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The Changing Definition of Human Rights in the Age of Artificial Intelligence

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ABSTRACT: The advancement of Artificial Intelligence (AI) has redefined the boundaries of human rights. Once limited to relations between human beings and governments, rights are now being tested in the digital space by intelligent machines capable of surveillance, judgment, and bias. This paper examines how traditional human rights such as privacy, equality, and freedom of expression are being challenged by AI technologies. It studies global and Indian legal frameworks, including the Universal Declaration of Human Rights (1948), the European Union's AI Act (2024), and India's constitutional and data protection laws. The discussion highlights the growing need for ethical guidelines and algorithmic transparency to ensure that human dignity remains central in this technological age. The paper concludes that the definition of human rights must evolve continuously, ensuring that artificial intelligence serves humanity rather than dominating it.

I. THE ADVANCEMENT OF ARTIFICIAL INTELLIGENCE (AI) HAS REDEFINED THE BOUNDARIES OF HUMAN RIGHTS

Once limited to relations between human beings and governments, rights are now being tested in the digital space by intelligent machines capable of surveillance, judgment, and bias. This paper examines how traditional human rights such as privacy, equality, and freedom of expression are being challenged by AI technologies. It studies global and Indian legal frameworks, including the Universal Declaration of Human Rights (1948), the European Union's AI Act (2024), and India's constitutional and data protection laws. The discussion highlights the growing need for ethical guidelines and algorithmic transparency to ensure that human dignity remains central in this technological age. The paper concludes that the definition of human rights must evolve continuously, ensuring that artificial intelligence serves humanity rather than dominating it.

II. AI AND THE TRANSFORMATION OF RIGHTS

The definition of human rights is shifting from protecting humans from other humans, to protecting humans from their own creations.

AI must serve humanity, not control it.

The ultimate goal should be to create a world where technology and morality grow together where Artificial Intelligence strengthens Human Rights, not threatens them.

Artificial Intelligence brings both empowerment and risk. AI-driven tools can improve access to education, healthcare, and disaster prediction, helping governments and communities act faster and smarter. However, the same systems can also create new inequalities and ethical dilemmas. Algorithms that decide who gets a loan, a job, or parole can unintentionally reproduce the social and economic biases present in their training data. This raises a serious question: if a biased human can violate rights, can a biased machine do the same?

1. Right to Privacy – The use of facial recognition, biometric scanning, and mass data collection by AI systems has led to widespread concerns over privacy and surveillance. Personal data is constantly being gathered from phones, cameras, and apps without explicit consent. In India, this infringes on the Right to Privacy under Article 21 of the Constitution, recognized in the landmark Justice K.S. Puttaswamy vs. Union of India (2017) case. Similarly, in Europe, such practices are regulated under the General Data Protection Regulation (GDPR).

¹ United Nations Human Rights Council, "The Impact of AI on Human Rights" (2021) A/HRC/47/22



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2. Right to Equality and Non-Discrimination – AI tools used in recruitment, predictive policing, and even healthcare can unintentionally discriminate on the basis of gender, caste, religion, or socio-economic status. Such bias contradicts the equality principles under Articles 14 and 15 of the Indian Constitution and Article 7 of the UDHR (1948), which states that all are equal before the law.
3. Freedom of Expression – Automated moderation on social media often removes legitimate posts due to algorithmic errors. While AI is meant to prevent hate speech, its excessive filtering can silence free thought and dissent. This raises conflict with Article 19(1)(a) of the Indian Constitution, which guarantees freedom of speech and expression, and with Article 19 of the ICCPR.
4. Right to Work and Livelihood – The Fourth Industrial Revolution has brought automation that threatens millions of traditional jobs. Studies by the International Labour Organization (ILO) indicate that AI could replace routine human labor, particularly in manufacturing and data entry. This challenges the right to work and the right to livelihood under Article 41 of the Indian Constitution, urging governments to create policies for skill development and equitable job transition.

Beyond individual rights, AI also affects collective rights — such as the right to fair governance and social justice. Predictive policing and algorithmic sentencing may improve efficiency but also risk turning justice systems into mechanical processes devoid of empathy. Similarly, AI-generated misinformation threatens the right to truthful information, weakening democracy itself.

Therefore, the transformation caused by AI is not merely technological but deeply philosophical and moral. It forces humanity to question who controls knowledge, who defines fairness, and who takes responsibility when technology harms. Human rights, once designed to protect people from oppressive governments, must now also protect them from invisible, data-driven systems that operate without human emotion or accountability.

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III. LEGAL FRAMEWORKS AND GLOBAL DEVELOPMENTS

The international community has begun to draft legal frameworks for responsible AI:

- UNESCO's Recommendation on the Ethics of Artificial Intelligence (2021) emphasizes human dignity, inclusiveness, and transparency.
- The European Union's AI Act (2024) classifies AI systems based on risk levels and prohibits technologies that manipulate human behavior or use biometric data without consent.
- India's Digital Personal Data Protection Act (2023) protects individuals against misuse of personal data by corporations or AI systems.
- The NITI Aayog's National Strategy for Artificial Intelligence (AI for All) highlights ethical AI use, accountability, and explainability.

These steps reflect the global recognition that human rights and AI ethics must evolve together.

IV. RE-DEFINING HUMAN RIGHTS IN THE AI ERA

The rise of AI calls for expanding the scope of human rights beyond traditional boundaries.

Some scholars argue for a "Right to Algorithmic Transparency", ensuring that individuals understand how AI decisions are made. Others emphasize the "Right to Be Forgotten", especially in the age of digital memory where personal data can never truly disappear.

AI has blurred the line between human and machine, raising deep philosophical questions — if an AI can make moral decisions, does it bear responsibility for harm? Should there be a concept of machine liability? These discussions show that human rights are no longer static; they must adapt dynamically to technology.

The Indian Perspective

India, as one of the fastest-growing digital societies, faces unique challenges.

² Universal Declaration of Human Rights, 1948, Articles 1, 12, and 19



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The Aadhaar system, though transformative, raised major privacy debates. The Supreme Court's ruling in Puttaswamy (2017) reaffirmed that privacy is intrinsic to life and liberty.

Recently, the Digital India Act (Draft, 2023) aims to replace the IT Act of 2000, emphasizing responsible AI governance, content moderation, and data accountability.

India's commitment to human rights must now extend into the technological space, ensuring that innovation never outpaces ethics. The National Human Rights Commission (NHRC) can play a crucial role in integrating AI ethics into national human rights policies.

The Road Ahead

AI has immense potential to uphold human dignity if used wisely. Governments, companies, and citizens must work together to establish strong ethical, legal, and educational frameworks.

Human oversight should remain central to every AI system that impacts people's lives.

Education in AI ethics, digital literacy, and human rights should become part of school and college curriculums to ensure that the next generation of citizens can navigate this new era responsibly.

V. CONCLUSION

The definition of human rights is shifting from protecting humans from other humans, to protecting humans from their own creations.

AI must serve humanity, not control it.

The ultimate goal should be to create a world where technology and morality grow together where Artificial Intelligence strengthens Human Rights, not threatens them.

Conflict of Interest

No

Acknowledgement

None

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