



Artificial Intelligence in Accordance to Human Rights

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ABSTRACT

We exist in a surrounding where, humans prefer a computer-oriented application to buy clothes or food, rather than going to the nearest store to buy all the amenities. The change of preference was due to a vast emerging concept called "AU". AU is the use or introduction of automatic equipment in the process of manufacturing or other processes and facility. Artificial Intelligence (AI) is the concept that evolved from AU. Artificial Intelligence is the process of simulation of human intelligence in machines. Humans are unaware of the fact that their job opportunities are being taken over by a machine simulated by human intelligence. In recent years, many law firms started to engage their firms with an AI in their legal research. Our paper traces the evolution of the relationship between technology and human productivity from a contemporary perspective with special reference to HR as well as speculates on the possible answers to emerging problems.

The main question is whether an AI taking over the legal sector or any other sectors affects the basic HR? HR is a right which is believed to belong to every person. Here, in this case, the basic right of getting a proper livelihood is being affected.

KEYWORD: Artificial Intelligence (AI), Automation (AU), Legal Sector, Human Rights (HR), Universal Basic Income (UBI)

INTRODUCTION

In recent years the main concern that's revolving around our heads is Automation. AU is the use or introduction of automatic equipment in a manufacturing or other process or facility. The question arose when AU was introduced was whether this discovery can enhance technology and improve our day-to-day lives or can destruct our livelihood. As

when Industrial revolution came into picture millions of traditional laborers were replaced by machines. Efficiently accomplishing day-to-day operations is essential to the way organizations find success. When these processes became complex and messy, organizations looked to batch processing. We are living in a fast-paced, ever-changing and evolving business world; developers are constantly building and releasing new software, organizations are working overtime to find new ways to satisfy consumer needs and desires, and more and more devices are being introduced in the market. The pace of business is continuously accelerating and small-scale industries find it difficult to compete with large-scale multinational companies due to inadequate funds to use advanced technology in their production. In the past 20 years, technology has changed the method of work and not doing it in a particular manner. AU has become the competitive advantage in today's world. AU has allowed for companies to do work at outstanding speeds and with great repeatability and quality. AU has become a determining factor in whether or not a company will remain competitive in the market. Although AU constantly sets up the standards in the market and has many advantages. Some of the advantages are explained briefly below

- **Reduction in time** – having an automated technology that definitely speeds up the process. Since there no thinking is needed by the technology; there is better repeatability, and less human error. Thereby it increases the efficiency in their produce
- **Increase in accuracy and repeatability** – when an automated technology is programmed to perform a task over and over again, the accuracy

and repeatability compared to an employee is far greater. Thereby reduces human error.

- **Less employee costs** – by adding automated machines to an operation, means less employees are needed to get the job done. It also indicates less safety issues, which leads to financial savings. With having fewer employees, there are numerous costs that are diminished or reduced such as payroll, sick days and various employee benefits.

Some of the demerits are discussed below

- **Less versatility** – by having technology that can perform a certain task limits to the flexibility and variety of tasks that an employee could do.
- **Large initial investment** – automated technology can be one of the most costly operating costs for a company. With automated machines running anywhere between thousands and millions of dollars depending on the type and degree of AU.
- **Increase in unemployment** – by increasing the amount of AU, there are less employees required causing high unemployment rate.
- **Unpredictable costs** – there can be several unpredictable costs that may exceed the actual cost saved by the AU itself. Some of these costs could include research and development costs of automating a process, preventative maintenance costs, and the cost of training employees to operate automated machines.
- **Lack of human emotions** - the amount of data and processing power continues to grow. So, with a few exceptions, robots or machines may well be able to match humans in recognizing different types of emotions in the next few decades. But whether a machine could ever experience emotions is a controversial subject. Even if they could, there may certainly be emotions they could never experience – making it difficult to ever truly understand them.

Apart from all these criticisms AU continue to branch out its roots in various fields of technology. One such branch is Artificial Intelligence. According to Elaine Rich “Artificial intelligence is the study of how to make computers do things at which, at the moment, people are better”.

CURRENT SCENARIO IN THE FIELD OF AU

In simpler terms, Artificial Intelligence is the simulation of human intelligence in machines. This

discovery was not only appreciated but also frowned upon by some. Humans found it to be difficult to identify Artificial Intelligence from AU and how it played a significant role in our day-to-day lives. AI is short-hand for robots and other machines that allow us to operate more efficiently and effectively — whether it's a mechanical construct piecing together a car or the signal that sets off the smoke alarm in an emergency. But there are some pretty big differences between automated systems and AI machines. . AU can be software or hardware has the ability to do things automatically. They will do exactly what you have intended them to do. With AU, people are freed from lifeless repetitive tasks and focuses instead on work that needs creativity and individuality. The manufacturing industry is the most common area that utilizes AU. There are different kinds of AU depending on their use. In recent years, there's an evolution for automated transportation the most prevalent cars, UAVs (Unmanned Aerial Vehicles), and unmanned yachts. In addition, here are some work AU examples: paperless invoicing, job applications, cloud documents, automated testing, & online marketing and sales. Major companies around the world adopted the concept of AU in their production. Some of them are Amazon, DHL, Tesla, Adidas, Wal-Mart, Pizza hut, Nissan etc. Certain examples are MasterCard teamed up with Pizza hut and deployed cashier and customer service robots at their restaurants in China. Nestle and Pizza hut uses Softbank's humanoid pepper robots which are capable of taking orders, processing payments and answering customer questions. Nestle rolled out the robots to 1,000 stores in Japan. AI is basically using computers to find a solution to problems that usually needs human understanding. The main idea here is that Artificial Intelligence has the ability to learn, depending on how it is programmed while Robotic Process AU only functions on repetitive tasks and stimulation. They are two different technologies and they are interdependent each other well. AU can or cannot be based on Artificial Intelligence. Although AI and AU have and will continue to improve the way humans live, we must also take into consideration its disadvantages. According to Stephen Hawking, a British scientist professor, “the AU of factories has already decimated jobs in traditional manufacturing, and the rise of artificial intelligence is likely to extend this job destruction deep into the middle classes, with only the most caring, creative or supervisory roles remaining.”

According to an economist, Erik Brynjolfsson, "Technology has always been creating jobs and always been destroying jobs. There's this flow, but the jobs that are created and the jobs that are destroyed tend to be different kinds of jobs." Just like everything else, we must take these technological advancements at a slow pace.

The recent trends evolved in the field of automation can be flattering in many aspects of human life. AI has its effect in all spheres of life. The current scenario of AI is entertained by some and frowned upon by some. There are various kinds of various working models just to enhance AI's efficiency in the technological world. Some of the working models that still hasn't inflicted in our technological society. In later sections of the paper we will be discussing about the impact of AI in legal sector.

AI IN THE FIELD OF LAW

There are working models which will mimic there human brain in acquiring data from an image, text, data. This working model is referred has "Deep learning working model". The working mechanism of this model will be solely based on how the neural networks in our brain functions. The technological market still hasn't released its prototype. As mentioned before AI is withering out its branches in all the spheres. The main question about this research was to find out how an Artificial Intelligence spreading out its wings in the legal profession. One of the most recent topics in the legal community of late is the expected impact on their profession of super-fast computers with the capacity to simulate human intelligence and decision-making, a.k.a. "Artificial Intelligence" (AI). Ever since Queen's Law Professor Hugh Law ford initiated the computerized database QUIC/LAW in the 1960s, AI has been creeping into the legal field. The latest example of this is Watson, an attempt by IBM to create a "cognitive computing system" for use in medicine, data analysis ... and law. The change is people being more proactive. Right now lawyers are very reactive; somebody has an issue, and a lawyer researches it using books and databases. There is an opportunity for software to make that first pass, to highlight new issues. When a new case comes out, you shouldn't have to wait weeks for a newsletter. It should come into your inbox. That proactive aspect is something computers can deliver, because no lawyer on the planet could possibly read all of the cases, laws and regulations that come out. Depending on your scope,

you could be talking municipal, provincial, federal, international. IBM's Watson is one such creativity. Watson is a question answering computer system capable of answering questions posed in natural language developed in IBM's Deep QA project by a research team led by principal investigator David Ferrucci. The evolution of Watson occurred in February 2013, IBM announced that Watson software system's first commercial application would be for utilization management decisions in lung cancer treatment at Memorial Sloan Kettering Cancer Centre New York City, in conjunction with health insurance company WellPoint IBM Watson's former business chief, ManojSaxena, says that 90% of nurses in the field who use Watson now follow its guidance.

In healthcare, Watson's natural language, hypothesis generation, and evidence-based learning capabilities are being investigated to see how Watson may contribute to clinical decision support systems for use by medical professionals. To aid physicians in the treatment of their patients, once a physician has posed a query to the system describing symptoms and other related factors, Watson first parses the input to identify the most important pieces of information; then mines patient data to find facts relevant to the patient's medical and hereditary history; then examines available data sources to form and test hypotheses and finally provides a list of individualized, confidence-scored recommendations. The sources of data that Watson uses for analysis can include treatment guidelines, electronic medical record data, and notes from healthcare providers, research materials, clinical studies, journal Arts, and patient information. Despite being developed and marketed as a "diagnosis and treatment advisor", Watson has never been actually involved in the medical diagnosis process, only in assisting with identifying treatment options for patients who have already been diagnosed. Later, IBM introduced Chatterbot to provide conversation for children's toys. (Chatterbot is a computer program which initiates conversations via auditory and textual methods). In 2015, the engineering firm ENGEO created an online service via the IBM partner program named Go Fetch Code. Go Fetch Code applies Watson's natural language processing and question-answering capabilities to the International Code Council 's model building codes. IBM's Watson in plays a significant role in other spheres also which includes IBM's Watson as a Teaching Assistant. IBM Watson is being used for

several projects relating to education, and has entered partnerships with Pearson Education, Blackboard, Sesame Workshop, and Apple.

In its partnership with Pearson, Watson is being made available inside electronic text books to provide natural language, one-on-one tutoring to students on the reading material.

A professor at Georgia Tech used Watson to create a virtual Teaching Assistant to assist students in his class. Initially, he did not reveal the nature of "Jill", which was created with the help of a few students and IBM. Jill answered questions where it had a 97% certainty of an accurate answer, with the remainder being answered by human assistants. Watson also enhances its efficiency in the sphere of Weather forecasting. In August 2016, IBM announced it would be using Watson for weather forecasting. Specifically, the company announced they would use Watson to analyze data from over 200,000 weather underground personal weather stations, and data from other sources, as a part of project Deep Thunder. The legal sector has been slow to change, technologically or otherwise. But that's changing as firms, particularly larger ones, begin to see the advantage of AI. ROSS Intelligence makes a legal research platform based on IBM's cognitive computing system Watson, which is being used by a number of the world's biggest law firms, including Dentons, as well as Latham & Watkins. Andrew , ROSS Intelligence's CEO and co-founder, said his company "is working with lawyers from every type of organization — in-house, big, medium, small, solo [practitioners] — as well as law schools and bar associations."

Many companies have announced that in the next decade every job in their firms will be automated. There will be an absence of human intervention. A Deloitte Insight Report released in 2016 said that "profound reforms" will occur in the legal sector over the next decade, estimating that nearly 40 percent of jobs in the legal sector could end up being automated in the long term. According to various reports, if AI solutions become pervasive, law firms may cut staff. Impressive advances in artificial intelligence technology tailored for legal work have led some lawyers to worry that their profession may be Silicon Valley's next victim.

But recent research and even the people working on the software meant to automate legal work say the

adoption of A. I. in law firms will be a slow, task-by-task process. In other words, like it or not, a robot is not about to replace your lawyer. An artificial intelligence technique called natural language processing has proved useful in scanning and predicting what documents will be relevant to a case, for example. Yet other lawyers' tasks, like advising clients, writing legal briefs, negotiating and appearing in court, seem beyond the reach of computerization, for a while. Dana Remus, a professor at the University Of North Carolina School Of Law, and Mr. Levy studied the AU threat to the work of lawyers at large law firms. Their research concluded that putting all new legal technology in place immediately would result in an estimated 13 percent decline in lawyers' hours. A more realistic adoption rate would cut hours worked by lawyers by 2.5 percent annually over five years, the paper said. The research also suggests that basic document review has already been outsourced or automated at large law firms, with only 4 percent of lawyers' time now spent on that task.

Technology will unbundle aspects of legal work over the next decade or two rather than the next year or two, legal experts say. Highly paid lawyers will spend their time on work on the upper rungs of the legal task ladder. Other legal services will be performed by non lawyers — the legal equivalent of nurse practitioners — or by technology .Corporate clients often are no longer willing to pay high hourly rates to law firms for junior lawyers to do routine work. Those tasks are already being automated and outsourced, both by the firms themselves and by outside suppliers like Axiom, Thomson Reuters, Elevate and the Big Four accounting firms. Dentons, a global law firm with more than 7,000 lawyers, established an innovation and venture arm, Next law Labs, in 2015. Besides monitoring the latest technology, the unit has invested in seven legal technology start-ups. In recent years, Baker McKenzie set up an innovation committee of senior partners to track emerging legal technology and set strategy. Artificial intelligence has stirred great interest, but law firms today are using it mainly in "search-and-find type tasks" in electronic discovery, due diligence and contract review. More than 280 legal technology start-ups have raised \$750 million since 2012, according to the research firm CB Insights. At many of these start-ups, the progress is encouraging but measured, and each has typically focused on a specific area of law, like bankruptcy or patents, or on a certain legal task, like contract review.

Their software learns over time, but only after it has been meticulously trained by human experts.

In Miami, Luis Salazar, a partner in a five-lawyer firm, began using software from the start-up Ross Intelligence in November in his bankruptcy practice. Ask for the case most similar to the one you have and the Ross program, which taps some of IBM's Watson artificial intelligence technology, reads through thousands of cases and delivers a ranked list of the most relevant ones. Doubtful at first, he tested Ross against a partner in the firm. After 10 hours of searching online legal databases, he found a case whose facts nearly mirrored the one he was working on. Ross found that case almost instantly. Ross also provides a particular type of memo service, if a legal question is put forth before a Ross, after a day later Ross replies with a few paragraphs summarizing the answer and a two-page explanatory memo. The work done by the Ross is undistinguishable to the work done by the partner of that firm. A partner of that firm quotes that "there's a huge difference when it comes to a work done by an AI and a human. Ross is not that of a writer, humans take the rough draft that Ross produces and create the final memos, which is why it takes a day. The above mentioned are instances and real life scenarios from various law firms across the world on how an AI works in the legal profession.

Even though, in recent years Ross or Watson plays quite a role in this field, many acclaimed that these kinds of technological advancement would ruin every human's livelihood. After the industrial revolution in 1990's the employment opportunities under various fields surged down, which affected a lot of white collar jobs. Lawyers and other Paralegal personalities didn't witness this at the initial time of the depression. In recent survey, states that every field of legal department can be automated, but this AU cannot happen in an overnight, it takes a decade to occur. In early days a law firm would require three partners of the firm, five associates and four paralegal to support a huge patent case, but nowadays it take two partners, one associate, and one paralegal to support a case. The need for human intervention in every field is decreasing. As mentioned before, Ross and Watson software does all kinds of paralegal services without even causing any semantic error.

When we talk about companies we should also address how Intellectual property works and how it works when an AI enters the scene. Company's Intellectual property is their most valuable asset and

AI is helping with invention disclosure, filling application and valuing IP portfolio. Using AI has cut the total time their lawyers spent analyzing trademark search result by at least 50 percent. This includes algorithms which try to model the outcome of trademark litigation by analyzing a wide variety of factors. AI solutions provide a route for creating partial delivery of legal services, such as "walkthroughs" or "virtual assistants" on compliance and regulatory matters for a particular sector or legal field. Chrissie Lightfoot, founder and CEO of Robot Lawyer LISA (Legal Intelligence Support Assistant) says: "With emerging technologies, such as AI, a GC's knowledge, experience and intelligence can be 'brain-dumped' into an intelligent machine—like LISA. Your unique brain—legal knowledge experience, and wisdom."

We have discussed an AI's advantageous position in the legal sector; now let's look through the problems faced by the human race in the field of law. AI is garnering a great deal of attention as well as fear amongst lawyers. It is offering a powerful ability to automate and enhance daily processes. Up until now, the legal sector has relied on words such as "skepticism" and "precedent". The growth of AI in legal has exploded, the overall value of a \$16billion Legal Tech market pales in comparison against the size of the overall U.S legal services market worth \$437 billion. Research shows that 75 percentages of firms spend 4 percentage of total revenue in technology. Hence AU in the field of law has already started.

These are scenarios where an AI doing the backdrop of the legal but the real question is what happens when an AI becomes a lawyer/ a judge?

As we all know that AI has all the Legal knowledge and the communication skills to take up litigation but will an AI decide a case on humanitarian bases is a question? There was a case in Italians highest court which was decided on humanitarian bases, but the AI would have failed to pronounce a judgment like that.

The Italy's highest court of appeal has ruled the judgments of the lower courts that acted mechanically according to the laws of the land. The accused person, homeless man, had committed a crime of stealing cheese and sausages worth 4.07 Euros from a supermarket. This was considered as a crime and he was convicted of theft and sentenced to 6 months in

jail with a fine of 100 Euros. Later this was overruled and he was considered not guilty by the higher court on humanitarian grounds. The court has put forward a view that “in the face of immediate and essential need for nourishment”. With the similar facts and if an AI had to be the judge of this case, it would have acted according to the law of the land and the homeless man would have been denied justice. The verdict that the AI would provide will be just and on fair on the face of it, but the primary purpose of law is to safeguard the interests of the people and this concept cannot be justified by an AI. Even though the laws are already framed and operating in a prescribed framework, it has to carefully scrutinize the facts of the case and the same should be dealt in a humanitarian aspect whenever the situation demands it. This is a challenging task if the AI has to be the judge for it, as an AI mostly works in a predesigned manner which will be monotonous and very mechanical.

Whenever an AI sits as a judge its sees the primary evidence and gives judgment based on it. Hence it's very difficult for an AI to understand the feelings of a human being and it becomes more difficult to find the real intention of a crime done by a human. When a human has committed a crime he will be more expressive to another human than a machine. These are a few barriers when an AI becomes a judge or a lawyer.

There is another important factor, professional communication. The communication between lawyers and clients is also known as professional communication. This has been protected under section 126 of the Indian Evidence Act, 1872. When an AI being a lawyer these communications will be affected as the AI has higher chances of revealing it or the AI could be controlled by someone else. When a person is affected, another human can understand the scenario and act up on it. Whereas in the case of an AI it would have more theoretical knowledge than practical knowledge, hence the process of making an AI act upon matters is quite difficult. Hence an AI can never be a lawyer/ judge, but it can do all the backdrop of litigation.

The main and the foremost thing is that the job of the lawyers will be replaced by an AI. As an AI is faster and cheaper, large law firms will utilize it rather than manual labor. Since there is growth in the AI, corporate clients will no longer be willing to pay high rates for hourly bases and now the corporate client

will do their basic research with the help of an AI. They can gather this knowledge; appoint a lawyer to just present the case by this they spend less money in their cases. This is one of the greatest impacts in the legal field, from the most senior to junior lawyers as a whole will be affected by this. When the AI works in the backdrop of litigation it mainly targets the jobs of the junior lawyers. Due to this the interest in the law field will reduce drastically. People who wanted to have a carrier in the law field will have their doubts, whether they can compete with machines. If AI prevails in all the professional courses there will be huge unemployment. AU will create an overall increase in the production and due to this there will be a decrease in the prices of the goods which is ultimately benefitting the people but there will not be any jobs, and hence no income for the people to buy these goods. Hence AU is a good process but the government should make alternative arrangements for the income of the people.

HUMAN RIGHTS VIOLATION

There's a question whether the emergence of AI has violated HR? Definitely AI poses as a threat to human race and their livelihood. The evolving technological discovery in AI focuses on the short term threats posed by its expansions such as job losses. Studies and survey found that nearly 50% of the jobs are now susceptible to AU, including traditionally acclaimed jobs includes law, accountancy and medicine. In a recent public lecture, Gresham College, Professor Martyn Thomas quoted that “AI can be a social disruption and can be enormous; from a HR perspective this could affect their social, cultural and economic rights respectively. Here's also a danger that personal data retained by machines will be accessed for criminal or political purposes, a reality demonstrated by recent cyber-attacks. These attacks risk under mining our human right to privacy, which is protected by Art 8 of HR Convention. Serious attacks could undermine other rights, for example the right to healthcare and the right to life, as shown by the recent attack on the National Health Service.

Beyond this, machine learning based on human behavior risks transferring the historical biases in our society to machines. This could mean, for example, that AI used in predictive policing or loan-approval systems would entrench discrimination on the grounds of race or gender – behavior prohibited by Art 14 of the HR Convention.

Bostrom's warning about AI is echoed by the likes of Stephen Hawking, Bill Gates and Tesla-founder Elon Musk. All three have expressed concern that AI poses an existential danger to humans, threatening the most basic human right of all, and our right to life.

This threat stems from machines developing competence, rather than evil intent, "A super-intelligent AI will be extremely good at accomplishing its goals, and if those goals aren't aligned with ours, we're in trouble." These were the statements quoted by Stephen Hawking.

Unless programmed otherwise, AI will pursue the most efficient means, irrespective of ethics. And seeing as it will be more intelligent than us, it may be impossible to foresee every consequence of our invention. "We may well produce something evil by accident" quotes Elon Musk.

One of the solutions is the concept of universal basic income (UBI). The meaning of UBI is "a model for providing all citizens of a country or other geographic area with a given sum of money, regardless of their income, resources or employment status. The purpose of the UBI is to prevent or reduce poverty and increase equality among citizens". This is one of the solutions for the government when there is unemployment at large. This concept has its own pros and cons which the government should consider, make necessary amendment and then implement as a solution. The policy of UBI cannot conclude as the one and only solution for the negative effects of AI, there are other such solutions which haven't been brought into this world by the human race.

CONCLUSION

As mentioned before, the growth of technology cannot be restricted right away but restriction can occur in the non-crucial zones where if some kind of

inconvenience occurs that can be cured by the human race. This technique would limit the usage of technology in various fields. As a result, the job opportunities in the legal sector may come back to its constant position. Questions posing whether an AI violating HR can be eradicated. Even though an AI posed to be a helping hand in the legal sector it might turn to be a threat in the predicted future.

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