

Research Paper



The dual nature of hyperreality in the age of artificial intelligence

Mahnoor Zafar*

*Student at the University of Lahore, Punjab, Pakistan.

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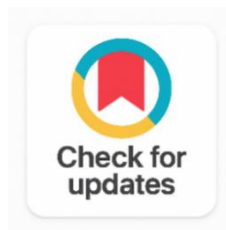
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ABSTRACT

One of most crucial constitutional mechanisms in India is the judicial review which, as the highest law of the land, permits the courts to check the legality of legislative and executive acts. The Supreme Court of India has over time continued to widen this scope, to not only include Acts of Parliament, but also executive determinations, administrative actions, the exercise of powers by subordinate courts, and in this way, the Indian judiciary has evolved to reflect one of the strongest powers in the world. Judiciary review is based upon the supremacy of the constitutional law: any law or action, which contradicts the supremacy of the constitutional law must be declared inadmissible and threats to the supremacy of the constitutional law. Articles 13, 32, 131, 136, 137, 226, 246, and 368 of the Indian Constitution specifically provides the right to audit the legislative branch by the judicial branch, Acts deemed unconstitutional by the Judiciary can be struck down by the Courts. Judicial review was further reinforced by the Basic Structure Doctrine which was first pronounced in a landmark case, Kesavananda Bharati case (1973). This paper critically analyzes the extent of judicial review in India, its development and limitations with a special reference to the Basic Structure Doctrine, judicial activism as well as the limits to legitimate judicial interpretation and overreach. The paper examines the provisions of the constitutions, landmark cases and comparative views in the USA, Germany, United Kingdom, South Africa, and France. The results hint at the possibility that judicial activism has played a critical role in safeguarding the rights of the people and aligning the gaps in the legislation, other than taking on the role of filling legislative voids.

Corresponding Author:

Mahnoor Zafar

Student at the University of Lahore, Punjab, Pakistan.

Email: mahnoorzaffar585@gmail.com

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1. INTRODUCTION

The hyperreality assumption was first formulated by the French sociologist, philosopher and cultural theorist whose work firmly connected with post-structuralism and early postmodernism, Jean Baudrillard, in his work *Simulacra and Simulation*, where he explains that hyperreality is the blur of reality [1], [2], [3]. He suggests that there is a contrast between media representation and reality. What media represent is beyond the reality and in most cases it is an extravagance of reality. However, the rise of a new era of scientific simulacra illustrates Baudrillard's idea of hyperreality, where reality and actuality are intertwined. The use of AI language models like ChatGPT and LLM (large language model) build a challenge to distinguish reality and carbon copy [4], [5], [6]. They use statistical models to analyze vast amounts of data, learning the patterns and connections between words and phrases [7], [8], [9].

1.1 Potential Threat for Civilization

Elon Musk once stated, "AI is more dangerous than nuclear weapons." In an open letter, leading technological figures and researchers have warned against further AI model development. AI developers are creating increasingly powerful and complex digital minds that even their creators cannot fully understand or predict in terms of control [10].

This perfect storm of corporate irresponsibility, widespread adoption, a lack of regulation, and a multitude of unknowns raises significant concerns. Models like ChatGPT and Google Bard can perform human-like functions, such as writing essays, research papers, and articles with remarkable authenticity. However, experts have identified specific inaccuracies and errors upon closer inspection [11]. It is crucial to note that AI is merely trained software without moral parameters and human-like empathy. Ethical concerns related to privacy, bias, security risks, and job displacement are becoming more pronounced as AI becomes an integral part of our lives. AI technology encompasses both extended reality (XR) and hyperreality, providing captivating experiences where it becomes increasingly challenging to distinguish between human and AI-created entities. These deep fake issues and privacy concerns are exacerbating existing challenges, as the world grapples with nuclear threats and viral outbreaks like COVID-19 [12].

1.2 Merits

Understanding the perspective of AI developers is crucial as they work tirelessly to advance this technology in the digital age. Developers argue that AI offers a new dimension of security for various countries [13].

1.3 Education

China employs AI in its education system to enhance the learning experience. A State of AI in Education Report from July 24, 2023, revealed that students are utilizing technology for research, synthesis, and generating study materials. AI is empowering students in their educational pursuits [14].

1.4 Healthcare

Robots are replacing humans in surgical procedures, leading to successful surgeries. A study found that 64% of patients are satisfied with AI virtual nurses. These virtual nurse assistants, powered by AI, assist with medication-related inquiries, appointment scheduling, and report submission to physicians and surgeons. AI tools can detect patient medication errors from their medical histories. A study in *Natural Medicines* reveals that 70% of diabetic patients do not adhere to their prescribed insulin regimen. AI's ability to communicate in multiple languages helps bridge the gap between doctors and patients, reducing communication errors.

2. CONCLUSION

Baudrillard's concept of hyperreality is a key element in shaping the postmodern world, where the line between reality and simulation is increasingly blurred. This extends to video games, graphics, social

media, and animation. Moreover, the development of AI technology complicates the situation by creating human-like software. However, there are two sides to every coin. Research shows that AI technology offers assistance in various facets of life, from education to healthcare and even at home. Challenges have arisen, and people need to understand the pros and cons of this simulated reality. It is unfair to label AI as purely negative, and undeniably, it has positive aspects as well. Just as the world has learned to coexist with nuclear weapons and various viruses, it must now learn to live with extended realities. However, it is essential to acknowledge that these constructed versions of reality come with their own set of precautions.

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Author Contributions Statement

Name of Author	C	M	So	Va	Fo	I	R	D	O	E	Vi	Su	P	Fu
Mahnoor Zafar	✓	✓	✓	✓		✓		✓	✓	✓	✓		✓	✓

C : Conceptualization

M : Methodology

So : Software

Va : Validation

Fo : Formal analysis

I : Investigation

R : Resources

D : Data Curation

O : Writing - Original Draft

E : Writing - Review & Editing

Vi : Visualization

Su : Supervision

P : Project administration

Fu : Funding acquisition

Conflict of Interest Statement

The authors declare that there are no conflicts of interest regarding the publication of this paper.

Informed Consent

All participants were informed about the purpose of the study, and their voluntary consent was obtained prior to data collection.

Ethical Approval

The study was conducted in compliance with the ethical principles outlined in the Declaration of Helsinki and approved by the relevant institutional authorities.

Data Availability

The data that support the findings of this study are available from the corresponding author upon reasonable request.

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BIOGRAPHY OF AUTHOR



Mahnoor Zafar, is a dedicated student at The University of Lahore, Punjab, Pakistan, with a strong interest in academic research and interdisciplinary learning. She is passionate about exploring innovative ideas and contributing to scholarly activities in her field of study. Mahnoor actively engages in educational and research-oriented projects that enhance her analytical, communication, and problem-solving skills. Her academic enthusiasm and commitment to continuous learning reflect her aspiration to contribute positively to both academia and society through knowledge, creativity, and professional excellence. Email: mahnoorzaffar585@gmail.com