

Economic Law Thinking on the Negative Effects of Artificial Intelligence

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ABSTRACT

The development of artificial intelligence technology has created huge wealth for human society and brought great convenience to people's daily lives. However, like every coin has two sides. While artificial intelligence has brought a great positive effect to the world, there comes along its negative effects. As a brand new thing, the development of artificial intelligence will have an impact on the existing economic system and legal system, which requires relevant laws to make corresponding changes to adapt to new things. From the perspective of economic law, new regulations should be implemented in the artificial intelligence market to avoid possible risks.

Keywords: *Economic law, Artificial Intelligence.*

1. NEGATIVE EFFECTS IN THE DEVELOPMENT OF ARTIFICIAL INTELLIGENCE

Artificial intelligence is a branch of computer science which intends to understand the essence of intelligence and produce a new intelligent machine that can respond in a similar way to human intelligence. Nowadays artificial intelligence has been widely applied into many different fields, and its advantages have shown to all of us. It has a higher working speed, better working accuracy, and a better working attitude than humans. Although it has helped us solve various problems, in the actual development of artificial intelligence technology, artificial intelligence developers, producers and sellers monopolize the information market and ignore data risks from time to time.

Specifically, the negative impact of artificial intelligence has the following aspects:

1.1. Impacts on the Existing Law Order

As a product of the new era, artificial intelligence itself is beyond the reach and regulation of the previous laws, and the lag of the legal system itself can't fully adapt to the new situation, making the legal system become uncertain. The developers, producers, and sellers of driverless cars are currently enjoying the dividends of the national policies, but their rights and obligations are relatively incompatible, which makes it difficult for laws

including the Road Traffic Safety Law of the People's Republic of China to effectively regulate them.

At the same time, the era of artificial intelligence has brought a new relationship of rights and obligations to human society, that is, the "human-machine relationship." When driverless cars and aerial drones are all over the society, how to deal with the relationship between humans and machines is also beyond the reach of existing laws. And in the current process of artificial intelligence development, because of weak AI does not have an obvious moral constraint mechanism and an effective legal restraint mechanism, there have been a large number of malicious theft of other people's private information under the big data, causing damage to the interests of others and the public interests, and shaking the existing social order.

1.2. Weakening the Regulatory Function of the Law

Generally speaking, due to the inequality of social resources and opportunities, the results of the initial distribution often fail to achieve fairness. Therefore, the state adjusts the results of the initial distribution through taxation, fiscal and other macro-control measures, which promotes a more balanced rights and obligations between social and economic entities, and conducts good and effective governance of society.

The existing primary distribution system in China is not perfect, and cannot fully adapt to the development of the market economy. The appearance of artificial intelligence may make the existing primary distribution system more difficult to play its role. Different from the previous industrial revolutions, artificial intelligence may make human jobs disappear explosively and completely. Not only will it eliminate jobs but also work skills, that is, "no matter what color your collar is, the machine will be merciless." This forces some economic entities not only to compete with other economies, but also with artificial intelligence such as robots. It is undeniable that the research and development, promotion and application of artificial intelligence will reduce the opportunity for humans to obtain initial assignments in professional fields such as drivers and security, especially in repetitive and standardized work. The reduction of employment opportunities for this part of people makes their income correspondingly reduced, but the cost of survival remains unchanged. The obligation that the individual should bear the cost of survival was indirectly passed on to the entire society, and the redistribution system had to focus on maintaining the rights of these individuals and reducing their obligations. Therefore, from an individual point of view, the relative reduction in employment opportunities may cause uneven production and consumption; from the perspective of society as a whole, the primary distribution of economic entities may be even more unfair.

Secondly, in the process of artificial intelligence development, due to the unequal financial resources of various enterprises at the beginning, under the background of the development of new technologies, their competitive strength will be unbalanced. In the process of productivity development and progress, the financial strength and talent reserves are abundant. Large enterprises may quickly realize their own industrial model transformation and enjoy the dividends of technological innovation, while small and medium-sized enterprises may not be able to bear the "extremely high start-up costs" due to their lack of strength, leading to the formation of industry monopolies. In order to properly solve these problems, the "Anti-Monopoly Law" and other economic laws and regulations play an irreplaceable role. In the era of artificial intelligence and big data, the amount of information and accuracy of information that companies have will be transformed into a part of their competitive advantages. The greater the amount of data owned by the producers and operators related to artificial intelligence, the more accurate the data information, and the faster the data update, the more likely it is to obtain more social initial distribution results. In addition, China's early development and monopoly companies in the field of artificial intelligence occupy most of the social information resources, which may make their rights and obligations not match. To a certain extent, the rights of information-advantaged subjects in

artificial intelligence information have not changed but their obligations have actually been reduced, making the rights and obligations even more mismatched. Therefore, making it more difficult for relevant laws to function.

1.3. Increase the Cost of Social Governance

The government mainly relies on the legal system to implement social and economic governance, but most of the economic legal systems including the tax law, anti-unfair competition law and anti-monopoly law are naturally lagging behind and cannot timely and effectively regulate the new phenomena and new problems arising from the advent of the era of artificial intelligence. Furthermore, the framers of the economic legal system lack a timely understanding of artificial intelligence and advance planning, making it impossible for the law to respond quickly to the practical needs of relevant social governance. Thus it can be seen that the social governance with law as the main means itself needs to spend a lot of costs.

The emergence of artificial intelligence will cause the cost of social governance to become even greater. In the era of artificial intelligence and big data, information has become one of the important factors of social governance. When decision makers do not have sufficient or accurate information about artificial intelligence, it will not only increase the cost of decision makers to collect and sort information, but also require social administrators to spend more time and cost to identify the authenticity of information. At the same time, information owners are unwilling to disclose their information to the public because of privacy protection. In this way, the asymmetry of information makes it difficult for the subjects of social governance to obtain effective information about the governance objects. The imbalance of the rights and obligations of information subjects who grasp the advantages of artificial intelligence may further aggravate information failure. Due to such information failure, it will increase the information cost of social governance.

At the same time, artificial intelligence is based on big data and continuously conducts self-learning and self-breakthrough through deep learning. The emergence of artificial intelligence makes the adjustment object of the law more complicated. In some respects, artificial intelligence has far surpassed human capabilities, and non-existing legal adjustment methods can be regulated. Taking economic law as an example, my country's current "Product Quality Law of the People's Republic of China" cannot completely effectively resolve legal disputes based on artificial intelligence products. Although the inadaptability and transformation of the traditional governance model cannot be regarded as the layer created by the negative influence of artificial intelligence, in fact, it has exacerbated the negative influence of artificial intelligence to some extent.

Therefore, artificial intelligence is challenging the original legal-based social governance methods, procedures and methods. The traditional economic and social governance methods and procedures that do not match rights and obligations not only cannot effectively solve the negative externalities of artificial intelligence, but also may intensify the negative externalities of artificial intelligence, thereby increasing the potential social governance costs.

2. THE METHOD TO ADJUST THE NEGATIVE EFFECTS OF ARTIFICIAL INTELLIGENCE UNDER THE ECONOMIC REGULATION

It is undeniable that artificial intelligence is changing people's lives and bringing great convenience to us. Therefore, there are two ways to regulate the development of the artificial intelligence industry: one is for the industry. Encourage and promote the positive and positive effects of development; the other is to restrict or prohibit the negative and negative effects of industrial development. Make the artificial intelligence industry better play the role of promoting the development and progress of human society, and reduce its negative impact.

Regarding the regulation of negative effects, legislation should be rough rather than detailed, and for related issues, different economic law theories and various systems should be used for targeted regulation. For example, it is necessary to use the market regulation law in the economic law to restrict or prohibit issues such as product quality, infringement of consumer rights, and obstruction of fair competition that may be caused by artificial intelligence; for the artificial intelligence industry in terms of fair distribution and stable development Negative effects should be studied and regulated from the dimensions of economic law's distribution theory, development theory, and risk theory.

First, while improving efficiency and liberating productivity, artificial intelligence may replace related subjects, which may lead to a surge in unemployment and changes in social structure. For example, the popularization and promotion of artificial intelligence technology will form a variety of "unmanned" models such as "unmanned driving", "unmanned supermarket", and "unmanned bank", which will lead to the substitution and crowding out of people by machines, thereby affecting employment. Whether full employment can be achieved will directly affect the realization of economic law adjustment goals such as "promoting stable economic growth", "guaranteeing the sound operation and coordinated development of the economy and society". To solve the above-mentioned problems, both the adjustment of social law and other departmental laws are required, as well as the effective regulation of economic law.

Secondly, the unemployment and other issues brought about by the development of the artificial intelligence industry mentioned above will affect the distribution and development capabilities of relevant subjects, expand the "differences" in distribution and development, and thus affect the distribution and development pattern of the entire society. To solve the problems of distribution and development, it is necessary to protect the distribution and development rights of the subjects of economic law in accordance with the law, and to enhance their distribution and development capabilities. Technology is an element that affects distribution and development. While artificial intelligence technology and industrial development improve the distribution and development capabilities of some subjects, they will also limit these capabilities of other subjects, and aggravate the expansion of the distribution gap and the imbalance of development. New "difference issues". Therefore, unreasonable differences caused by artificial intelligence technology and industrial development need to be restricted or prohibited by the "differentiated regulation" of economic law.

Finally, the development of the artificial intelligence industry may cause and accumulate many risks, and greatly increase uncertainty, which can easily lead to systemic risks. To this end, it is necessary to strengthen the information regulation of the economic law, control the use of information in accordance with the law, strengthen risk management, and comprehensively solve traditional and emerging information problems. For example, the infringement of consumer data rights is a risk faced by both the artificial intelligence industry and consumers. Therefore, in the market regulation law of economic law, it is necessary to protect the rights of operators to legally obtain, use, and benefit from information as well as It is necessary to specifically clarify its obligation not to infringe consumer information rights. With the development of the artificial intelligence industry, in the legislative process of anti-monopoly law, anti-unfair competition law, consumer protection law and more specific e-commerce law, it is necessary to make an institutional response to the "risk accumulation effect" of artificial intelligence, and restrict or prohibit the behavior of relevant subjects according to different situations. Artificial intelligence technology involves a wide range of fields, and the accumulation of various risks caused by its complexity and uncertainty will not only affect the safety and health of individuals, but also may affect the country's economic security and social security. Therefore, risk assessment should be strengthened and established Safety supervision system and safety monitoring and early warning mechanism. In this regard, we should not just stop at the "development plan" of artificial intelligence, but should also implement it in the specific economic law system.

3. CONCLUSION

Artificial intelligence is not only a technological innovation, but also a technological revolution that is the core technology driving force of the third industrial revolution. Artificial intelligence brings both new opportunities and new challenges to human society. Therefore, the uncertainty of artificial intelligence leads to the coexistence of its "crisis" and "opportunities". In the development of artificial intelligence, the results and costs exist, and the benefits and risks coexist. Weak artificial intelligence applications and industries have achieved significant development in many fields. According to the current development trend, the era of strong artificial intelligence may also come quickly. We should face up to the arrival of the intelligent revolution era with an open mind and a cautious attitude. While enjoying the positive effects it brings, we should also thoroughly analyze and resolve the negative effects of artificial intelligence.

For now, the negative impact of artificial intelligence is reflected in the impact of the existing legal order, weakening the adjustment function of the system, increasing the information cost of the main body of social governance, and challenging the existing social governance model. Therefore, it is the urgent task of current research institutions and practice departments to deeply understand the root causes of the negative effects of artificial intelligence, to examine the negative effects of artificial intelligence in economic law and to improve and innovate the path of economic laws and regulations. Giving full play to the incentive and restraining functions of economic law will help resolve the negative impact of artificial intelligence. Of course, the legal method is only one of the many regulatory methods for the negative impact of artificial intelligence, such as ethical and moral methods. It is neither desirable to rely on the legal method, nor is it possible to fully realize its original intention. Therefore, in order to give full play to the regulatory function of economic law on the negative impact of artificial intelligence, the legal system needs to be combined with morality and ethics. Only when

artificial intelligence develops in an orderly manner on the track of the rule of law, can it be ensured that it is safe, reliable, controllable, and can achieve development based on the "community of man and machine with a shared future" that is in line with the fundamental interests of human society, and can also achieve national strategy and inclusive development, commercial interests and society. The balance and coordination of responsibility, international competition, and human security can also provide Chinese wisdom and Chinese solutions for improving the institutional discourse power of global artificial intelligence governance with a sound legal system.

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