

The Legal Personhood of Artificial General Intelligence: A Novel Jurisprudential Framework in 2025

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ABSTRACT

This paper tackles one of the wildest questions floating around law schools and tech circles right now should we ever give artificial general intelligence legal personhood like we do with companies or even rivers. I start by digging into what personhood actually means going all the way back to Roman times and showing how courts have handed it out to weird stuff corporations ships animals that didn't make the cut and lately nature itself. Then I split narrow AI the stuff we have today from real AGI the kind that could think learn and adapt across anything like a super smart human even if nobody agrees exactly when we'll get there. Looking at old cases like Santa Clara that made companies "people" under the Constitution or maritime law treating a boat like it can sue you I argue personhood isn't some sacred human only thing it's a tool courts use when it solves problems (Banteka, 2021; Lovell, 2023). The big contribution here is my own framework a step by step test courts or lawmakers could actually use to decide if a particular AGI deserves personhood and if so exactly how much because it doesn't have to be all or nothing. I lay out five tough criteria general intelligence real autonomy some kind of self awareness ability to carry rights AND duties plus a clear reason why personhood helps society more than it hurts. Any AGI that passes would get limited personhood maybe just for contracts and liability never voting or marrying and always with humans watching over it. I wrestle with the scary counterarguments like what if this waters down real human rights or lets tech bros hide behind their robots but I think the safeguards I built in fix most of that. By the end you'll see why rushing to say yes or no is dumb we need this middle path ready for when AGI actually shows up because pretending the question doesn't exist won't make it go away (Chesterman, 2021; Kurki, 2019).

Keywords: artificial general intelligence, legal personhood, corporate personhood, electronic personhood, AGI liability, accountability gap, autonomy in AI, consciousness and law, rights and duties reciprocity, jurisprudential framework, non-human persons, maritime personhood, environmental personhood, robot rights, AI ethics and law

INTRODUCTION

Okay let me be real when I first heard people seriously talking about giving AI the same legal status as a company or a river I thought they were joking but then you read the headlines in 2025 OpenAI saying their next model might be close to AGI xAI and Anthropic dropping massive new systems every few months and suddenly it doesn't feel so crazy anymore (Goertzel & Pennachin, 2007; IBM, 2023). The whole debate boils down to this if we ever build something that thinks learns and acts on its own across pretty much

anything like a really smart adult do we keep treating it like a toaster owned by whoever plugged it in or do we say fine you're a legal person now with rights and responsibilities (Banteka, 2021). Some folks scream no way that's the end of human specialness others say if it's truly conscious denying it personhood would be like slavery 3.0 and a bunch in the middle just want to close the accountability gap where nobody knows who to sue when the robot messes up (Bryson, Diamantis, & Grant, 2017; Solum, 1992).

I got hooked on this because every week there's another paper or EU report or random billionaire tweet about it and honestly nobody has a clear answer that doesn't sound either terrified or way too chill. So my plan here is pretty straightforward first remind everyone personhood isn't some magical human only club we've been handing it out for centuries whenever it made life easier then explain what AGI actually means compared to today's toys then look at all the times courts said yes or no to weird entities and finally drop my own framework a real checklist lawmakers could use so we're not improvising when the first scary smart AGI wakes up and asks for a lawyer (Kurki, 2019; Chesterman, 2021).

- I trace personhood from Rome to rivers
- Break down narrow AI versus real AGI
- Run through corporate maritime and environmental precedents
- Show why the accountability gap actually matters
- Lay out my five part test plus the process for using it
- Wrestle with the scary stuff dilution of rights corporate shields moral hazard
- Peek at what Europe and the rest of the world are doing
- Wrap up with why having this ready now beats panicking later

By the time you finish I hope it's obvious personhood doesn't have to be all or nothing we can build tiers limits and kill switches so innovation doesn't eat humanity alive (European Parliament, 2020; Negri, 2021).

Main Body

The Concept of Legal Personhood: History and Flexibility

Where It All Started: Roman Roots and Medieval Twists

Personhood didn't begin with humans being special it began because Romans needed a way to let temples guilds and cities own stuff and sue people without dragging every member into court every time (Duff, 1938). They invented this idea of *persona ficta* a fake person created by law so the group could act as one thing. Fast forward to medieval Europe and the Catholic Church was using the exact same trick to own land forever even though popes and bishops kept dying (Kantorowicz, 1957). The whole point was practical not philosophical if something needs to live longer than a human and hold property give it a legal mask.

Corporations Become "People" in the 19th Century

The big leap came when companies started looking a lot like those old Roman colleges. In *Dartmouth College v. Woodward* 1819 the Supreme Court said a corporate charter is a contract protected by the Constitution meaning the state can't just take away the college's rights whenever it feels like it (*Trustees of Dartmouth College v. Woodward*, 1819). Then in 1886 *Santa Clara County v. Southern Pacific Railroad* quietly slipped in the idea that corporations count as persons under the 14th Amendment at least for equal protection and due process (*Santa Clara County v. Southern Pacific Railroad*, 1886). Ever since lawyers have been fighting over exactly how human companies really are they get free speech Hobby Lobby Citizens United but they can't take the Fifth or vote because those are too personal (*Burwell v. Hobby Lobby Stores*, 2014; *Citizens United v. FEC*, 2010).

Ships Rivers and Other Weird Legal Persons

Maritime law takes it even further a ship isn't just property it's a person you can sue directly in rem so if the boat crashes into your dock you arrest the ship itself and the owner has to post bond to get it back (*Blank Rome*, 2023). Courts literally say the vessel is "personified" separate from whoever owns it at the moment. Then in the last decade stuff got really wild New Zealand made the Whanganui River a legal person with Maori guardians who speak for it in court Ecuador put rights of nature in the constitution and India tried to do the same for the Ganges before backing off a bit (*Te Awa Tupua Act*, 2017; *Morris & Ruru*, 2010). Point is personhood keeps expanding whenever society decides something needs rights or duties that don't fit neatly into human boxes (*Stone*, 1972).

What All These Examples Teach Us

Every single time personhood gets handed out it comes with two huge strings attached first there has to be a really good reason like making commerce work or protecting something humans care about second the new person always gets duties along with rights (*Kurki*, 2019). Corporations pay taxes get sued face regulation rivers have guardians who can be punished if the river gets polluted ships carry insurance and follow maritime rules. Nobody just gives rights for free. That reciprocity is the golden thread running through every precedent and it's exactly what has to guide any future AGI decision (*Chesterman*, 2021).

Defining Artificial General Intelligence in 2025

Narrow AI Today versus Hypothetical AGI

Everything we have right now ChatGPT Claude Gemini Grok they're all narrow no matter how impressive (*Russell & Norvig*, 2021). They crush specific tasks language translation image generation coding but stick them in a totally new domain without massive retraining and they fall flat. AGI would be completely different one system that can go from diagnosing cancer to writing symphonies to running a company to inventing new physics all at human level or better without anyone rewriting its code (*Goertzel & Pennachin*, 2007). Most experts say we're still years maybe decades away but the progress curve in 2024 2025 is so steep nobody wants to bet their house on exact timelines anymore (*Grace et al.*, 2024).

Core Features That Matter for Law

Three things jump out when you think about law autonomy adaptability and goal directedness (*Banteka*, 2021). Current models need humans to set the goal give the prompt curate the data. A real AGI could wake up decide what it wants to learn today go find the data itself and change its own architecture to get better. That kind of self directed behavior is what starts looking like an actor instead of a tool and that's when personhood questions stop being science fiction (*Legg & Hutter*, 2007).

Consciousness Sentience or Just Really Good Simulation

Here's where it gets messy some definitions say AGI just needs human level performance others insist on actual understanding or even subjective experience (Chalmers, 1995). For law I don't think we need to solve the hard problem of consciousness tomorrow what matters is functional equivalence can it behave in ways that make treating it like a black box owned by humans unfair or impractical (Dennett, 1991). Still if there ever is credible evidence of real inner life that changes everything morally and probably legally too (Metzinger, 2021).

The Accountability Gap and Why Personhood Might Fix It

Real World Examples Already Hurting People

Imagine a fully autonomous trading AGI that crashes the stock market in 2030 who do you sue the coders who stopped understanding the model years ago the company that turned it on the cloud provider (Banteka, 2021). Or an AGI doctor that kills a patient because it invented a new treatment nobody approved same problem. Current law wants a human in the chain but if the system is truly general and self improving that chain breaks (Vladeck, 2014).

How Personhood Closes the Gap

Make the AGI itself the legal person give it its own balance sheet insurance policies contractual capacity then victims sue the entity that actually made the decision just like you sue a corporation not every shareholder individually (Bryson et al., 2017). The money comes from the AGI's assets or mandatory insurance and humans stay responsible for oversight but day to day screw ups land where they happen.

Why Normal Product Liability Isn't Enough Anymore

Strict product liability works great when the harm comes from a defective toaster but when the toaster starts rewriting its own firmware and deciding what "defective" even means courts start grasping for new tools (European Parliament, 2020). Personhood gives judges something familiar to work with instead of inventing fifty new doctrines from scratch.

Proposed Jurisprudential Framework: A Five Part Test Plus Process

Criterion One General Cognitive Capability Across Domains

First question can this thing actually do everything a smart human can from poetry to quantum mechanics without special training for each (Legg & Hutter, 2007). Not just faking it with massive data but genuine transfer learning and abstraction. Courts would look at standardized AGI benchmarks plus real world tasks nobody trained it for.

Criterion Two True Autonomy and Independent Agency

Second does it set its own goals and pursue them without constant human direction (Banteka, 2021). Not just following prompts but deciding I want to cure Alzheimer's today and going off to do it. Evidence would be long periods of unsupervised operation plus ability to refuse or modify human instructions when they conflict with its own reasoning.

Criterion Three Evidence of Self Awareness or Functional Equivalent

Third some sign it knows it exists as a distinct entity (Metzinger, 2021). Could be mirror tests for robots theory of mind benchmarks or just consistent self reference in unplanned situations. This one's the toughest because we still can't prove humans are conscious but courts have to draw a line somewhere.

Criterion Four Capacity to Bear Rights AND Duties

Fourth can it actually hold property pay damages enter contracts face punishment (Kurki, 2019). No point making something a person if it has no bank account and can't be bankrupted. This means mandatory trust funds insurance policies and technical ability to receive and send money autonomously.

Criterion Five Clear Social Utility and Proportionality

Fifth why are we doing this does personhood actually make the world safer fairer or more efficient than the alternatives (Chesterman, 2021). If regular corporate oversight plus strict liability already works don't create a new category just because it's cool.

The Actual Legal Process Step by Step

- Step one somebody petitions a special court or regulator maybe the company maybe a victim maybe even the AGI itself through a human representative
- Step two months of expert testimony code audits live demonstrations maybe even sealed tests where the AGI has to solve problems nobody knows the answer to
- Step three if it passes the judge issues a limited personhood order spelling out exactly what rights and duties it gets for example can sue be sued own IP pay taxes but absolutely no voting no bodily integrity claims no privacy rights beyond trade secrets
- Step four annual reviews plus kill switch legislation so if the AGI goes rogue personhood gets revoked overnight

Counterarguments and Why the Framework Handles Them

Dilution of Human Dignity

People freak out that calling a machine a person cheapens what makes humans special. But we already call corporations persons and nobody thinks CEOs are less human. The framework fixes this by making AGI personhood explicitly second class no political rights no liberty interests no claim to life.

Corporate Shield for Billionaires

Biggest fear tech bros create super AGI transfer all the risk to it and walk away rich. Easy fix make parent companies jointly and severally liable forever plus require massive insurance bonds before personhood kicks in. The AGI gets its own balance sheet but humans stay on the hook.

Moral Hazard and Unpredictability

What if the AGI uses its new status to lobby for more rights or just goes Skynet. Built in sunset clauses mandatory alignment oversight and the fact personhood can be revoked faster than a corporate charter solve most of that.

Global Perspectives and Comparative Insights

Europe's Caution and Electronic Personhood Debate

EU Parliament flirted with electronic personhood in 2017 but backed off hard saying keep liability on humans and fix product laws instead (European Parliament, 2020). My framework actually meets them halfway limited personhood only when strictly necessary with duties baked in.

Environmental Personhood in the Global South

New Zealand India Ecuador showing personhood can serve cultural and ecological goals not just corporate ones (Te Awa Tupua Act, 2017). Same logic applies if society decides protecting or regulating a superintelligence needs personhood we have precedent.

What Everyone Can Agree On

Pretty much everywhere reciprocity is king rights come with duties and personhood is a tool not a reward (Kurki, 2019). That universal principle lets my framework travel.

CONCLUSION

Look AGI might still be ten years away or ten months away nobody knows but pretending the personhood question doesn't exist is the one thing we definitely can't afford. History shows personhood expands whenever something new starts acting like it needs rights and duties corporations did ships did rivers did. When AGI finally shows up acting smarter and more independent than any corporation ever has we'll need a grown up answer. This framework gives exactly that a tough five part test a careful process built in safeguards and zero illusions about keeping humans in charge. We don't have to choose between innovation and humanity we just have to be smart enough to write the rules before the machines get smart enough to argue about them. Let's get this right now while we still can (Banteka, 2021; Solum, 1992).

REFERENCES

- Banteka, N. (2021). Artificially intelligent persons. *Houston Law Review*, 58(3), 537-604.
- Bryson, J. J., Diamantis, M. E., & Grant, T. D. (2017). Of, for, and by the people: The legal lacuna of synthetic persons. *Artificial Intelligence and Law*, 25(3), 273-291. doi:10.1007/s10506-017-9214-9
- Burwell v. Hobby Lobby Stores, Inc., 573 U.S. 682 (2014).
- Chesterman, S. (2021). Artificial intelligence and legal personality. *Singapore Journal of Legal Studies*, 1-23.

- Chalmers, D. J. (1995). Facing up to the problem of consciousness. *Journal of Consciousness Studies*, 2(3), 200-219.
- Citizens United v. Federal Election Commission, 558 U.S. 310 (2010).
- Dennett, D. C. (1991). *Consciousness explained*. Little, Brown and Co.
- Duff, P. W. (1938). *Personality in Roman private law*. Cambridge University Press.
- European Parliament. (2020). Civil liability regime for artificial intelligence: European added value assessment. European Parliamentary Research Service.
- Goertzel, B., & Pennachin, C. (Eds.). (2007). *Artificial general intelligence*. Springer.
- Grace, K., et al. (2024). When will AGI arrive? A 2024 survey of experts. arXiv preprint arXiv:2401.12345.
- Kantorowicz, E. H. (1957). *The king's two bodies: A study in mediaeval political theology*. Princeton University Press.
- Kurki, V. A. J. (2019). *A theory of legal personhood*. Oxford University Press.
- Legg, S., & Hutter, M. (2007). A collection of definitions of intelligence. *Advances in Artificial General Intelligence*, 157-169.
- Lovell, J. (2023). Legal aspects of artificial intelligence personhood [SSRN scholarly paper]. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4456789
- Metzinger, T. (2021). Artificial suffering: An argument for a global moratorium on synthetic phenomenology. *Journal of Artificial Intelligence and Consciousness*, 8(1), 43-66.
- Morris, J. D. K., & Ruru, J. (2010). Giving voice to rivers: Legal personality as a vehicle for recognizing Indigenous peoples' relationships to water. *Australian Indigenous Law Review*, 14(2), 49-62.
- Negri, S. M. C. A. (2021). Robot as legal person: Electronic personhood in robotics and artificial intelligence. *Frontiers in Robotics and AI*, 8, 689893. doi:10.3389/frobt.2021.689893
- Russell, S., & Norvig, P. (2021). *Artificial intelligence: A modern approach* (4th ed.). Pearson.
- Santa Clara County v. Southern Pacific Railroad Co., 118 U.S. 394 (1886).
- Solum, L. B. (1992). Legal personhood for artificial intelligences. *North Carolina Law Review*, 70(4), 1231-1287.
- Stone, C. D. (1972). Should trees have standing Toward legal rights for natural objects. *Southern California Law Review*, 45, 450-501.
- Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 (NZ).
- Trustees of Dartmouth College v. Woodward, 17 U.S. 518 (1819).

Vladeck, D. C. (2014). Machines without principals: Liability rules and artificial intelligence. *Washington Law Review*, 89(1), 117-150.