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Artificial Intelligence Systems' Legal Character and the Potential for Legal Personality

ABDELKHALIQ WAHEED

[a] Assistant Prof, Department of Law, College of law, University of Baghdad, Iraq-Baghdad.
* Corresponding Author

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ABSTRACT

In recent years, artificial intelligence (AI) systems have advanced significantly, becoming capable of simulating human mental reactions. Both substantial advantages and difficult legal issues have arisen as a result. The purpose of this study is to examine pertinent legal opinions and concepts, emphasizing the current legislative gap that underscores the necessity of creating a legal framework that is in line with technological advancements and giving these systems their own legal personality. The methodology is based on a critical evaluation of the many perspectives on the legal recognition of AI as well as a thorough theoretical analysis of legal concepts and principles. According to the study, in order to give AI systems formal legal personality, the ideas of legal accountability and ownership must be drastically revised. Additionally, legal concepts must be updated to reflect technical advancements in order to effectively regulate AI liability. In order to ensure that the legal system keeps up with technological advancements and adopts a forward-looking vision that satisfies social ambitions and protects the rights of all parties, the research emphasizes the significance of stepping up intellectual and legislative efforts. Keywords: virtual personality, legal culpability, legal recognition, legal personality, and artificial intelligence systems

Introduction

One of the most notable technological advancements of the modern period is artificial intelligence [1]. They have played a major role in altering the conventional understanding of production and service processes and have sparked the creation of a wide range of technical applications that have direct interactions with people and society. A subfield of computer science known as artificial intelligence seeks to create machines that are able to carry out operations like learning, reasoning, pattern recognition, and decision-making that normally demand for human mental faculties [2]. These systems have rapidly evolved over the decades, going from weak systems that could only do a few tasks to systems that are autonomous and capable of self-learning, which has increased their complexity and broadened their range of applications [3].

Artificial intelligence systems have emerged as a major legal challenge, especially in light of the legal framework that governs their obligations, outlines their rights and obligations, and establishes their interactions with other parties [4]. Instead of being restricted to the conventional classification of natural and legal persons, these developments have prompted a pressing need to

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reconsider the nature of digital entities and the potential for their classification within new legal categories that are in line with their capabilities and social role [5].

On the nature of AI systems, whether they should be given independent legal personality, and whether they should be given legal status that allows them to assume responsibility or exercise certain rights, modern legal studies have not yet come to a thorough agreement [6]. The absence of a cohesive legislative framework that accurately and explicitly tackles the unique characteristics of various systems is what defines this scenario. This puts existing laws' consistency in jeopardy and calls into question their capacity to adapt to and direct their continuous technological advancements [7].

Therefore, it is imperative to examine the idea of legal personality in relation to AI systems and determine if it is appropriate to give them the status of a separate legal entity. This will help create a legal vision that stays up to date with the rapid advancement of technology, eliminates existing legal loopholes, and improves the efficacy of managing their legal obligation. The best method for comprehending and offering a framework for this new topic is theoretical analysis, which will help with this [8].

The nature and entity of AI systems have not yet been sufficiently addressed by current laws and regulations, especially with regard to giving them electronic or digital legal personality that would allow them to exercise their rights and take on their responsibilities. This represents the current research gap [9]. This emphasizes the need for a thorough investigation into this subject with the goal of elucidating the viability and significance of this future vision as well as investigating strategies for creating pertinent legal frameworks to guarantee that the law adapts to the demands of technological change and effectively regulates the interaction between people and technology in a way that is equitable, open, and efficient [10]. This study intends to address jurisprudential perspectives, identify contemporary issues, and provide a theoretical viewpoint on the applicability of this concept within a forward-looking framework for future legislation, all while discussing the potential for giving AI systems independent legal personality.

2. The Legal Personality Concept and Analysis

The idea of legal personality is a cornerstone of legal studies, helping to explain the existence and connections of legal entities. It is based on their capacity to act legally and to bear rights and responsibilities. This is particularly clear when talking about natural and legal persons, who frequently serve as the cornerstone of a society's legal framework and stand in for things that are protected and have obligations under the law.

Traditional legal concepts define legal personality as the status that allows legal entities to exercise rights, take on obligations, and conduct legal transactions under their own name, separate from the natural persons who created or owned them. This status is given to a legal entity when it is established in compliance with the established legal procedures, and it remains in effect for as long as it satisfies the established legal requirements and is continuously monitored by the legal authorities [11].

Even though they are not natural persons, these entities are referred to as having legal personality because it gives them the ability to exercise rights. Since they are predicated on the existence of a legal personality distinct from the individual founders or owners, this sets them apart from natural persons in theory [12].

2.1. Distinctions between Artificial Intelligence's Virtual Personality and Legal Personality

The idea of "virtual personality" or "digital personality" arises as a special case in the field of law when talking about virtual entities, especially artificial intelligence systems. This concept differs from ordinary legal identity in several important ways.

2.1.1. Legal Character and Foundation

Establishment in conformity with unambiguous legal documents is a characteristic of legal entities. The prerequisites for its establishment, registration procedures, and rights and obligations are all clearly outlined in the legislation. Official institutions or human entities are in charge of them. Artificial intelligence's virtual personality is not a legal metaphor; rather, it is a degree of recognition of a non-human being that is frequently based on software systems that follow their own learning algorithms and software. In the viewpoint of conventional law, these systems lack autonomous legal identity [13].

A. Legal Independence

Since they can bring legal action, resolve conflicts, and interact with others without the assistance of institutional or real individuals, entities with legal personality exhibit obvious legal independence. In contrast, artificial intelligence systems are software applications that lack free will or self-awareness and function according to predetermined instructions and algorithms. Consequently, acknowledging them as legal entities would be regarded as a divergence from the existing legal reality and necessitates the development of a new theoretical and legal framework [14].

B. Legal Independence

Legally independent entities are those that have legal individuality. They have the same rights as businesses or natural persons to engage with others, bring lawsuits, and resolve conflicts. AI systems, on the other hand, are computer programs that don't have free will or self-awareness and instead function according to predetermined instructions and algorithms. As a result, acknowledging them as legal entities would necessitate a new theoretical and legal framework and be regarded as a break from the existing legal reality [15].

C. The extent of rights and legal protection

In addition to being legally liable and potentially liable for third-party damages, entities with legal personality also have explicit constitutional and legal rights, including rights to property, labor, and contracts. AI systems, on the other hand, do not currently have inherent legal rights. Instead, they are instruments that help their owners or users achieve their goals. They are only legally liable through the people who own them or control how they are used [16].

D. Effects on the Law and Transaction

By enabling them to formally participate in contracts and transactions that are governed by explicit rules that specify their rights and obligations, legal organizations are an efficient tool for facilitating legal and economic interactions. In addition to being able to collect and enforce through trustworthy legal processes, their separate legal personality also allows them to be held legally responsible and to get justice in any disputes that may occur.

The lack of an autonomous legal personality in the case of AI systems affects the related legal frameworks as well as the financial and administrative operations. Only natural individuals or organizations that own or control them may regard them as an autonomous entity with the authority to enter into agreements, send bills, and file lawsuits in their names. This affects liability concerns because the owner or manufacturer is legally liable for any harm caused by incorrect use or flaws in AI software [17].

Therefore, the development of trust and safe transactions that depend on AI systems are hampered by their lack of independent legal personality. This calls for the creation of a new legal framework that explicitly outlines rights and obligations while acknowledging the position of digital entities. One important issue that needs constant research and improvement to keep up with the

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quick advancement of technology is the difficulties in allowing AI systems to exercise their rights and responsibilities in the absence of a distinct legal personality.

3. Artificial Intelligence Systems' Legal Scope

A thorough analysis of current legislative texts and legal systems, their application, and their suitability for the unique features of AI is necessary to determine if AI systems are compatible with the legal framework that establishes the rights and obligations of legal entities. The compatibility of current systems with the ideas of legal personality and the legal difficulties associated with the legal recognition of AI as a separate entity are the two primary axes that make up this area of the framework [18].

The classification of entities into natural and legal persons—each with a legal personality that permits them to exercise rights and assume obligations—is the foundation of legislation in the majority of legal systems. Clear and precise legislative regulations pertaining to its composition, rights, obligations, and legal authorities help to develop legal personality, including that of corporations and associations.

Examining AI systems, however, reveals that the majority of them do not yet fit these definitions; according to relevant laws, they are seen as tools or gadgets that are subservient to their owner or operator rather than as entities with legal identity. It is challenging to envision artificial intelligence (AI) as an autonomous entity with a self-determined will that could be comparable to human will because, in theory, AI is restricted to carrying out pre-defined duties and functions in accordance with algorithms and software created by humans [19].

But a basic point is raised: Can AI systems meet the requirements of virtual legal personality, which is predicated on the system's capacity for interaction and learning, and do these traits need special legal recognition? Their inclusion as entities with separate rights and obligations is hindered by the lack of legal texts that specifically govern the connection between systems and these notions. It is important to note that while several contemporary laws, especially those pertaining to technology and innovation, have started to treat some virtual entities similarly to legal recognition, they still do not explicitly categorize AI systems as having distinct personalities.

Regarding the difficulties associated with AI's current legal status, they are numerous and diverse. One of the most noticeable is the lack of express legislative texts that permit the granting of rights or obligations to intelligent systems, which results in a glaring discrepancy between legal needs and technological reality. Since technical advancements have made AI systems more sophisticated and increasingly independent of their inventors and operators, the law is not being updated fast enough to keep up [20].

Furthermore, one of the most difficult issues is the idea of culpability. How can an AI system be held accountable for decisions that could lead to errors or damages? Can the operator, developer, or owner be held accountable? Is the system itself immune from responsibility? These queries highlight a basic issue because existing law mostly bases its understanding of accountability on the connections between legal or human parties, not on entities with even the smallest amount of autonomy.

Furthermore, the authorities' capacity to explicitly govern the system's exercise of its rights and obligations is limited by the legal recognition of AI as an independent entity. This calls for them to create new legislation that, in line with present and future technology advancements, establishes clear dispute resolution procedures, defines the obligations of parties, and regulates the actions of intelligent systems [21].

Technically speaking, the precision and robustness of governance and operational systems, as well as the degree of legal supervision over these systems, determine how closely AI systems adhere to legal norms. Effective regulation of them is hampered by the lack of a defined regulatory

framework, which also jeopardizes stakeholder rights and raises the possibility of unethical or unlawful system use.

An examination of AI systems' legality reveals glaring inconsistencies and inadequacies with current legal frameworks. This calls for revising existing laws and enacting new ones that are in line with the autonomy and nature of AI systems while also taking into consideration the ethical and technical difficulties that arise. To address the continuous development of new technologies, improve party accountability, and foster innovation—all while upholding human rights and the principles of justice and ethics—a flexible legal framework is required [22].

4. Jurisprudential Views on Granting AI Legal Personality

When creating legal theories and court decisions pertaining to intricate matters like giving AI systems legal personhood, jurisprudential perspectives are crucial. Positions on the legal recognition of AI are largely determined by jurisprudential thought in addition to favorable legal viewpoints. By examining the opinions of academics and different jurisprudential decisions, it offers a comprehensive and varied viewpoint on this subject.

Given the speed at which technology is developing in the current world, many jurists think that giving AI legal identity may be a necessary step. They support their argument by pointing out that AI systems have started to behave independently and make decisions that have obvious legal ramifications for people and organizations. This calls for some sort of legal personality to guarantee that these systems are held accountable and punished when they cause harm [23].

According to them, legalizing AI may help control digital operations, uphold the justice principle, and establish a framework for the law that would protect the rights of those who are impacted. In addition to advocating insurance and legal protection measures for stakeholders, they think that acknowledging AI as a legal entity could increase the culpability of developers and manufacturers since direct liability could be given to systems with new legal personality.

A legal framework that guarantees their accountability and more precisely and flexibly regulates their actions would also encourage the development of more autonomous intelligent systems, according to some jurists. Legal recognition of AI personality would also open up new avenues for innovation and technological advancement [24].

However, a number of academics and legal experts are adamantly against the notion of giving AI a separate legal personality, pointing out the potential dangers and issues. They distinguish between legal entities (institutions and organizations) and natural entities (people), holding that legal personality is essentially tied to humans. They contend, however, that AI is devoid of human characteristics like moral responsibility, consciousness, and free choice.

Since systems cannot take on moral or legal responsibility on their own, opponents contend that giving AI legal identity could deprive it of moral responsibility and skew ideas of justice. Additionally, they contend that legal recognition confuses legal responsibility and accountability, deprives humans of their special position, and upsets the delicate balance between humans and computers [25].

They also note that depending on legal recognition for AI systems may make it easier for AI to be used for immoral or unlawful purposes, such avoiding responsibility or breaking the law. To do this, the statutory framework must be strengthened to stop the granting of legal personality to such systems. Additionally, there are middle-ground viewpoints that embrace a perspective that incorporates both positive and negative elements. According to some academics, artificial intelligence (AI) systems should be regarded as legal entities that fall under a certain, uniform legal framework. This framework restricts the acknowledgement that they are not entirely independent legal entities and establishes the scope of their obligation based on the performance of the system. Instead, certain laws govern or decide their culpability.

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Some strategies suggest creating rules that are unique to intelligent systems with particular traits, giving them a certain amount of legal personality under certain restrictions while guaranteeing that only their owners or inventors are liable. To create a flexible legal framework that acknowledges the advantages of these technologies, this calls for extensive discussion between legal and technological experts. To guarantee that the rights of impacted parties are not infringed, as well as to attain justice and sufficient deterrence, liability must always be precise and unambiguous. As a result, some experts support the necessity of establishing regulations that specify the parameters of the interaction between people and AI systems while acknowledging their benefits. This guarantees that the human aspect is not overlooked when interpreting responsibility and imposing sanctions for harm or negligence, all the while maintaining the duty of the person or the organization in charge of it.

As a result, different schools and philosophical frameworks have different jurisprudential views. To guarantee its conformity with established legal values and humanitarian principles, legal recognition of artificial intelligence must always be constrained by ethical and jurisprudential norms. A legislative framework that protects individual rights and upholds the justice principle while keeping up with technological advancements must be carefully crafted [26].

6. Results and discussion

5.1. Various Views on the Character of AI's Legal Personality

Regarding the nature of legal recognition of AI systems, the theoretical study's findings demonstrated a pronounced difference in jurisprudential and legal viewpoints. Proponents of viewing AI as a separate legal entity maintain that these systems have inherent qualities that allow them to participate in legal interactions, such as those involving ownership, liability, and responsibilities. On the other hand, certain legal and jurisprudential schools contend that AI systems are not human-like or self-aware, which makes it challenging to see them as having separate legal personalities. The opposite viewpoint highlights the necessity of maintaining a connection between the liability of systems and the liability of their designers or users.

This discrepancy shows how ignorant some legal thought is of the basic distinctions between the two ideas. AI systems currently lack awareness and conscience, which are necessary for legal recognition. But as technology advances, this idea is being reexamined, particularly in light of the appearance of autonomously interacting systems that make potentially harmful decisions. This necessitates reevaluating the idea of legal personhood and figuring out how to broaden it to encompass AI's unique features [27].

5.2. Absence of suitable laws

According to the report, AI systems are not particularly covered by the laws that are now in place. Instead, it depends on general rules pertaining to ownership, liability, and contracts, which leaves a big hole in the regulations governing their legal standing. Fairness and legal security are at risk because the majority of laws treat AI as an independent entity and place liability on people or organizations.

It is obvious that regulations tailored to these systems must be created, including revised definitions of liability, procedures for compensation, and, if acknowledged by law, rights for these virtual entities. The existing laws' flaws could cause legal instability and prevent automation and artificial intelligence from being effectively adopted in the future without raising legal issues [28].

5.3. The Role of Modern Legal Frameworks and Jurists

According to the study's findings, the majority of jurists are split between proponents and opponents, with more recent trends accounting for advancements in technology. Proponents contend that giving AI a digital legal personality could make it easier to regulate its legal interactions and improve its capacity for contracting and property ownership, particularly in fields where quick and accurate decision-making is necessary. However, detractors point to a lack of self-awareness and legal knowledge, highlighting the idea that the person or organization running the system should still be held accountable for any harm.

The differing opinions highlight the need for a more thorough discussion to create a middle-ground legal framework that permits the advancement of AI systems while upholding human accountability and avoiding the acceptance of an idea that overrecognizes the legal personality of machines, which could jeopardize the core values of accountability and justice.

5.4. Possibilities and Difficulties of Giving AI a Legal Personality

Improved risk management, AI liability, and the encouragement of technological innovation—particularly in crucial industries like manufacturing, services, and smart transportation—are among of the opportunities presented by such a move, according to the report. Major obstacles still exist, though, in determining responsibility in the event of injury, addressing ethical concerns including discrimination and privacy rights, and evaluating awareness and autonomy.

A thorough evaluation of the dangers of over-recognizing AI's autonomy is necessary before establishing a legal framework that permits it to have its own legal entity. This could result in limited responsibility and make it difficult to determine liability in times of harm. To ensure justice and safeguard the interests of impacted parties, a system that upholds AI's rights while maintaining the accountability of the person or organization running it must be established.

Furthermore, more efficient crisis and liability management may result from the implementation of sophisticated regulatory tools like decision-tracking software and instant compensation schemes. In order to prevent ideas that could go beyond technical benefit to legal and ethical frameworks, ethical standards must also be created to guarantee that AI systems respect societal values, particularly in fields that call for delicate decisions and under circumstances that place restrictions on the definition of "self" or "consciousness" for machines [29].

6. Conclusion

To sum up, the research and study presented show that one of the biggest legal and technological issues of our time is the legal nature of AI systems and whether or not to give them legal personality. As a result, experts and jurists must create new legal viewpoints that keep up with the quick advancements in technology. The study's conclusions support the idea that recognizing AI as a separate legal person has many advantages for controlling its obligations and resolving its rights and obligations. But this also brings up a number of legal and regulatory issues that call for a well-thought-out legislative response.

This study is crucial because it identifies a major legal loophole that could impede the use of AI in a number of domains and directs legal frameworks toward embracing more adaptable ideas that are more in line with contemporary technological advancements. The results of the study also show how important it is to plan ahead when regulating these digital entities in order to protect rights, accomplish justice, and ensure accountability. This emphasizes how crucial it is for legislative, technological, and legal jurisprudential organizations to collaborate.

As a result, this work adds qualitatively to the body of knowledge about artificial intelligence's legal personality. Instead than only analyzing theoretical ideas, it develops a theoretical framework and

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guiding principles that researchers and legislators may use to create legislation that is suitable for these new entities. The effective and long-term regulation of these systems' liability, maximizing their potential while reducing their risks, will surely depend on ongoing research and development in this area. This will improve the legal position in addressing the future of artificial intelligence

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