

Appendix to „Who Should Regulate AI: Lawyers or AI Engineers?“

Which Direction Should AI Regulation Take?

What regulatory path should lawyers take when drafting AI laws in consultation with engineers? The American, the European, or perhaps the Chinese? I do not claim to know the answer, though I do have my own view...

For many years I have been a supporter of technology, and I personally believe that computers, smartphones, artificial intelligence, and other innovations have done a great deal of good while opening up countless new opportunities. For example, in the ongoing debate in Poland about banning children from using smartphones at school, I took a clear stance. Any attempt to limit children's ability to use their own devices amounts to an attack on their freedom. But...

What troubles me is the scale at which we rely on technology, and especially the influence AI has on us. Just look around: if you lift your head from your smartphone in a public space, you will see how deeply absorbed everyone around you is in their devices. What is even more disheartening is that you no longer need to be in a public place to witness this; sitting in your own home, you may find your wife, husband, grandmother, grandfather, daughter, or son equally engrossed by a computer or some other device.

It is not even the decline of relationships that concerns me, because that is not entirely true. Thanks to the ubiquity of online communicators, we often sustain or even deepen relationships that could never survive otherwise. That is truly remarkable! But there is also the dark side. The endless scrolling through social media on the one hand delivers an incredible dopamine rush, which leads to irritability and overstimulation. On the other hand, it exposes us to seemingly perfect lives of celebrities and influencers, which fosters frustration and diminishes our sense of self-worth. And let us not forget that it is artificial intelligence itself that will increasingly fuel this growing dependence on technology. Is this really the kind of world we want to live in?

Let us recall what life was like ten or fifteen years ago. It was slower, calmer, perhaps even better... Recently, I rewatched my favorite slice-of-life series, which first aired less than twenty years ago. I had the impression that I was watching the characters' lives unfold on an entirely different planet.

I still oppose excessive restrictions on citizens, yet very strict and burdensome regulations may ultimately prove to be a healthy direction for the end users of technology, that is, for the citizens themselves.

That is why I believe the European Union has chosen the right course. Perhaps it is even too lenient. At a time when the AI Act is not yet fully in force, companies are already asking, "How can I get around having my product labeled as a high-risk AI system?" Already now, much like the College of Physicians, they are forgetting that human beings cannot be treated merely as instruments for profit.