

PHD IN LEGAL STUDIES

9th May 2024 - 3:00pm

Grafton Building, Via Roentgen 1
Room 1-C3-01, first floor

AI judgment rule(s)

Welcome Addresses

Giovanni Strampelli
Bocconi University

Keynote Speaker

Katja Langenbucher
Goethe University, Frankfurt

Abstract

Decision-making is the cornerstone of corporate life and various theories explore how decisions under uncertainty are made or should be made. The law includes both, an implicit, descriptive assessment of decision-making and an explicit, normative theory on what decision outcomes should (or should not) be. This essay takes up decision-making at corporate boards in the age of AI. It starts from the assumption that corporate law places trust on board members, exemplified by the business judgment rule. At the same time, the law requires board members to own their decisions. The essay suggests that with AI informing board decision-making, the law's implicit assumptions must be reviewed. I conceptualize AI is neither comparable to a traditional technical tool nor to a human expert informing the board. Instead, I propose to work towards an understanding of cognitive cooperation between human and AI.