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CONTEMPORARY RELEVANCE OF ARTIFICIAL INTELLIGENCE & ISSUES WITHIN THE LIGHT OF INDIAN LEGAL SYSTEM

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ABSTRACT
Oneness is the Power of God, Technology make world one in a single click of device without any distinction. At a point of time all branches of knowledge come under the same umbrella, like all planets are known as universe, But as per their structure, Picture, size, they all are different, they denoted with different names, the name as per the Halsbury's specification means about size and other characteristics, likewise branches of knowledge may be classified into science, art, humanity and law, etc.
Previous centuries were evident of fast development in every Walk of life. Industrialization & commercialization is a big cause of this spedous development, Expansion of knowledge, after the liberalisation of economies and globalisation gives birth to a global village, with the facility of Internet connectivity around the globe. In this fast mode of development, Men require various technological Advancements, their takes this opportunity and developed smart phones, smart watches, and other smart devices enabled with artificial intelligence i.e., A.I. is the Technological Advancement which makes eligible a machine to think like a human Brain or more than a ordinary human Brain. This Algorithm mechanism produced like GPS (General Problem Solver) to provide every solution for routine life needs like wise its not only limited to this only. It also very comfortable resolve various process/ pattern upgradation in scientific invention or machines, result of this is Teslla, Alexa, Siri & Microsoft dictation facility. We all are happy with all this, but AI gives threat to humans as well as their traditional work mechanism in every walk of life, Legal framework is not allen to this new development.

Key words & Phrases: Artificial Intelligence (AI) Industry,GPS, NLP, Emotional Intelligence, Social Intelligence, Governance Legal Profession, Justice, Judicial Transparency, Legal Personality.

3. RESEARCH METHODOLOGY & RELEVANCE

In this paper Researcher worked through Doctrinal Research Methodology. The source of Research are AI Professional/Cyber Experts and Research Journals, Books, edited Books and Case Laws.
The Importance of this topic is well in time because as AI enabled devices are used / misused / malfunctioned, the question of responsibility & liability are unsettled. To resolve these issues of Legal Personality & Cyber Security , a well designed concept is needed.

INTRODUCTION

Bodinhemour in his book of jurisprudence, speaks about what is law and what is the end of law? For the same also ask about what is order and what is orderly society? For explaining this concept He says that For the development There is a need of order, To create an order, society needs law. In legal mechanism around the globe, two basic principles of governance of law Are formulated One is

Patriarchal system of governance and other is the Matriarchal system of governance. Around the globe states has adopted a perfect blended system of both these systems of governance. For the explanation of these system That is the death row brownie and concept of governance Metrical system of governance and patriarchal system of governance. Jethro Brown mentioned story of a sea pirate, Who has a specific mechanism for robbery? The process of this particular robbery, the Pirate has a specific bed with him and he kept a passenger or pass going person and fix that person over that particular that if the body of that particular person exceeds the bed then he cut down that part of the body and if the body of that person is not fixed or equivalent to the bed then he stretch out the part of that particular individual to fix over the bed. It shows the hardness of Patriarchal system. The particular example belongs to the patriarchal system of governess. After the development or after the invention of computer, there are certain things change the world. Digitalization, Internet connectivity and the most recent development of relating to computer-based devices is the artificial intelligence of a machine. The concept of AI was initiated in the year 1930.

The amelioration of science has facilitated adjustment of human intelligence into this computerized platform for logical analysys. This harbor of human intelligence to machine is known as artificial intelligence (A.I). AI gain ground in human life since inception with the help of these intelligent machines, human exertion will be augmented in multiple spheres, An erormers improvent in this area of AI has been noticed in the two decades ago that has given rise to proficient system, artificial Intelligence has huge impact on various fields of Business, Law, Medicine, Engineering, and Science etc. To enhance the various attribute in our day to day life to solve complex issues of it. For the past few decades, artificial intelligence has been playing an emerging role in the legal field and will definitely have an effect on the legal practices over the upcoming time. AI has the potential to analysis legal information based on semantics and make legal predictions from the legal data set, and hence it helps the Judiciary system in automation thereby increasing the efficiency with in affordable budget.

Many fundamental methodological issues of Artificial Intelligence have been of great importance in philosophy since ancient times. Such philosophers as Aristotle, St. Thomas Aquinas, William of Ockham, René Descartes, Thomas Hobbes, and Gottfried W. Leibniz have asked the questions: "What are basic cognitive operations?", "What necessary conditions should a (formal) language fulfill in order to be an adequate tool for describing the world in a precise and unambiguous way?", "Can reasoning be automatized?". However, the first experiments that would help us to answer the fundamental question: "Is it possible to construct an artificial intelligence system?" could not be performed until the twentieth century, when the first computers were constructed.

Certainly, the question: "When can we say that a system constructed by a human designer is intelligent?" is a key problem in the AI field. In 1950 Alan M. Turing proposed a solution of this problem with the help of the so-called imitation game. The imitation game is, in fact, an operational test of artificial intelligence and it can be described in the following way. Let us assume that a human interrogator has a conversation with both another human being and a computer at the same time. This conversation is performed with the help of a device which makes the simple identification of an interlocutor impossible. (For example, both interlocutors send their statements to a computer monitor.) The human interrogator, after some time, should guess which statements are sent by the human being and which ones are sent by the computer. According to Turing, if the interrogator cannot make such a distinction, then the (artificial) intelligence of the computer is the same as the intelligence of the human being. Let us note that intelligence is, somehow, considered equivalent to

linguistic competence in the Turing test. As we will see further on, such an equivalence between intelligence and linguistic competence occurs in some AI models.

Although 1956 is usually taken to be the year of the birth of Artificial Intelligence, because it is the year of the famous conference at Dartmouth College, the author would consider the preceding year to be the beginning of AI. In 1955 the first AI system, called Logic Theorist, was designed by Allen Newell, Herbert A. Simon, and implemented by J. Clifford Shaw at Carnegie Mellon University. The system proved nearly 40 theorems included in Alfred N. Whitehead and Bertrand Russell's fundamental monograph Principia Mathematica. The designers of the system tried to publish their results in the prestigious Journal of Symbolic Logic. The editors rejected the paper, claiming it contained just new proofs of elementary theorems and overlooking the fact that a computer system was a co-author. Pamela McCorduck writes in her monograph that for Herbert Simon designing Logic Theorist meant a solution of the Cartesian mind-body problem.

The further research of Simon, Newell, and Shaw into constructing systems possessing mental abilities resulted in the implementation of General Problem Solver, GPS in 1959. The system solved a variety of formal problems, for example: symbolic integration, finding paths in Euler's problem of the Königsberg bridges, playing the Towers of Hanoi puzzle, etc. Defining the paradigm of cognitive simulation, which says that in AI systems general schemes of human ways of problem solving should be simulated, was a methodological result of their research. This paradigm is a basic assumption of advanced research projects into cognitive architectures.

While Newell and Simon constructed their systems on the basis of cognitive simulation, John McCarthy led research at MIT into another crucial area of Artificial Intelligence. In 1958 he presented the important paper at the Symposium on the Mechanization of Mental Processes, which was organized at Teddington. McCarthy proposed the paradigm of solving common sense problems with the use of formal logic-based models of reasoning. At that time such an idea seemed peculiar. During a discussion Yehoshua Bar-Hillel called the paper "half-baked", claiming that logicbased (deductive) inference is not an adequate model for human common-sense reasoning. This criticism did not put McCarthy off the idea to use mathematical logic in Artificial Intelligence. He continued research into a logic-based programming language for an implementation of intelligent systems. McCarthy was inspired by one of the modern logic calculi, namely lambda calculus (λ-calculus), which was introduced by Alonzo Church and Stephen C. Kleene in the 1930s. His research was successful and he constructed the Lisp language in 1958-1960. Lisp and its dialects, such as Scheme, and Common Lisp, is still used for constructing AI systems. At the beginning of the 1970s a new research approach based on First-Order Logic, FOL, appeared within the logic-based paradigm. It resulted in the construction of the second classic AI language, namely Prolog, by Alain Colmerauer and Philippe Roussel (Université d'Aix-Marseille II). This approach originated the popular model of Constraint Logic Programming (CLP) in the middle of the 1960s the third approach in symbolic AI appeared, namely the knowledge-based approach.

Natural Language Processing (NLP)

The research area of Natural Language Processing, NLP, should be divided into two subareas. The first subarea includes problems which can be solved by an analysis of a language on the syntactic (and lexical) level. For example, text proofreading, extraction of information from a text, automatic summarizing, Optical Character Recognition (OCR), speech synthesis (on the basis of a text), simple question-answer dialogue systems, etc. belong to this group. The second subarea contains problems

which can be solved by analysis of a language on the semantic level. For example, automatic translation from a natural language into another natural language, speech/text understanding, systems of human-computer verbal communication, etc. belong to this group. This division has been introduced because nowadays only problems belonging to the second group are challenging in Artificial Intelligence.

The Chomsky theory of generative grammar introduced is a referential model in this area. Although the Chomsky model is sometimes criticized in the area of NLP, since it has not fulfilled all the expectations of NLP researchers, it is usually the point of departure for defining models of NLP such as, e.g., metamorphosis grammars, Definite Clause Grammars, DCGs, and Augmented Transition Networks, ATNS.

At the end of the twentieth century a statistical approach to language analysis was developed. It makes use of text corpora, which are large referential sets of texts in a given language. A system refers to a text corpus during a text analysis with the help of stochastic models in order to determine statistical characteristics of the text, which relate to, e.g., possible contexts in which a word occurs, possible uses of a given phrase in the text corpus, etc.

Another approach consists of the use of the generative grammar model together with probability theory, which results in defining stochastic grammars and stochastic automata. Such a model is equivalent to the Markov chain model, which is also used in advanced methods of NLP.

In the models mentioned above a syntax is assumed as a point of departure for language analysis. Such an approach is sometimes not sufficient in case of problems in which concept understanding is necessary. Then, in order to interpret the semantics of sentences in a proper way, an AI system should have additional knowledge in the form of a world model. This problem can be solved by defining an ontology, let us recall that semantic networks are one of the most popular formalisms for defining ontologies.

In computerized semantic analysis of spoken language we cope with a much more difficult problem. Communication is the main function of spoken language. From the point of view of this function non-verbal aspects of a language such as intonation, stress, etc. are essential. For example, the sentence: "I did not testify under oath that I had seen Cain killing Abel." can be interpreted in a number of ways, depending on which phrase is stressed. Possible interpretations include (the stressed phrase is marked):

- “I did not testify under oath that I had seen Cain killing Abel."-the basic interpretation,
- "I did not testify under oath that I had seen Cain killing Abel."-I testified, but not under oath,
- "I did not testify under oath that I had seen Cain killing Abel."-I overheard the event,
- "I did not testify under oath that I had seen Cain killing Abel." I saw somebody killing Abel, but it was not Cain,
- "I did not testify under oath that I had seen Cain killing Abel." I saw Cain killing somebody, but it was not Abel.

Passing a message in one specific sense reveals the intention of its sender. He/she passes this sense by stressing the proper phrase. However, the ability to understand the correct sense of the message on the basis of stress, intonation, etc. relates to social intelligence. Although in this case we mean elementary social intelligence, it is very difficult to embed this kind of intelligence in an AI system.

Summing up, Natural Language Processing can be considered a well-developed area of AI. Chatbots, mentioned, where we have presented ELIZA designed by Joseph Weizenbaum, simulating human

speakers are good examples of successes in NLP. On one hand, some chatbots simulate an intelligent conversation quite well. On the other hand, they still cannot pass the *Turing test*.

Importance of AI And Machine Learning in Legal Field:

According to a report stated by Cass Sunstein, "At the present state of the art AI cannot engage in analogical reasoning or legal reasoning" analyses that AI should have little impact upon legal practice without major technical advances. The main reason is, though legal practice is considered to require developed cognitive abilities, but these high-order cognitions still are beyond the ability of present AI Technology.

Current AI Algorithm are still unable to imitate most of the human intellectual skills thus failing short in the advancement of cognitive process such as the analogical reasoning that is the base to legal practice. Although there is truth to the view, the conclusion is too wide. For some of the categories of legal tasks, current AI technology can still have an impact and provide technological inability to match human-level reasoning. Outside legal field, non-cognitive AI techniques have been applied successfully to different tasks that were previously considered to require human intelligence, for example, language translation. Computer models for complex phenomena are built using ML algorithms with the help of pattern detection, inferring the rules from data. Further discussions are done in the paper about the use of such algorithms that may be able to impact legal practice.

The software powered by AI increases efficiency of document analysis which is used for legal purposes. Documents can be reviewed by the machines and can be marked as relevant depending upon certain circumstances. A document once marked as relevant can be used in finding other relevant documents. Machines are much faster than human beings in sorting out different problems that may arise in different works involving these documents. They tend to reduce the human effort by forwarding the document that are questionable rather than requiring human intervention for reviewing purpose. It is important to note that any legal research is done in a timely and comprehensive manner and AI along with ML is helping us in a accomplishing those tasks.

Social Intelligence, Emotional Intelligence and Creativity

At the end of the twentieth century research into simulating both social intelligence and emotional intelligence in AI systems began. This has concerned synthetic aspects of the problem, e.g., expression of emotions by a robot face, as well as analytic aspects, e.g., recognizing human mood on the basis of speech intonation. Simulating human abilities in the analytic aspect is, of course, more difficult. In order to analyze facial expression and features of speech (intonation, stress, etc.) advanced pattern recognition methods are applied. Rule-based systems are used for the purpose of integrating vision and sound. Surely, research in this area is very important, since its results, together with achievements in robotics, can be applied in medicine, social security, etc. Distinct emotional messages sent by humans via, e.g., facial expressions are recognized quite well nowadays by AI systems. Will robots be able to recognize them in case these messages are not clear? We must await for the answer.

In 2010 the first International Conference on Computer Creativity was organized at the prestigious University of Coimbra, which was established in 1290. The issue of the possibility of simulating human creativity discussed during the conference is really controversial. It seems that a view of Margaret Boden, who distinguishes two types of creativity, can be helpful in this discussion. Exploratory creativity consists of searching a predefined conceptual space. However, if we

deliberately transform or transcend a conceptual space, then we deal with transformational creativity. Simulation of transformational creativity in artificial systems is a really challenging task in the AI area. Creative AI systems are implemented for solving general problems, generating music and visual art, etc. Various AI methods such as state space search, neural networks, genetic algorithms, semantic networks, and reasoning by analogy are used for these purposes.

Artificially intelligence was initiated In the year 1930 At that time, in the layman turn it just This started with the concept of turning machine Which eventually was just left edging machine and was not able Suffice concept of artificial intelligence. Artificial intelligence Can be understood as a Human intervention Process in which brings about technical expertise together along with the Intelligence ability of a machine. The mechanical process Includes the concept of learning, Reasoning Self correctness behaviour of a machine. At present Artificial intelligence Affecting The each and every part of Life Including the every aspect of knowledge such as Education, Medical, Entertainment, Automobiles & Justice Delivery system. Artificial intelligence We can understand it by Classifying it into two categories specifically one is concerned in a broader perspective, that is the use of artificial intelligence in all walk of life In search of research Or education, Secondly a version of narrower interpretation of artificial intelligence in which it covers only the technical part of Artificial intelligence, just like the development of Alexa Or Siri or likewise any other equipment which works with the directions of an individual for their entertainment purposes. The first one is concerned with research or education. One has to obtain the desired results by using a specific problem and given it to a machine for the solution. Independent decisions & Independent decision-making process through artificial intelligence is questioned by various academicians and scientists. They warn the inventors or scientists that at a time It becomes a big hurdle for the human race. Because machines may malfunction and when machines are malfunction by their own artificial intelligence, that may be very hazardous for the society as well As for the security of humanity. For the sake of humanity, the stakeholders of this particular are thinking for a law or for a mechanism which is eligible to stop this malfunctioning of the artificially intelligent machines. A. I. Now it's penciller as the fourth industrial revolution everywhere because of its emerging and rapidly growing nature. The basic concept Behind the whole thing about A.I.is to make computers and machines Eligible with the gross ability to think and get smart in decision-making by its own. Some well known examples of this field are Self driving cars, Entertaining apps and search engines On Internet for anything. The creation of artificial intelligence has not only made our lives easy, but also reduced lots of technological strain from our minds as well. Now we living in a cyber-city where a lot of risk of Cybercrimes, Technological frauds, Online frauds, artificial intelligence is eligible to avoid all these things from our life, or it helps the miscreants.

For the analysis, researchers have a plan to evaluate the existing legal provisions, or legislations, to fulfill the need of technological development in the form of artificial intelligence.

AI and Government of India Initiative

Government of India has begun initiatives to leverage AI for performing various activities from policing to street safety to energy saving. Our study identified twenty-five such government initiatives out of which six are being undertaken by State Government departments. The twenty national initiatives included not only reports such as the Report of the AI task force and the Niti Aayog Discussion Paper on AI but also funding initiatives such as the National Artificial Intelligence Mission (N-AIM). N-AIM is set to be the nodal agency for AI funding in research and development at a national

level. The Niti Aayog's Discussion Paper on AI in India released on the 5th of June 2018 also examines the key sectors where AI can be leveraged for socio-economic good. The paper also discusses how the Government can help in enabling AI inclusion and deployment through funding, research, and initiatives such as data marketplaces and AI test beds. The other major initiatives by the Government such as Digital India and Make in India also aims at making technologies AI, citizen centric. The government bodies that have planned to use AI in their functioning include police departments of Delhi, and Mumbai and Telangana that are in the process of deploying AI for crime prevention and smart policing. The use of AI in energy saving is also being tested in Pune. With respect to the use of AI in critical sectors like security and defense, a task force including officials from the Government, Defense Research and Development Organization (DRDO) has been set up in February this year to discuss ways to deploy AI in defense.

The Government of India has started to leverage AI to help deliver government services to the citizens.

Citizen/Government Interface/E-Governance

The Andhra Pradesh Government has reportedly been spearheading the use of artificial intelligence for the enhancement of the citizen-government interface in India by partnering with Microsoft to develop the Kaizala app. Kaizala has been used to crowd source citizen feedback from various social media accounts and verify where the feedback is coming from by linking this to the mobile number of a citizen. The information coming in, not just through Kaizala but also the government's prior web-portals is then processed using an automated Application Programming Interface (API) and routed to the appropriate department for consideration. It has also been used to send automated notices to citizens. For example, Microsoft has reported that ration-shop owners have been forewarned if they have not distributed adequate ration portions by the set time and the weather department has used the automated messaging system to send trigger warnings for foreseeable tumultuous weather. AI is also being used for monitoring the implementation of governance projects. For example, the National Informatics Centre is piloting a project that will monitor toilet construction programme under the Swachh Bharat Abhiyan. The project leverages AI to assess the condition of toilets.

Agriculture

The main application of AI in the agricultural sector in India has been in the domain of predictive analytics. Microsoft has collaborated with International Crops Research Institute for the Semi-Arid Tropics (ICRISAT) to develop. an Al sowing approved by Microsoft Cortana Intelligence Suite including Machine Learning and Power BI. It sends advisories to farmers providing them with information on the optimal date to sow by sending them text messages on their phones. The Government of Karnataka has signed a memorandum of understanding with Microsoft to use predictive analytics for the forecasting of commodity pricing.

Categorization and Arrangement of Documents

AI may be also used to efficiently categories and efficiently arrange a wide range of government documents, including government notifications, freedom of information requests, land records and court orders quickly, thereby freeing up human resources. Prime Minister Modi has expressed his views on the possibility of using AI to bolster the integrated court management system that seeks to

digitize Supreme Court records. This categorization not only helps the Government to respond to citizens more efficiently but also enables citizens to access government notifications far more easily.

Artificial Intelligence in Legal Profession

Artificial Intelligence is one such innovation which has drastically impacted the functional ecosystem of society. Al is basically a machine that can actually think on its own. The cognitive ability of a machine to react is as surreal and groundbreaking in the application as it sounds. Off-late discussion on scope of Artificial Intelligence and whether Artificial Intelligence and law go together or not have increased. The nature of legal profession in India is such that the entire process is done manually and the senior advocates or the old generation lawyers are little reluctant towards the concept of Artificial Intelligence in law.

However, tech-savvy lawyers are shifting their attention towards AI expertise and legal tools for efficiently filtering and structuring legal assertions. Extensive research has revealed that existing tools in the legal domain are incapable of coming up with its complex nature. The legal profession's highly convoluted nature entails AI reasoning, learning and demonstration in negotiation, decision-making, data extraction, processing and retrieval process and e-commerce.

No law currently in force recognizes Artificial Intelligence as a legal person. Artificial Intelligence (AI) has ceased to be that fantastic big idea of the future. AI is now more science and less fiction, with computers and robots replacing humans. AI, simply put, is the capability of a machine to imitate intelligent human behaviour. With the advent of new technologies, the permeation of AI in our day-to-day lives has become more pronounced.

However, a question that has still not been answered is: How do we address the possibility of an AI causing harm or damage in some form to human society? The more pertinent question is who we hold responsible for such harm. To comprehend our inability to answer this question, one needs to understand the fallibility of our legal system in being outdated and incapable of dealing with AI.

Justice Delivery & AI

It has become important to know and understand what is the scope of Artificial Intelligence? Companies dealing in Artificial Intelligence law have been looking out ways to develop technology for providing better speed and accuracy in the legal profession. Various AI legal soft wares are being developed so as to replace lawyers as far as drafting work is related. Artificial Intelligence in India is finding ways to support client and lawyers in the same way. It is time saving for both lawyers and client.

Practically, robots are unlikely to replace a lawyer's role in court, but AI robots have the power to create and draft documents. Therefore, the clerical role of lawyers might be reduced to a large extent. Appearing and arguing a case before Judges might be the only role lawyers to play. However, there are positive signs that a combination of technological advance and market forces may push the law firms and make them step into the AI stage. Technology has the potential to race to the future at godspeed if given the right direction that will simultaneously increase productivity.

Scope of AI in Indian Legal System

There has been a growing interest in the Artificial Intelligence in law and has been slowly transforming the legal industry in a way that Artificial Intelligence for law firm has paved way for less demand and expense on paralegal and law researchers. Also the tools or legal soft wares developed

through Artificial Intelligence help in drafting of various legal documents such as legal notice, will and contracts online in no time. Thus, it helps clients in saving the time for drafting simple contracts and help lawyers in focusing more on litigation work i.e. actual court work by saving their time otherwise spent on legal research and drafting work.

There are different ways in which Artificial Intelligence legal is being currently applied in the legal profession around the globe. In India the scope of Artificial Intelligence is still being recognized as it is in early stages in India. Following are the ways in which Artificial Intelligence in law is being used and proving to be advantageous for the law firms and lawyers respectively:

1) Help in carrying out activities such as legal research and due diligence by lawyers.

(2) Additional insights and shortcuts through analytics are also proving to be helpful.

(3) Creative automatic process for drafting contracts, petitions, etc. in the arena of legal writing.

It is believed that Artificial Intelligence has great scope for lawyers and combination of Artificial Intelligence and law will witness immense growth in the coming times and future. Currently, there are six major fields or arena in which Artificial Intelligence in law is proving to be useful these are as follows:

(1) Due Diligence to review a contract, conduct legal research or performing electronic discovery functions to do a due diligence Artificial Intelligence legal soft wares are proving to be helpful and time effective.

(2) Prediction Technology - Artificial Intelligence legal soft wares also predict the probable outcome of a pending case or the new case to be instituted before the court of law.

(3) Legal Analytics - AI provides for the data points from past case laws, and also provides judgments and precedent law to be used by lawyers in their present cases.

(4) Automation of Documentation By just filling the required documents which you wish to incorporate in your legal document get your documents ready within minutes.

(5) Intellectual Property Tools of Artificial Intelligence helps in providing the insights into the IP portfolios.

(6) Electronic Billing Artificial Intelligence legal software helps the lawyer in preparing the invoices as per the work done by them. It makes for accurate adjustments of the work done by lawyer. Thus, helps both lawyers and clients.

IBM's AI Ross manages many legal practices worldwide. Law firms have employed the software on a permanent basis to handle specific contracts and legal subjects. It is based on IBM's Watson, which has the capability of gaining knowledge about humans by noticing their interactions, experiences and perceptions. The software has been fed with algorithms that allow it to interact cognitively with humans.

ENSURING JUDICIAL TRANSPARENCY THROUGH TECHNOLOGY

However, India's stance on AI is relatively at an infant stage. India is gradually moving towards AI, however, there is still scope for advancement in application of AI in the Indian legal industry. Independently, privately as well as organizations run by Government are researching and developing new techniques to ease the functioning of law.

The Artificial Intelligence Association of India (AIAI), founded in the year 2009, is one such not-for-profit organization devoted to developments in AI. Indian industries are yet new to the concept of AI as compared to its western counterparts. There is a long way to go for the country to realize the full

potential and impact that AI can have on increasing the efficiency of different fields including the legal industry.

Legal Personality & Issue of Personhood

Legal personhood is inherently linked to individual autonomy but has not been granted exclusively to humans. No law currently in force recognizes AI as a legal person. However, with Sophia, a humanoid being granted citizenship by Saudi Arabia, coupled with the recent accident caused by Uber's self-driving car, it has become imperative to address the legal personhood of AI.

The question of whether legal personhood can be conferred on an AI boils down to whether it can be made the subject of legal rights and duties. The legal fiction created for corporate serves as a precedent for granting legal personhood to AI. However, there exists a distinction between corporate and AI. Corporate are fictitiously independent, yet accountable via their stakeholders, while an AI may be actually independent.

A possible middle ground may be granting AI a bundle of rights selected from those currently ascribed to legal persons. However, concrete steps in this regard are yet to be seen. Another issue that arises is attributing liability to an AI. The general rule has been that since an AI cannot qualify as a legal person, it cannot be held liable in its own capacity. The biggest roadblock to reconsider this rule is the conundrum as to how to penalize an AI for its wrongdoing, which has not been dealt with as of today.

Another concern is the ability of an AI to execute and be bound by contracts. While international laws have recognized self-enforcing contracts, there is a need for a comprehensive legislation on the subject. Under Indian law only a "legal person" can be competent to enter a valid contract. The general rule thus far has been that an AI may not qualify as a legal person. Hence, a contract entered into by an AI of its own volition may not be regarded as a valid contract in India. Resultantly, steps need to be taken to ensure that technology standards are developed to adequately regulate contracts entered into by AI.

Employment and AI

The driver behind the development of AI is the demand and need for automation. With the objective of increasing efficiency, companies across the world have prescribed to the practice of utilizing AI as a replacement of the human workforce. This wave of automation is creating a gap between the existing employment laws and the growing use of AI in the workplace.

For instance, can an AI claim benefits such as provident fund payments or gratuity under existing employment legislation or sue a company for wrongful termination of employment? Such questions also hold relevance for the human workforce, as in most instances, AI requires individuals to function and the failure of employment laws to have clarity with regard to the above may adversely impact such individuals, as well.

The penetration of self-driven cars, robots and fully-automated machines is only expected to surge with the passage of time. As a result, the dependency of society as a whole on AI systems is also expected to increase. To safeguard the integration of AI; a balanced approach would need to be adopted which efficiently regulates the functioning of AI systems but also maximizes its benefits.

CONCLUSION AND FUTURE SCOPE

Legal field along with the help of AI and ML based concepts, may be summarized into document generation of both forms and briefs, discovery, search, and predictions of case outcomes. Recently in a

report from Deloitte, it is a learnt that in the next twenty years more than 100,000 jobs have high chance of being automated in the field of law. With the help of AI embedded tools, efficiencies of legal auctioneers can be considerably improved. Though having automated judges and lawyers is unlikely, but the possibility is not unreal.The report from Deloitte Insight also depicts that the prediction of 39% of jobs (114,000) in the legal arena will be automated in the longer period as this occupation experiences the impact of more "redical changes". Another estimation of McKinnsey proves that automation 22% of a lawyer's job and 35% of a clerk's job can be done. The professionals should embrace the transformation with the adoption of AI and ML and realize that it is going to improve the conventional system. The regulatory framewkrks should also be announced in this regard. As the future scope of this research work, authors will propose a prediction system based legal framework using AI and ML to facilitate lawyers to reduce the number of pending cases in India.

Legal problems are increasing in relation to Artificial Intelligence, there is no law except the Information Technology Act, 2000. The present system of law and rules there under are not sufficient to deal present problems of Artificial Intelligence.

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