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THE RISE OF AI JUDGES: AI AS A REPLACEMENT OF THE INDIAN JUDICIARY

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Introduction

Artificial Intelligence (AI) is changing the way the world works, and the legal fraternity is no exception to this. In India itself, with courts being clogged with 4.5 crore pending cases, the hopes are that AI can speed up justice. China and the US have also started to introduce AI to support judicial verdicts. Yet the question that comes to the forefront is this: Is AI going to replace Indian judges?

The Role of AI within the Legal System

AI is being put to work on legal research, the examination of contracts, and the prediction of case outcomes. In India, the Supreme Court introduced SUPACE (Supreme Court Portal for Assistance in Courts Efficiency), a judge support driven by AI to aid research and judgment-making. Similarly, AI is being used by various law firms to produce documents and review precedents.

AI has certain advantages:

1. Speed and Efficiency – AI can review thousands of cases within seconds.
2. No Human Partiality – AI is not affected by personal biases like humans are
3. Consistency in judgments – AI is bound by the principles of the law strictly without judging according to mood or personal conditions.

Challenges of AI in the Judiciary

While AI can support the judge, replacing them is filled with severe perils

1. Lack of Human Judgment – AI can look at the facts, but justice is not simply the law applied; justice must have empathy, morality, and understanding of the actions of humans.

2. Bias in AI Algos – AI is no more impartial than the information being trained upon. If the judgments made earlier are prejudiced, AI might reinforce the biases or possibly exaggerate them.
3. Ethical and Constitutional Issues – Should a machine be entrusted to decide the course of a man’s life? AI is not accountable, a paramount value of the judiciary.
4. Violation of Basic Rights – The Indian Constitution also guarantees the right to a fair trial (Article 21). Would AI deliver fairness, or will AI turn out to be a mechanistic, emotion-free entity?

International Examples

China has implemented AI courts that deal with minor offenses such as traffic offenses and small financial offenses. In the US, AI software like COMPAS is applied to measure the reoffending risk, although they have also drawn criticism due to their potential to perpetuate racial biases. These are evidence that AI can serve a purpose, although they are not yet at a standard that can fully substitute the work of a judge.

Conclusion: AI as a Companion, Not a Replacement

AI is certainly a robust support that can improve legal research, reduce delays, and assist the judge while making a judgment. However, replacing the judge is not feasible or desirable. The judiciary is not a mere issue of the application of the law but of the delivery of justice with fairness and compassion. AI needs to be understood to serve the purpose of a helper that maximizes the judicial effectiveness of the judge rather than a substitute to the judge's judgment of ethics. Thus, while AI will have a major role to play within the law of the future, justice will necessarily have to remain with humans.