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## Comparative Perspectives of Legal Personhood for Artificial Intelligence Systems: Takeaways from India, USA, and EU

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# Comparative Perspectives of Legal Personhood for Artificial Intelligence Systems: Takeaways from India, USA, and EU

## ABSTRACT

*The development of artificial intelligence (AI) has spurred difficult legal discussions over the possible recognition of AI systems as legal persons, a status usually reserved for natural persons and juridical entities such as corporations. This article examines the changing legal frameworks and philosophical underpinnings of AI legal personhood across three jurisdictions - India, the United States, and the European Union. Through comparative doctrinal analysis, it examines how each jurisdiction addresses core questions of AI rights, obligations, and legal standing. The study finds that none of the three jurisdictions has granted, or is close to granting, legal personhood to an AI system. The United States has resolved the narrow question of AI inventorship against personhood in *Thaler v Vidal*; the European Union proposed and then substantially retreated from the idea of “electronic personhood” between 2017 and the adoption of its AI Act in 2024; and India has so far addressed AI harms through existing doctrines of human accountability rather than through new legislation on AI status. The paper argues that the more useful comparative lesson is not how close each jurisdiction has come to AI personhood, but how consistently each has preferred to solve AI liability without it, and what that convergence suggests about the limits of the personhood debate as a policy tool.*

## KEYWORDS

*Legal Personhood, Artificial Intelligence, Comparative Law, Jurisdictional Analysis, Digital Rights, Regulatory Frameworks.*

## 1. INTRODUCTION

The rapid development of artificial intelligence raises a serious question for legal systems everywhere: should AI systems be given some form of legal personality? As AI systems become more complex, more autonomous, and more deeply embedded in everyday life, legal systems are being forced to define their rights, obligations, and legal status, often by analogy to categories, like corporate personhood, that were never designed with autonomous, learning, non-human agents in mind.

Legal personhood has never been limited to natural persons. Corporations, trusts, and in some jurisdictions rivers or religious idols, have been recognised as legal persons for specific purposes. But extending that category to AI systems raises problems that corporate personhood did not: AI systems can make decisions without direct human input, can change their own behaviour through learning, and can

in principle operate with limited human oversight once deployed. This article compares how India, the United States, and the European Union are approaching that problem.

India is developing its approach to AI governance while balancing a fast-growing technology sector against a legal system rooted in both constitutional principles and common law. The United States addresses the question largely through the lens of existing corporate and patent law doctrine, as shown most clearly in its courts' treatment of AI inventorship. The European Union has gone furthest in publicly debating a dedicated legal status for autonomous systems – and is also the jurisdiction that has most clearly walked that idea back, favouring a risk-based regulatory model over a new category of legal person. Reading these three trajectories together suggests a pattern worth taking seriously: each jurisdiction, from a different legal tradition, has so far chosen to solve AI liability and accountability without creating AI personhood, treating personhood less as a necessary tool than as a live but currently rejected option.

This comparative reading also clarifies what is actually unsettled. It is not seriously contested, in any of the three jurisdictions, that an AI system can currently be a rights-holder or a defendant in its own name. What remains genuinely open is how each jurisdiction allocates responsibility when an autonomous system's behaviour cannot be traced cleanly back to a single human decision and it is on that narrower, more tractable question that this paper's comparative analysis concentrates.

## 2. OBJECTIVES

First, this paper analyses the existing legal frameworks and underlying doctrines that support or foreclose legal personhood for AI systems in India, the United States, and the European Union, looking at how legislation, case law, and legal doctrine in each jurisdiction currently treat the question of whether an AI system can be recognised as a legal entity with rights and obligations akin to natural or juridical persons.

Second, it identifies and assesses the practical consequences of extending or withholding legal personhood from AI systems in each jurisdiction's specific economic, social, and technological context, including effects on liability, contractual capacity, and intellectual property.

Third, it develops recommendations for how these three legal traditions might learn from one another's experience, in particular from the EU's experience of seriously proposing and then abandoning a dedicated AI legal status, in shaping future approaches to AI accountability that do not depend on resolving the personhood question first.

### 3. SCOPE OF STUDY

The paper examines legislative and judicial developments from 2015 to 2024 across the three jurisdictions. It covers India's NITI Aayog AI policy documents<sup>1</sup> and the Digital Personal Data Protection Act 2023<sup>2</sup>; the European Union's 2017 resolution on civil law rules on robotics<sup>3</sup> and the AI Act (Regulation (EU) 2024/1689)<sup>4</sup>; and relevant United States federal case law and state-level AI legislation. The study is limited to primary legal sources that are publicly available and independently verifiable, supplemented by peer-reviewed secondary scholarship.

### 4. LIMITATIONS

The fast-changing character of AI technology makes it difficult to build a stable comparative framework: legal concepts of personhood, developed for natural and juridical persons, may already be a poor fit for autonomous systems, and legal systems are still catching up with the technology rather than getting ahead of it.

A second limitation is the basic difference in legal traditions among the three jurisdictions: India's hybrid system, the United States' common law tradition, and the European Union's civil law heritage of codified statutes make direct comparison difficult, since each jurisdiction reasons from different doctrinal starting points.

A third and, for this paper, decisive limitation is the near-total absence of settled precedent. No jurisdiction has granted full legal personhood to an autonomous AI system, and the handful of relevant cases, chiefly on AI inventorship and on AI-enabled harms to identifiable people, address adjacent questions rather than personhood directly. Conclusions in this paper are accordingly framed as readings of doctrinal trend rather than as reports of settled law.

### 5. LITERATURE REVIEW

Legal scholarship distinguishes legal subjects generally from "things": within legal subjects, a further distinction separates non-personal legal subjects from personal legal subjects, and personal legal subjects in turn split into natural persons and non-human legal persons such as

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<sup>1</sup> NITI Aayog, *National Strategy for Artificial Intelligence #AIforAll* (Discussion Paper, Government of India, June 2018).

<sup>2</sup> Digital Personal Data Protection Act 2023 (India).

<sup>3</sup> European Parliament Resolution of 16 February 2017 with recommendations to the Commission on Civil Law Rules on Robotics (2015/2103(INL)) [2018] OJ C252/239.

<sup>4</sup> Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence (Artificial Intelligence Act) [2024] OJ L1689.

corporations. AI systems, on any current account, fall outside the personal-subject category altogether. The debate is over whether that should change, and if so, on what model. Visa Kurki's taxonomy of legal personhood<sup>5</sup>, and the broader literature responding to it, treats this structure as the standard starting point for analysing whether a new class of entity should be brought inside the "personal legal subjects" boundary.

In the Indian context, the legal framework for AI remains largely a matter of policy rather than binding legislation. The National Strategy for Artificial Intelligence and the Digital Personal Data Protection Act 2023 provide general direction on data processing and algorithmic transparency but do not address AI personhood as such. Scholars working in the common law tradition, echoing arguments made by Solum and by Chopra and White in the corporate-personhood literature<sup>6</sup>, have suggested that common law's historical flexibility in recognising new categories of legal person (corporations, religious idols, and in some jurisdictions natural features) could in principle extend to AI systems, without this amounting to a claim that Indian courts are currently moving in that direction.

The United States shows a more fragmented picture, split between federal patent and copyright doctrine on one side and a patchwork of state legislation on the other. Federal courts have been consistent and emphatic in the one area where the question has actually been litigated: an AI system cannot be named as an inventor. In *Thaler v Vidal*<sup>7</sup>, the Federal Circuit held that the Patent Act's reference to an "individual" inventor is limited to natural persons, affirming the district court's rejection of Stephen Thaler's attempt to name his AI system DABUS as inventor on two patent applications. The U.S. Copyright Office reached a parallel conclusion on authorship, requiring human authorship for copyright protection.<sup>8</sup> Scholars such as Bayern and Diamantis have argued<sup>9</sup>, mostly as a matter of what current corporate law could

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<sup>5</sup> Visa AJ Kurki, *A Theory of Legal Personhood* (Oxford University Press 2019).

<sup>6</sup> Lawrence B Solum, 'Legal Personhood for Artificial Intelligences' (1992) 70 North Carolina Law Review 1231; Samir Chopra and Laurence F White, 'Artificial Agents and the Contracting Problem: A Solution Via an Agency Analysis' [2009] University of Illinois Journal of Law, Technology & Policy 363.

<sup>7</sup> *Thaler v Vidal* 43 F4th 1207 (Fed Cir 2022), affirming *Thaler v lancu* 435 F Supp 3d 1080 (ED Va 2021).

<sup>8</sup> United States Copyright Office, 'Copyright Registration Guidance: Works Containing Material Generated by Artificial Intelligence' 88 Fed Reg 16190 (16 March 2023).

<sup>9</sup> Shawn Bayern, 'The Implications of Modern Business-Entity Law for the Regulation of Autonomous Systems' (2015) 19 Stanford Technology Law Review 101; Mihailis E Diamantis, 'Algorithms Acting Badly: A Solution from Corporate Law' (2021) 89 George Washington Law Review 801.

technically accommodate, that an AI system could in principle be given limited legal capacity through an LLC-type wrapper – a proposal about legal architecture, not a report of what courts have done.

The European Union has the most developed public record on this question, and also the clearest example of a jurisdiction proposing AI personhood and then not adopting it. The European Parliament's 2017 resolution on civil law rules on robotics<sup>10</sup> invited the European Commission to consider "creating a specific legal status for robots... so that at least the most sophisticated autonomous robots could be established as having the status of electronic persons." The proposal drew an organised and detailed rebuttal: more than 150 AI, robotics, and law experts from 14 countries signed an open letter<sup>11</sup> arguing that no existing legal model could support the status, since grounding it in natural personhood would confer rights such as dignity and citizenship on machines in tension with the EU Charter of Fundamental Rights, while grounding it in corporate personhood presupposes human principals that an autonomous system does not have. The Commission's eventual AI Act (Regulation (EU) 2024/1689)<sup>12</sup> does not create any new category of legal person; it regulates providers and deployers of AI systems directly through a risk-tiered compliance regime. Pagallo and other scholars have continued to argue for more sophisticated intermediate models of AI legal status<sup>13</sup>, but as a normative proposal for reform rather than as a description of adopted EU law.

Three themes recur across the comparative literature. First, there is broad scholarly agreement that categories built for natural and juridical persons sit awkwardly on autonomous, learning systems, whatever is eventually done about it. Second, all three jurisdictions are trying to balance innovation against control, without yet converging on a shared method for doing so. Third, the accountability question – who answers for an AI system's decisions? – remains the live issue in every jurisdiction, and it is a question that, so far, each jurisdiction has managed to answer without resolving the personhood question first.

## 6. CONCEPTUAL BACKGROUND

The idea of AI legal personhood draws on the concept of *persona ficta*, or legal fiction, historically used to extend legal recognition to non-human entities such as corporations and trusts. The doctrinal question is

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<sup>10</sup> European Parliament Resolution (n 3).

<sup>11</sup> 'Open Letter to the European Commission: Artificial Intelligence and Robotics' (Future of Life Institute, 2018) <<https://www.robotics-openletter.eu>> accessed 2026.

<sup>12</sup> Artificial Intelligence Act (n 4).

<sup>13</sup> Ugo Pagallo, 'Vital, Sophia, and Co – The Quest for the Legal Personhood of Robots' (2018) 9 Information 230.

whether AI systems should receive a comparable legal fiction, and if so, on what model: the natural-person model, the juridical-person (corporate) model, or a genuinely new category designed specifically for autonomous systems.

The United States' common law tradition and its history of corporate personhood, clearly visible in cases such as *Citizens United v FEC*<sup>14</sup>, which extended certain constitutional protections to corporations, offers one possible analogy for how AI systems might eventually be brought within existing legal categories, though U.S. courts have so far declined to extend that analogy to AI systems themselves, as *Thaler v Vidal* shows.<sup>15</sup>

The European Union's approach is more explicitly rights-based, emphasising human oversight and algorithmic accountability. The General Data Protection Regulation and the AI Act<sup>16</sup> reflect a consistent institutional preference for keeping legal responsibility with identifiable human and corporate actors such as providers, deployers, and controllers, rather than distributing it to the AI system itself. The 2017 "electronic personhood" proposal is best read as the high-water mark of a different approach that the EU's own subsequent regulatory choices have moved away from.

India's legal system has previously recognised unconventional categories of legal persons such as religious idols and, in some rulings, rivers, for specific and limited purposes, which gives Indian courts a doctrinal vocabulary for extending personhood to new kinds of entities if they chose to. Nothing in current Indian statute or reported case law indicates that this vocabulary is currently being applied, or is expected to be applied, to AI systems; the Digital Personal Data Protection Act 2023 and NITI Aayog's policy papers<sup>17</sup> regulate the human and corporate actors that deploy AI rather than the AI systems themselves.

Across all three jurisdictions, the conceptual work still to be done concerns the same practical questions: what rights, if any, should attach to an AI system; how obligations arising from its operation should be enforced; and how accountability should be assigned when an AI system's decision cannot be traced cleanly back to a single human choice. The comparative record so far suggests that jurisdictions can make real regulatory progress on the second and third questions without resolving

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<sup>14</sup> *Citizens United v Federal Election Commission* 558 US 310 (2010).

<sup>15</sup> *Thaler v Vidal* (n 7).

<sup>16</sup> Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation) [2016] OJ L119/1; Artificial Intelligence Act (n 4).

<sup>17</sup> Digital Personal Data Protection Act 2023 (n 2); NITI Aayog (n 1).

the first.

## 7. RESEARCH METHODOLOGY

This paper uses doctrinal legal research combined with structured comparative analysis. The primary sources are the constitutive legal texts of each jurisdiction: in the European Union, the 2017 Parliament resolution on civil law rules on robotics and the AI Act (Regulation (EU) 2024/1689)<sup>18</sup>; in the United States, the Patent Act as construed in *Thaler v Vidal*, the U.S. Copyright Office's guidance on AI-assisted works, and relevant state legislation<sup>19</sup>; in India, the Digital Personal Data Protection Act 2023, NITI Aayog's AI strategy documents, and the small body of emerging case law on AI-enabled harms, including *Anil Kapoor v Simply Life India & Ors*<sup>20</sup>.

Secondary sources are drawn from peer-reviewed legal scholarship on AI governance and comparative legal personhood, restricted to the period 2015–2024, and cross-checked against primary sources rather than relied on for factual claims about the state of the law.

The comparative framework evaluates each jurisdiction against four fixed criteria: (i) whether the jurisdiction has a statutory definition of AI systems; (ii) whether it has articulated formal criteria, if any, for legal personality of an AI system; (iii) how it allocates liability in autonomous-decision contexts; and (iv) what enforcement mechanism backs that allocation. This structure is intended to keep the cross-jurisdictional comparison anchored to comparable questions rather than to each jurisdiction's own framing of the debate.

This paper relies on doctrinal and documentary sources only; it does not report primary interview or survey data. Where the discussion moves beyond the text of primary sources to draw a comparative inference, this is presented as the author's own synthesis rather than as an empirical finding.

## 8. ANALYSIS OF LEGAL AND REGULATORY DEVELOPMENTS

India offers a case study in how a jurisdiction with a fast-growing AI sector can address AI-related harms without legislating on AI personhood at all. NASSCOM and BCG project India's AI market growing at a 25–35% compound annual rate through 2027, from roughly

<sup>18</sup> European Parliament Resolution (n 3); Artificial Intelligence Act (n 4).

<sup>19</sup> *Thaler v Vidal* (n 7); United States Copyright Office (n 8).

<sup>20</sup> Digital Personal Data Protection Act 2023 (n 2); NITI Aayog (n 1); *Anil Kapoor v Simply Life India & Ors* (n 20).

USD 7–9 billion in 2023 to an estimated USD 17–22 billion, and Stanford’s AI Index records substantial private AI investment in India in 2023<sup>21</sup>. These figures show a jurisdiction under real pressure to regulate AI, without yet showing any legislative movement toward AI personhood. The Digital Personal Data Protection Act 2023 regulates automated processing of personal data but does not touch legal status; NITI Aayog’s National Strategy for Artificial Intelligence is a policy document rather than binding law.<sup>22</sup> Where case law exists, it points toward continued human accountability rather than toward AI personhood: in *Anil Kapoor v Simply Life India & Ors*<sup>23</sup>, Justice Prathiba Singh treated AI-enabled deepfakes and voice-cloning as tools used by identifiable human infringers of personality rights, granting an ex parte injunction against the human operators and platforms involved rather than treating the AI system as a party in its own right. Pending public interest litigation such as *Chaitanya Rohilla v Union of India*<sup>24</sup> seeks regulation of deepfake platforms on the same premise, that liability should run to the humans and companies operating a system rather than to the system itself.

United States doctrine is unambiguous on the one question that has actually been litigated to a final appellate decision: an AI system cannot be named as an inventor. In *Thaler v Vidal*<sup>25</sup>, the Federal Circuit held that the Patent Act’s use of “individual” restricts inventorship to natural persons, affirming the Eastern District of Virginia’s rejection of Stephen Thaler’s attempt to list his AI system DABUS as inventor. The U.S. Copyright Office reached a parallel conclusion on authorship in its guidance on works containing AI-generated material.<sup>26</sup> What the comparative literature sometimes overstates is the significance of scattered state legislation: measures addressing algorithmic discrimination or AI transparency (for example in Colorado)<sup>27</sup> impose duties on the developers and deployers of AI systems, and none of them extends legal personhood, even in limited form, to the AI system itself.

The European Union has the most fully documented history of seriously proposing, and then substantially retreating from, a dedicated legal status for AI. The European Parliament’s 2017 resolution<sup>28</sup> invited the

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<sup>21</sup> NASSCOM and Boston Consulting Group, *AI-Powered Tech Services: A Roadmap for Future Ready Firms* (NASSCOM, February 2024); Stanford Institute for Human-Centered Artificial Intelligence, *The AI Index Report 2024* (Stanford University, 2024).

<sup>22</sup> Digital Personal Data Protection Act 2023 (n 2); NITI Aayog (n 1).

<sup>23</sup> *Anil Kapoor v Simply Life India & Ors* (n 20).

<sup>24</sup> *Chaitanya Rohilla v Union of India* WP(C) (Delhi High Court, filed 2023, pending).

<sup>25</sup> *Thaler v Vidal* (n 7).

<sup>26</sup> United States Copyright Office (n 8).

<sup>27</sup> Consumer Protections for Artificial Intelligence, SB 24-205, 2024 Colo Sess Laws (codified as amended at Colo Rev Stat § 6-1-1701 et seq) ('Colorado AI Act').

<sup>28</sup> European Parliament Resolution (n 3). The resolution was carried 396 votes to 123,

Commission to consider “electronic personhood” for the most sophisticated autonomous robots, framed explicitly as a way of closing the liability gap in cases of harm rather than as a claim about machine consciousness or rights. The proposal drew an organised rebuttal from more than 150 AI, robotics, and legal experts from 14 countries<sup>29</sup>, who argued in an open letter that neither the natural-person model nor the corporate-person model could coherently support the status: the former would extend rights such as dignity and citizenship to machines, in tension with the EU Charter of Fundamental Rights, and the latter presupposes human principals that an autonomous system does not have. No EU member state adopted electronic personhood, and the Commission’s eventual AI Act (Regulation (EU) 2024/1689)<sup>30</sup> resolved the underlying liability question by regulating providers and deployers directly through a risk-tiered compliance regime, without creating any new category of legal person.

**Table 1:** Key Legal and Regulatory Developments (2015–2024)

| Jurisdiction | Primary instrument                                                       | Key provisions                                                                                       | Personhood status                                      |
|--------------|--------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| India        | Digital Personal Data Protection Act 2023; NITI Aayog AI strategy papers | Regulates automated processing of personal data; sets non-binding policy direction for AI deployment | No recognition; no dedicated AI-personhood legislation |
| USA          | Thaler v Vidal (Fed Cir 2022); state AI legislation (e.g., Colorado)     | Confirms human-only inventorship; state duties fall on developers/deployers                          | No recognition                                         |
| EU           | AI Act, Regulation (EU) 2024/1689                                        | Risk-tiered obligations on providers and deployers; no                                               | No recognition – 2017 'electronic personhood'          |

with 85 abstentions, and was drafted by rapporteur Mady Delvaux MEP.

<sup>29</sup> Open Letter (n 11).

<sup>30</sup> Artificial Intelligence Act (n 4).

|  |  |                     |                      |
|--|--|---------------------|----------------------|
|  |  | personhood category | proposal not adopted |
|--|--|---------------------|----------------------|

**Table 2: Key Cases and Their Implications**

| Jurisdiction | Case                                                   | Court's position                                                             | Implication                                                                              |
|--------------|--------------------------------------------------------|------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
| <b>India</b> | Anil Kapoor v Simply Life India & Ors (Delhi HC, 2023) | Treated AI-enabled deepfakes as a tool used by identifiable human infringers | Liability runs to human operators/platforms, not to the AI system                        |
| <b>USA</b>   | Thaler v Vidal, 43 F4th 1207 (Fed Cir 2022)            | AI system cannot be named as a patent inventor                               | Confirms natural-person requirement in inventorship doctrine                             |
| <b>EU</b>    | European Parliament Resolution 2015/2103(INL) (2017)   | Proposed, did not adopt, 'electronic personhood'                             | Liability gap later addressed through the AI Act's provider/deployer obligations instead |

**Table 3: Regulatory Framework Comparison**

| Aspect                             | India                                                  | USA                                        | EU                                                             |
|------------------------------------|--------------------------------------------------------|--------------------------------------------|----------------------------------------------------------------|
| <b>Primary regulatory approach</b> | Sectoral / policy-led                                  | Common-law / case-driven                   | Risk-based / codified                                          |
| <b>Liability framework</b>         | Human accountability via existing tort and IP doctrine | Adapted tort and patent/copyright doctrine | Tiered obligations on providers and deployers under the AI Act |
| <b>Personhood</b>                  | Not raised in                                          | Foreclosed for inventorship;               | Proposed (2017), not                                           |

|                   |             |                |                                                     |
|-------------------|-------------|----------------|-----------------------------------------------------|
| <b>trajectory</b> | binding law | open elsewhere | adopted;<br>explicitly<br>bypassed by<br>the AI Act |
|-------------------|-------------|----------------|-----------------------------------------------------|

Read together, the three jurisdictions show more convergence than the personhood debate usually suggests. None has granted, or is actively moving toward, AI legal personhood. Each has instead developed, through different doctrinal routes, a way of assigning liability for AI-related harm to identifiable human or corporate actors: India through existing tort and personality-rights doctrine applied to human operators, the United States through inventorship and authorship doctrine that keeps AI systems outside those categories, and the EU through a purpose-built regulatory regime that assigns obligations to providers and deployers without needing a new category of legal person at all.

9. DISCUSSION

Comparing AI legal personhood across the United States, India, and the EU shows three different doctrinal routes converging on a similar practical answer: none of the three currently treats AI personhood as necessary to solve AI accountability, and the jurisdiction that came closest to adopting it explicitly declined to. The EU’s AI Act<sup>31</sup> takes the most comprehensive regulatory approach, built on risk-tiered obligations rather than on a new legal-person category. The U.S. approach remains more fragmented and case-driven, shaped mainly by patent and copyright doctrine and by scattered state legislation. India’s approach combines elements of both, applying existing accountability doctrine to AI-enabled harms while its AI-specific policy instruments remain non-binding.

One consequence of this comparison is that the accountability gap created by autonomous decision-making is being closed, in all three jurisdictions, without resolving the philosophical question of AI personhood first, which suggests that question may be less load-bearing for practical regulation than the literature sometimes implies. The EU’s experience is the clearest evidence for this: having proposed electronic personhood in 2017 specifically to solve a liability gap, the Commission ultimately closed that gap through the AI Act’s provider/deployer obligations instead, without the personhood category ever being adopted.

This has practical consequences for organisations building or deploying AI systems across these jurisdictions. Because none of the three currently

<sup>31</sup> Artificial Intelligence Act (n 4).

recognises AI legal personhood, liability for AI-related harm continues to attach to the human and corporate actors in the chain such as developers, deployers, and operators, which is a more predictable, if occasionally more demanding, compliance environment than one built around a novel legal-person category would be. The comparative picture also offers a caution to other jurisdictions currently debating AI personhood: the EU's 2017–2024 trajectory is a documented example of a jurisdiction seriously considering the idea, receiving substantial expert pushback grounded in specific doctrinal objections, and choosing a different regulatory path - a precedent worth engaging with directly rather than treating AI personhood as a frontier the EU is still advancing toward.

The comparison also surfaces a genuine difference in emphasis rather than in outcome. Western approaches, in both the U.S. and EU, tend to frame the question around individual rights and liabilities; the Indian material engages more with collective and constitutional considerations; for instance, the tension between recognising machine agency and the unresolved status of human rights claims within India's own legal and social context. That difference in framing is worth further comparative study even though it has not, so far, produced different bottom-line outcomes on personhood.

Looking forward, this comparative record supports a narrower and more actionable set of recommendations than a call for a unified global personhood standard. First, jurisdictions considering AI-specific legislation should treat the accountability question and the personhood question as separable, since the EU's experience shows the former can be substantially addressed without resolving the latter. Second, legal systems should continue building targeted doctrine, as India and the U.S. are doing case by case, rather than waiting for a comprehensive personhood framework before acting on liability. Third, any future serious personhood proposal should engage directly with the specific doctrinal objections raised against the EU's 2017 proposal, rather than treating those objections as settled or as merely provisional.

## 10. CONCLUSION

The comparative record across India, the United States, and the European Union does not show three jurisdictions at different points along a shared path toward AI legal personhood. It shows three jurisdictions that have each, through different doctrine, arrived at the same practical position: AI accountability can be, and so far has been, addressed without granting AI systems legal personhood. The EU's AI Act regulates providers and deployers directly; U.S. courts have kept inventorship and authorship doctrine limited to natural persons; and

Indian courts have applied existing personality-rights and tort doctrine to the human operators behind AI-enabled harms. The EU's 2017 proposal for "electronic personhood," and its subsequent abandonment in favour of the AI Act's regulatory model<sup>32</sup>, is the clearest documented instance of a jurisdiction testing the personhood approach and choosing against it. As AI systems continue to develop, these three jurisdictions will need to keep refining their accountability doctrine, but the comparative evidence so far suggests that doing so does not require resolving the personhood question, and may in fact be more tractable without it.

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<sup>32</sup> European Parliament Resolution (n 3); Artificial Intelligence Act (n 4).