

Topic: Human Right Issues of Artificial Intelligence (AI) Gaps and Challenges, and Affected Future Legal Development in Various Countries

The Growth of Artificial Intelligence and its Implications to Law and Human Rights

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Abstract. *The growth of AI has enough potential big for create change massive in influence method we behave and do routine daily. approach method in study this is with use approach juridical normative namely a process of finding legal rules, legal principles and legal doctrines to answer the legal issues faced. source of data obtained from regulation legislation, journals, papers, etc. research result showing that every development always give impact positive but also no can dodge from impact negative. technology intelligence artificial (artificial intelligence) has give lots impact positive. however, technology this also leaves impact sometimes negative no in a way direct or not visible eye. There fore that's very important for ensure that use technology intelligence artificial like this facial recognition guided by regulations clear law. fair procedures and policies appropriate government with human rights principles are key for guard balance between innovation technology and protection restricted rights every individual.*

Keywords: *Artificial; Intelligence; Law.*

1. Introduction

Development technology in the modern era has bring dramatic changes in almost all over aspect life man. Increasing pace of development fast and massive become catalyst for every individual For Keep going innovate and create capable technology change the world. One of development today 's technology this is very striking is technology Intelligence Artificial, known with called Artificial Intelligence (AI). This AI technology has become center attention in a number of decade final this is and has been bring significant impact in various sector, start from economy, industry,

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(Denny Vianto, Sri Endah Wahyuningsih & Jawade Hafidz)

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education, etc health. Intelligence Artificial or Artificial Intelligence (AI) is an 'umbrella term' for mention simulation of intelligence and thought processes humans by connected machines with an ocean of data and information. Machines made in a way identical almost resemble capacity and intelligence man That Alone. Until day this, AI practices can We feel it start from application telephone clever until car auto steering; start from machine automation and robots in companies, up to cameras - surveillance (face recognition) in each corner

road.¹ The growth of AI has enough potential big for create change massive in influence method we behave and do routine daily. disruption is something fact life happens in a way sustainable when it comes to process and discovery new invading the world market. in an era of disruption, anxiety and fear is sure thing. lots of work to be done disappeared with itself as impact from something innovation. although thereby will professions also emerged new, fine in a way direct nor no direct, as salesman from technologies new. although thus, disruption intelligence artificial no only problem power work and field work. in the middle current fast progress technology intelligence artificial, yes problem always important appear about use ai system wise and responsible answer. problem this related with how every ai development must considered morally and how connection with life man. disruption intelligence artificial is also concerned how are people nowadays looking privacy as matter important for those in it attached to Human Rights Human (Fundamental Rights).

Study This aim for enrich thinking law about effect negative intelligence artificial towards human rights human (human rights). additionally, research this made as response to questions important about how intelligence artificial impact on the existence of human rights if seen through paradigm law. existing studies in this article is very substantial for answer needs of the modern world today this, and become guidelines life as it should be in the era of intelligence artificial. study this targeting two parties: users technology and developers as well as taker policy. the users can trained for more realize aspect ai's positive and negative influences continuity his life. then, the developers can enlightened for always positioning elements humanity as objective main in every innovation they. So, for judge and take decision, required wisdom certain, esp in related matters with Human Rights Man.²

The term "Artificial Intelligence " is very close connection with the name of John McCharty, who lives from 1927 to 2011. Ia is a scientist the original computer teach mathematics at mit and stanford university. until then, in 1956, ia lead project study during ten week at darmouth university, which is called as "research intelligence artificial ". from the project the the term artificial intelligence first time used. the purpose of project ai development time that very ambitious, which is the goal development intelligence artificial designed for increase the basis of

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assumptions that machine basically can copy all aspect learning (learning) or every form intelligence others (intelligence) are appropriate man. Project development intelligence artificial own objective main for find method machines can speaking, forming concept and abstraction, complete problems, and improve (improve) himself Alone.³

Definition about Intelligence Artificial (AI) often become difficult object for defined. Such a problem happen because AI includes Lots thing, start from use of statistical models to psychological models. The development the more massive with exists use data -intensive machine learning techniques, such as neural networks, to basic models logic deduction. In the United States, intelligence artificial defined as (1) a group system that can do tasks in diverse and non- diverse environments uncertain as well as without supervision human, or all system that can Study from experience and improve performance when integrated to in data set. (2) the system designed in form device soft computer, device hard physical, or something like that appearance for can understand, plan, learn, communicate, and even do action physique. (3) a series system created like that appearance so that capable think and behave similar with humans, incl in matter structure cognitive and neural networks. (4) a group engineering, which includes machine learning, and designed for finish necessary tasks knowledge special. (5) a systems created and designed to be capable Act in a way rational, fine form device soft intelligent or physical robot, with ability reach objective certain through a process like perception, learning, planning, communication, taking decisions and actions.

One of part most importantly when talk about about intelligence artificial intelligence (AI) is data. Data is component main intelligence artificial (AI) and is source from innovation AI technology.⁶ Four common data types used in development intelligence artificial: structured data, unstructured data structured, semi structured data, and series data time (time series data). (1) Structured data usually saved in a database or spreadsheet, for example including number security social, information financial, addresses, information product, data points sales, and no telephone. (2) Data no structured, also called unstructured data, is information that is not has a certain format like the format that has been set previously. this data including satellites, images, videos, video files, text, and information connection social such as tweets and uploads. (3) semi- structured data is combined from source structured and not structured. semi-structured data can depicted with xml, or extensible markup langue, which is tool for describes semi- structured data. this tool based on various rules used for identify component document. additionally, there is json (java script object notation), which is method for sending data to the Web via API (Application Programming Interfaces).

The Growth of Artificial Intelligence and its ...
(Denny Vianto, Sri Endah Wahyuningsih & Jawade Hafidz)

Topic: Human Right Issues of Artificial Intelligence (AI) Gaps and Challenges, and Affected Future Legal Development in Various Countries

Network data time, also known as save data Time is the type of data that can be in the form of structured data, no structured, or semi- structured. type of information this addressed for interact. This way can covers collect data when somebody use applications, visiting websites, or even visit the store. One of objective from this data is for know intentions, desires, and interests very different users. companies technology giant like amazon, google, meta, and tik tok have become highly dependent on data as element main in operate system they. data becomes material burn as possible machine company mega tech this operate in a way effective and efficient. data also has quite a fundamental role in taking state policy for increase well-being its citizens. for companies mega tech, data is key for understand market tastes, trends consumption, and

performance service they with Meaning For increase efficiency production and marketing. Although thus, various the possibilities and convenience offered by big data also give rise to question about various problems, incl data breaches,⁸ discrimination⁹ and erroneous analysis. Possibility that other people more know about I than me know Alone show problem personal data security moment This. Big data analysis (big data analytics) is possible matter This happen.¹⁰ Corner view that will discussed more continue in the article below This started with question is Human Rights law and ethics Man related with development intelligence artificial (AI) or only problem small?

Deep study study This use method qualitative through literature. This writing studying Artificial Intelligence as material objects and Human Rights Human (HAM) from corner look Legal Science as formal object. Research data collected from various literature, okay journal nor relevant books with material intelligence artificial and human rights. Then, research this also involves the news spread from various related media cases that have connection tightly with topic research this time, as is the case with electronic media reputable, that one loaded in regional or global scale. From various reference this, writer will analyze and integrate various existing information and paradigms for give birth to thinking new, all at once find answer from problem principal in study this, that is how about artificial intelligence capable give impact to existence of human rights. the explanation will be discussed in the research this will shared become three part important as order embodiment from theme great human rights Humans and Artificial Intelligence. Mechanism distribution idea This involve in a way Comprehensive reduction display for produce results and conclusions as part principal from channel idea researcher.

Human Rights law and ethics Man own sufficient connection tightly, because both of them own objective For protect and ensure every right individual can fulfilled as well as push creation fair

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Topic: Human Right Issues of Artificial Intelligence (AI) Gaps and Challenges, and Affected Future Legal Development in Various Countries

and appropriate behavior with principle deep moral principles public. Law, in context This is set regulation laws set by the government for arrange behavior individuals and entities law, as well set penalty for anyone who violates it. The law often becomes representative values underlying ethics society, like justice, equality and dignity man. Meanwhile, Human Rights Man is rights given by God to every man since born and become part from public. Rights This is universal and applicable for everyone without differentiate nation, race, religion, class, or type sex. one of base from all right basic is that everyone should own chance for develop in accordance with aspirations and talents they. on the other hand, human rights can also be interpreted as freedom inherent in existence every man or individual. government created for protect implementation of human rights man.

Furthermore point meeting between ethics and human rights Man located on each attitudes and behavior human, because in a way simple moral is norms and ethical standards is standard behavior. So that speak about matter the so No regardless from discussion regarding Human Rights Man That Alone.

Based on the description above, formulation possible problems made between other:

1. How Current growth of AI This?
2. How implications of AI on law and human rights?

2. Research Methods

Approach method in study This is with use approach juridical normative namely a process of finding legal rules, legal principles and legal doctrines to answer the legal issues faced. 13In this type of legal research, law is conceptualized as what is written in statutory regulations or law is conceptualized as rules or norms which are benchmarks for human behavior that is considered appropriate. 14References are also obtained from other related documents such as the results of previous research, seminars and/or workshops, related scientific books and journals, as well as data from various media, both print and electronic. The tradition of research using mass media reports, especially newspapers and the internet, has grown rapidly over the last few decades, especially in the field of collective action and social movement studies.

3. Results and Discussion

3.1. The Growth of Artificial Intelligence

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(Denny Vianto, Sri Endah Wahyuningsih & Jawade Hafidz)

Topic: Human Right Issues of Artificial Intelligence (AI) Gaps and Challenges, and Affected Future Legal Development in Various Countries

The term “Artificial Intelligence” will linked with the name John McCharty (1927- 2011). He was a computer scientist originally teach mathematics at MIT and Stanford University. In 1956, he organize project ongoing research at Darmouth University during ten Sunday. He mention project the as a “study of artificial intelligence”. That was the first time the term “artificial intelligence” is used. the purpose of ai studies at that time very ambitious 15: “this study intended for increase the forecast base that every aspect learning (learning) or all another form of intelligence (intelligence) in principle can simulated by machine. a effort will made for find how to order the machines can language, form concept and abstraction, complete diverse problems, and improve himself alone.” in fact, ai is notoriously difficult for defined. the breadth term this possible many possible possibility covered, start from technical data intensive machine learning techniques such as neural networks to down to the basic model logic deduction; start from use technique statistics until use of psychological models. 16In the United States (The Senate of the United States, 2018), AI is defined as (1) All systems artificial that does the jobs below diverse and non- diverse environments uncertain without supervision human, or all system that can Study from experience and improve its performance when focused on a series of data. (2) a system developed artificial in device soft computer, device hard physical (physical hardware), or other contexts that resolve tasks that require perception, understanding, planning, learning, communication, or action physique worthy man. (3) a system artificially designed for think and act worthy humans, including cognitive architectures and neural networks. (4) a series techniques, including machine learning, are designed for do tasks that require understanding special. (5) a system artificially designed for act in a way rational, incl a device soft intelligent or a robot with a body that reaches objective certain use perception, planning, deliberation, learning, communication, retrieval decision, and capable take action. ai can shared in three types, namely artificial narrow intelligence (ani), artificial general intelligence (agi), and artificial super intelligence (asi). ani pictured as intelligence weak (weak intelligence) because related with tasks certain ones can he did with good like play chess oppose player chess world class, making market predictions, auto - steering, and also included introduction imagery and verbal expressions. intelligence artificial type second is agi. agi is also known as “strong ai” or “intelligence artificial level man “. agi is a level above tall from ai developments are trying for copy performance brain man. although thus, the development still reap debate problem ability not quite enough responsibilities and other "components".

which exists in brain man. AI type third is breast milk. Breast milk is A characterization as futuristic as possible will happen when AI has surpass capacity brain man in matter creativity, skills social, and wisdom. The final development This serve challenges unique that can be to be very useful for humans, but also can So on the contrary. Development of existing robots at the moment This

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Still in ANI or AGI stage and must fulfil standard turing test, that is whether his “attitude” is appropriate for man or No. The more similar with human, then He more inclined to AGI direction.

According to Tegmark 18, breast milk will use super intelligence for rule the world. Tagmark guess that not yet clear whether breast milk will leading to totalitarian control, as it happened in century second tens by Stalin or Hitler, or something more on power individual (individual empowerment). AI scenarios offer room scope very wide possibilities start from libertarian utopia to destruction self -destruction by humans Alone. 19One of element important when speak about intelligence artificial is data. Data is material burn for technology intelligence artificial.20 By general, yes four data type, namely structured data, unstructured data structured, semi-structured data, and series data time (time- series data). (1) Structured data usually saved in the connected database or spreadsheets. A number of example of structured data is information financial, no security social, addresses, information product, data points sales, numbers telephone. Data no structured (unstructured data) is information that is not has a known format (predefined formatting). A number of for example such as: images, videos, audio files, text files, information network social such as tweets, and uploads, and images picture satellite. (3) Semi-structured data is data which constitutes hybrid from source structured and source No structured. Semi- structured data for example is XML (Extensible Markup Language), which is based on flavors rule for identify elements from a document. there is also json (javascript object notation), which is one method for transfer information on the web via api (application programming interfaces). (4) time-series data is data that can be in the form of structured data, no structured, and semi- structured. type information this used for interact. this way can form collection information when a user enter to on the website using a application or even enter to in the store. one of objective from this data is for know the intentions, desires and interests of users can vary greatly.

Companies big like Amazon, Google, Facebook, TikTok, Baidu, rely heavily on data. Why? The answer is because data is material burn for mechanism company megatech like This. Countries also need data for advance ambition well-being all over citizen. Collected data will become means for taking state decision. for companies, data is very important for look for know market appetite and correlation consumption. this matter important for efficiency production and improvement sales and performance service. that's the side the positive. however so, there is a anxiety while data, government, and business that interrelated with “privacy”. Now, we was in the era of the Revolution Industry 4.0 where intelligence artificial become mover main. Same as Revolution Industry 1.0, 2.0, 3.0, Revolution Industry 4.0 has not been spared either from shadows impactful problems big for life society in our time. Revolution Industry 4.0 is suspected has grind in a way slowly foundation system long-standing liberal democracy This stand sturdy. ²²That matter

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proven with there is propaganda through various digital platforms. In America, cleavage public become drag on after presidential election (2020) with exists hoaxes and theories conspiracy circulating with free.

The same thing happened in Indonesia. Digital platforms often used for gnawing democracy with voice variety displeasure with the results election legitimate democracy. technology - driven digital platform intelligence artificial has give ro or even “facilitating” a group few people want to gnawing democracy and overthrow legitimate government. In the era of intelligence artificial This is the most real challenge is data and regime colonialism digital²³ dictator. Technology intelligence artificial become the more fast and moving exponential from time to time. This matter result happen gap increasingly international widened. Not all countries control it technology intelligence artificial This. Only partially small only one can control it. Temporary Therefore, all countries rely heavily on technology new This. For Can proceed in today's world context, every country must follow involved in utilization technology intelligence artificial. Condition This demand part most dependent countries himself in part small superior countries in development technology intelligence artificial This. Dependency This make part big countries (and in general small and poor countries) are controlled and dictated by developed countries which are developers and suppliers technology intelligence artificial. Currently, data becomes target big companies and countries. Consumer country data with itself will controlled by developed countries or company mega tech. Users of social media platforms will become data provider for interest certain both by the state and by companies.

Later this, social media had time shocked with exists Pegasus Project scandal, a spyware created for retrieve data from telephone personal smart (smartphone). or individuals specific target without click from the target.²⁴ More Pegasus malware algorithms striking from those owned by the company megatech like Alphabet (Google) and Meta (Facebook) because capable access whatever there is in cell phone somebody. If technology This fall to hand leader faceless dictator democratic, then catastrophe already ahead eye. He not again grind base democracy but already devastating elements democracy. Human rights only Can seen vague and private full citizen fade in supervision spy dictator. In situation like this, people don't Can Again speak about freedom as right every individual.

3.2. Implications of AI for Law and Human Rights

Artificial Intelligence (AI) does not can denied has be one most astonishing finding in the world of modern technology. along with the development of AI has change method individual for workers, interact, and live activity his daily life. On the way towards a brighter future connected

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with the digital world, AI takes hold role important in various aspect life, incl in field Law and Human Rights Human (HAM). In line with AI's ability to recognize and analyze data with incredible speed and accuracy normal, appears diverse implications ethical and legal requirements taken into account in a way deep. The case study will discussed in study This is impact from use deep facial recognition technology wrongful arrest situation perpetrator follow criminal, which sticks out questions important about privacy, justice, and human rights protection in the increasingly AI era advanced. Face Recognition (recognition face) is one systems contained in technology computer for determine location face, size face, detection feature face with ignore image next background done identification image face. Face Recognition capable identify and recognize face both in photos, videos and in real time.

Development Current Face Recognition technology This has become very important subject in Human Rights context Humans, p This caused Because frequent abilities produce errors and impacts big. Writer and Director of Legal Studies, and Digital Institute Mines Telecom, Winston Maxwell, explains in his article entitled 'Why facial recognition algorithms can't be perfectly fair' in The Conversation that algorithm introduction face can produces two types wrong namely: (1) positive false and (2) negative false. Positive false happen when algorithm identify There is suitability positive between two images face, will but Actually No There is conformity, as was the case with Robert Williams. In June 2020, a algorithm introduction face caused Robert Williams, a African Americans are victims of wrongful arrest b authorities local. Robert was suspected do theft in the Detroit area, Micighan, driver's license photo detected as perpetrator theft the because the video of the perpetrator was recorded blur. Police later let go of Robert after a few hours and ask Sorry. Incident This give rise to question Serious about accuracy algorithm visual recognition. One of worrying aspect from case This is that algorithm introduction face has proven not enough accurate for face skinned black than people with skin white. problem this appear from developer technology that transmits algorithm data they to the united states technical standards board (bsta). bsta uses a united states government database that contains photo passport and visa, and will test algorithm based on various citizenship. bsta then publish the results, which show variation level big mistake for a number of citizens of certain countries. problem next lies in the data input process, if the data is entered containing one million example man skin white, but just two examples skin black, then algorithm will difficulty for differentiate face skin black.the best way for optimizing system this is with input all representative data all over population (which is almost no possibl). problem this then appear as stereotype that individuals skinned dark more tend for do follow criminal. on the contrary, whereas negative False is the circumstances that occurred when algorithm say that No There is suitability, but should There is arrest case perpetrator follow crimes resulting from negligence apparatus in

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operate facial recognition technology also has happened in Indonesia. Based on news published by *kompas.com* on the day Monday (11/4/2022) has been happen incident the beating that resulted in Ade Armando, a lecturer at the University of Indonesia being killed the victim. Incident beating This It started when Ade came along as well as in a demonstration initiated by students on the day That. A number of moment after incident, police set expected perpetrator beating on the names Tri Setia Budi Purwanto from Way Kanan, Lampung and Abdul Manaf from Karawang, West Java. Police determined second perpetrator beating based on results obtained through recording Amateur and CCTV later matched use Face Recognition technology. After determined by the authorities police, second expected perpetrator beating convey that they No involved in action such, and even they No currently are on location incident matter. Police later let go both, and admit that they feel difficulty for identify perpetrator. the original one used it hat — so facial recognition accuracy is not running 100 percent.

Involving cases errors and omissions in operation facial recognition technology (recognition face) as experienced by Robert Williams in the United States and Tri Budi and Abdul Manaf in Indonesia, reflects quite an impact Serious towards Human Rights Human (HAM). Wrongful arrest and detention of individuals who do not guilty, resulting from error system on algorithms, namely human rights violations in particular about freedom individual. Additionally, inequality in technology this is the individual skinned dark more Possible For become a victim of error algorithm, breaking human rights principles regarding equality and non- discrimination. By normative Human rights violations experienced by Robert Williams in the United States, and Tri Budi and Abdul Manaf in Indonesia have been violate provision as stated in article 2 of the Declaration of Human Rights Humans (Universal Declaration of Human Rights) which confirms fundamental principle that every individual own rights the same freedom without exceptions, incl rights base like freedom individual, rights privacy, and protection from discrimination based on race or color skin. Then, when happen negligence in operation facial recognition technology, as it happened in wrongful arrest case perpetrator follow criminal, also possible considered as form arrest or detention arbitrary right. For example, in cases of Robert Williams in the United States and Tri Budi and Abdul Manaf in Indonesia, inaccuracies facial recognition technology results arrest and detention they without strong and legitimate basis. This is violation against Article 9 of the Universal Declaration of Human Rights Humans (UN Universal Declaration of Human Rights, 1948).

4. Conclusion

Every development always give impact positive but also no Can dodge from impact negative. Technology intelligence artificial (artificial intelligence) has give Lots impact positive. However,

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Topic: Human Right Issues of Artificial Intelligence (AI) Gaps and Challenges, and Affected Future Legal Development in Various Countries

technology this also leaves impact sometimes negative No in a way direct or not visible eye. In the spotlight dignity human, intelligence artificial has great potential for remove partitions life private that becomes right every man. this concerns every data individual at any time can misused or taken without the individual's permission concerned. intelligence fallen artifact to hand leader dictator can paralyze freedom to be consequence logical from exists dignity man. therefore that's very important for ensure that use technology intelligence artificial like this facial recognition guided by regulations clear law. fair procedures and policies appropriate government with human rights principles are key for guard balance between innovation technology and protection restricted rights every individual.

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The Growth of Artificial Intelligence and its ...
(Denny Vianto, Sri Endah Wahyuningsih & Jawade Hafidz)

Topic: Human Right Issues of Artificial Intelligence (AI) Gaps and Challenges, and Affected Future Legal Development in Various Countries

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