PriMera
Scientific
Publications

Jurisprudential aspects of Person & Artificial Intelligence-A Way-Forward to Sustainable Peace and Development

Sunitha Kanipakam*

Assistant Professor, Department of Law, Sri Padmavati Mahila Visvavidyalayam, Women's University, Tirupati, AP, India

Corresponding Author: Sunitha Kanipakam, Assistant Professor, Department of Law, Sri Padmavati Mahila Visvavidyalayam, Women's University, Tirupati, AP, India.

Abstract

Artificial Intellects or robots are becoming all-pervasive in the present modern society. Artificially Intelligence Technology has brought incredible change in the day to day lives of people around world. Large number of populations are familiar with AI technology like "chat-bots" and usage of "virtual personal assistants" like Apple's Siri, Amazon's Alexa; ok, Google and Microsoft's Cortana. Where the whole world is relying on this AI technology in this context the present paper explores the impact of AI on Education, Amicable Conflict resolution, Economic stability, health sector, industry, Human rights protection, Fair and Speedy Justice - access to justice system. Recognition and protection of Human Rights are major elements for maintaining "sustainable peace and development" (UNSDG) of the society. Artificial Intelligence (AI) has huge impact on the improvement of health care systems apart from economic status of individuals, inequality in the communities as well as states and help to meet the United Nations' Sustainable Development Goals. India's policy think tank, the NITI Aayog paper on National Strategy on *Artificial Intelligence* is focused on leveraging AI for inclusive growth in line with the Government policy of Sabka Saath Sabka Vikas.

Keywords: Artificial-intelligence; Sustainable Peace and Development; Human Rights-Legal personality-Health care-Insurance liability

Introduction

Life is precious than anything. Whatever humans try or invent which should be helpful for happy living on this earth. This happy living is nothing but peaceful living. Sustainability of peace and happiness of all people in any nation depends up on the level of societal safety & security, nonviolence, peaceful and early conflict resolution, A just, fair, and speedy equal justice to all. Coming to the definition of Sustainable Peace and Development, according to the Advisory Group of Experts Report of 2015 sustainable Peace in a broader way, but in general the term Peace can be defined as the state of security and tranquility within a community or a society without civil disturbance provided for by law or custom a breach of the peace. sustainable means- ability to be maintained continuously or for future generations. Whereas development means a continuous process that creates growth in economy and positive change in the society where no structural or cultural violence, hunger, and poverty. According to SIPRI, a Stockholm Forum, on Peace and Development, Peace is an investment which not only make available for production and consumption at present, But, it creates opportunities and taste of peace for tomorrow also. The meaning and definition of sustainable development includes consumption and economic utilisation, actions of today that do not have negative impact on the future generations, thus, the peaceful and positive development of today can be understood a sustainable development. It is an acceptable truth that conflict and insecurity among public has impact on sustaining peace and Development on the society, hence, requires proper understanding of the root causes of it.

In Legal perspective, Sustainable peace in the society can be maintained in the following ways. man is a social animal, every one's thinking or belief may be different from other person, so, thought and belief of others should be respected; Human rights of persons shall be recognized and protected. Amicable, friendly, and fearless atmosphere shall be created for discussion among the conflicting or disputed parties, educational opportunities and Economic stability of the people must be ensured; justice of fairness and equality for all should be rendered, these approaches of Peace and sustainable development in the community reduces poverty, prevents conflict, and ensures social justice. This transforms to a healthier society.

It is proven fact that a nation's progress depends upon the technological innovations. The new Technological invention, the Artificial Intelligence can contribute to the society in various fields to attain the sustainable peace and development. education, gender equality, finance sector, industries, factories, companies, governance/administration, health sector, border protection, Traffic regulation, Legal field are some of the key areas in which AI applications can be make use of.

The Genesis of AI

Based on the information available from a website named "towards data science" (Shaan Ray-2017) during the World War II Alan Turing, an eminent British scientist has undertaken on decoding the 'Enigma Code' a secured message sending process adopted by the German military communication system. The scientist, Alan along with his team members had devised the Bombe Machine technical devise to decode Enigma's messages; this paved the way for Machine Learning processes (a type of artificial intelligence) a technical revolution in human history. Alan Turing in 1950 had a publication in the journal "Mind" entitled "Computing Machinery and Intelligence" under the concept of the imitation game he proposes a question that "can machines think" consequently that question open up new vistas in the technological community across the globe. Another scientist in the year 1956, in Hanover, New Hampshire, during the Dartmouth College conference the term 'artificial intelligence' was coined by John McCarthy a computer scientist from. The impact of artificial intelligence can be seen from small tasks like electronic billings, money transactions, payments and in Industries like hotel, tourism, online shopping and purchases, gaming and automated entertainment entities. The increased utility of AI has changed the shape and concept of industries of world which are very promising and quite encouraging.

AI and UN Sustainable Goals

Technologically advanced Artificial Intelligence applications may increase opportunities for the progress of mankind and the achievement of United Nations proposed Sustainable Development Goals. UNESCO is working to utilize this opportunities in its fields of competence and related to the rapid development of AI, in ethical point of view as well as Human Rights perspective. These include AI's role in the education, disinformation and online hate speech, in promoting gender equality and reducing the AI related algorithmic

bias.

Positive aspects of Artificial intelligence on society

Application of artificial intelligence Technology in education field provides an opportunity even for remote area people to access to personalized education especially for women who have been deprived their right to education .AI became biggest boon during this Corona pandemic time we are witnessing the technology as a great opportunity for the people residing in far away from their educational institutions.

Peace and Economic stability

To maintain peace in the society, economic stability plays a pivotal role on the population having adequate means for their livelihood. In the field of economic & finance sector adoption and inclusion of AI can boost up the GDP because AI has potential to assess the situation faster and more precisely than human beings. AI technology increases the production also. The Institute for Economics and Peace [IEP] headquartered in Sydney in its 2019 report observed that SDG16 identifies peace as a vital component to achieving sustainable development further it expressed that low peace and weak institutions hinder the development. Hence it is essential to maintain social harmony.

AI for Value based education

Provides everything education the people tomorrow their character to acquire knowledge attitudinal behavior which make them to stay and live with another human beings and show human compassion in the society as well as other creators. Education gives scope for self -corrections, learn more by mingling with others. Education gives confidence that brings a change in the human behavior makes the human being in peaceful manner which led to the sustainable peace in the society. AI assisting digital classroom learning is less reliant on papers.

AI applications contributing a lot to the students giving scope for development with personalized learning to each student. smart technologies making Teachers efficient in administration and to find solutions teaching from home during covid-19 and giving students accessible to education. Using these new technological gadgets teachers split their lessons into small study materials, smart study guides or writeups, or flashcards in order to help the students in understanding the subject. a variety of voice apps and systems like Microsoft's Cortana, Apple's Siri and Alexa powered with AI assisting the students to converse the study material without teacher help as well as getting their doubts cleared from their teachers instantly in case they need.

Artificial intelligence for the safety and protection of women

Technology became a boon for the protection of women, like CCTV surveillance, GPS, video, and voice recording facilities for the purpose of safety and security of the women. for example, Disha app developed by the Andhra Pradesh police technical services department, just by shaking the devise an alert to the control room can be sent when a woman or a girl is in distress or dangerous situation. Disha SOS services help the people especially women in emergency situations. The app had been integrated with needful information such as safety places, police stations, hospitals nearby to the subject and stored with useful contacts also to get immediate help and support from the police. Further, appropriate measures like demos and training programs have been organized by the police department to sensitize the women of all ages to use the Disha app at their needy times.

Artificial Intelligence services in health sector

AI in Health sector- a boon. with the computer Embedded Technology medical field is growing progressively. in medical and health field AI applications give accurate and speedy results of patients than trained humans, which enable the doctor to provide early treatment to the patient. the well-known fact is that during this Covid-19 pandemic period the robots or humanoids had been deployed by some hospitals in southern parts of India to serve COVID-19 infected patients for the supply of medicines and breakfast [e.g., KARMI Bot by government hospital in Kerala]. In 2018 a doctor from Ahmedabad performed surgery by applications of artificial intelligence

telemedicine procedure to miles away patient.

Moreover, robots' eyes no need of leave, holidays or rest like human beings, the services are available for 24 x 7, they can take quick decisions. The other area where AI services are good and promising are the Wearable Healthcare Technologies, like apple watch, tidbit, wrist bands etc., helping humans to maintain their health and fitness. Similarly, software that uses AI, like Fit Bits and smartwatches, can analyze data to alert the patients as well healthcare professionals on possible health risks and other issues.

AI in weather prediction

Prior to AI 's assistance in weather prediction the chance of accuracy is win- win situation but now with AI technology we are able to get up to 90% accurate results than human predictions. Ai predictions on weather forecasting are based on machine learning algorithms. according to Analytics India" a news magazine which works on promoting the analytics ecosystem in India with its publications and news, dated 03 August 2020.

Artificial intelligence in Legal field
Legal Personality of AI

So far in India law has recognized two kinds of Persons under jurisprudential aspects, the first one is natural person and the second one is 'legal person' or 'juristic person'. Legal persons are not natural persons they are being created artificially by law by registering under company law and are registered under registrations act. they will be managed and function by the natural beings. Whereas in the case of Artificial Intelligence the machine will be assigned with a particular task which it has to undertake and discharge. AI is not a natural person it doesn't have brain like human beings to apply its judiciousness in deciding which is good and which is bad. it will be programmed with algorithms. Hence what the humans feed it selects from that feeding only. The Jurisprudential meaning of person is that one who can be capable of having rights and of discharging duties is a person. Coming to the Sophia a humanoid had been recognized as a woman and was granted the citizenship of Saudi Arabia in the year 2017. Critiques say that in a country where male guardianship is still in existing what would be the status of humanoid Sophia but its creator Sophia's creator (David Hanson-2017, WIRED, UK) justifies that it's an opportunity used to speak out on women's rights in the country.

AI Impact on Indian Judicial system

In the judiciary there are judges delivered judgments with humanistic approaches. such scope is available Under article 32 of the Indian constitution. the drafting chairman of the Constitution Dr. Baba Saheb Ambedkar observed that article 32, *the very soul of the Constitution and the very heart of it.* Based on this Art. 32, *a* beacon light of justice for the poor masses, Justice P.N. Bhagwati a humanistic judge who for the first time in India, propounded Epistolary Jurisdiction by accepting letter petitions filed from the prisoners with the help of Hingorani couple. Another humanistic judge, Justice VR Krishna Iyer -who pronounced that Legal Aid is not the charity but the Duty of the State to provide free legal aid to the poor and indigent because Article 32 guarantees access to justice as fundamental right. In MH Hoskot case.

Another humanistic judge Justice J.S. Verma - who delivered judgment of Vishaka vs State of Rajasthan in 1997 and had been appointed to review criminal law related to sexual offences observed that dignity of a person is the quintessence of human rights. He reiterated that all human rights for all, and the entire world is a one family. One more humanistic Judge of the Supreme Court of India O. Chinnappa Reddy was nick named as green judge for his judgements on environment. All these humanistic, kind and heart touching words can't expect to hear from an AI the machine which has only super brain.

AI in Industries, Mines and Manufacturing Units

Artificial Intelligence has its considerable impact on the intellectual property regime. Besides this IPR area AI can be used in hazardous Industries like paint manufacturing industries where human's health will affect hence, can be replaced with machines. Similarly, robots may be employed in mines and other hazardous occupations especially under mining operations where India witnessed major accidents and suffered loss of life of its valued laborer without whose contribution India cannot make progress.

Another important area where AI can serve and yield more profits is factories where workers must work under severe and extreme heat conditions, in lifting of heavy weights, in hazardous gas plants. Accidents can be prevented such as Oleum gas leakage in Bhopal and styrene gas leakage case in AP. For example, Kia Motors, with AI Technology, production has been enormously increased with high accuracy.

Contracts Drafting and analysis in the era of Globalization

In the past, analysis and drafting of contract was a prolonged process which takes lots of time and due diligence. However, through advancement of AI technology it became hassle-free, faster & easier to analyze the essential requirements of a contract especially between multinational companies because of globalization.

Artificial Intelligence in Criminal Investigation:

In criminal investigative process AI can help the police in scene reconstruction and sometimes as it is not accessible to the Crime Scene in such cases the investigating agency with the help of artificial intelligence devices like drones, simulation techniques etc., can go further in their investigations. Another area is Forensic science. In FS AI can build graphical structures and provides algorithmic computational tools that can help to draw.

AI & Issues for Concern
AI in automobiles

Machines how efficient might be cannot replace human beings. They have created & work with human intelligence only. Though AI has many positive impacts on the society on the same way it has some negative impacts also on various fields. In the case of autonomous cars i.e., TESLA cars and Hyundai/ KIA Motors are the world's first AI-based partial autonomous driving technology Machine Learning based Smart Cruise Control (SCC-ML), driver assistance featured cars. Major concern about these self-driving cars is that who will bear the consequences of wrong doings of these machines?

Law of Bail and Parole in India

In granting of bail, the court sees whether he the accused is a first-time offender, or a core criminal then issues order of Bail. In this case how an AI predicts a person's character? It would be difficult, and errors may occur. at the end, the law would be under question. Same thing may happen in Parole cases also with AI's application.

Human Rights - AI

The United Nations organizations has declared Universal Declaration of Human Rights on 10th December 1948 in Paris. which reads that 'All human beings are born free and equal in dignity and rights. The right to equality and freedom from discrimination and degrading treatment can be reduced with automation Technology (AI) especially in finance sectors/banking sector without any bias. But facial recognition errors with AI application may cause serious threats to the equality, and fairness of justice.

International Human Rights Law-AWS

AI and International Human Rights Law-In defending borders many countries are using Autonomous Weapon Systems [AWS] this would change in control and exercise in the use of weapons, which has potential to affect perform legal duties, and accountability for the consequences. Human Control and the application of law is an essential requirement for the moral appropriateness and political validity in adopting over Autonomous Weapon Systems, and consequences should be controllable. In case something went wrong with the actions of AWS - a computer operated machine cannot be considered as an accountable person for the harm done or for the violation of laws. So here the issue will be compliance with the law, as well as following of ethics.

Law and AI in Courts and Justice delivery System

Introduction of AI can faster the justice delivery system and may contribute to the speedy trial which is a fundamental right implicit under right to life and personal liberty guaranteed under article 21 of the Indian constitution. Fair justice is the gate way of social Justice. Again, the question will be can AI be feed without bias and ensures no facial recognition errors? as one of our peers quoted about the color bias experience with AI technology. Fair justice always gives protection of equal rights to the individuals and contributes to build a fair and just society which is the way for sustainability of peace. The fair and just society provides and ensures security to the children and their physical as well as mental health and wellbeing which can end the poverty and violence.

Conclusion

AI technology is a growing industry at budding stage. Humans have responsibility to utilize it in appropriate way. AI can contribute extensively to health sector and in a better way in the fields like banking & finance sectors, digital tax to bring down corruption practices in India. AI has impact on human life in several positive ways, such as in crime detection and investigation, face recognition by using AI techniques in taking attendance of students, crime prevention in banks and ATMs. Some studies have shown that AI violates Human rights, like privacy rights and face recognitional technology may do more harm rather good to the humans. Legal profession has to face huge impact from Artificial intelligence and related technologies. Finally, the Technology is there to help humans and not to rule humans.

References

1. Alicia Phaneuf. Use of AI in healthcare & medicine is booming - here is how the market is benefiting from AI in (2020).
2. The challenge of sustaining peace: Report of the advisory group of experts for the 2015 review of the United Nations peace-building architecture (2015).
3. AM Turing. "Computing Machinery and Intelligence". Mind LIX.236 (1950): 433-460.
4. Matthew McLaughlin. The Link Between Peace and Sustainable Development (2017).
5. Karan Upadhyaya and Rachet Garg. 2020 Artificial intelligence: the Indian legal perspective, iPleaders.
6. kullabs.com
7. The agony of Sophia, the world's first robot citizen condemned to a lifeless career in marketing.
8. Maya Brehm. Geneva Academy, Defending the Boundary: Constraints and Requirements on the Use of Autonomous Weapon Systems Under International Humanitarian and Human Rights Law (2017).
9. "Building Institutional Capacity in Public Policy Development in the Field - A Decision Maker's Toolkit of AI". peace, Justice and strong institutions. Building Institutional Capacity in Public Policy Development in the Field - A Decision Maker's Toolkit of AI (unesco.org).
10. https://en.unesco.org/system/files/artificial_intelligence_and_gender_equality.pdf
11. Asian News International. Bengaluru (Karnataka) (2020).
12. David Lat. "How artificial intelligence is transforming legal research". above the law, Law 2020, Thomson Reuters.
13. Shaan Ray. History of AI, towards data science (2018).
14. Chowdhry Amit Contributor-Consumer Tech, Tech enthusiast, Forbes, Law (2016).
15. Griffin A. Saudi Arabia, Independent, UK (2017).
16. Ben Hartwig. The Impact of Artificial Intelligence on Human Rights (2020).
17. www.visionofhumanity.org
18. Ananth Kini. "Artificial Intelligence and the Legal Profession: An 'intelligent' way ahead?". Bar and Bench (2020).