**Ethics And Responsible Business Leadership Final Exam**

*Tuesday May 7th, 9am | Suraj Sehgal (Oski)*

1. Yes, Justice as Entitlement might agree with the statement that Gen AI tools are “built with stolen goods” because there is an inherent level of coercion with the way that these tools use and manipulate the art and words of content creators. An author for example should be entitled to the benefit of what they produce. Copyright law further affirms that the author of a work should receive credit for what they’ve created. What Gen AI tools do is allow someone to create a work in the voice of the same author and potentially sell and make profit of these. This is neither meeting the principle of Justice in Transfers nor the Justice in Rectification since people’s work (often without consent) are being used to train these models and create works.
2. This maxim struggles to universalize. If everyone used unlicensed content to sell new content, there would not be an incentive for people to put out content to begin with. Take for example a short film or music. If people could simply take that content and use it to immediately sell new content without any repercussion or threat of takedown, the wellbeing of artists overall would go down. This presents a contradiction in will because other people taking my content and selling it would ultimately reduce the value of my content and reduce my overall wellbeing. This also presents a contradiction in logic because if universalized, the value and meaning of “proprietary” content would go away, since anyone could take anything without consequence (and no content would be considered ‘exclusive’).
3. In the Formula of Humanity, there is an emphasis to respect others’ humanity. There is an understanding that everyone is inherently worthy of respect and dignity and that people should never be used as a means (e.g., coercion v. consent). In the case of scraped web data for training AI models, I would consider the output of the AI model to be the “ends”. And I would consider this to be violating the Formula of Humanity, particularly for the content creators involved. Creators’ data/content is being used without explicit permission or consent for the generation of user-prompted content on ChatGPT. Thus their humanity and respect is being violated.
4. Using an Act Utilitarian framework, I would make a case that the purpose of any content is to generate new ideas, new ways of thinking, and to help assist people in their daily lives. As stakeholders we have the public, content creators, and companies. The Google Search example is a wonderful example of how using copyrighted content to provide a quick blurb in search results is helpful in enhancing the wellbeing of all three. It helps the lives of people who want an easy search option, it allows content creators to get more exposure to their websites, and it helps Google make additional features (and more profit). In a similar fashion, Gen AI is taking this a step further by allowing for people to have access to more useful information faster; having access to copyrighted materials for training purposes allows for additional accuracy and overall utility. While this may come at some cost to companies and a few content creators who aren’t able to profit off the use of their work, this model training provides a much higher welfare to the public overall who now have access to fairly accurate and personalized information. The net benefit to the public overall is higher than the negative effects on companies and creators – thus justifying proceeding with this action.
5. Yes! If I was coming from a Rule Utilitarian perspective, my immediate thought is that if we allow Gen AI to ignore existing copyright protections, the whole foundation of creativity and expression would begin to crumble. Art/Literature/Music/Movies and such creative endeavors are time-consuming and often ambitious endeavors. They take hours to put together and often teams of people put their heart and soul into their creative works. If a novel that took a team of five editors and writers three years to write could simply be changed slightly (e.g., change the title) and then sold again by somebody else without consequence, where would the incentive be for the same team to try to create the next bestseller? If everyone ignored existing copyright protections, there would be nothing left to protect! If we allow all companies to simply ignore copyright laws for training AI models, then we are left in a world in which no creative work is safe, and creators will no longer have any incentive to put things out in the world. This argument is based on the assumption that current copyright laws are doing a fair enough job with incentivizing and protecting content creators and giving them sufficient benefit for publishing their work(s).
6. Based on the strategies and payoffs provided….
   1. If both countries seek to maximize their own payoff, they would both choose to Not Regulate because it gives both the chance to walk away with the highest payoff (if the other country decides to Regulate). This is the Nash Equilibrium because without any intervention or prior knowledge, this box is where both companies would naturally end up on the matrix (Not Regulate-Not Regulate).
   2. This game reflects the Prisoner’s Dilemma – a situation in which both players would be better off (in terms of joint wellbeing) if they both chose to Cooperate/Regulate. However, because one does not know what the other player will do, both are incentivized to choose Non-Cooperation/Not Regulate to save themselves from getting cheated and ending up with the lowest wellbeing.
   3. If both countries behaved like Act Utilitarians the outcome would be the same as in answer a. They would choose the option that best optimizes their individual utility/wellbeing. That would lead both countries to pick Not Regulate (payoff of 12 v. 10 or 5 v. 4; Not Regulate provides a higher payoff in both cases).
   4. If both countries behaved like Rule Utilitarians, on principle they would choose the action that improves the wellbeing for all. This would lead them to choose Regulate since the joint payoff is 20 (higher than 16 or 10). The outcome would then be Regulate-Regulate, which is different from Not Regulate-Not Regulate in answer c.
7. Justice as Fairness focuses a lot more on equality and making sure that the rules that govern a society are fair, despite what side you are born into. It poses the question – is the system set up in a way that overall works to benefit the least well off? From this perspective, I would say that the “Justice as Fairness” framework would support legislation requiring AI companies to only train models with licensed content. This is assuming that the “less off” in this example are content creators who are currently not being compensated for the use of their materials in training AI models. This agreement would therefore provide some general alleviation of harm / increase in wellbeing for content creators, while still allowing the public to have access to a more accurate ChatGPT model. Thus, we have ‘maxed’ the wellbeing of those in the ‘minimum’.
8. According to our class discussions, we defined corporate social responsibility (CSR) largely as a form of constrained profit maximization.
   1. This would qualify as CSR since the company is still moving forward with production and creation of the AI product, but with certain ethical constraints in mind. This also follows the legal laws of the country that the firm is in. It optimizes for both legal constraint and ethical constraint.
   2. This would NOT qualify as CSR since the company is not acting upon any ethical objectives and the firm is explicitly going against the legal constraints posed by the Country.
   3. This would qualify as CSR since the company is in line with the legal limitations as well as their ethical objectives.
   4. This would NOT qualify as CSR since the firm is merely compliant with the Country’s laws but not incorporating any ethical considerations into their action.
9. Yes, my conclusion would change. A core part of “Justice as Entitlements” is that it needs to meet the three criteria of: justice in acquisition, justice in transfers, and justice in rectifications. This new certification process ensures that the content used is not ‘stolen’ and is given consensually and with agreed upon licensing/compensation. This would satisfy the two qualms listed in problem number one – it would mean that there is justice in transfers and that there is rectification (aka compensation) provided for the content used.