

Review of: "[Essay] Not Quite Like Us? — Can Cyborgs and Intelligent Machines Be Natural Persons as a Matter of Law?"

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Potential competing interests: No potential competing interests to declare.

This article discusses an important and more and more urgent topic about distinguishing humans and AI machines from a legal perspective, which is a very difficult problem to solve.

It is totally necessary and I am very glad to see that the author discusses the problem from multiple areas and different perspectives.

Upon the tough choices one has to make to solve the problem, the author suggested the following:

- (1) The criteria is not just about what can be done, but also about how is it done;
- (2) Comparing to sentience and intelligence, sapience is a better direction to go;
- (3) Among various aspects of sapience, morality is chosen to be the key of legally distinguishing human and AI machines.

It is a very meaningful work and I like it a lot.

Here are some of my opinions related to this topic:

- (1) From a pure scientific and technical perspective, my opinion is that eventually we will be able to realize almost any aspect on any level of human characteristics.
- (2) Perception can be constructed, sentiments can be simulated, reasoning can be constructed, consciousness can be constructed, general (to a certain degree) intelligence can be realized (e.g., GPT-4), and in many cases, AI machines can do better than human. And of course, in many other aspects, humans are still doing much better than AI machines.
- (3) AI machines (e.g., GPT-4) can even do better on insisting a moral attitude (regarding how to treat minorities, how to deal with its potential conflict with humans, etc), as a result of the alignment process.
- (4) In the future, even not on "what is done" but on "how is it done", we will be able to simulate or reproduce the human way in more and more aspects (even though not completely).

(5) Ultimately, regarding how to distinguish human and AI machines, there will not be an absolute right way to scientifically define the boundary. Instead, it will be a matter of choice.

Regarding this work (or following work) on the legal perspective, may I suggest the following:

- (1) Do more analysis on the consequences of the legal criteria of distinguishing human and AI machines, e.g., on the social, economical, political aspects;
- (2) Based on the above analysis, come back on the criteria, and there might be new insights on defining the better (or best) criteria for the ultimate good of human kind and earth. It is a matter of choice anyway.