LAW, SOCIAL MEDIA AND THE ADVENT OF ARTIFICIAL INTELLIGENCE

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INTODUCTION

If this was the 90's or the early 2000's, we would have termed the exponential growth of technology a "technological evolution." However, now, technology has passed its evolution stage and we can safely say that all around the world, with the rise of social media and artificial intelligence, we are experiencing a Technological Revolution.

Now, we have various platforms where we can interact with people from the ends of the earth and see and talk to each other as if they were just in the next room; and we can all be up to date on happenings about anyone and anything anywhere in the world, through platforms known as social media. The Global village has indeed become a Global Hamlet.

Then, there also is the development of Artificial Intelligence. Essentially, we now have machines trained with petabytes of data sets to 'think' and respond like humans do. They create "brains" for them sometimes called Neural Networks to solve day to day human tasks for humans.[1] ChatGPT-4 released by a company called Open Al in March this year is a stellar example of this.[2] Even Social Media Platforms like Snap Chat now employ the use of Alchatbots to interact with users. Chatbots are essentially Artificial intelligence programmed to interact conversationally with humans on any subject whatsoever.

"Nadikattu R. (2017) The Supremacy of Artificial Intelligence and Neural Networks. International Journal of Creative Research Thoughts 5(1).https://papers.ssrn.com/sol3/papers.cfm?abstract id=3655849 "Y. Chang et al. (2023) A Survey on Evaluation of Large Language Models. arXiv:2307.03109v7 [cs.CL]

Roscoe Pound, a major proponent of the Sociological Jurisprudence school was of the view that Law is a "social engineering."[3] This means that law and society have an interdependent relationship such that law structures the society in the way that engineers structure their inventions.[4] Even though Society as we have today runs faster than the law, the law as a tool of government must of necessity catch up with society, because society must be regulated or in the words of Thomas Hobbes, we end up in a society where life is"...nasty, brutish and short.[5] This is because societal trends can also come with accompanying threats which need to be mitigated or alleviated or addressed.

Technological Revolution is the trend of the society we live in today. To this end, this paper will proceed to examine the interplay between the Law and the technological trends of Social Media and Artificial Intelligence by assessing them from a regulatory perspective in the light of the threats they pose. Also, while Artificial Intelligence applies to various aspects of life, including the health industry and even engineering as seen by self-driving cars we have today, this paper will only discuss Artificial Intelligence in the context of its social media application and the threats of social media and artificial intelligence will first be assessed.

Definitions of Keywords

Law

There is no single definition of law but law can be described in different ways.

Law is a system of rules that a society or government develops in order to deal with crime, business agreements, and social relationships. Law determines the inter play of the dynamics of societal relationship.

[3]Hunt A. (1978). Rescoe Pound: A Sociologicol Jurisprudence? In The Sociological Movement in Low. Palgrave Macmillan, London. https://doi.org/10.1007/978-1-349-15918-52

[4]Ibid

[5]Hobbes T. (2008) Leviathan (ICA Gaskin, Ed) Oxford University Press.

Law is used to refer to a particular branch of the law, such as criminal law or company

law is one of the rules in a system of law that deals with a particular type of agreement, relationship, or crime.

Law, the discipline and profession concerned is with the customs, practices, and rules of conduct of a community that are recognized as binding by the community. Enforcement of the body of rules is through controlling authority.

Cambridge Dictionary defines Law as a rule, usually made by a government, that is used to order the way in which a society behaves.

Britannica Dictionary also defines Law, as the discipline and profession concerned with the customs, practices, and rules of conduct of a community that are recognized as binding by the community. Enforcement of the body of rules is through a controlling authority.

For a description of legal training and a general background, *see* legal profession, legal education, and legal ethics. Articles that delineate the relationship of law to political structures are constitution; ideology, political party; and political system. For articles that discuss the importance of law regarding social justice and other social issues, *see* human rights; land reform; and social service. For an examination of comparative legal systems and the relationship of the law to the social sciences, *see* comparative law. For a description of canon law, *see* canon law. For a description of Islamic law, *see* Shariah. For an analysis of the role of law in the administration of government, *see* administrative law. For an exposition of social restrictions and their enforcement, *see* censorship; crime and punishment; and police. For a description of the legal aspects of war and the military, *see* law of war. For a discussion of legal philosophy, *see* law, philosophy. For international aspects of law, *see* international law; and United Nations. For an examination of the laws covering specific fields, *see* agency, air law; bankruptcy; carriage of goods; commercial transaction; contract; constitution; law; criminal law; family

law; inheritance; labour; law; maritime; law; medical; jurisprudence; procedural law; property law; tax law; and tort, you have standard texts.

Generally, Law is a set of rules that are created and are enforceable by social or governmental institutions to regulate behavior, with its precise definition a matter of longstanding debate. It has been variously described as a science and as the art of justice.
State-enforced laws can be made by a group of legislature or by a single legislator, resulting in statutes; or by the executive through decrees and regulations; established by judges through precedent, usually in common law jurisdictions. Private individuals may create legally binding contracts, including arbitration agreements that adopt alternative ways of resolving disputes to standard court litigation. The creation of laws themselves may be influenced by a constitution, written or tacit, and the rights encoded therein.
The law shapes politics, economics, history and society in various ways and also serves as a mediator of relations between people.

Legal systems vary between jurisdictions, with their differences analysed în comparative law. In civil law jurisdictions, a legislature or other central body codifies and consolidates the law. In common law systems, judges may make binding case law through precedent, although on occasion this may be overturned by a higher court or the legislature
The scope of law can be divided into two domains: public law concerns government and society, including constitutional law, administrative law, and criminal law; while private law deals with legal disputes between parties in areas such as contracts, property, torts, delicts and commercial law.

Social media

Social media is a collective term for websites and applications that focus on communication, community-based input, interaction, content-sharing and collaboration.

People use social media to stay in touch and interact with friends, family and various communities. Businesses use social applications to market and promote their products and track customer concerns. Business-to-consumer websites include social components,

such as comment fields for users. Various tools help businesses track, measure and analyze the attention the company gets from social media, including brand perception and customer insight.

Social media has enormous traction globally. Mobile applications make these platforms easily accessible. Some popular examples of general social media platforms include WhatsApp, Twitter, Facebook and LinkedIn.

Merriam-Webster defined social media as "forms of electronic communication (such as websites for social networking and microblogging) through which users create online communities to share information, ideas, personal messages, and other content (such as videos).

Social media is interactive technologies that facilitate the creation and sharing of content, ideas, interests, and other forms of expression through virtual communities and networks. While challenges to the definition of social media arise due to the variety of stand-alone and built-in social media services currently available, there are some common features:

- Social media are interactive Web 2.0 Internet-based applications.
- User-generated content-such as text posts or comments, digital photos or videos, and data generated through all online interactions- is the lifeblood of social media..
- Users create service-specific profiles for the website or app that are designed and maintained by the social media organization.

Social media helps the development of online social networks by connecting a user's profile with those of other individuals or groups.

This changing relationship between humans and technology is the focus of the emerging field of technological self-studies. [11] Some of the most popular social media websites, with more than 4.8 billion media users in the world, which 59.5% of the population of the world. This represents 92.7% of internet users. The media include.

Twitter,
Facebook
WeChat,
Instagram,
Linkedin.
YouTube,
Telegram, WhatsApp,
Snapchat,
TikTok,
and Microsoft Teams, etc

Development of social-media platforms

In 1991, when **Tim Berners-Lee** integrated hypertext software with the Internet, he created the World Wide Web, marking the beginning of the modern era of networked communication. This breakthrough facilitated the formation of online communities and enabled support for offline groups through the use of weblogs, list servers, and email services. The evolution of online services progressed from serving as channels for networked communication to becoming interactive platforms for networked social interaction with the advent of Web 2.0.

Social media started in the **mid-1990s** with the advent of platforms like **GeoCities, Classmates.com.** and **Six Degrees.com.** While instant

messaging and chat clients existed at the time, Six Degrees was unique as it was the first online service designed for real people to connect using their actual names. It boasted features like profiles, friends lists, and school affiliations, making it "the very first social networking site" according to CBS News. The platform's name was inspired by the "six

degrees of separation" concept, which suggests that every person on the planet is just six connections away from everyone else.

In the early 2000s, social media platforms gained widespread popularity with the likes of Friendster and Myspace, followed by Facebook, YouTube, and Twitter, among others

Artificial Intelligence

Artificial intelligence (Al) is the ability of a computer or a robot controlled by a computer to do tasks that are usually done by humans because they require human intelligence and discernment. Although there are no Als that can perform the wide variety of tasks an ordinary human can do, some Als can match humans in specific tasks, it can also be said as the intelligence of machines or software, as opposed to the intelligence of humans or animals. It is a field of study in computer science that develops and studies intelligent machines. "Al" may also refer to the machines themselves

Al technology is widely used throughout industry, government and science. Some high-profile applications are: advanced web search engines (e.g., Google Search), recommendation systems (used by YouTube, Amazon,

Artificial intelligence was founded as an academic discipline in 1956. The field went through multiple cycles of optimism followed by disappointment and loss of funding, but after 2012, when deep learning surpassed all previous Al techniques, there was a vast increase in funding and interest.

Therefore, Al in law is often referred to as Legal Al and is a combination of multiple natural language processing (NLP) technologies and machine

learning algorithms designed to analyze and interpret legal documents and text.

Despite the name, it is not truly Al in the sense of a computer that can think, reason, and learn. Instead, it is a collection of tools and technologies that help legal professionals to automate various tasks and streamline workflows.

Advantages of Al in the Nigerian Legal System

The following are some of the advantages that the legal system tends to enjoy from the use of AI:

1. **Document Review:** the day-to-day activities of lawyers include the review of documents with the aim of identifying facts that are irrelevant to a matter. This is time-consuming and prone to error. Documents reviewed by Al are less susceptible to errors.[i] Though Al is not intelligent enough to replace Human-lawyers' work, it, however, can however reduce the workload and make the work of a lawyer easier. Therefore, the use of Al should be combined with lawyers' intelligence.

2. **Risk Assessment:** Al tools such as Technology Assisted Review can help lawyers assess potential risks associated with a matter and make informed decisions that will aid them in their legal advisories. Al also helps to determine information and data that should be protected.

3. **Due Diligence:** lawyers conduct due diligence on transactions. Due diligence can be time-consuming, and due to the volume of documents that lawyers have to review, the process is prone to human error. Al carn automate the process and produce a report that assists lawyers in their due diligence reports.

4. **Prediction of the Outcome of a Lawsuit:** Al can predict the outcome of a lawsuit with a high degree of certainty after analyzing data accurately. Research has shown that Al tools can predict the outcome of a legal proceeding with a 79% accuracy rate. This will save lawyers the stress of pursuing baseless cases and forestall damage to their reputations.

5. **Legal Research:** Al tools can assist lawyers in legal research. Law Pavilion is an example of an Al tool that assists lawyers in Legal research and electronic law reporting.

6. **Administrative Work:** Al can help lawyers perform administrative work such as the selection of an arbitrator, case management, and case scheduling, therefore giving lawyers enough time to focus on the part of the work that requires human input.

7. **Legal Drafting:** there are Al tools that automatically generate terms and conditions, and privacy policies within seconds. Lawyers can use the documents generated by these Al tools as templates. The documents should be adapted to suit the interest of the lawyer's work. This will make the lawyer's work faster

Ethical considerations from the use of Al in legal profession include:

Despite the advantages of Al, it is important to consider the legal and ethical implications of the use of Al. One of the legal implications that arise from the **9** | Page and development of Al in the legal profession is the possibility of Al giving legal advice

1. **Competent Advice:** Al-powered tools produce output based on the data supplied to them and the data available on the internet without additional consideration. Giving competent legal advice requires a lawyer to consider extraneous factors such as societal norms, emotional intelligence, the background of the parties, and the idiosyncrasy of a judge, among others. It will be difficult for Al tools to consider these important social factors that a lawyer needs to give the best legal advice to his client.

2. **AI Bias:** the developer of the Al tool might have built bias in the Al tool inadvertently or consciously. This will hinder objective and unbiased advice by the Al tool.

3. **Breach of Confidential Information:** Lawyers are required to keep the information of clients confidential.[iv] The processing of confidential

information by Al tools may lead to data breaches, and the lawyer may be liable for professional negligence.

4. Malpractice law suits may arise for the failure to utilize Al in certain areas of law, such as discovery, potentially lead to a malpractice lawsuit?

5. Accessibility of Al by defendants in criminal cases in a moot point if it will be beneficial to their defence.

Should lawyers disclose their use of Al in a case, and if so, must they also reveal the training data and inputs used to configure the machine learning models

THREATS ARISING FROM SOCIAL MEDIA AND ARTIFICIAL INTELLIGENCE

The combined force of artificial intelligence and Social media have no doubt revolutionalised the world of communication. Social Media already brought the world of information locked up in books which we had to search through indexes to find in the library or in newspapers and news outlets, to the tips of our fingers. Social Media either be platforms for social communication like Instagram or Twitter, or even highly professional platforms like Linkedin, or purely informational like blogs and websites. All these are hubs of all kinds of information. A Forbes article notes that Artificial intelligence is playing a 'game-changing role in social media exploring how Al helps to manage the vast amount of data/information garnered by social media platforms regularly.[6]

Artificial Intelligence also helps in creating content, managing advertisements, marketing, understanding what users want to see, research among other things.[7] ChatGPT-4 alluded to earlier is an example of Al that helps content creators to create both visual and text content online, so

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[6]Darbinyan R. (2023) How Al transforms Social Media. Forbes.com https//www.forbes.com/sites/forbestechcouncil/2023/03/16/how-ai-transforms-social- media/7sh-45e25e5d1f30 accessed 17 October, 2023.

[7]Ibid. 10| Page

much so that it is feared that it can put writers out of a job. Evidently, Alis a "blessing" to social media users.[8]

However, since social media pools massive amounts of information and Al essentially helps this information to be "managed by synthesising equally massive amounts of data, this dynamic duo equally posses' inherent threats.[9] Why? This is because information is power and power in the wrong hands might still end us up in Thomas Hobbes society where life is '..nasty, brutish and short.'

Social Media and Al pose not just legal but even ethical problems as well. The obvious one being that while content writers can potentially be put out of job with the existence of Al that can generate thousands of words on any subject in under 5 seconds, these Al are trained using data and information that include already existing literary works. These can be used by content creators as "their own" creating a functional Copyright hazard already, especially since many Al produce works without proper referencing, [10]

Asides copyright, data protection is another system under threat. Al and Social media are all about data. All kinds of data, including those defined as Personal and sensitive data under local laws like the Data Protection Act of Nigeria and international ones like the General Data Protection Law of the European Union, the latter being regarded as the most comprehensive and strictest data protection regulation in the world today. And since the laws have not really caught up in this regard, especially as it covers Al, the risk of misuse of personal and sensitive data is inherent with social media and AL.[11]

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[8]HaoY. (2023) Reflection on whether Chat GPT should be banned by academia from the perspective of education and teaching 14 FIP <https://www.frontiersin.org/articles/10.3389/fpxyg 2023 1181712>accessed 17 October 2023

[9]Supra. Note 6

[10] Van Rigmenam M. (2023) Privacy In The Age of Al: Risks, Challenges And Solutions, The Digital Speaker https://www.thedigitalspeaker.com/privacy-age-ai-risks-challenges solutions/text-One%20of%20the%20primary%20challenges, as%20identity%20theft%20or%20cyberbullyin
Accessed 17 October, 2023.

[11]Zenonos A. (2023) Artificial intelligence and Data Protection. Medium.
https://towardsdatascience.com/artificial-intelligence-and-data-protection-626333180827
accessed 17th October, 2023

Then there are the issues that arise with the actual engineering or programming of the data. Apparently Al can "hallucinate." As a result of the large data used to train them, and the data and questions they interact with from users, Al also have the ability to 'unknowingly' generate perfectly worded information with sound judgments that are just not true.[12]False information, in all shades, especially news on sensitive information has the capacity to cause violent conflicts around the world. These and many more threats are associated with the use of social media and Al, and some more threats will only be discovered as society progresses in their use.

Summarily, it is evident that while social media and Al have a lot of benefits when used properly, the ease and enjoyment they bring however leave some side effects which are potential and 'kinetic' threats and the laws need to come in to regulate the world of social media and Artificial Intelligence to ensure the society does not fall out of harmony.

What is the relationship between law and artificial intelligence?

Important parts of the legal profession that cannot be automated include analysis, decision-making, and representation. Software and programines based on Al can drastically reduce the time and effort required by a lawyer. The legal industry is still in the process of developing, and more IA-based and automated support tools and software are on the horizon.

On the other hand, these IA-based and automated assisting tools and software will not replace the lawyer's profession, which involves analysis, decision-making, and strategizing, but will make them more efficient and competent while automating various clerical tasks. There is a common misunderstanding among lawyers and law firms that Artificial Intelligence or Machine Learning poses a threat to their existence, or that Al will replace lawyers. On the one hand, it aids end users in understanding legal documents

and navigating the legal system. On the other hand, Al systems are used to defend human rights, assure fair trials, and protect the lives of

[12]MugunthanSoundararajan, (2023) Core Principles of Information Security. Linkedin <Core Principles of Information Security [linkedin.com)> accessed 16th October 2023

individuals who are in danger due to their race, gender identity, or disability.

How does artificial intelligence affect law?

Like e-discovery software, Al-powered legal research tools help legal professionals rapidly search and analyze large databases that contain regulations, laws, case histories, and more. These tools provide lawyers with access to data that helps them understand relevant precedents and make informed decisions. The ability to conduct thorough research at a faster pace not only saves lawyers time but also reduces costs for clients.

Integration with practice management software. such as Casetext and Fastcase, allows users to perform and attach research directly to specific case information.

Al-Powered Document Management

Leveraging the tag and profile features of Al-powered document management software, legal professionals can now efficiently store and organize all their legal documents, including case files, contracts, emails, and notes.

Furthermore, through Al-powered document automation, legal professionals can streamline the process of filling in form fields. Automatically drawing information from case records, lawyers reduce the time and energy spent on document production.

This leads to a more centralized and efficient method of producing a wide range of legal documents, including letters, motions, agreements, invoices, and pleadings.

This system of organizing digital files, combined with full-text search, makes finding specific documents a much more manageable task.

How artificial intelligence is transforming the legal profession?

By using Al tools, legal professionals can search for specific words, phrases or other written evidence within multiple data sources and digital

documents at once. This ultimately speeds up the e-discovery and legal processes, plus helps catch pieces of information that may otherwise be missed through manual searches

What are the benefits of Al in the legal profession?

When it comes to the practice of law, time is money. Every minute spent on mundane tasks is a minute taken away from building a winning case for your clients. Fortunately, technology and artificial intelligence (Al) have come a long way in recent years. Its potential to help law firms streamline their operations and enhance their services is enormous. We will now explore seven ways technology and Al can benefit your law firm.

i. Legal research was made easier,
ii. Predictive analytics for better outcomes,
iii. Improved document review,
iv. Better case management,
v. Enhanced communication with clients,
vi. Improved billing and time tracking,
vii. Better decision-making

What are the disadvantages concerns of Al in law practice?

The use of Al in law practice raises ethical concerns, including privacy, data protection, bias, and transparency. It is crucial to address these concerns to ensure fairness, protect client information, and mitigate biases in Al algorithms

What are the issues with Al and the legal profession?

Lawyers could face potential risks of the unauthorized practice of law when using Al tools. Lawyers must understand the risks that Al can pose to client confidential data, and to inadvertently waiving attorney-client and attorney work product privileges.

Is Al the future of law practice?

The Al revolution is therefore poised to radically affect the billing structure of the legal industry and render the billable hour all but obsolete. Value- based billing-paying for work completed rather than paying for time spent will make more sense for both lawyers and clients alike.

Considerations and Recommendations of Artificial Intelligence (AI) Regulation in Nigeria

The emergence of Al poses significant challenges to the rule of law, fundamental rights protection, and the integrity of Nigeria's judicial system. The implications become even more profound when considering the potential incorporation of Al-based decision-making tools within the realms of justice and law enforcement. Preserving the core principles of the rule of law, anchored on fundamental rights, stands paramount and cannot be compromised for the sake of expediency or cost-effectiveness within the legal framework and its beneficiaries. Effectively navigating this transformative landscape demands the establishment of precise guidelines and regulations, coupled with a well-defined role for Al systems within Nigeria's judicial sectors.

The elevation of transparency, equity, accountability, and ethical tenets should take precedence. Enabling the integration of Al systems as an integral facet of Nigeria's democratic fabric necessitates a departure from blind reliance solely on the expertise of computer scientists and engineers. Collaboration between domain experts, public servants, and individuals engaged in sectors pertinent to the rule of law is imperative to restore trust. This amalgamation mandates a meticulous assessment of the distinct skill sets and responsibilities of diverse professionals and entities. To ensure transparency and applicability, mere adherence of Al service providers to certifications, approvals, and trust marks indicative of ethical adherence is insufficient.

The growing application of Al in criminal proceedings introduces new complexities for defense lawyers, including the need to comprehend and

interpret data pivotal to legal cases, Clients involved in such proceedings should rightfully anticipate their defense counsel's ability to identify and elucidate any substantial and recurring biases inherent in Al-driven analyses. The Nigerian government and policymakers must place confidence in the intended performance of Al technologies. The overarching objective is to leverage Al's advantages in enhancing public access to the judicial system while concurrently mitigating the attendant risks and downsides.

Legal Framework and Policy Development for Artificial Intelligence (Al) in Nigeria

The utilization of artificial intelligence (Al) must align with national principles concerning human rights, democracy, and the rule of law. This necessitates the establishment of a robust legal framework. This framework should adopt a risk-based strategy to cultivate a regulatory atmosphere that encourages positive Al innovation. Simultaneously, it should address the potential threats highlighted and rectify the substantive and procedural legal gaps identified. The goal is to ensure its pertinence and effectiveness in comparison to existing protocols.

To achieve this objective, foundational principles governing artificial intelligence (Al) should be defined. From these principles, specific rights applicable to individuals can be delineated. These rights could encompass existing ones, newly tailored rights addressing Al-related challenges and opportunities, or supplementary clarifications of pre-existing rights. Correspondingly, guidelines for Al system creators and implementers should be established to ensure compliance with these specifications. **Recommendations**

The use of Al in the legal profession is a welcome development that will transform the legal profession. However,

- Lawyers should ensure that the rules of Professional Ethics is adhered to strictly when using Al in every aspect of practice.

- Lawyers should be cautious in the use of Al tools to avoid liability for professional negligence to maintain the reputation of their practice and avoid the breach of the rules of confidentiality.
- Lawyers should always supervise the results generated by Al tools.
- Regulations should be put in place to minimize programming bias in Al tools.
- Senior lawyers should note that Al tools are not to replace junior lawyers rather, they augment the work of both seniors

CONCLUSION

As the legal profession continues to evolve, the use of Al will undoubtedly play increasingly significant role in the delivery of legal services. By embracing this technology, law firms can position themselves at the forefront of the industry and provide their clients with the best possible representation. The benefits of Al for law firms are significant, and its potential for improving the quality of legal services is vast. By leveraging Al- powered tools in their workflows, law firms can streamline their processes, save time and money, and make better decisions for their clients. Regardless of your practice area, incorporating Al into your practice can help you stay ahead of the curve and provide the best possible service to your clients. So why not start exploring the possibilities today? I thank you for your attentiveness in the delivery of this paper. I do hope that the digital and analogue members of the bar will find the presentation useful for the improvement or enhancement of their practice areas.