



INTERNATIONAL LAW
JOURNAL

**WHITE BLACK
LEGAL LAW
JOURNAL
ISSN: 2581-
8503**

Peer - Reviewed & Refereed Journal

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ELECTRONIC PERSONHOOD: A LAW ON GIVING RIGHTS AND LIABILITIES TO AUTONOMOUS AI

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Abstract

The dynamic process of implementing artificial intelligence (AI), autonomous systems (AS) into such important spheres of life as transportation, healthcare, finance and public administration will create a set of problems of regulatory character that are difficult to address using the current liability framework. With these systems becoming more and more highly autonomous, the conventional notions of fault, causation and responsibility find it difficult to find actors to attribute responsibility when injury is caused. This changing accountability gap has brought back scholarly and policy practices on whether AI and autonomous systems need to be given legal personhood so that they can assign the liability directly to the technology itself. This paper looks at the classical and modern theories of legal personhood such as fiction, realist and aggregate theories and looks at whether AI meets legal, moral and functional requirements. Based on the experience of judicial thinking about personhood and similar policy experience of the development of AI systems in the European Union, India and the United States, this paper can prove that despite the functional similarity as well as the development of AI systems (in particular their ability to make independent decisions), they remain largely unconscious and do not meet constitutional and statutory attributes of consciousness, moral agency and intentionality to accept responsibility.

The paper goes on to discuss the ramifications of AI gaining legal personhood in major areas such as tortious and criminal liability, employment and labour law, data protection and other wider societal and ethical aspects. It states that granting AI full personhood laws is dangerous to dilute human responsibility and establish serious enforcement and normative problems. Simultaneously, the attempts to consider AI as property or a passive instrument are not enough to cope with the intricacies emerging with the development of autonomous decision-making systems. To conclude, the paper will suggest a new legal framework that will view AI and

autonomous systems as separate legal person, which have limited legal capacity and limited scope of responsibilities but are not full persons. This will be an attempt to bring about a principled compromise between encouraging technological innovation and accountability, legal certainty and human rights protection in an ever-more automated society.

Keywords: Artificial Intelligence; Autonomous Systems; Legal Personhood; Liability; Accountability; Employment Law; Data Protection; Comparative Legal Frameworks

1. Introduction

The increasing number of artificial intelligence systems, especially machine learning and deep learning systems are making or influencing decisions in the transport, healthcare, finance and employment sectors and therefore throwing acute questions as to who is entitled to have rights and liabilities associated with the actions, they may bring harm to. The established legal principles rely on human agency, intent and foreseeability but most AI systems are semi-autonomous and adaptive over time as well as partly opaque that result in the formation of potential responsibility chasms among the creators, implementers and users.¹

There are various ways of classifying AI. Through capability, commentators tend to differentiate between narrow or narrowly defined (weak) AI, which is designed to perform specific tasks, hypothetical artificial intelligence that would rival human flexibility in terms of fields and speculative super intelligent AI that can outperform human thought abilities. A different typology, used worldwide, the functional sophistication is used to differentiate reactive machines that are only able to respond to the present or current inputs, limited memory AI defense than the current inputs, theory of mind AI that would be modeling of the non self and self awareness or self representation AI.²

The article targets narrow AI with limited memory that defines the majority of systems in the field at present. Such systems are based on historical and real time data in order to optimize predictions and decisions, such as self driving cars, algorithmic trading, diagnostic agents and recommender systems that, however, do not possess long term memory, self-awareness or

¹ European Parliament, Policy Dep't for Citizens' Rts. & Const. Affs., *Artificial Intelligence and Civil Liability* 9–12 (2020)

² TŞ. Răzvan, *Decoding the EU Artificial Intelligence Act: An Analysis of Key Concepts and Provisions*, J. PUB. ADMIN., FIN. & L., issue 31, at 466–68 (2024).

ethical insights. Limited memory AI is autonomous and intricate enough of a challenge to existent liability regimes without being so alien to current technology that legal reasoning does not require the use of science fiction hypotheticals.³

It is on this basis, that the paper poses three essential questions.⁴ The first question is whether limited memory AI should become a legal person with its rights and obligations in current legal systems. Second, wouldn't so, what sort of liabilities do such "electronic persons" merit and how do these obligations pertain to human obligations? Third, what can the changing practices of the European Union and the United States tell us about whether electronic personhood is viable and it should exist as the means of distributing rights and liabilities? The main argument advocated here is that the existing EU and US statutes are justified in refusing AI personhood but a liability-focused, human responsibility paradigm perhaps augmented with narrow scope asset-backed electronic personhood in uncommon, excessively risky applications at least makes a better contribution to limited memory AI.⁵

2. Artificially Intelligence in Legal Perspectives

2.1 Types of AI

Most technical and philosophical literature typically categorizes AI systems according to functional capacity (as opposed to legal status). A simplified typology would suffice to be considered legal.⁶

1. Reactive systems

The output of these systems is only provided in response to the current inputs in accordance with fixed rules or static models but it is not based on any memory of previous interaction that alters future behavior. The simple chatbots and the rule based expert systems are categorized in this category.⁷

2. Limited memory AI

The systems take in the incoming information, store pertinent past data and update internal parameters as time moves on. The majority of modern machine learning and deep learning systems such as in image recognition, credit scoring, recommender

³ Id. at 467–68; European Parliament, *Artificial Intelligence and Civil Liability*, supra note 1, at 15–18.

⁴ Claudio Novelli et al., *AI as Legal Persons: Past, Patterns, and Prospects*, J. L. & SOC'Y (2025)

⁵ Legal Personhood of Artificial Intelligence and the Liability Argument, 10 INT'L J. RES. & INNOVATION IN APPLIED SCI. 402 (2025)

⁶ Understanding the different types of AI, IBM (Oct. 11, 2023),

⁷ Understanding the 4 Types of Artificial Intelligence (AI), Lenovo (Oct. 5, 2023),

systems and autonomous driving are limited memory AI. Their versatility provides great performance improvement and makes them more difficult to regulate.⁸

3. Self-aware AI and Theory-of-mind.

These are systems in the future which would be in a position to simulate the mental states of other people or have strong self awareness and moral agency. They are hypothetical and are not implemented into practice.⁹ The debate of regulatory and policy in EU, in the US and India mainly deals with limited memory AI that is developed enough to challenge the current doctrines but common enough to be relevant to the immediate regulation.

2.2 Why should limited memory AI be of interest?

There are three legal relevant features of limited memory AI.

First, opacity. Complex models particularly deep neural networks do not have any internal logic that can be easily understood by a human being and as such may common even by their creators who lack specialised machinery to explain particular outputs.¹⁰ The fault-based liability rules of this type of manner would be based on what a reasonable actor would have foreseen/done in the case of this type of strain too.

Second, adaptivity. Limited memory systems evolve with time as they are retrained or trained online to ensure that their behaviour is different now to when the system was certified or when it was first deployed. There is no simple way of embedding this dynamic nature into static definitions of defect or negligence.

Third, partial unpredictability. Although properly designed such systems may have unexpected edge case behaviour particularly in open-complex environments like roads, markets or social networks.¹¹

The combination of these aspects reveals loopholes in viewing AI as a product or a tool. They encourage pursuit of legal conceptions perhaps encompassing electronic personhood which is closer to technological reality in assigning responsibility.

⁸ Types of AI Based on Functionalities, GeeksforGeeks (Aug. 8, 2024)

⁹ Understanding the 4 Types of AI: Reactive, Limited Memory, Theory of Mind, Self-Aware, Insprago (Aug. 1, 2025),

¹⁰ Yavar Bathaee, Artificial Intelligence Opinion Liability, 35 BERKELEY TECH. L.J. 1 (2020).

¹¹ Andrew D. Selbst, Negligence and AI's Human Users, 100 B.U. L. REV. 1315 (2020)

3. Legal Personhood and Its Extension to AI

3.1 Legal personhood as a flexible construct

Personhood is the legal status of being a subject as opposed to an object, of legal relation. A legal person is an entity which is capable of rights and responsibilities, has property can make an agreement, and can be a plaintiff and defendant and be addressed in legal norms.¹² Legal systems in the past accepted only human beings as persons but gradually expanded the concept to include other objects churches, municipalities, corporations, foundations and in some jurisdictions even rivers or ecosystems when it was found useful to do so.¹³

This history demonstrates that there is a distinction between legal and moral personhood. The question law is not whether a corporation is in pain or is conscious it is whether it would be more efficient in an unfair way to treat the corporation as a person. Similarly, because a river is being identified as a legal person does not necessarily mean that the river has a mind that enables the ecological interests of the river to be represented and safeguarded in a court.¹⁴

Personhood is also modular. Various bundles of rights and obligations are associated with different kinds of legal persons. Natural persons are endowed with bodily integrity, privacy, political rights and corporations with property and contractual rights and even some Constitutional protection but not the ability to marry, vote and have feeling of human dignity. Courts and legislatures may thus construct circumscribed, role specific things of personhood without vouching the complete range of human rights.¹⁵

- a) At a conceptual level, serving as legal person does at least three things.
- b) Attribution: It gives rights and obligations some permanent "holder" upon which actions can be ascribed and may be enforced or compensated.
- c) Continuity: It permits entities to endure over time despite a transformation in their internal constructions (e.g., shareholders, directors) supporting long term contracts and on-going duties.

¹² Rights of Nature: Rivers That Can Stand in Court, Harmony with Nature, U.N. (n.d.),

¹³ Jochem Baeyaert, Beyond Personhood: The Evolution of Legal Personhood and Its Implications for AI Systems, TECHREG (Sept. 7, 2025), at 5–7,

¹⁴ H.K.B. Forrest, The Ethics and Challenges of Legal Personhood for AI, YALE L.J. F. (Apr. 21, 2024), at 5–7

¹⁵ Beyond Personhood: The Evolution of Legal Personhood and Its Implications for AI Systems, TECHREG 2025.017 (2025).

- d) Procedural representation: It provides entities with a recognised status in legal proceedings with which they can appear as either a plaintiff or defendant and be liable to judgment.

These roles are problematic in the AI case of very autonomous systems whose behaviour can cause considerable impacts on others and in which current legal groupings such as that of manufacturer, deployer, owner, user are not necessarily easily reduced to the problem of responsibility of complex, adaptive behaviour. What is fascinating about electronic personhood is that personhood in its well-qabbled form is used to generate a juridical some one that shares a portion of liability and can take a direct responsibility without substituting human and corporate responsibility.

3.2 Moral, natural and artificial persons

- 1) The concept about legal and philosophical debates usually differentiates the natural persons, the moral persons and the artificial or juridical persons.¹⁶
- 2) Human beings who are recognised as legal persons between birth (or in some cases before birth) and death are natural persons. Human rights and dignity are based on their personhood.
- 3) Moral persons are the objects which can be the subject of moral responsibility in philosophical sense, since they have the skills, such as consciousness, rationality and reasonableness to reasons, which this type of object cannot be attributed to legal personhood.
- 4) Artificial or juridical persons are the ones that exist by the law rather than by nature but rather about corporations by law, foundations, some funds and occasionally objects of nature who are provided with legal status. Their personhood is established either by statute or case law to do particular instrumental purposes.
- 5) The existing AI systems are evidently either in the artificial category or not in it at all. They possess neither biological nor recognised moral agency whatever attribution of personhood to them is absolutely a legal construct out of social necessity. This, however, does not mean that there is no conceptual impediment to defining certain AI systems as juridical persons, assuming they could help address tangible issues more effectively than the tools used today.

¹⁶ Legal Personhood of Artificial Intelligence and the Liability Debate, INT'L J. RECENT INNOVATIONS ACAD. RES., Sept. 29, 2025, at 409–10

3.3 Personhood, rights and responsibilities to the AI context.

Personhood can be identified as the right but it is also concerned with responsibilities. Corporate personhood, such as that of companies that are sued, fined and regulated is not only necessary to protect the interests of the company but also to safeguard the interests of the company.¹⁷ The most important thing is responsibility, the law desires a stable being which can be subjected to answer the harms, and just perform the continued obligations.

The necessity of law in the AI case is precisely due to the fact that responsibility structures are stretched when entities such as autonomous systems are put into large-scale use. In an accident involving a vehicle controlled by an AI or an algorithm discriminating against a vulnerable category, the available doctrines should assign blame between developers, deployers, the owners and human supervisors.¹⁸ This has the potential to create evidentiary challenges and redress gaps particularly in situations in which the victims have no access to technical knowledge concerning the system.

One such possible response, but not the only one, of electronic personhood is to simply ensure the responsibility of such systems and yet move the question of responsibility onto them to have background responsibility of human and corporate actors left intact. It applies the tool of personhood narrow, in its liability sense to answer exactly the question of why AI specific laws are necessary so as to provide a rise to effective continuity and procedural representation in a world of autonomous systems.¹⁹

3.4 Arguments for and against AI personhood

Advocates of AI personhood are based on three key arguments.

First, instrumental and institutional arguments state that granting AI a personalized legal category may help rationalize the distribution of liability, reduce the costs of litigation and provide insurance since autonomous systems can be regarded as a coherence of legal agents rather than a haphazard system of contracts and parts.

Second, the arguments of functional equivalence observe that AI systems are capable of executing functionalities similar to those of trustees, agents or professional counsellors.

¹⁷ Celine Novelli, *Legal Personhood for the Integration of AI Systems in Civil Law*, 35 *AI & SOC'Y* 1, 4–6 (2023)

¹⁸ *Artificial Intelligence and Civil Liability*, EUR. PARL. RES. SERV. STUDY 19–21 (2020)

¹⁹ *Legal Personhood of Artificial Intelligence and the Liability Debate*, supra note 16, at 410–11

Hypotheticals involving an AI acting as a trustee or corporate officer would provide a picture of how such systems could practically take such decisions that could be as hard and significant as those taken by human occupants of offices.

Third, continuity with corporate personhood recommends that should abstract organisational forms be recognised as persons under instrumental consideration, the conceptual barrier to the expansion of a limited scheme of personhood to other artificial entities like AI does not exist. There are 3 major objections brought up by resisters.²⁰

One is moral status and human dignity: according to this, personhood is associated with capabilities that, in current AI, it lacks; and projecting the question of personhood onto AI is harmful.

A second, practical counterargument is accountability slippage: when AI can be a legal scapegoat, human creators and implementers will seek to evade responsibility as an AI and undermine deterrence and victim compensation.

These concerns underscore the importance of designing any AI-related personhood narrow, liability centred status that does not carry human-rights implications and does not permit corporations or individuals to contract out of their own duties.

4. Comparative of Legitimacy on AI Rights and Liabilities.

4.1 European Union

The most extensive AI regime so far is the one adopted by the EU. The AI Act position on risks defines the systems that are not acceptable based on their risk levels as risk levels based on high, high, limited and minimal and bans some applications altogether, including those that manipulate the vulnerabilities and use in real time biometric recognition in the open. High risk AI (also the tools deployed in safety critical products, or in credit scoring, employment and law enforcement) are the ones with special ex ante requirements regarding data governance, transparency, human supervision, strength and logging.²¹

²⁰ *Artificial Intelligence's Legal Personhood*, supra note 3, at 4–6

²¹ High-level Summary of the AI Act, EU ARTIFICIAL INTELLIGENCE ACT (Feb. 26, 2024)

The Commission has proposed a reform of Product Liability Directive (PLD) and AI Liability Directive (AILD) on liability. Such tools are used to understand the situations when software and AI become products, apply the notion of defect to learning systems, simplify the burden of proof in cases of complexity and provide claimants more direct access to evidence that was stored by the providers and deployers.²² The objective is to co-ordinate risk-based regulation and effective ex post remedies.

Even though an earlier report by the European Parliament mooted the notion of an electronic personality of robots, this has not been formalised in law and was specifically denounced by professional bodies and organizations. The existing EU legislation has a human centred responsible model where the primary addressees of obligations and liability remain the providers, deployers, manufacturers and the users despite the involvement of an autonomous AI.

4.2 United States

In the US, general tort law, products liability and sector specific regulation are the main rules of AI, rather than a federal law of AI. The product liability law deals with design, manufacturing and warning defects; the question of how deep the AI output should be considered a product and how defect is to be established in the learning system poses debates in court and commentators. The standard of negligence applies reasonable care in testing, monitoring and updating and as a result of its black box design many aspects of AI make foreseeability and the verbalization of best practices more challenging.

The US has not yet acknowledged the AI systems as legal persons and the primary non human legal personality is the corporate personhood. Since the rights against AI being granted personhood include such constitutional protections as due process and rights to speech, granting these rights to AI would be paradoxical and politically incendiary. Scholarship then aims at adjusting the doctrines that are already in existence like vicarious liability, informed consent requirements and standard professional analogies without necessarily changing the list of legal persons.²³

²² New Product Liability Directive, EUROPEAN PARLIAMENT (2022), at 1–3

²³ Andrew K. Woods, Artificially Intelligent Persons, 58 HOUS. L. REV. 987, 1015–20 (2021)

4.3 India and up-coming structures.

Today, India aims to regulate AI by using information technology law, data protection law, consumer protection norm and constitutional rights instead of a more specific law on AI. The Information Technology Act 2000 establishes crimes and liabilities in regard to the electronic data and cybersecurity and the Digital Personal Data Protection Act 2023 offers a strict framework on governance of personal data that is applied by Data Protection Board.

The implication of AI to privacy, discrimination and due process have been noted in Indian courts and by scholars with the comment that the present rules on liability can be extensively applied but are not necessarily well positioned to address AI specific harms. The policy-provided initiatives such as the suggested National Artificial Intelligence Technology Regulatory Authority aim to establish specialised control over AI categorisation, threat management and redress of rights violations. Courts have also emphasized, that AI can support but not surrogate human agency of adjudicative functions emphasizing the human agency prevalent in the judicial decision making.

In India, there is no current push to authenticate AI as a legal person as is the case in the EU and US. Legal response is aimed at shedding lighter and more human and organisational liability in the creation and use of AI systems.²⁴

5. Electronic Personhood: A Liability Centred Offering.

5.1 Concept and rationale

It is based on this background that this paper will suggest a well-delimited model of electronic personhood to AI. This would be considered to confer autonomous limited memory AI systems that meet specified criteria of autonomy, risk and auditability. It is a liability centred and instrumental construct, which is intended to:

- 1) Offer explicit law address in claims that can ensue due to autonomous AI harms.
- 2) Protective ring-fenced coverage and capitalisation of the high-risk AI systems.
- 3) Empower direct regulatory responsibilities (e.g. logging, incident reporting) to be delegated to AI actors that are used in addition to the responsibilities that are placed on human actors.

²⁴ Legal Personhood of Artificial Intelligence, KUEY L.J. (May 27, 2024)

- 4) Electronic personhood is not based on any argument that AI has moral agency or is entitled to human equivalent rights. It is a juridical mechanism comparison to corporate personhood or personhood of natural objects used to address useful attribution issues, continuity and representativeness of procedures.

5.2 Threshold criteria electronic personhood are as follows.

Electronic personhood must be limited to AI systems of sufficient threshold:

- a) Operational autonomy: The system may within some specified scope make and enforce decisions which have legal ramifications without human approval being constantly current e.g., autonomous vehicles under certain circumstances or autonomous achieving agents over a particular mark.
- b) Systemic risk and scale: The system is conducted in areas that failures can result in physical harm with great quantities of economy or gross violations of fundamental rights to more than one person.
- c) Auditability and logging: The system can technically keep detailed records of inputs, outputs and other appropriate internal states, and therefore conduct ex post investigation and assign causation.
- d) Regulatory registration and control: The jurisdiction possesses systems of registering such systems, monitoring of compliance and imposing penalties.

These standards can be regularized with available classifications, including high risk AI systems, gathered under the EU AI Act, where the electronic personhood is enforced on the most significant subgroup.

5.3. Rights and liability of electronic persons.

Electronic persons would be awarded those legal capacities only such as they reasonably necessary to fulfil their liability and regulatory purposes:

- i. Procedural standing: Have the right to be wronged and wrong the right, in their own name, thus victims can have actions directly against the asset pool of the system or the insurer.
- ii. Right to hold ring fenced assets and insurance proceeds to meet judgments and administrative fines and authority to hold assets and insurance proceeds (ring fenced) to meet the claims of acts of administration and to pay administrative fines.

- iii. Limited Contractual capacity: Authority to make specified types of contract-maintenance, software updates and insurance under pre-existing templates which are required to conduct a safe operation.

The liability that would be placed on electronic persons would be large:

- i. Strict civil liability on harms caused during the process of their registered functioning with the limited defence rights of victim fault or force majeure but not generic claims of unpredictable autonomy.
- ii. Adherence to safety, data protection and non discrimination regulations to their field, violation to which attracts administrative fines, remedial orders and, in severe cases, suspension or de registration.
- iii. Certain compulsory logging, documentation, incident reporting, evidence preservation and cooperation with regulatory investigation and judicial proceedings.
- iv. Banning the effects of the clauses seeking to indemnify fellow human entities against their statutory or tortious liabilities.

It would not grant electronic persons any political rights and the ability to practice family law and the protection of human rights grounded on dignity, bodily integrity or autonomy. Such protections ought to be expressly implicated with only natural as well as where suitable, corporate persons in the constitutional and human rights texts, avoiding right inflation and maintaining human primacy.

5.4 Association with human and corporate liability.

The electronic personhood is aimed to add to but not to cover the existing liability regimes. Human actors and corporate actors would be left with:

1. Primary regulatory responsibilities as providers, deployers and users, such as or requirements of risk assessment, robust design, strenuous testing and continuous monitoring.
2. Civil liability elsewhere (and it continues to exist) where a harm comes about as a result of their negligence or a faultful act or omission in the statute of law or faulty goods, despite an electronic person being also liable.
3. Criminal liability of using AIs and systemic non adherence to safety and rights protection standards that was either intentional or careless.
4. Electronic personhood therefore functions as an overlaid responsibility: users of the AI entity can advance against the fund or insurer of the AI entity; regulators can make high

risk systems and human and corporate actors to face ultimate liability on the choices of design, and decisions to deploy.

6. Human Right and Sustainable Development Implications.

6.1 Human rights and human dignity:

Artificial intelligence has already influenced a list of human rights, such as privacy, non discrimination, access to indispensable services and procedural fairness.²⁵ A properly constructed electronic personhood regime would add value to the preservation of rights by:

1. Understanding chains of accountability and making redress more available.
2. Staffing logging, explainability, and risk control as precursors of electronic status.
3. Putting systems that continuously yield rights violating results into de registration or enabling so that they can receive sanctions.

Normative boundaries, however, have to be kept. Legal texts must explicitly distinguish between electronic and natural and corporate person and add that only natural persons are covered under the basic protections of human rights and dignity. This method will indicate the moral and constitutional primacy of humans without the methods of personhood, but applied in a pragmatic manner.²⁶

6.2 Sustainable development and economic efficiency.

Based on law and economics, the liability rules must reduce the amount of the accident costs as well as precautionary expenses but at the same time they must equally share the risk. These goals can be achieved through electronic personhood by:

1. Enabling the finer risk pricing and insuring of high-risk AI systems, since this will be possible as insurers will be able to underwrite the risk of a legal entity characterized by explicit duties.
2. Rewarding the safety through design since the fulfilment of the auditability and compliance needs is made a prerequisite to participate in the electronic personhood regime and its provisions.
3. Harmonising status of high-risk AI could help in creating cross border interoperability, as high risk AI would help minimise the costs associated with crossing borders and

²⁵ Human Rights Council, The Right to Privacy in the Digital Age, U.N. Doc. A/HRC/48/31 (Sept. 13, 2021).

²⁶ How Artificial Intelligence Systems Challenge the Conceptual Foundations of Human Rights, 41 NORDIC J. HUM. RTS. 255, 262–66 (2023)

legal ambiguity when it comes to deploying it by multinationals; and making the minimum levels of victim protection.

In the case of developing and middle-income states, such as India the short-term risks may be to enact and enforce effective data protection legislations, enforce consumer and competition law within digital markets and develop regulatory capacity in terms of AI regulation.²⁷ With time, a convergence around sets of liability, which might also involve limited electronic personhood of some high-risk systems can facilitate long-term sustainable and inclusive AI use.²⁸

Conclusion

The issue of whether AI can be considered as the holder of legal rights and duties cannot be answered in a straightforward way of affirmation or negation. Full, human equivalent personhood granted to the AI is not technologically justified, and normatively desirable, due to the questions of dignity, responsibility and constitutional spill over. Meanwhile, the growing autonomy, opaqueness and systemic effects of limited memory AI in high-risk areas are revealing actual defects in current liability regimes.

The paper has contended that that the fixed and narrowly delimited model of electronic personhood will provide a potential legal instrument to such loopholes. Within this category, some autonomous AI systems, which meet specific requirements of autonomy, risk and auditability can receive a specific legal status that fastens most of the liability, permits ring fenced insurance and risk control and makes direct regulatory tasks possible. The rights that accompany this status have a low level of rights that are instrumental, the liabilities are huge; the final decisions on development and deployment rest on the shoulders of human and corporate actors.

It has been reasoned by comparative analysis that the risk based regulatory and liability framework of the EU in particular lends itself well to piloting such an architecture, as long as legislation is made to make a clear distinction between electronic and natural and corporate persons and are used to prevent the possibility of rights inflation. It is more probable that the US will keep refining tort and products liability principles while not recognising AI as a person

²⁷ Market Study on Artificial Intelligence and Competition, COMPETITION COMMISSION OF INDIA (2024)

²⁸ India AI Governance Guidelines 2025 – Towards Safe, Inclusive and Accountable AI Ecosystems, PRESS INFO. BUREAU (Nov. 19, 2025)

whereas India and like jurisdictions should initially emphasise on dwell entrenched human centred regulation and institutional capacity building.

Finally, any action in the direction of electronic personhood has to be evaluated using three criteria: does it enhance the clarity and equity of assignments of liability; does it maintain the primacy of human rights and human dignity; does it lead to an intelligent development of AI compatible with social justice and sustainable development. Well developed and narrowly scoped, electronic personhood could be a part of a wider legal answer to autonomous AI, without relegating the human person out of the middle of the legal order.

