

# THE NEED FOR BUSINESS ETHICS IN THE ERA OF ARTIFICIAL INTELLIGENCE

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## **Abstract:**

*It is said that all is interconnected in the Universe, and Artificial Intelligence (AI) shows us every day this need for interference and integration into a system of “all disciplines, eras and minds”. Inevitably, we go beyond the narrow framework of monodisciplinarity in favour of innovation and creation “reborn” from transdisciplinary approaches, this being the new reality in which legislation is taking shape and reforming. The acceptance and deepening of these interrelationships and mutual influences between human rights, digitalisation, technological transformation, economy, artificial intelligence and data security will generate a significant impact on the evolution of mankind, by re-establishing the constitutional models of states and adapting to the new socio-economic landscape. Moreover, in a context in which the rapid progress of AI has captivated the world, it was urgently necessary to regulate a transparent, safe and human-centered trajectory, which is why the EU Parliament voted in plenary, on 13 March 2024, the EU act on artificial intelligence, hailed as the first “hard law” legislation on AI at global level..*

**Keywords:** *artificial intelligence, business ethics, transdisciplinary vision in research.*

## **Introduction - new "horizons" for analysis**

*“Any sufficiently advanced technology is indistinguishable from magic” [1]. Magic or not, these words awaken in us the same “spark of wonder” even in the year 2024. AI reveals its fantastic potential to revolutionise the world, a world whose future lies under the “magic wand” of transformative technology. The last few years have been marked by an intense and permanent concern that concerned the ethical, legislative, social and economic dimension of AI, preoccupations that will materialise in the shortest time in an artificial intelligence law and certainly in an AI right in its own right, capable of potentiating the capacity of AI in achieving its objectives to bring benefits to humanity.*

Moreover, according to the proposal of Regulation of the European Parliament and of the council laying down harmonised rules on artificial intelligence (Artificial Intelligence Act) and amending certain Union legislation, [2] *“AI is a fast-evolving family of*

*technologies that can bring a wide array of economic and societal benefits across the entire spectrum of industries and social activities*". It is essential to mention that the vote in plenary of the EU Parliament on this proposal for a regulation took place on 13 March 2024, in brief AI Act, which aims to protect fundamental rights, democracy, the rule of law and environmental sustainability in respect of high-risk AI systems. The legislative act will ensure a leading role in the field for Europe, imposing obligations depending on the potential risks of AI and the expected impact [3].

AI has acquired complex valences and has "invaded" all aspects of life, from the socio-economic, to the political and legal, this "spider" domain that will be found "in everything and everywhere" urgently requiring the provision of an ethical, legal, security and dialogue framework. Humanity almost feels "small and powerless" in the face of creation and also the greatness of the AI "universe". „*What is a man in infinity?*" (Blaise Pascal) *Has AI become capable of reproducing the essence of intelligence: human thought?* No matter how great the tendency to reproduce human behaviour, we must realize, however, that AI is not endowed with human emotion, critical thinking or morality, and the need for ethics in regulating AI remains a key landmark open to research, in order to reach a safe and reliable area.

Creative thinking, the emotional aspect of all relationships and authenticity, remain the qualities of a human manager, not an AI robot. Taking decisions when talking about the business world involves a dynamic and interdisciplinary analysis, which certainly requires human reasoning. AI systems can analyze large databases but cannot guarantee nuanced decisions like human managers, who have the ability to "navigate" through "emotionally charged" situations, which AI cannot do. After all, human judgment, empathy or adaptability are qualities deeply rooted in the business world. But the future of the economy may well be shaped by a "harmonious blend" between AI and human expertise. There will be a strong link between competitiveness and a company's ability to use and absorb digital innovation, and security and trust must be the foundation of this new digital economy.

## **The need to strike a balance between ethics and the use of AI in business**

Today we are talking about a new socio-economic landscape, “metamorphosed” by emerging and disruptive technologies, with the potential to radically change the way an industry or society works, by creating new business opportunities and the development of a digital economy. Let’s not forget about cyberspace, cloud computing, blockchain, “Internet of things”, quantum communication or smart contracts, Big Data, ChatGPT, Technology-Assisted Review (TAR), electronic business, electronic seals, computer security or the possibility of creating a virtual world through the so-called metaverse, a kind of 3D rendered internet that will incorporate aspects of our lives, such as traveling online, trying on digital clothes through our own avatars or attending virtual concerts with the help of augmented reality glasses and VR headsets. Emerging technologies analysts point out that this “is the next evolution of connectivity, where all these things begin to come together in a perfect, parallel universe, so that you live your virtual life in the same way that you live your physical life” .

We must be aware that AI does not only involve automation, but the ability to mimic human cognitive abilities, an aspect metaphorically captured by researchers [4] from the University of Pennsylvania, according to which “AI is not just the design of a robot that will put a screw in a machine on a production line, but the design of a robot that knows how to interpret that the machine has broken down or that the screw is crooked and that will be able to react, offer solutions and make decisions in this unexpected situation”.

In addition to the wars in Gaza and Ukraine, the global economic crisis and climate change, the revolution caused by artificial intelligence was a key theme at the Annual Meeting of The World Economic Forum 2024 in Davos. Thus, according to the report unveiled at Davos, generative AI will this year boost manufacturing efficiency by 79% and innovation by 74% in high-income economies. Indeed, many companies are increasingly interested in generative AI, but issues of ethics, data security and accountability still create barriers and challenges in implementation, but not for long.

Artificial intelligence (AI) has already begun the process of socio-economic transformation, and if at Union level we are about to enjoy a regulatory instrument of the type hard-law, we will find that there are highly rated states that do not yet have a specific AI regulatory framework, such as, for example, Canada. However, Canadian companies

and researchers are positioning themselves at the forefront of this transformation, Canada being a founding member of The Global Partnership on Artificial Intelligence (GPAI) [5], a multi-stakeholder initiative to promote the responsible development and use of AI based on respect for human rights, inclusion, diversity, innovation and growth. Incidentally, in September 2023, François-Philippe Champagne, Minister of Innovation, Science and Industry announced the implementation of the Voluntary Code of Conduct on the Responsible Development and Management of Advanced Generative AI Systems (Loi sur l'intelligence artificielle et les données, 2023) [6], which gives Canadian companies, on a temporary basis, common standards and allows them to demonstrate, voluntarily, that they develop and use generative AI systems responsibly until official regulations come into force, respectively Artificial Intelligence and Data Act (AIDA). This is nothing more than an important step towards strengthening Canadians' confidence in its systems. AIDA provides a balanced approach to AI regulation that will support responsible innovation and ensure international market access for larger Canadian businesses, while taking into account the needs of small and medium-sized enterprises and propelling the full potential of AI into the business environment.

In this immersive "maze" of AI, ethics and legislation play an essential role in maintaining a balance, with a deep and accelerated interest of international and Union bodies in this direction. We remind you here in summary and as example [7] some steps in this regard, respectively European Ethical Charter on the use of artificial intelligence in judicial systems and their environment, adopted on 4 December 2018 by the European Commission for the Efficiency of Justice (CEPEJ), through which five ethical principles were drawn up in the form of a guide on the approach to AI for decision-makers, as well as the "Recommendation on the ethics of artificial intelligence", a first global agreement on ethics adopted in November 2021 by the 193 member states of UNESCO, thus becoming a first "set" of common, universal standards, stemming from the phenomenon of globalization. Moreover, on 30 March 2023 UNESCO again called on governments to implement much stronger ethics rules in AI, the director-general of the UN education, science and culture body, Audrey Azoulay, stating in Paris that "this is the challenge of our times". As we mentioned in our research, the first legal instrument of this type being on the table of European leaders is legal instrument of hard law on AI, which relies on

perfect coordination and “supple” legislation, technologically neutral, proportionate and adapted to the demands of the future, but above all human-centred and guided by ethical principles. At national level, too, numerous steps were taken, on 4 May 2023 the Romanian Committee for Artificial Intelligence being founded, its main objective being to create an artificial intelligence ecosystem based on excellence, trust and respect for ethical principles.

The prospects are numerous, but challenges remain. As the co-rapporteur of the Civil Liberties Committee, Dragoş Tudorache says: “The EU has achieved results. We linked the concept of artificial intelligence to the fundamental values that underlie our societies. However, we will have much work to do outside the AI Act itself. AI will force us to rethink the social contract ( ... ) AI is a starting point for a new governance model built around technology. Now we need to focus on putting this law into practice”.

### **The transdisciplinary approach – a requirement for efficient regulation of AI in business**

In fact, this research highlights the deep awareness of the “mixer” of information in which we are all engaged every day, in a kind of “whirlwind” of globalisation, interconnectedness, transdisciplinarity, innovation, the fulminant evolution of technology, which we try most of the time to slow down or at least to understand its meaning, to accept it and to enter openly into its scope, because this is the way, this is our future, that of humanity. And yes, technology has begun the process of “re-laying” legislation, “invading” every segment of the law branches and revolutionising their structure. New technologies, which subtly and surely penetrate everything that means legislation, economy, business environment, education, research fields and disciplines, have made their way to transdisciplinarity, given the omnipresence of the technical component in our lives.

It is not by chance that we “savour” more and more often such “cocktails” of research, and we say “cocktails of research” in a positive and deeply admiring sense, the development of “multifaceted” views on disciplines and the tendency to interconnect them becoming part of the need for progress, part of the mission of research as support for knowledge and adaptation of the law. And we use this plastic, metaphorical language, precisely to reinforce the idea that the encounter with such research approaches and

trends, arouse in us, researchers, “an even greater thirst” for knowledge, exploration and penetration into somewhat “untangled research areas”. This is also the beauty of research... to enter paths barely “glimpsed” by doctrine, “unpaved” and to open in your turn new ramifications and “intersections” of analysis and research, arousing interest and call to that road on which you have just stepped. In the light of this inter- and transdisciplinary approach we have recently identified in the literature an in globo and of perspective research of the legislative future under the influence of digital transformations, the author [8] creating a perfect symbiosis between international cooperation, digitalisation and security. The same author, who relies on the idea of transdisciplinarity in research and even the implementation of an international chair of transdisciplinarity, brings to the attention of the national education, echoing also at international level, the subject Law of communications and new technologies [9], a subject still “discreet” in the presentation palette of the subjects in the National Higher Education Plan, as an urge to adapt specialists to the latest trends of the society in which we live, a society deeply imprinted by elements of interconnection. In fact, we are also talking about the promoter of international investment law in Romania [10].

Such research opens horizons to new subjects such as artificial intelligence law, which “insistently” claims its own regulation, by revealing the facets, legal implications and risks of technology. In reality, interdisciplinarity and transdisciplinarity are only answers to the diversity of social changes, and the “decompartmentalisation”, the “decomposition” of a subject or even the “assembly” of a new one, as a milestone in the progress of science, implies an analysis passed through the filter of the challenges of the globalized world, the law being “a living instrument”, “shaped” and “reshaped” constantly by the given context. In respect of AI challenges, there are numerous legal reactions and attempts are made to coagulate regulations in this area, which hardly take shape due to the complexity of the field, French professors- researchers of the University of Paris or Sorbonne anticipating not long ago the crystallization of an “Artificial intelligence law” – “Droit de l’intelligence artificielle” [11], a stand-alone law built by virtue of its own principles and institutions of operation, which leans on areas such as ethics, law of persons, liability and insurance law, autonomous vehicles, justice, criminal law, intellectual property,

personal data, labour law, health law, military law, administrative decision making and cyber security, civilian drones and even international law.

We must give the law the “right” to permeate all aspects of life, and the future alongside AI is inevitable. That is why the power of the law remains in the capacity of permanent adaptation to the complexity of our world, and this can be achieved through what we call transdisciplinarity, a phenomenon capable of creating the necessary bridges between science, law and morals or faith, through a complex vision of reality. Moreover, the Charter of Transdisciplinarity, adopted in 1994, took into account the idea of opening all subjects to what they have in common and to what lies beyond their borders, in the hope of reaching a higher degree of analysis, capable of interpreting the planetary complex dimension, in order for humanity to face the contemporary danger of the material and spiritual self-destruction of our species, including through an uncontrolled evolution of AI [12].

*How else could we talk today about technological transformations, artificial intelligence, law, business and national and cross-border insolvency, all merged into a single argumentative “picture”?*

In this large “picture of answers and questions”, AI has become a global priority, being defined by the organization for Economic Cooperation and Development (OECD) as being that “machine-based system that, for explicit or implicit objectives, infers, from the input it receives, how to generate outputs such as predictions, content, recommendations, or decisions that can influence physical or virtual environments aimed at responding to a certain set of objectives. It uses computer-generated and/or human-input data and inputs for the purpose of (i) perceiving real/virtual environments; (ii) producing an abstract representation of these perceptions in the form of models; and (iii) using model inferences to formulate different outcome options”.

## **Conclusions**

A restart is also required in research, through the transdisciplinarity approach, defined by what is between, over and beyond any discipline. If we accept the idea of transdisciplinarity, we realize, in fact, the complexity of this “legislative world” but also the subtle links between disciplines, reconfigured by AI. After all, *“imagination is the true land*

*of scientific germination*" [13]. Indeed, AI Act UE is a precondition for hedging risks, but "*the rest remains free for creativity and positive thinking*" (vice-president of the European Commission, Vera Jourova).

All that remains is to embark on this fascinating journey to the digital future and embrace innovation and AI, with enthusiasm and inspiration, for a successful "journey" through the "business world", changing for the better the culture of the economy.

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