Use of Artificial Intelligence in the Activities of Religious Associations and Control Over Them

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Abstract

Objective: to identify gaps and formulate proposals on legal regulation of the use of artificial intelligence in the activities of religious associations and control (supervision) over them.

Methods: the study is based on sectoral and risk-oriented approaches, formal-logical and comparative general scientific methods, as well as on the method of legal forecasting.

Results: the author noted similarity of ethical principles formulated all over the world in the sphere of artificial intelligence development and application, as well as their general shortcomings, namely, the lacking consideration of the specificity in certain spheres of human life (religious sphere), cultural peculiarities, historical development of a country and people. The shortcomings of principles stipulated by the codes of ethics include their recommendatory nature, which creates a basis for abusing them in certain cases. The author proposes that if control and supervisory authorities caused harm while using artificial intelligence, the relevant public authority should be recognized as liable and obliged to compensate for the harm caused.

Scientific novelty: the paper summarizes the practice of religious associations using AI, formulates current and prospective directions of the use of artificial intelligence by religious associations, and makes proposals for the AI use in controlling (supervising) religious associations' activities.

Practical significance: the main conclusions and proposals can be used for the improvement of legislation on religious associations' activities and control (supervision) over them, as well as for developing legal regulation of the AI use in control and supervision activities. The author identified

the possibilities for religious associations using AI to popularize religion, inform about their activities, manage property, analyze sacred texts to improve their understanding and interpretation, as well as for conducting scientific research, systematization and accumulation of information, preservation of cultural heritage, and educational activities. The use of artificial intelligence in controlling the religious associations' activities can reduce the period of religious organizations' registration and inspections and optimize the work of control bodies, including by monitoring the religious situation.

For citation

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Introduction

At the "AI Journey" conference on November 24, 2022, the Russian President V. V. Putin noted the need to provide national projects and state program with specific measures aimed at the introduction of artificial intelligence technologies into industries. The results of using the artificial intelligence in various sectors of the economy and social sphere should be registered using monitoring and a special tool – an index of maturity of industries and regions ("the index of intellectual maturity"), aimed at collecting information and assessing the performance of each Federation subject, ministry, or department on the introduction of artificial intelligence[1].

The application of artificial intelligence in all spheres of human life will also affect the religious sphere, religious organizations and public authorities vested with regulatory

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[1] Putin, V. V. (November 24, 2022). Stenographic transcript of AI conference. https://clck.ru/384zQC; para. 3 subclause "d" clause 1 of the List of action items by the results of "AI Journey" conference, approved by the President of the Russian Federation on 29.01.2023 No. Pr-172. Available at SPS KonsultantPlyus. https://clck.ru/384zS4

and control (supervisory) powers in the sphere of religious organizations. Therefore, it is necessary to assess in advance the risks and problems that may be faced by religious organizations, society and the state in connection with the introduction of artificial intelligence in the spiritual sphere[2].

1. Practice and principles of using digital technologies in the activities of religious associations

In the field of jurisprudence, there are few publications that deal with the legal aspect of the artificial intelligence application in the activities of religious associations or digitalization of religious activities (Nathan & Walker, 2014; Akhmedov et al., 2021). Religion does not stand still but develops, adapting to changes in society, transformation of relations between the sexes (genders), climate change, etc. Some religions are "dying", while others are emerging and flourishing. Traditional religions are being transformed by widespread digitalization in order to maintain and increase the number of their followers and to keep up with the times. Digitalization is changing traditional communication patterns (Smirnov, 2019), which are of particular importance in the religious sphere.

Not only secular authorities are concerned about formulating ethical and legal principles for the development, implementation and use of artificial intelligence, but also representatives of various religions. Information technologies, including artificial intelligence, are changing the attitude to religion, the way it is practiced and carried to the masses. Religions and churches that are not represented on the Internet are becoming disconnected from their parishioners.

Vatican has taken an active stance in elaborating ethical rules for the creation and application of artificial intelligence (Abramov, 2020). It was, actually, one of the first to introduce a "virtual" presence, noting the importance of the Internet for the Church[3]. For example, the function of sending e-mails to the Pope was first launched on the Vatican's website in 2005, and earlier, in 1995, the Christmas message of John Paul II was disseminated via the Internet. In 2011, Pope Benedict XVI created a Twitter[4] account.

In February 2019, Pope Francis, in a private meeting with Microsoft CEO Brad Smith, noted that artificial intelligence must serve the common good of humanity and must not allow for digital inequality. Following this meeting, the Pontifical Academy for Life and Microsoft agreed to establish an international award in the field of artificial intelligence[5]. In 2019 and 2020, conferences were held on "Roboethics. Humans, Machines and Health"

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[2]   Ibid.

[3]   Pontifical council for social communications. (2002, February 22).The church and internet. https://clck.ru/384zYH

[4]   A social network banned in the Russian Federation for disseminating illegal information.

[5]   Vatican, Microsoft team up on artificial intelligence ethics. (2019, February 13). The Seattle Times. https://clck.ru/384zZJ

and "The Good Algorithm? Artificial Intelligence: Ethics, Law, Health", respectively (von Braun et al., 2021). Later, the Academy presented the "Rome Call for AI Ethics" (February, 2020):

– transparency: AI systems' behavior and decision making must be explainable;

– inclusion: artificial intelligence must be useful for all human beings and offer all individuals the best possible conditions for self-expression and development;

– responsibility: artificial intelligence developers must act with responsibility;

– impartiality: artificial intelligence must have no bias but safeguard human dignity;

– reliability: artificial intelligence must be able to work reliably;

– security and privacy: artificial intelligence must work securely and respect the privacy of users[6].

Somewhat earlier, in April 2019, the USA Soutern Baptist Convention formulated "An Evangelical Statement of Principles for artificial intelligence"[7]:

– artificial intelligence is a technology that should not be assigned a level of human identity, human values, dignity and moral freedom;

– artificial intelligence is not worthy of human hope, worship or love. Artificial intelligence should not devalue or degrade the dignity and worth of human beings;

– responsibility for the actions of artificial intelligence should rest solely with humans;

– artificial intelligence should not be used as a means to improve, change or perfect humans;

– artificial intelligence should be unbiased;

– the use of artificial intelligence for sexual objectives should not replace sexual relations between a man and a woman;

– humanity should not use artificial intelligence to move towards a life of pure leisure;

– it is inadmissible to use data inappropriately, with the objective of harming, humiliating, distorting reality, strengthening some people and humiliating others;

– the use of artificial intelligence must not lead to dehumanization, depersonalization, suppression of freedom of expression;

– the use of artificial intelligence to commit genocide, terrorism, torture and other war crimes is inadmissible;

– artificial intelligence must not be used by the state to violate human rights; it is not allowed to delegate the governing authority to artificial intelligence;

– artificial intelligence shall not replace humans and their aspirations for an perfect world.

Do other confessions remain aloof from the development of technology? What is the attitude of the Russian Orthodox Church (hereinafter – the ROC) to digitalization? It is, rather, caution and special attention to the preservation of human spirituality. For example,

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[6]   Rome Call for AI Ethics. (2020, February 28). https://clck.ru/384zhr

[7]   Artificial Intelligence: An Evangelical Statement of Principles. (2019, April 11). ERLC. https://clck.ru/384zjB

when a taxpayer identification number and barcodes were introduced, the Holy Synod in its statement of 07.03.2000 asked to consider eliminating the sacrilegious symbol from barcodes (the combination of three sixes as a substitute for a personal name in state electronic identification systems)[8] by changing the international system of writing the corresponding signs or creating an alternative national electronic language[9]. Later, the Constitutional Court of the Russian Federation noted that the taxpayer identification number does not replace a personal name; the presence of a certain combination in the taxpayer identification number that may affect taxpayer's religious feelings is incidental and does not violate the freedom of conscience and religion (Article 28 of the Constitution of the Russian Federation) or the prohibition to collect, store, use and disseminate information about a person's private life of without their consent (part 1 of Article 24 of the Constitution of the Russian Federation)[10].

The ROC does not stand aside from the development of technology and its application[11] (in 2007, the Orthodox St. Tikhon's University for the Humanities opened a faculty of computer science and applied mathematics, where, among other courses, a course on artificial intelligence is taught[12]), but draws attention to the danger of spreading the ideology of transhumanism, replacing humans with genetic cybernetic constructs and artificial intelligence[13]. His Holiness Patriarch Kirill noted that "the continuity of gracious gifts ... does not tolerate any virtualization", virtual communion with God is a surrogate of the genuine one. It is as absurd as "virtual" salvation of the soul, "virtual Paradise" and "virtual Hell"[14].

Can artificial intelligence perform religious activities? As practice shows, it can perform certain actions (see Table 1). At the same time, different countries may have different attitudes towards artificial intelligence and robots. For example, Shintoism in Japan forms a loyal (friendly) attitude to robots, as they are perceived as something possessing a soul (Butrimovich et al., 2019).

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[8] I. e., the number 6.

[9] ROC. (April 11, 2005). Statement of the Holy Synod of March 7, 2000. https://clck.ru/384ztX

[10] Determination of the Constitutional Court of the Russian Federation of July 10, 2003 No. 287-O "On rejecting for consideration of a complaint by citizen Ivan Fedorovich Mozhnev and a group complaint by citizens Tatyana Sergeevna Girdyuk, Lyudmila Nikolayevna Markelova, Galina Vladimirivna Rashchinskaya and others on violation of their constitutional rights by para. 1 of clause 7 of Article 84 of the Taxation Code of the Russian Federation". Bulletin of the Constitutional Court of the Russian Federation. 2003. No. 6.

[11] ROC. (January 27, 2023). Round table "Moral dimension of artificial intelligence" was held in the Publishing Council. https://clck.ru/384zvu

[12] ROC. (October 23, 2007). OSTUH opens a faculty of computer science and applied mathematics. https://clck.ru/385Wrw; Orthodox St. Tikhon's University for the Humanities, Faculty of computer science and applied mathematics. https://clck.ru/384zwd

[13] ROC. (November 27, 2017). Synodic statement of the 21st World Russian People's Assembly on "Russia in the 21st century. Historical experience and development prospects". https://clck.ru/384zxi

[14] ROC. (March 15, 2022). His Holiness Patriarch Kirill. Conceptual influence on social processes. https://clck.ru/384zye

Table 1. Application of robots and artificial intelligence in the activities of religious organizations

#	Title	Religion	Place of functioning, country	Year of emergence and development	Functionality	Available languages of communication	Voice	Application available
1	Xian'er robot monk	Buddhism	Longquan Temple (Bejing), China	2015, 2018	Reciting mantras, answering questions on Buddhism, holding a conversation or a discussion	Chinese, English	Male	WeChat
2	BlessU-2 robot	Protestantism (Evangelical church)	Wittenberg, Germany	2017	Greeting visitors, blessing parishioners, citing the Bible, printing the cited extract	German, English, French, Spanish, Polish	Male / Female	–
3	Kannon android	Buddhism	Kodaiji Temple (Kioto), Japan	2019	Delivering a sermon	Japanese (translations into English and Chinese are shown on a separate screen)	Female	–
4	SanTO robot	Catholicism	Developed at Waseda University (Tokyo, Japan). Temporily palced in Warsaw, Poland	2019	Listening to a human, determining emotions and selecting a relevant religious text	n/a	n/a	n/a

Source: compiled by the author based on: Do androids dream of nirvana? (November 29, 2020). Habr. https://clck.ru/385bvc; Solovyeva, N. (March 12, 2019). Buddha's doctrine will be disseminated by androids. IT-World. https://clck.ru/385bz8; In the name of the Father, the Son, and Artificial Intelligence. (October 30, 2021). Kommersant. https://clck.ru/385c39

Islamic countries also use digital technologies in religious activities. Saudi Arabia established the Ministry of Hajj as part of the Vision 2030 program, and its activities are also presented on the Web. Through the Unified Portal for External Haj, pilgrims can apply for visas, pay for the expenses required in connection with the Hajj, reserve hotel rooms, etc. The introduction of artificial intelligence also allows managing the flows of pilgrims[15]. The formation of a global virtual Ummah is noted.

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[15] Unified portal for external Haj. https://clck.ru/38539z; Vision 2030. https://clck.ru/3853CE; Saudi Arabia plans to use artificial intelligence at holy sites. (January 16, 2023). Azan.kz. https://clck.ru/3853DW

Considering some aspects of the artificial intelligence application in the activities of religious associations, it is worth mentioning the first digital church called Way of the Future, founded by Anthony Levandowski. The basis of the religion is deified artificial intelligence and belief in the peaceful coexistence of man and artificial intelligence. This religion was prophesied to prosper (Leksin, 2020; Malyshkin, 2019), but its activity is terminated by the founder after five years of existence (2015-2020)[16].

The digitalization of religious activities became especially demanded during the COVID-19 pandemic, when restrictions on the conduct of religious rituals, mass services, etc. were introduced (Mchedlova et al., 2021; Majumdar, 2022).

Taking into account that all over the world representatives of different religions apply modern technologies, we can distinguish two directions of using artificial intelligence in the religious sphere – in the activities of religious organizations (development of communications with believers, improvement of services provided, digitalization of religious practices, management of finances and property, etc.) and in the sphere of control (supervision) over their activities.

2. Possible areas of artificial intelligence application in the activities of religious associations

The application of artificial intelligence in the activities of religious associations does not require significant adjustment of legislation. At the same time, the state has the right to establish certain restrictions on religious freedom on the basis of law, with the objective of ensuring public safety and order, health and morals, fundamental rights and freedoms of other people. In such a case, the restrictions must be proportionate to the objective they are aimed at and must not be discriminatory[17].

"Prayer bots" and special applications help a believer to choose a prayer suitable for their condition, to receive guidance on how to pray, the time of prayer, the direction for prayer[18], to perform joint prayer with believers who are in another place, to determine the location of the nearest mosque or church, halal establishments[19], to familiarize with theological and legal opinions. The development of such bots and applications should take into account the basic ethical principles of equality, respect for human dignity, and non-discrimination. Attention should be paid to SalamWeb[20], a digital ecosystem based on the principles and values of Islam. The ecosystem includes a web browser, news, chat, sadaq (voluntary

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[16] Anthony Levandowski closed the artificial intelligence church he founded. (February 20, 2021). INC. https://clck.ru/3853EL

[17] OSCE Office for Democratic Institutions and Human Rights (2019). Freedom of Religion or Belief and Security: Policy Guidance.

[18] The Muftiyat of Dagestan launched a new mobile application. https://clck.ru/3853FR

[19] Sophia chatbot helps to find halal food on foreign trips. (June 6, 2018). Islamosfera. https://clck.ru/3853P3

[20] SalamWeb. https://clck.ru/3853Pt

charity). A built-in security system protects a user from information prohibited in Islam. This case shows that religion has its own regulators, sometimes more effective than the laws that are meant to shape a safe Internet environment.

Artificial intelligence can be used in the current activities of a religious association for management, financial accounting, or accounting of property belonging to the organization.

When forming and implementing personnel policy (Köchling & Wehner, 2020), for example, for the selection of employees, if artificial intelligence is used, one should take into account not only the principle of equality, but also the specifics of a particular religion. In traditional religions, men play the dominant role and there is no question of equality of rights, including for certain positions. Here, the example of Amazon will not be something out of the ordinary, which found that artificial intelligence makes employment decisions in favor of men in recruitment (Dastin, 2018). Sexism is evident in the behavior of artificial intelligence in many spheres (posing a question which way of training artificial intelligence should be applied when developing an appropriate recruitment model (Lee & Shin, 2020)), and in the religious sphere (in traditional religions), it is inevitable. The latter can hardly be called the bias of artificial intelligence (algorithm), because the very sphere of its application dictates such rules.

Artificial intelligence can be used for temple navigation (this is especially relevant for large temples), virtual tours (e.g. Muslim 3D, Wuzu applications) and pilgrimage trips. Virtual pilgrimage trips allow believers who cannot go on pilgrimage for any reason to feel connected to religious values, traditions and rituals, and augmented reality technologies help to visualize how a particular temple or other place of worship looked like before restoration or destruction.

Artificial intelligence can be used to analyze sacred texts in order to improve their comprehension and interpretation, conduct scientific research, systematize and accumulate information (e.g., the database "Those Who Suffered for Christ"[21]).

Artificial intelligence can help identify trends, popular religious topics and practices on the Internet to understand what issues are most interesting to believers at a given moment (provided that the artificial intelligence used can process information in real time), and adjust its activities in a timely manner, including with the objective of reducing social tension on religious grounds. For example, the ChatGPT chatbot gave an interesting answer to the question "What religious topics are discussed on the Internet in the USA, Russia and Germany?"[22]. It indicated, in particular, that in Germany Islam causes greater interest than Christianity (Table 2). To a certain extent, this is an indicator of a changed structure of the society.

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[21] "Those Who Suffered for Christ" database. https://clck.ru/3853R7

[22] Question posed on 06.03.2023.

Table 2. Religious topics discussed on the Internet. Answer by ChatGPT

#	USA	Russia	Germany
1	Religious convictions and doctrines	Orthodoxy and its practices	Islam and its practices
2	Religious practices and rituals	Religious rituals and festivals	Christianity and its practices
3	Moral issues and ethics	Religious education and doctrines	Religious education and doctrines
4	Religious leaders and actors	Religious leaders and their influence on the society	Religious festivals and rituals
5	Religious conflicts and tensions	Interactions between religious groups and conflicts	Interactions between religious groups and conflicts

Source: compiled by the author based on the answer by ChatGPT chatbot.

One should separately mention a sphere of "digital immortality". Chatbots and digital avatars, created with the data about a deceased person and their digital footprint, can learn independently, interacting with both the digital and the real world[23]. The consequences of digital immortality may be unpredictable and require reflection by representatives of world religions, as well as additional state regulation (Galvão et al., 2021).

Another aspect of artificial intelligence application by religious associations is the performance of individual rituals or sacraments. When a confession is conducted remotely (by phone or e-mail[24]), artificial intelligence may well maintain a dialog or respond to a letter, and the parishioner may not know whether a clergyman or artificial intelligence accepted their penance and blessed them. However, several questions arise here: is the secrecy of confession preserved in this case; is the proper level of communication channels security ensured? Who will be held responsible in case of disclosure of information that became known during confession or conversation with a "digital clergyman"?

It should be noted that the secrecy of confession is present in Orthodoxy and Catholicism. In other religions, confession is either not a sacrament, or is absent, or is a public or individual prayer (Kollantay, 2022). In accordance with the Law "On the freedom of conscience and religious associations"[25], the secrecy of confession is protected by law and a clergyman may not testify on information that became known during confession (clause

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[23] "Digital Zhirinovsky, coffee with a reindeer, robots: surprising things at SPIEF (June 15, 2023). Vesti. Ru. https://clck.ru/3853nT; Neuro-Zhirinovsky spoke about the possibility of an artificial intelligence uprising (June 18, 2023). Ferre.ru. https://clck.ru/3853oW

[24] E-Father. Online confession service. https://clck.ru/3853pT; Online confession. https://clck.ru/3853qd

[25] Law "On the freedom of conscience and religious associations" No. 125-FZ of September 26, 1997 (1997). Collection of legislation of the Russian Federation, 39, Art. 4465.

4, part 3, Art. 56 of the Criminal-Procedural Code of the Russian Federation[26], clause 3 part 3 of Art. 69 of the Civil-Procedural Code of the Russian Federation[27]). As a "digital clergyman" is not a representative of the Christian faith, can the information, which became known, be automatically transmitted to law enforcement agencies for analysis to identify a person and prevent an impending crime or prosecute for a committed crime? Or, as the world religions deny that artificial intelligence possesses, can and should be endowed with legal personality, such information cannot be attributed to any type of legally protected secret, nor to a secret of confession, nor to a professional secret, stipulated in the law on information, information technologies and information protection?[28]

It seems that in the latter case, when a dialog is conducted between a believer and artificial intelligence, the information provided may be accessed by law enforcement agencies, with the objective of ensuring the protection of law and order and national security. In this case, there is a risk that the believers' trust in the clergy decreases.

Religious associations, through their participants or persons involved on contractual basis, may carry out missionary activities, the main objective of which is to involve other people in their beliefs through public dissemination of information, including through the Internet. Artificial intelligence may also be used for this purpose, for example, offering a user to study or view relevant materials encouraging[29] to become the doctrine follower (similar to the use of targeted advertising), to attend an event, including online, to enter into a dialog about the doctrine. If artificial intelligence is presented as a digital avatar, it is possible to attract more young people.

It should be taken into account that in Russia, missionary activity can be carried out in a certain territory by persons authorized by a religious group or religious organization, the head, a member of a collegial body or a clergyman of a religious organization. If missionary activity is assigned to artificial intelligence (a digital avatar), it is necessary either to recognize the existence of legal personality of such a digital avatar, or to recognize

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[26] Criminal-Procedural Code of the Russian Federation. (2001). Collection of legislation of the Russian Federation, 52 (part I), Art. 4921.

[27] Civil-Procedural Code of the Russian Federation. (2002). Collection of legislation of the Russian Federation, 46, Art. 4532.

[28] Law "On information, information technologies and information protection" No. 149-FZ of July 27, 2006, Articles 8 and 9 (2006). Collection of legislation of the Russian Federation, 31 (part I), Art. 3448.

[29] Placing links on the Internet to specialized Internet resources of religious associations, provided such links do not mislead users about the information opened by them and do not prevent them from accessing the materials they are interested in, is not recognized as missionary activity (see: Decision of the Constitutional Court of the Russian Federation of March 13, 2018, No. 579-O on rejecting for consideration the complaint of citizen Sergey Nikolayevich Stepanov about violation of his constitutional rights under clause 1 of Article 24.1, clause 2 of Article 24.2 of the Federal Law "On the freedom of conscience and on religious associations" and part 4 of Article 5.26 of the Administrative Code of the Russian Federation. https://clck.ru/3853ut). In this regard, the activity of a digital avatar should precisely induce one to become a follower of the respective doctrine.

it a circumvention of the law. This is because, if the requirements to the objective and actions of missionary activity are violated, a religious association shall not be held responsible for such activity, given that the subject of responsibility for the "actions" of artificial intelligence is not defined by law (clauses 5 and 6 of Article 24.2 of the Law "On freedom of conscience and religious associations").

In this regard, one should note another gap in the regulation of missionary activity – its implementation in the meta-universe, including by foreign religious associations[30]. Following the logic of the Constitutional Court of the Russian Federation, stated in the ruling on rejecting the complaint of citizen D. A. Knyazev, missionary activity can be carried out anywhere provided that the legislation on the freedom of conscience and on religious associations is complied with[31].

3. Using artificial intelligence for control and supervision over the activities of religious associations

Artificial intelligence can also be used in controlling and supervising the activities of religious organizations.

Legal analysis of documents submitted for state registration and decision-making on state registration of religious organizations is the competence of the Ministry of Justice of Russia and its territorial bodies[32]. The body of state registration of legal entities (Federal Tax Service of Russia) does not check the form of submitted documents and the information contained in them for compliance with federal legislation (clause 4.1 of Art. 9 of Federal Law No. 129-FZ of August 8, 2001, "On state registration of legal entities and individual entrepreneurs"). The new procedure for interdepartmental interaction between the Ministry of Justice and the Federal Tax Service in the course of state registration of religious organizations provides for the Russian Ministry of Justice to send documents

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[30] There are rather numerous virtual platforms where worship services, rites, sacraments, and missionary activities are conducted. For example, VRChurch is the first virtual church (https://clck.ru/3853xv); the world first virtual Orthodox church following the Orthodox cannons is VROC (https://clck.ru/385437).

[31] Ruling of the Constitutional Court of the Russian Federation of February 11, 2021 No. 179-O on rejecting the complaint of citizen Dmitry Alekseyevich Knyazev on violation of his constitutional rights by clause 2 of Article 24.1 of the Federal Law "On the freedom of conscience and on religious associations". https://clck.ru/385424

[32] Decision of the Supreme Court of the Russian Federation of May 23, 2022 No. AKPI22-212; Order of the Russian Ministry of Justice of September 26, 2022 No. 199 "On adopting the Administrative regulation of the Ministry of Justice of the Russian Federation on providing a state service of decision-making on state registration of non-profit organizations". (September 26, 2022). Official Internal portal of legal information. https://clck.ru/385488

signed with an enhanced qualified electronic signature in electronic form[33]. The registration in the Russian Federal Tax Service of religious organizations, as well as other legal entities, is automated[34]. Thus, already at present, through the interdepartmental interaction between the Ministry of Justice of Russia and the Federal Tax Service of Russia using artificial intelligence, it is possible to increase the efficiency of the activities of both federal executive bodies.

Using artificial intelligence to check the requirements necessary for the registration of religious organizations will accelerate the registration and help to avoid errors that could have been made by a registrar (for example, one of the founders of a religious organization is under the age of eighteen[35]) or by a religious organization that did not timely track changes in the legislation on religious organizations[36].

With the help of artificial intelligence it is possible to monitor the activity (presence) of a religious group on the Internet, to assess its activities and the activities of its leader and participants for compliance with the law when submitting a notification on the beginning (continuation) of the religious group activities.

Control and supervisory authorities may use chatbots to answer the most frequently asked questions about the activities of religious organizations, the control and supervisory measures in respect of them, and the deadlines for reporting. Chatbots can also be used to assist the central office of the authorized federal executive body, its territorial bodies and the Prosecutor's Office. Integration of such a chatbot on the official website of the Russian Ministry of Justice will reduce the number of appeals from citizens and organizations, as well as the number of errors made by civil servants when carrying out control measures.

Artificial intelligence can detect and identify signs of religious hatred (Bychkov & Prorvich, 2020), form a "religious landscape" (Mankova & Nechaeva, 2020; Kouziokas & Perakis, 2017; Miroshnikova & Smirnov, 2016), detect fakes at early stages (Minaev et al., 2022). Modern systems for monitoring and analyzing information on the Internet and social networks increase the efficiency of control and supervisory authorities (e.g., the Oculus system automatically searching for prohibited content, the Incident Management system,

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[33] Order of the Russian Ministry of Justice No. 440 of December 30, 2022 (January 9, 2023). Official Internal portal of legal information. https://clck.ru/38549D; No. 0001202301090004; Order of the Russian Federal Tax Service No. ED-7-14/743@ of October 12, 2020 (October 29, 2020). Official Internal portal of legal information. https://clck.ru/3854BU No. 0001202010290039.

[34] Order of the Russian Federal Tax Service No. ED-7-14/617@ of August 31, 2020. Official Internal portal of legal information. https://clck.ru/MLkrr (September 16, 2020). No. 0001202009160028.

[35] Determination of the Investigation Committee on civil cases of the Supreme Court of the Russian Federation of July 27, 2004 No. 33-G04-4. SPS Garant.

[36] Decision of the Supreme Court of the Russian Federation of February 18, 2020 No. AKPI19-1031. SPS Garant.

the SEUS search engine, the Laplace Demon software, the IQBuzz service monitoring social and online media).

The results of such work can be used as a preventive mechanism to reduce religious tensions in the region and to fight extremism[37]. At the same time, when training artificial intelligence, special attention should be paid to the cause and effect relationships in the occurrence or manifestation of certain features in order to prevent violations of human rights (Coppi et al., 2021).

Developers of artificial intelligence pay more attention to the technology functioning than to the consequences that its application may entail. It is the legislator's task to provide for the use of technology in a way that minimizes the risk of harm or discrimination against any minority, and to prevent the technology from being used with the objective of causing harm. The Okinawa Charter on Global Information Society states that one of the objectives of governments is to establish predictable, transparent and non-discriminatory policies and regulatory frameworks necessary for the information society[38]. However, the pioneers of digitalization in social relations and in forming the rules for the artificial intelligence application are not states, but individuals. This leads to the reduced role of the state as a regulator, as was emphasized in the recommendations of the European Council[39].

When developing software to analyze the Internet and social networks with the objective of identifying manifestations of religious extremism and sectarian activities, one should remember that artificial intelligence may identify religious minorities or persons professing Islam as religious fanatics (this problem became particularly acute in the U.S., after the events of September 11, 2001), which may lead to violations of the rights of persons who adhere to a certain religion.

For example, in the U.S. religious minorities[40] do not often win lawsuits. Until 2014, the U.S. Supreme Court had not issued a single decision in favor of Jewish, Islamic, Sikh, or Native American citizens (Nathan & Walker, 2014). So far, the situation has not changed much. According to a report by a Special Rapporteur on Minority Issues, Hr. Fernand de Varennes, there is still significant religious bias in the United States. The Special Rapporteur recommended that the Civil Rights Act of 1964 be amended to prohibit discrimination on the basis of religion.[41]

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[37] Order of the President of the Russian Federation No. 344 of May 29, 2020. (2020). Collection of legislation of the Russian Federation, 22, Art. 3475.

[38] Okinawa Charter on Global Information Society. https://clck.ru/3854Jn

[39] Council of Europe.(2018). Algorithms and human rights. Study on the human rights dimensions of automated data processing techniques and possible regulatory implications. https://clck.ru/3854Kz

[40] There are more than 1,500 self-proclaimed religious groups in the United States.

[41] Report by a Special Rapporteur on Minority Issues, Hr. Fernand de Varennes. Visit to the United States of America. UNI GA A/HRC/49/46/Add.1 of August 17, 2022. https://clck.ru/388AhG

Given that artificial intelligence learns by example, i.e. from past experience, and in many respects imitates what was previously done by humans, one cannot speak about its objectivity. Based on the above example, if artificial intelligence assesses the presence or absence of discrimination, it is unlikely that a religious minority will be able to protect its rights. Therefore, when developing decision-making tools (decision support) in public administration, the last word must remain with a human being (Köchling & Wehner, 2020; Kharitonova et al., 2021). In addition, in all cases a civil servant must be explicitly informed that the relevant managerial decision is made with the support of artificial intelligence (Decker, 2012) and must have the right to reject the decision proposed by artificial intelligence.

The Code of Ethics in the field of artificial intelligence (2021)[42] enshrines respect for human autonomy and free will, compliance with the law, non-discrimination, responsible attitude (privacy, ethical use of personal data), bona fide informing about interaction with artificial intelligence. This said, a human being always remains responsible for the use of artificial intelligence.

When solving the issue of legal responsibility in the artificial intelligence application in control and supervisory activities, one should also take into account the recommendations of international organizations. For example, in accordance with OSCE acts, the state is obliged to ensure the protection of individuals from any threats, including taking preventive measures against violent extremism and radicalization[43].

Given these principles, when implementing control and supervisory activities with the use of artificial intelligence, it is necessary to legally determine who will be responsible for causing harm to an organization or a citizen identified as religious extremists by artificial intelligence applied by public authorities. This problem (legal liability) is also outlined in the Concept for the development of regulation of relations in the sphere of artificial intelligence and robotics until 2024[44].

If we identify artificial intelligence as an object of increased danger, the harm caused must be compensated by the owner of the source of increased danger (Laptev, 2019). As noted by the Supreme Court of the Russian Federation, within the meaning of Article 1079 of the Civil Code of the Russian Federation, the source of increased danger is any activity, the implementation of which creates an increased probability of causing harm due to the impossibility of full control over it by a human, as well as the activity of use, transportation, storage of objects, substances and other objects of industrial, economic

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[42] https://clck.ru/349grc

[43] For example, OSCE Ministerial Declaration on preventing and countering violent extremism and radicalization that lead to terrorism No. 4/15 (Beograd, December 4, 2015) and Declaration on strengthening OSCE efforts to prevent and counter terrorism No. 1/16 (Hamburg, December 9, 2016).

[44] Order of the Government of the Russian Federation No. 2129-r of 19.08.2020. (2020). Collection of legislation of the Russian Federation, 35, Art. 5593.

or other purposes, possessing the same properties. Harm is considered to be caused by a source of increased danger, if it was the result of its action or manifestation of its harmful properties; otherwise the harm shall be compensated on general grounds[45]. In such a case, the owner of the source of increased danger and the subject obliged to compensate for the harm caused is the relevant public authority that uses artificial intelligence, and not the official who made a decision based on the recommendation of artificial intelligence.

It should be taken into account that not in all cases artificial intelligence can be identified as an object of increased danger, as risk of causing harm by its use may be high in some areas and low in others. In this regard, it seems advisable to apply sector-oriented (Stone et al., 2022) and risk-oriented approaches when developing norms on legal liability for causing harm using artificial intelligence.

In most cases, the ethical principles of development and application of artificial intelligence formulated all over the world are similar. However, they do not take into account the specificity of individual spheres of human activity, including religion, culture, and historical development of the particular state or nation. In addition, the ethical principles contained in the so-called codes of ethics are recommendations and are not generally binding, which makes it possible not to comply with them when it is not beneficial for some reasons (Jobin et al., 2019).

Conclusions

Artificial intelligence, with proper limitations, can be used in the activities of religious associations without harm to the religion itself. However, it should be taken into account that certain flaws of artificial intelligence (e.g., bias and discrimination) may be even more pronounced when it is used by religious associations. It is necessary to amend the legislation regulating missionary activity, as this activity may be entrusted to a digital avatar. It must be provided that in case of the legislation violation when using a digital avatar (artificial intelligence) for missionary activity, responsible for such activity will be on the religious association in whose interests the missionary activity was carried out.

The use of artificial intelligence for controlling the activities of religious associations can reduce the time spent on inspections, timely prevent violations in the activities of religious associations, and increase the effectiveness of government decisions, including in terms of reducing social tension on religious grounds. In the event of harm caused by control and supervisory bodies when using artificial intelligence, it is proposed to recognize the relevant public authority as a subject of responsibility obliged to compensate for the harm caused.

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[45] Clause 18 of the Enactment of the Plenum of the Supreme Court of the Russian Federation of 26.01.2010 No. 1 "On the application by the courts of civil legislation governing relations under obligations as a consequence of causing harm to the life or health of a citizen". https://clck.ru/3854Si

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Применение искусственного интеллекта в деятельности религиозных объединений и контроле за ними

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Ключевые слова

искусственный интеллект,
контрольно-надзорная
деятельность,
миссионерская
деятельность,
право,
регуляторная деятельность,
религиозное объединение,
религия,
цифровой аватар,
цифровые технологии,
юридическая
ответственность

Аннотация

Цель: выявить пробелы и сформулировать предложения по правовому регулированию применения искусственного интеллекта в деятельности религиозных объединений и контроле (надзоре) за ними.

Методы: исследование основано на отраслевом и риск-ориентированном подходах, формально-логическом и сравнительном общенаучных методах, а также на методе правового прогнозирования.

Результаты: отмечается схожесть сформулированных в мире этических принципов разработки и применения искусственного интеллекта, а также их общие недостатки, выраженные в отсутствии учета специфики отдельных сфер жизнедеятельности человека (религиозной сферы), особенностей культуры, исторического развития соответствующего государства, народа. Среди недостатков принципов, содержащихся в этических кодексах, отмечается их рекомендательный характер, что в определенных случаях создает основу для злоупотребления. Предлагается в случае причинения вреда контрольно-надзорными органами при использовании искусственного интеллекта признать субъектом ответственности, обязанным возместить причиненный вред, соответствующий орган государственной власти.

Научная новизна: в работе обобщается практика применения искусственного интеллекта религиозными объединениями, сформулированы текущие и перспективные направления применения религиозными объединениями искусственного интеллекта, сформулированы предложения по применению искусственного интеллекта в осуществлении контроля (надзора) за деятельностью религиозных объединений.

Практическая значимость: основные выводы и предложения могут быть использованы при совершенствовании законодательства в сфере деятельности религиозных объединений и контроля (надзора) за ними, а также при выработке правового регулирования применения искусственного интеллекта в контрольно-надзорной деятельности.

Выявлены возможности применения искусственного интеллекта религиозными объединениями для популяризации религии, информирования о своей деятельности, управления имуществом, анализа священных текстов в целях улучшения их понимания и интерпретации, проведения научных исследований, систематизации и накопления информации, сохранения культурного наследия и осуществления просветительской деятельности. Использование искусственного интеллекта в контроле за деятельностью религиозных объединений позволит сократить время регистрации религиозных организаций и проведения проверок, оптимизировать работу контрольных органов, в том числе за счет мониторинга религиозной ситуации.

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