

## **Ethics In AI Development and Use**

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The recent boom in the development of generative AI has reached a point of contention between the people developing it and enthusiasts versus artists and writers who believe it to be a detriment for all industries. This divisiveness has come to a head as many artists claim unlawful use of their art in the training data of many large generative AI programs. The argument used by the companies and enthusiasts for AI has been its ability for any prompt by its user to be generated into a piece of art. Some developers have seen the negative PR surrounding generative AI and as such presented AI with datasets claiming to be free from theft. Businesses have also noticed this growing trend with some have already jumping aboard utilizing generative AI for a multitude of things from ads to scripts much to the dismay of industry artists and writers. With this comes an issue that businesses employing this generative AI must face and that is whether or not it is worth it to continue using in the face of growing unease amongst consumers towards AI in general. All this begs the question towards developers of generative AI of if they should continue developing AI in this manner or not.

With the development of generative AI, it is important to talk about the ethics surrounding their creation. As with AI you need to train it over and over for it to reach a point where users can interact with it. With the boom of open-source generative art AIs, artists have been able to take a peek behind the training database used by these AIs. What they learned was that three of the largest generative AI companies Midjourney, Stable Diffusion and DreamUp all use the LAION-5B database (Chayka, 2023). This is a public database that contains over 5 billion images from the internet, within this database lies artwork from artists from across the internet. So, when artists saw that entering their names into these AI programs many found images generated that had clear stylistic aspects of their art, they knew that these generative AIs were trained with stolen art (Chayka, 2023). The use of this LAION-5B database made it clear

that any generative AI developer who would use this database would be committing theft towards any artist whose art is in this database. Artists aren't the only ones who are claiming theft from generative AI, Getty Images has filed a lawsuit against Stable Diffusion for what they claim to be, "brazen infringement..." (Chayka, 2023). This suit shows an ethical issue that lies with these open-source generative AI companies of whether the use of someone's material without their permission was from poor choice of datasets or intentional. This has prompted Adobe, one of the larger companies, to state ahead of the launch for their generative AI that its training data was all in-house images (Simpson, 2023). This obviously has the benefit of all the art being licensed directly from the artist, but this dataset has the downside of not being available to the public for scrutiny. The one thing that Adobe's dataset does share with the LAION-5B is the artists whose work are in these databases do not receive compensation when AI is developed from it (Simpson, 2023). Which looks to be getting loaned out towards other large tech companies, as Google's Bard will be getting image generation capability through a partnership with Adobe (Wiggers, 2023). Artists not receiving anything outside of their initial payment for their work would appear to be an unethical stance compared to other instances of Artists being licensed.

Moving from talking about the ethics with the training of AI and focusing on the ethics behind the development of AI. The initial development of AI by tech companies fell into many pitfalls that have hindered their development. This has led to a number of businesses needing to implement AI principles and guidelines in order to ensure, whether from basing them off of the Institute for Ethical AI and Machine Learning, UNI Global Union or Microsoft's AI guidelines (Eitel-Porter, 2020). These guidelines implemented by these tech companies all follow really the same 5 key principles, these being Fairness, Accountability, Transparency, Explainability and

Privacy (Eitel-Porter, 2020). Now principles are only strong when enforced, so strong governance over the development is needed. As history has shown, principles in other fields of business don't really stop people from violating them. With AI development principles and professional standards are more difficult to enforce and create as the impact from AI is not something that will be seen until much further in the future (Mittelstadt, 2019). The 5 key principles listed earlier which most tech companies follow are believed to be able to mitigate this issue, but it is the broadness that further pushes them towards ineffectiveness. As with many companies developing AI for many purposes, principles such as, "Fairness," can be interpreted in many different ways and as such aren't able to guide the actions of development and governance (Mittelstadt, 2019). As such this leads to principles not being effectively incorporated into the development process. AI development and governance is clearly an area in which tech companies must all come together to establish a set standard to follow in order to hold themselves accountable. If not companies, countries must begin enforcing regulatory standards on these companies as a way to keep them ethical.

With this rise of AI technology, businesses have noticed their capabilities, and some have begun implementing them into their operations. While artists and writers have obviously been against this move, with Hollywood writers going on strike with one of their demands being no use of AI in scripts (Barco, 2023). An independent study published on Microsoft's Work Trend Index found that while 49% were concerned about AI taking their place at work, 70% of those surveyed would use AI to reduce their workload (Milanesi, 2023). These results weren't surprising as AI as a tool can be quite effective, as offloading small things like writing an email and then making corrections where needed can be incredibly useful. While this might not be the intent for the use of AI in the workplace as many companies would prefer it to be used for, it

does allow for better efficiency for a worker's main task. AI in the workplace has another potential as well, this being the ability for businesses in developing nations able to compete with larger multinational companies. This is larger because of the lack of trained individuals in the global south, where roughly 19% of those living there maintain skills with a computer (Candelon, 2023). So, these AI tools provide companies with the ability to maintain smaller teams while letting the AI do the heavy lift for tasks. An example of this would be the Commercial Bank of Africa using AI to review loan applications for over millions of people (Candelon, 2023). While the idea of artists and other employees being replaced by AI is a very real threat in the coming years, the impact it can have on productivity for workers is a field that should be explored. Now this technology is obviously not being implemented in mass outside of China which has roughly 60% of its IT professionals utilizing AI (Candelon, 2023). This lack of major adoption in developing countries is mainly due to the lack of infrastructure capable of supplementing AI development (Candelon, 2023). It's not only the lack of infrastructure that limits the use of AI for companies in both developing and developed nations. As there is a steep price to pay while deploying software-as-a-service AI technology. With increased use of this AI comes costs that can range as high as hundreds of thousands of dollars a month (Vanian, 2023). These high prices, which come from the vast computing required by this AI technology, are one of the reasons for non-widespread use of more common SAAS AI technology (Vanian, 2023). Although as the old saying goes, "With capitalism, comes innovation," which if looking at the common trend of increased computing power every two years, should mean somewhat lowered costs for these services. As such, it might be cost effective for companies considering implementing AI into their workforce to wait a few years for prices to come down some.

Moving on towards public opinion surrounding AI use, it is becoming clear there is a large disconnect between tech companies pushing for further AI development and the general population. As generative AI is becoming more and more available, so too are the amount of people who are willing to use this new technology for misinformation. Just recently an AI-generated image of an alleged attack upon the Pentagon went viral towards the end of May (Bushard, 2023). Which obviously led to panic across social media until it was eventually debunked by factcheckers. This event clearly should've been a wake up to tech companies to including a watermark of some kind to prevent this. As it's clear public opinion will tank due to increasing amounts of similar events. As recent polls show middling opinions on AI and a large concern for the damage that AI-generated misinformation. 43% of those polled stated an unfavorable opinion towards AI, 71% were concerned about AI's impact on jobs and society and 76% are concerned about AI's ability to drive misinformation (Jackson, 2023). This strong concern makes a case for governmental regulation if companies won't act. As no matter how much a company spouts regarding how ethical their AI's dataset might be, inaction towards stemming misinformation derived from their AI make it clear ethics aren't of their concern. This harsh admonishment of tech companies is something I don't want to do, but the fact that a rapidly developing industry is able to operate like this causes me immense frustration.

As shown the development and use of AI is a touchy subject that will be an industry talked about for years to come until it becomes the norm. Whether it is AI being under scrutiny that the dataset used to train it was obtained legally or through theft either intentional or not. With many artists fearing that more and more businesses will switch to generative AI to obtain illustrations. With some working expressing fear of replacement by AI, while others are enjoying the idea of utilizing it as a tool to prevent harsh workloads. Tech companies having the drive to

standardize ethical operation across the industry will determine if ethical AI can even exist in the private sector. This, if not quickly enacted, will allow the further tanking of public opinion towards AI from continues misuse by bad actors. Now do I personally believe that AI development can be ethical? Well yes, after researching this topic I do believe that AI can be developed ethically. As long as companies publicly disclose where they obtained their training data and properly compensate anyone whose material is used if they do license it out to other companies. As for if companies should be using AI in their workplace, it is also yes. With use limited to being a tool for workers in order to reduce workload placed upon them. While if used for art or script have those only be rough outlines of what that companies wanted while reaching out towards an artist or writer to actually make it.

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