the public administration (see below).

For the understanding of the AI implementation in public administration, it has a sense to use Kitchin methods. He argues a major goal

of algorithm studies is to find answer for the question: how algorithmic governance systems are designed and implemented [Kitchin R., 2017: 16–17].

In spite of the fact that the research is inclined to give picture for the state system, it is impossible to avoid the steps of the transformation of the public administration with AI implementation. Author will use Coglianese and Ben Dor classification of the "spectrum of digital technologies". They provide three main point of the spectrum: digitization, algorithmic tools and machine learning. The closest step begins with simple *digitization*. This step is a building bridge to the possibility of the AI implementation because it can facilitate the availability of the "Big Data" on which machine learning is based. Next point is *algorithmic tools* that is, traditional, human-created statistical models, indices, or scoring systems that are then used as decision tools. Only the final step called a *machine learning* constitutes what we will consider AI, because learning algorithms essentially work "on their own" to process data and discover optimal mathematical relationships between them [Coglianese C., Ben Dor L., 2021: 795–796].

Thus, the AI is possible only in some situations of the public administration where the machine learning is possible for modern technologies and provide effective results compare with human activities. However, the new technology tools sit closer to the decision-making point, and thus entail greater displacement of human discretion, than past rounds of innovation [Coglianese C., Lehr D., 2019: 23]. The observed trend leads us to the conclusion that fully automated decision-making, leaving progressively less to human discretion and analysis system is possible in future [Ho D., Engstrom D., 2021: 59]. Some researches even dream of creating 'master algorithms' that will be able to learn and adapt to any decision-making situation without the need for human input or control [Domingos P., 2015: 23–56].

Despite variations in political regimes, AI technologies are largely standardized across the world. Differences arise primarily in how governments choose to apply them. The main difference is the aims and focuses in utilizing AI. Smart cities all around the world use surveillance technologies, such as facial recognition and cloud computing for ordinary policing. However, smart cities in China have bigger focus on these technologies [Roberts H. et al., 2021: 67]. In contrast, the European Union has taken a more cautious stance, prioritizing privacy and human rights — evident in its regulatory frameworks such as the General Data

Protection Regulation and the AI Act. The difference of the Chinese and European approach is not only in the focuses, but in deepness of the implementation of the AI technology. Europeans try to avoid direct implementation of AI in the public administration and governance, and China try to change social construction with a Social Credit System, where AI will play a central role [Ding J., 2018: 34].

The analysis of the governance system is a complicated task indeed, and it is necessary to employ two methodologies: analysis of the concrete functions of government and the analysis of the management process. In the first method may help to distinguish vital functions of the government and functions which are not necessary to exercise by government, the second method may foster the understanding of where it is possible to implement AI and where it is not. To sum up, the analysis needs to provide broader picture of the governance system: even the most essential function can be separated on many simple tasks. The answer for the analysis will based on the understanding where the modern social system of governance has "sensitive points" for the AI implementation.

The difference in automation of the concrete functions can be shown on robotic weapon systems. Citron and Pasquale proposed the next classification of robotic weapon systems [Citron D., Pasquale F., 2014: 6–7]:

Human-in-the-loop weapons: Robots can only select targets and deliver force with a human command.

Human-on-the-loop weapons: Robots can select targets and deliver force on their own, but there is human oversight and the possibility of human override.

Human-out-of-the-loop weapons: Robots act autonomously, selecting targets and delivering force without human oversight or override.

The classification of three elements ("human-in-the-loop", "human-on-the-loop" and "human-out-of-the-loop") can be universal for any public function. For example, Danaher use this classification for tax law enforcement systems [Danaher J., 2016: 248].

In the theory of the public administration, it is possible to find two main parts of the administration process: decision-making process and process of action. Additionally, four-step decision model that incorporates intelligence, design, choice and review can be appropriate further classification. It is a simplifying classification, but it is needed for structural analysis of all process. The scholars who investigate algorithm governance use the next classification: collection, processing, uti-

lization and feedback and learning [Zarsky T., 2013: 1504]; [Citron D., Pasquale F., 2014: 27–29].

To summarize the analysis of the decision-making process and the process of the implementation it is possible to state that automation and algorithmizing are possible on all stages. However, it much more important to understand concrete function: lawmaking and automatic boarder control may have the same stages, but the possibility of replacing human is different. Agencies have limited number of auditors, inspectors, and other enforcement personnel who must oversee a vast number of individuals and businesses to ensure their compliance with myriad pages of laws and regulations [Ho D., Engstrom D., 2021: 70]. Machine-learning algorithms can provide forecasts of the likelihood of violations, thus helping agencies allocate resources and decide which regulated entities to target [Kalhan A., 2013: 1119]. However, AI can implement even more creative and sensitive function as lawmaking and representation in the future.

That is why to understand the possible transformation of structure of power, it is crucial to understand real sense and function of each main element of the modern structure, examine them and propose which function AI may do better and in which circumstance.

2. The Sense of the Authority

The implementation of the AI in the public administration and governance opens the discussion of the sense of the authority. As it was mentioned in previous part, some researchers name the system where algorithms make decisions and (or) implement decisions — algorithm authority or algorithm governance. The establishment of the new type of authority links with the problem of the legitimacy. A key question arises: Can AI possess authority, and if so, under what conditions can that authority be considered legitimate? Drawing from classical theories of political legitimacy, particularly those of Max Weber and David Easton, this chapter examines foundations of belief in political systems and evaluates whether similar mechanisms can apply to AI-driven governance.

Max Weber's tripartite classification of authority — traditional, charismatic, and legal-rational — provides a foundational framework for analyzing legitimacy [Weber M., 1947: 328]. However, as this chapter argues, algorithmic authority does not neatly fit into any of these

categories. Instead, it introduces a new form of epistemic authority, grounded in expertise and data-driven rationality. Meanwhile, Easton's distinction between specific and diffuse support helps explain how citizens might come to accept AI governance—not necessarily because of satisfaction with specific outcomes, but through generalized trust in the system's perceived fairness, transparency, and purpose [Easton D., 1975: 436–437]; [Easton D., 1979: 278–319].

The algorithm authority cannot be the object of tradition. However, there is a room for assumption about charisma and legality. To generalize issue of the legitimacy the chapter proceeds in two parts: Exploration of belief and trust in AI systems; Discussion of ideology and ethics in algorithmic governance.

2.1. Belief and Trust

Trust constitutes a foundational element of any functioning political system. In democratic societies, belief and trust typically derives from shared values, transparent procedures, and institutional accountability mechanisms. However, the delegation of decision-making authority to opaque or autonomous AI systems disrupts traditional sources of trust. AI has often been characterized as a "black box", due to its complexity and lack of interpretability, which poses significant challenges for policymakers seeking to legitimize its use within public administration.

Jacopo Scipione identifies three essential preconditions for establishing trust in AI-based decision-making [Scipione J., 2020]. Alignment with human values; Responsiveness to human control; Direct oversight by humans. While these conditions may be effective in the short term, they may not fully address long-term shifts in public attitudes toward increasingly autonomous systems. For instance, historical analogies such as religious institutions and their role in legitimizing supernatural authority — demonstrate that trust does not always depend on transparency or human control. Priests, for example, gained authority not necessarily through democratic legitimacy, but through perceived divine endorsement. Similarly, if AI systems acquire symbolic or normative authority, they may not require continuous alignment with human values or direct oversight to gain acceptance.

Nevertheless, this paper focuses on modern liberal democratic frameworks where trust is grounded in rational-legal legitimacy. Within such contexts, one key factor influencing trust is transparency in the de-

cision-making process. As D. Estlund argues, opacity in administrative decisions can lead to non-compliance or diminished public confidence [Estlund D., 2003: 53–69]. G. Gaus further contends that decision-making procedures must be rationally acceptable to those affected by them in order to maintain legitimacy [Gaus G., 2010: 36–38].

However, full transparency is not always feasible. Commercial secrecy, national security concerns, and technical complexity often limit access to critical information. While absolute openness may not be attainable, it is crucial that core algorithms impacting public policy remain subject to scrutiny through mechanisms such as public audits or independent oversight bodies[2]. Ultimately, trust in AI governance is mediated through intermediary institutions, particularly legislative representatives who act as gatekeepers of sensitive information. When these actors lack sufficient access or influence over algorithmic processes, public trust erodes significantly—even in countries with strong parliamentary traditions like the United Kingdom or the United States, where suspicions of a "deep state" have grown.

A second challenge lies in the comprehensibility of AI systems. Even when information is publicly available, its complexity often exceeds the understanding of the general population. Unlike traditional expert knowledge, algorithmic logic operates at a level of abstraction that is inaccessible to most individuals [Andrejevic M., 2014: 1673–1689]. It creates what some researchers call "invisible barbed wire" — a subtle form of constraint where individuals outsource comprehension and decision-making to other AI systems, effectively reducing personal autonomy. The resulting "big data divide" exacerbates social inequalities between those who design and control AI systems and those who are governed by them.

The disbalance in society leads us to the concrete bargain: people gift their trust and their right to have access to the information, and they need protection of their interests in return. The implementation of the AI would not change the sense of that negotiations. Even if the agency will be artificial, it needs some mechanisms which may make people sure about the benefits of their contract. Today such disbalance is visible

[2] For example, the American state of Idaho has passed a law requiring all pretrial risk assessment tools be transparent, compelling the builders of these tools to make their algorithms' inputs open to public inspection and allow criminal defendants to request access to the calculations and data that determine their risk assessment scores. Idaho Code. § 19-1910. 2019.

problem for the modern democracies where the private companies intend to replace classic democratic institutions, because these companies know more about us than we know about them [Zuboff S., 2019: 38]. Additionally, the level of trust to the apps are higher than to the social institutions. Although trust in consumer applications often surpasses that in formal institutions, this dynamic should not be uncritically extended to governance. Public trust in AI requires robust safeguards against the concentration of unchecked authority.

The described desires to have access to the information are explained by the human fear: fear to lost control over AI and lost human dignity. The lack of responsibility provokes the decrease of the trust to the system. In a discretionary system, someone must be held responsible for those decisions and be able to give reasons for them. There is a legitimate fear that in a "black box" system used to produce a decision, even when used in coordination with a human counterpart or oversight, creates a system that lacks responsibility [Olsen H. et al, 2019]. Even through these analyses we distinguish the problem of the AI responsibility as a cornerstone of the topic.

Loss in human dignity is connected, but different side of the upcoming fear. If legal processes are replaced with algorithms, there is a fear that humans will be reduced to mere "cogs in the machine". The interaction with the same creature is more comfortable for human. However, "the from office" of the administration can be more "human". This issue extends beyond the scope of algorithmic accountability and reflects deeper shifts in societal values. The inclusivity in the society was the consequence of the mobilization of all masses. People was the important resource for the many projects: from the Egyptian pyramids to the battles in the Second World War. In the future people will be not so important because the majority of their functions would be made by AI. The people will lose their social utility which leads to the loss of the human dignity. The issue of the people's utility is another fundamental challenge, which is not the subject of the research.

Of course, the use of AI may have the opposite side. By limiting the role of human discretion and intuition and relying upon computer-driven decisions this process protects minorities and other weaker groups [Zarsky T., 2012: 33–35]. Fairness and discrimination in algorithmic systems are globally recognized as topics of critical importance [O'Neil C., 2017]. Danaher proposes to balance the loss in comprehension and participation against the potential gains in outcomes and procedural

fairness [Danaher J., 2016: 257]. However, it is more technical question then social. The role and utility of the people may change dramatically, and AI will just represent this reality. The legal status of the people can be reviewed in favor of the less equal and guaranteed rights to the more flexible system. Thus, this problem will be the object of the ideology of the concrete society.

2.2. Ideology and Ethics

The engineering of social institution, including the social institutions based on AI, needs the ideological background. In different times the role of ideology had been played by different things: the religion, science etc. The basic question of the AI decision making system is "Why people should obey the decisions?". We distinguished that people for voluntarily obeying need the explanation. The ideology tries to explain it. If we take any ideology, they propose the model of ideal or most appropriate society.

AI is a technological tool for the institutional changes. However, there is no preliminary understanding which institutional changes AI performs. These changes can be completely different according to the ideology of society and the creators of the concrete AI. In spite of the significances of the mathematician methods and openness of the information, it is important to input the social believes and the values. The example of the easiest ideology it is easy to find in Azimov's Laws [Azimov I., 1950]. Even very democratic approach for the creation of the AI may face with differences in humans' cultures and values. Of course, there are plenty of values, which are supported by the overwhelming majority of planet's population. However, AI "learning process" based on the decisions made by people. Thus, the same technological product will evolve in two different AI, for example, in China and France. The source of the AI decisions would be the answers of the concrete population, and the values of Chinese and French people in some important topics can be even opposite.

Geiger argues algorithms cannot be divorced from the conditions under which they are developed and deployed [Geiger S., 2014: 346–347]. Moreover, the implementation of the "foreign" AI may provoke the resistance of the people. The creation of the AI involves dozens of social and material practices that are culturally, historically and institutionally situated [Napoli P., 2013].

Here it is crucial to understand that the trust and belief do not eager the western democratic institutions. The level of trust in authoritarian countries may be much higher. For example, the approval of the Social Credit System within the Chinese populace is high [Kostka G., 2019]. However, the implementation of the same system in European's countries would face with tremendous opposition. Some commentators have emphasized that the Social Credit System may be positively received as a response to the perception of moral decline in China, and a concomitant desire to build greater trust [Roberts H. et al., 2021: 67]. That is why the main factors of the trust availability are cultural features and marketing tools. Thus, Robin Li, co-founder of Baidu, stated, "the Chinese people are more open or less sensitive about the privacy issue. If they are able to trade privacy for convenience, safety and efficiency, in a lot of cases, they are willing to do that"[3]. That is why the level of trust within Chinese society can be much higher than in western democracies. However, the democratic institutions are very attractive for general population and inclusive function, which is provided by increase the chances of the higher trust within society. Democratic institutions help to grow the population confidence in foreseeability and that AI system will be under their control [Scherer M., 2015: 378–379]. However, the trust is more complex phenomenon and the trust to some people is exit without foreseeability and control (trust to parents, trust to family partner etc.).

For example, the EU tries to increase the trust with a development of human-centric approach on AI. This approach makes both: put humans at the center of AI developments and design a Trustworthy AI. The legal regulation keeps the human as a responsible person. Even if AI has a certain amount of autonomy, a human operator should always be accountable for its actions. Section 5 of the EU White Paper on Artificial intelligence named "An Ecosystem of Trust: Regulatory Framework for AI", stresses on the need of creating a unique "ecosystem of trust". A version of this solution is already part of the law in the European Union. According to article 15 of the European Directive 95/46/EC (the Data Protection Directive), there must be human review of any automated data-processing system that could have a substantial impact on an individual's life. The Directive does, however, allow for certain exceptions to this rule. Specifically, it allows for people to voluntarily contract themselves out of this right and for governments to override it

[3] Are Chinese People 'Less Sensitive' About Privacy? // Available at: URL: https://www.sixthtone.com/news/1001996/are-chinese-people-less-sensitive-about-privacy%3F (accessed: 25.01.2025)

so long as other measures are taken for protecting the individual's "legitimate interests"[4].

That is why there are no universal ideology, which may answer the upcoming challenge. According to the valuation of the concrete phenomena, AI may perform different decisions. It is difficult for AI to resolve opposite goals, such as social equality and maximization of the productivity. The ideology has to provide the hierarchy of the values, which is the cornerstone for such kind questions. David Easton, one of the leading figures in political systems theory, conceptualized the political system as a "black box". Easton famously defined politics as the authoritative allocation of values for a society [Easton D., 1979: 32]. It is obvious that the AI decisions of the same problem in socialistic and capitalistic country can be different, but the "authoritative allocation" will exist anywhere.

There is no doubt AI and digital world in general changing the human culture. The crucial changes may provoke the ideological vacuum, where no ideologies already existed may match the new society. Thus, some authors try to examine the ideas of the personhood and classic rationality. S. Mhlambi argues that rationality and dehumanization are linked and the implementation of the AI demands to rethink the idea of personhood in more "collective" way [Mhlambi S., 2020: 11]. This self-similarity is reflected in ubuntu's commonly cited aphorisms "I am because you are," and "a person is a person through other persons" [Mbiti J., 1970: 138–142]. However, it is just the one of the possible scenarios.

Thus, utilitarianism and principled ethics pushed AI to make completely different choice working with the same information. C. Djeffal explains that actions detrimental to one person but beneficial for the majority could be regarded as ethical from a utilitarian perspective, they would be regarded as unethical from a principled point of view [Djeffal C., 2019: 274]. However, it is problematic to be sure that AI make a moral choice, the decision of the AI is predictable in the concrete situation. In such a setting, there is no room left for choice. This problem is tied to the question whether machines can actually think, which has attracted contentious reflection from Turing to Searle.

To build the ideological background for the AI we need to answer for Baum's questions [Baum S., 2017: 543–551]:

[4] Directive 95/46/EC, Art. 15.3.

Standing: Who or what is included in the group to have its values factored into the AI?

Measurement: What procedure is used to obtain values from each member of the selected group?

Aggregation: How are the values of individual group members combined to form the aggregated group values?

Some researches believe the concept of "algocracy" has enough ideological background. However, the concept needs the additional explanations. The absolute monarchy usually explained through the religion and customs. Algocracy has a huge advantage in rational explanation: the system in which power is (increasingly) exercised by automated systems is more fruitful for society [Yeung K., 2018: 512–514]. The term algocracy is mostly used in a critical manner [Danaher J., 2016: 246].

However, the algocracy is not entire ideology, it is more applicative to the ideologies, which explain the source of the public power in society. A frame that is complementary to algocracy would not exclusively look at the fact that decisions are delegated, but at *how* they are delegated and *who* controls and influences the automated systems. One example would be to empower voters through targeting and profiling candidates. A smart search engine could help to identify information concerning how parties or candidates think about some issues [Djeffal C., 2019].

The author has to agree that algocracy bases on the same provisions as epistocracy does. The justification of the algorithm governance correlated with epistocracy. Thus, epistocratic systems of governance embody set of epistemic elites over the broader public [Estlund D., 2003: 55–57]. It is even possible to reuse Lenin's famous definition of socialism, "Soviets plus electrification" to the algocracy, "Epistemic elites plus AI".

Estlund points out that if we assume that legitimacy-conferring outcomes are more likely to be achieved by those with better epistemic abilities, then the following argument seems compelling [Danaher J., 2016: 246–251]:

There are procedure-independent outcomes against which the legitimacy of public decision-making procedures ought to be judged. (Cognitivist thesis)

In any given society, there will be a group of people with superior epistemic access to these procedure-independent outcomes. (Elitist thesis)

If there are people with superior epistemic access to these procedure-independent outcomes, then procedures are more likely to be legitimate if those people are given sole or predominant decision-making authority.

Therefore, in any given society, decision-making procedures are more likely to be legitimate if authority is concentrated in an epistemic elite. (Authority thesis).

The AI authority can be justified through different ways. The most appropriate way to legitimate the AI authority is to make it legal. However, the legal basis must be founded on a sort of ideology. From society to society this ideology can be different, but the common core of the justification is laying in the epistocracy provisions. Liberal democracy as a dominant ideology faces the most difficult challenge in upcoming changes.

3. The New Structure of Power

The modern structure of state power was developed with consideration of human nature and the balance of interests among different social groups. There is no doubt that the implementation of AI will not alter the fundamental dynamics of interest balancing, as public authorities will continue to strive for societal stability. However, AI will necessitate a rethinking and simplification of the present-day structure to enhance governance effectiveness.

In assessing how to respond to the emerging phenomenon of algocracy — defined as governance by algorithms — it becomes essential to weigh the potential losses in comprehension and citizen participation against the possible gains in procedural fairness and decision-making outcomes [Danaher J., 2016: 257]. The future structure of governance will be shaped precisely by this balancing act.

The balance of interests between the state, business, and academia differs significantly in China, the United States, and the European Union. As a result, the new structure of power may also vary. Many social constructs surrounding AI systems play a crucial role [Stamper R., 1988: 14–15], and the structure of state power can be fundamentally different even when the same technology is used. As discussed in the previous chapter, the consequences of AI in public management depend on the individuals who create it and the specific features of the algorithms

involved. People may use AI as a tool to replace traditional social institutions. AI may perform the same functions as the legislative, executive, and judicial branches of government.

The most influential idea regarding the structure of power is that of the separation of powers, based on the concept of checks and balances. Criticisms of this idea serve as an excellent case study for examining AI's influence. The triumphalism surrounding the Western, especially American, export of public law and governmental structures extends far beyond its borders [Calabresi S., 1998: 22]. The implementation of algocracy simplifies the system of governance by eliminating unnecessary functions within large and decentralized government systems. The separation of powers is a complex system that emerged due to the intricacies of social organization and high transaction costs associated with trust among individuals in society. It is necessary to agree with B. Ackerman, who emphasizes the separation of powers in favor of three principles: democracy, professional competence, and the protection and enhancement of fundamental rights [Ackerman B., 2000: 639–640].

Democracy, as a value of modern society, is not absolute but offers advantages for sustainable governance, including easier legitimization of authority and shared responsibility in the decision-making process. However, the separation of powers presents certain challenges that do not necessarily support democratic trends. Deadlocks between different branches or fragmentation of political views are issues that may be resolved but require strong and effective institutions. This is why Montesquieu's dictum has led to the erosion of democratic foundations in many countries, particularly in Latin America.

Additionally, new technologies may ensure the same level of citizen participation without relying on parliamentarism or legislation. Blockchain systems can organize analogs of elections or referendums without the need for bureaucrats or specialized electoral bodies. Transformations in transaction and agency costs through blockchain interventions [Sun R. et al., 2020: 9–13] reshape the institutional framework of democratic societies. They foster forms of direct democracy, shifting its applicability from the local to the national level. AI and blockchain will drastically reduce the transaction cost of trust in public governance. The machine-learning process accounts for the "vote" of each individual participating in the process. The real question here concerns people's willingness, their competence, and their trust. Voter absenteeism remains a problem even in modern representative democracies; however,

given everyday routines, people may logically refuse to engage in all public matters. On the other hand, the activism of uninformed individuals may lead to unprofessional and harmful decisions in public administration. This highlights the importance of delegation, which could potentially be directed towards AI rather than human representatives. Thus, AI may fully reflect the essence of vox populi, or at least lead the policy of the majority or consensus-based.

Professional competence serves as another supporting argument. It is logical that a monopoly on power may lead to the degradation of social mobility. The system of checks and balances, however, is not a "magic potion" capable of overcoming this regression. Historical evidence shows that authoritarian and totalitarian regimes have summoned high-level bureaucrats to serve for public purpose. More complex social institutions demand higher levels of social science knowledge from the population. In non-democratic societies, the elite carefully monitors the limitations of an incompetent leader, while the public remains susceptible to the ruler's propaganda [Guriev S., Treisman D., 2019: 101]. Nevertheless, parliaments, as representative bodies, often lack expertise in specific areas and rely on input from executive bodies or private companies.

The primary argument in favor of the liberal democratic system is the protection and promotion of fundamental rights. The situation concerning the protection of human rights becomes predictable once the actual balance of power in society is determined. Centralizing authority in AI poses risks to minorities and vulnerable groups. Even current implementations of AI in social networks exemplify the suppression of freedom of expression and assembly. The separation of powers may aid in protecting human rights by preventing the concentration of power in one entity. AI as an actor might centralize power, but the decision-making process is more intricate and involves individuals advocating for human rights protection. The «new structure of power» must embody the processes of algorithm creation, oversight of their implementation, and the correction of any flaws.

Consequently, one of the core principles of liberal democratic constitutionalism faces threats. Simplification of the system appears to be an inevitable path forward. Current challenges already prompt states to rebalance authority and delegate more power to specific executive bodies. Regarding AI-related issues, new institutions are emerging in various countries: For instance, the United Arab Emirates appointed a

minister for AI, while the German government established an agency for "innovation leaps" among others.

Upcoming changes directly affect constitutional law regulation. Even transferring competencies to AI within the traditional structure of power requires serious justification. It would be intriguing to apply the logic of the German Federal Constitutional Court in this context. In its famous Lisbon judgment, the court permitted the transfer of competencies but also required institutional arrangements within the German legal order, enabling the legislature to actively participate in European politics[5]. The same provision could apply to delegating competencies to AI. The expectation is clear: constitutional bodies (legislative, executive, and judicial branches) must possess strong tools to influence AI.

However, we delve deeper into a discussion about the relevance of the modern structure of power in general. The main critique will focus on legislative power and parliamentary bodies. The implementation of AI and other technologies, such as blockchain, renders parliament increasingly obsolete. Today, legislators lack the flexibility and operational efficiency of the executive branch, leading to substantial transfers of responsibilities from legislators to executive bodies. This trend is partly explained by the relative lack of expertise in emerging technologies. Agencies typically employ experts with specialized knowledge in relevant fields, whereas legislators generally rely on committee hearings and interactions with lobbying groups to access expert opinions on proposed legislation. There is no doubt that agencies possess a clear advantage over legislatures and courts in terms of institutional flexibility [Viscusi W., 1989: 73-74]. Hence, the trend of transferring responsibilities to these specialized agencies is both logical and reasonable.

Despite these concerns legislatures remain the institutions best suited to make policy decisions involving significant ethical considerations and those prioritizing democratic legitimacy [Scherer M., 2015]. This is because legislators are elected at regular elections and maintain greater openness to the general public. Consequently, legislative enactments carry more democratic legitimacy than agency rules or court decisions [Pound R., 1978: 400].

Economic development and the actual balance of power within society shape the necessity and function of public authority, including par-

[5] BVerfG. Judgment of the Second Senate of 30 June 2009—2 BvE 2/08—para. (1-421) // Available at: URL: http:// www.bverfg.de/e/es20090630_2bve000208en.html para 273ff (accessed: 16.02.2025)

liamentary institutions. Within this context, we can understand the emergence of legislative bodies in ancient times. These developments were closely tied to specific patterns of economic growth in early societies.

For example, in ancient Greece labor productivity increased significantly in urban and rural economies where feudal forms of dependency were absent. This led to the expansion of commodity production, trade, and shipbuilding — economic activities that empowered broader segments of the population. Consequently, the role of the common people — the demos — grew, particularly among those engaged in trade, crafts, and maritime commerce.

However, this rising social group encountered resistance from the traditional aristocracy — the eupatridae — who clung to inherited political, economic, and social privileges. The resulting tensions between these classes necessitated new mechanisms of governance and conflict resolution.

As society became more complex, so did its internal relationships, especially concerning property rights and legal disputes. Matters previously settled according to ancestral customs began requiring more formal, publicly recognized regulations. Laws thus emerged as structured methods to regulate social relationships and ensure fairness — laying the foundation for early legislative and judicial institutions.

Parliament continues to lose its significance in the modern system of governance. Other institutions assume parliamentary functions, such as providing a platform for public discussion and civil control. It is crucial to recognize that parliament is not an indispensable institution within the "new structure of power". Modern political developments in many countries — even in Western democracies — make the ideas of the German legal scholar Georg Jellinek increasingly relevant. He regarded parliament as the central element of parliamentarism but did not consider it among the most critical state institutions. In authoritarian states, parliament has become a tool for the executive, while even in democratic states, parliament cannot claim independence, as it represents the will of certain groups whose actions may not directly impact the state or its citizens [Jellinek G., 2004: 425–428].

In recent years, several Western scholars have argued that the state in modern Western societies is increasingly transforming into a technical or bureaucratic mechanism, marked by a growing tendency toward the depoliticization of governance. This transformation signifies a shift

away from traditional models where political power dominated decision-making toward systems where administrative expertise holds sway [Crouch C., 2004: 73–75].

From this perspective, public authority today is no longer directly linked to property ownership, nor does economic wealth necessarily translate into political influence. Instead, power is perceived as concentrated within a professional political elite — comprising bureaucrats, state officials, and technocrats — who operate with a notable degree of autonomy. Access to information has become the primary indicator of power, and the implementation of AI further reinforces this point.

Michel Crozier highlight how bureaucratic organizations develop their own internal logic, often resisting external control, including from political and economic actors. He noted that once established, such organizations tend to generate and maintain their own power independently of those who originally created them [Crozier M., 1964: 184–188]. This insight supports the view that state institutions can function autonomously from the public will, representing the "black box" even without AI.

Similarly, Gianfranco Poggi emphasized the institutional autonomy of the modern state, arguing that it has become an entity in its own right, pursuing goals that may diverge from those of dominant social groups [Poggi G., 1978: 127–137]. His analysis reinforces the idea that state action is not always aligned with economic elites but follows its own institutional imperatives. It was not the new idea to focus on the institutional autonomy of the bureaucracy within the state. For example Ernst Fraenkel distinguish "normative state" as an administrative body endowed with elaborate powers for safeguarding the legal order as expressed in statutes, decisions of the courts, and activities of the administrative agencies, and the normative state survived even in the Third Reich [Fraenkel E., 1941: 60–63].

Colin Crouch, building on these ideas, introduced the concept of "post-democracy", describing "a model, while elections certainly exist and can change governments, public electoral debate is a tightly controlled spectacle, managed by rival teams of professionals expert in the techniques of persuasion, and considering a small range of issues selected by those teams" [Crouch C., 2004: 4]. As he observes, power is increasingly exercised by officials and experts who are not accountable in the traditional democratic sense. The key conclusion here is that the modern system is ready for the integration of AI, with changes likely to be less noticeable to the general public.

This does not imply that fundamental concepts of parliament (such as Dicey's principle of parliamentary sovereignty) will vanish. "The right to make or unmake any law whatever" [Dicey A., 1985: 3-4] may persist, but the understanding of parliament will evolve. It is essential to establish common rules for all members of society, which is difficult to achieve due to human nature and the desire to avoid Locke's notion of the "war of all against all". It is important to have a body capable of making final decisions on crucial questions, whether through consensus (e.g., a democratic parliament) or authority (e.g., a dictator).

It is understandable for the author that criticism of parliament is not a new topic; however, AI technology may catalyze a shift in social development and redistribute the classical functions of parliament to other entities or transform parliament itself. Parliament is not the entirety of the state; it is merely an organ through which certain state functions are executed [Jellinek G., 2004: 431]. Even twentieth-century views on parliamentary functions appear somewhat reluctant. Accountability and criticism, two primary parliamentary functions, have migrated to other platforms. Media, expert councils, and NGOs sometimes play a more active and impactful role in fulfilling these functions. While some traditional institutions face crises, they are often accompanied by the rise of new forms of engagement, such as grassroots democracy, diverse civic initiatives (not always politically oriented), and decentralized communication networks. However, it would be premature to completely dismiss old institutions — especially before effective alternatives have been developed [Petukhov V., Petukhov R., 2015: 32]. The only barrier to fully implementing these functions lies in accessing the necessary information for members of parliament.

Consequently, a democratic society, where the people are the source of power, requires representatives who can access confidential information and protect public interests — or at least the interests of the social group they represent. Parliament is not necessarily the optimal tool or universal platform for this purpose. The evolution of expert councils around the executive branch appears more efficient than using parliament as a universal collective body composed of individuals who either understand or may understand any regulatory topic and are sincere in their commitment to protecting public interests. Therefore, it is challenging to support the view that democracy is impossible without parliamentary democracy [Kerimov A., 2018: 30]. Democratic governance is ensured through two main elements: electoral procedures and the decentralization of power. The former helps express and account for

the public will, while the latter prevents the erosion of this will. Decentralization of power is achievable through the separation of powers at one level and across different levels. The separation of powers does not conflict with the idea of a unified state authority. Rather, it entails distributing roles and powers among various branches of government while maintaining the need for cooperation. The unity of the state's power structure and the prevention of dictatorial control are achieved through balanced interaction among all governmental branches, ensuring that no single branch holds absolute authority.

In an AI world, it is far more effective to coordinate between centers of expertise than between the traditional legislative, judicial, and executive branches of government. The level of expertise required to integrate AI into decision-making must be high, and only a few individuals may grasp the nuances of specific cases. This does not mean that society no longer needs supreme bodies; quite the contrary — the control over AI is even more critical than over humans. However, if the public grants AI diffuse support, believing it better represents their interests than people do, it will be challenging to establish sustainable oversight over it.

Conclusion

The integration of AI into public administration signifies not merely a technological evolution, but a profound reconfiguration of the foundational principles that underpin modern governance. As explored throughout this article, the deployment of AI disrupts traditional power structures, challenges established conceptions of legitimacy, and necessitates a re-evaluation of the relationships between states, citizens, and technology. Empirical evidence increasingly supports the hypothesis that AI transforms the classical architecture of state power. Algorithmic governance systems are progressively replacing or augmenting human decision-making in areas such as law enforcement, regulatory compliance, social welfare, and even legislative drafting. However, this transformation is neither ideologically neutral nor universally beneficial. It raises urgent questions regarding accountability, ethical design, and the ideological frameworks guiding the implementation of AI within the public sphere. Navigating these complexities requires societies to critically engage with the interplay of technical feasibility, political will, and moral responsibility, ensuring that AI functions as a tool for empowerment rather than a mechanism of control.

The article identifies three primary challenges associated with AI-driven governance: the legitimacy of AI authority; the opacity of algorithmic decision-making processes; and the potential erosion of human dignity. One plausible conceptualization of AI authority is algocracy — a form of governance wherein decisions are made or enforced by algorithms. Algocracy shares characteristics with epistocracy, a system in which authority is concentrated among individuals or entities possessing superior knowledge. While algocratic systems may offer advantages in terms of efficiency and data-driven rationality, they also inherit the limitations of epistocratic models, particularly concerning democratic legitimacy and inclusivity. Furthermore, the inherent complexity of algorithmic logic necessitates the development of new legal frameworks, the simplification of existing state structures, and the adaptation of ideological narratives to align with emerging governance paradigms.

Central to the argument is the observation that AI implementation destabilizes the traditional functions of core state institutions, particularly parliaments. Drawing upon Jellinek's theory of state organs, it is evident that legislative institutions are not the state itself, but mechanisms through which specific state functions are executed. The rise of algorithmic governance accelerates the marginalization of these traditional organs. Accountability, once a cornerstone of parliamentary oversight, increasingly migrates to opaque technical systems and technocratic elites. While AI promises notable efficiency gains — such as predictive policing reducing crime rates or machine learning optimizing resource allocation — the depoliticization of governance poses significant risks to democratic legitimacy. The tension between procedural fairness and outcome-oriented efficiency becomes especially acute when algorithms—often designed with embedded biases or operating as "black boxes" — make life-altering decisions in domains such as credit scoring, immigration, and criminal justice.

The ethical implications of AI governance are deeply intertwined with the ideological frameworks that guide its deployment. This article's analysis of epistocracy reveals a paradox: although AI systems may surpass human capabilities in processing information and minimizing errors, their legitimacy ultimately depends on societal acceptance of technocratic rule. This dynamic manifests differently across geopolitical contexts. In China, for instance, the Social Credit System leverages AI to enforce social conformity, reflecting a collectivist ideology that prioritizes stability over individual autonomy. In contrast, the European Union's human-centric AI strategy emphasizes transparency, fairness,

and respect for fundamental rights, mirroring liberal democratic values. These divergent approaches underscore the absence of a universal ethical framework for AI governance, highlighting the need for context-sensitive regulatory and normative responses.

Consequently, the emerging structure of power is likely to revolve around the evolving process of lawmaking. Understanding how AI reshapes legislative practices requires further empirical and theoretical research. Initial engagement with AI in lawmaking demands high levels of IT expertise and sociological insight. Moreover, the outcomes generated by AI systems are contingent upon the quality and nature of the data used, which can significantly influence final decisions. Technological advancements will likely simplify certain parliamentary functions, shifting some responsibilities toward decentralized citizen networks and others toward specialized executive bodies. Rather than opposing current trends, AI is expected to amplify them. Centralized power will increasingly reside within expert-led executive agencies supported by AI, enabling more efficient and specialized decision-making in complex policy domains. Such bodies may be better equipped to address interdisciplinary issues — such as those involving agriculture, taxation, and environmental regulation — than traditional legislative assemblies.

Contemporary lawmaking already relies heavily on expert input, yet it often involves numerous intermediaries whose roles remain ambiguously defined and largely disconnected from substantive public interest representation. Thus, the long-term transformation of the power structure may reinforce liberal constitutionalism, albeit requiring a rethinking of the classical doctrine of separation of powers. The core principle — preventing the concentration of power — will remain intact, though its practical realization will shift from the traditional tripartite model (executive, legislative, judicial) to a decentralization based on spheres of knowledge or regulatory domains. AI, as a technology that diminishes the role of intermediaries, embodies the tools of algocracy. It redistributes power not according to functional branches of government, but along thematic lines of expertise — redefining the very architecture of governance in the digital age.

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