

## **THE ALGORITHMIC RULE OF LAW: INSTITUTIONALIZING ACCOUNTABILITY AND HUMAN OVERSIGHT IN AI-DRIVEN LEGAL SYSTEMS**

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### **Abstract**

The article examines the integration of artificial intelligence (AI) technologies into justice, public administration, and private law, highlighting the need to rethink traditional notions of legal personality, liability, and procedural guarantees. The study employs an integrative review of literature, comparative legal analysis of supranational and national regulations, formal-dogmatic analysis of AI legal personality and delictual capacity, content analysis of ethical codes, case studies on algorithmic systems in judicial and administrative processes, and scenario modeling of the "human–algorithm–state" partnership. The dual nature of AI in the legal system is identified: while interpretation dominates as a tool with increased autonomy, space is emerging for functional legal personality within delegated responsibility. Key interaction points are highlighted, including algorithmic rule of law, the right to non-automated decisions, audit and impact assessment, and explainability, alongside a lack of operational mechanisms for appeals and causal reasoning in AI-related cases. A three-level partnership framework is proposed, covering normative, ethical, and institutional dimensions, with a phased recognition model ranging from functional to limited civil and conditional subjectivity. The study demonstrates that effective AI integration requires simultaneous reinforcement of procedural guarantees and adaptation of liability regimes. Optimal implementation involves a cooperative model in which algorithms remain accountable,



explainable, and human-controllable. Recommendations include adopting a national charter on AI and law, establishing a register of high-risk systems, and creating independent centers for assessing AI's impact on national legal systems.

### Keywords

Artificial intelligence, cybersecurity, law enforcement, legal regulation, legal relations.

### Resumo

O artigo examina a integração das tecnologias de inteligência artificial (IA) na justiça, na administração pública e no direito privado, destacando a necessidade de repensar as noções tradicionais de personalidade jurídica, responsabilidade e garantias processuais. O estudo emprega uma revisão integrativa da literatura, análise jurídica comparativa de regulamentos supranacionais e nacionais, análise formal-dogmática da personalidade jurídica e capacidade delitual da IA, análise de conteúdo de códigos éticos, estudos de caso sobre sistemas algorítmicos em processos judiciais e administrativos e modelagem de cenários da parceria "humano-algoritmo-Estado". A natureza dual da IA no sistema jurídico é identificada: enquanto a interpretação domina como uma ferramenta com maior autonomia, está a surgir espaço para a personalidade jurídica funcional dentro da responsabilidade delegada. São destacados pontos-chave de interação, incluindo o Estado de direito algorítmico, o direito a decisões não automatizadas, auditoria e avaliação de impacto e explicabilidade, juntamente com a falta de mecanismos operacionais para recursos e raciocínio causal em casos relacionados com IA. É proposta uma estrutura de parceria de três níveis, abrangendo dimensões normativas, éticas e institucionais, com um modelo de reconhecimento faseado que vai da subjetividade funcional à subjetividade civil limitada e condicional. O estudo demonstra que a integração eficaz da IA requer o reforço simultâneo das garantias processuais e a adaptação dos regimes de responsabilidade. A implementação ideal envolve um modelo cooperativo no qual os algoritmos permanecem responsáveis, explicáveis e controláveis pelo ser humano. As recomendações incluem a adoção de uma carta nacional sobre IA e direito, o estabelecimento de um registo de sistemas de alto risco e a criação de centros independentes para avaliar o impacto da IA nos sistemas jurídicos nacionais.

### Palavras-chave

Inteligência artificial, cibersegurança, aplicação da lei, regulamentação jurídica, relações jurídicas.

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### **Introduction**

The relevance of the study is due to the exponential growth of the significance of artificial intelligence (AI) in the functioning of the legal system, which determines the transformation of established concepts of subjectivity, legal responsibility and mechanisms for the implementation of law. Machine learning technologies, automated decision-making and processing of large data sets are increasingly being implemented in the field of justice, public administration, forensics and contractual legal relations, which actualizes the need for conceptual rethinking of the fundamental categories of legal science (Rafanelli, 2022). At the same time, the legal doctrine of the vast majority of states demonstrates insufficient readiness for the systemic incorporation of such technologies: current regulatory legal acts do not regulate the legal responsibility of autonomous systems, and the concept of electronic legal personality continues to remain a subject of scientific discussion. The formulation of the research problem consists in determining the optimal ratio between the interpretation of AI as a tool that will assist a person in law-making and law-enforcement activities, and the potential possibility of granting it a limited status of a subject of legal relations within the framework of delegated responsibility.



## Literature Review

In the scientific space, the issue of the legal nature of AI occupies a priority place in the context of the digital transformation of legal systems. Researchers Çami and Skënderi (2023). Getman et al. (2022), Orobets et al. (2025), argue for the need for proactive legal regulation of innovative technologies in relation to the pace of technological progress, since it is the legal system that acts as a guarantor of preserving the fundamental principles of justice, protection of human rights and the rule of law. Scientists emphasize that at the present stage, the dominant part of the world's legal systems treats AI as a tool, that is, an object of legal relations used by a person to achieve certain goals, and not as a subject of law. At the same time, the issue of distributing legal consequences for the damage caused by the actions of the algorithm remains uncertain.

Scientific research states the fragmentation and lack of systematicity of regulatory and legal support in the field of AI. In a number of works Rafanelli (2022) and Tavalzhanskyi et al. (2025), discusses a risk-based regulatory methodology, classifying AI systems by the level of potential danger to the legal sector. At the same time, the question of the sufficiency of such a risk-based approach to resolve conflicts between algorithmic decisions and fundamental human rights remains debatable. In particular, in cases where an autonomous system makes decisions with legal consequences (judicial, administrative, financial), control and appeal mechanisms remain insufficiently developed.

Researchers Beruashvili (2025), Ghannadi (2025), Petrovskyi et al. (2025) draw attention to the problem of legislation lagging behind technological development, which is typical for most countries. They state that the legal system traditionally operates according to a reactive model, responding to already formed phenomena, while the development of AI requires preventive, adaptive and dynamic regulation. Scientists justify the need to create a flexible legal architecture that would ensure the updating of norms without a radical change in legislation, but through subordinate regulatory acts, standards and ethical codes. However, the lack of a coordinated approach to the application of these regulatory documents in the context of ethical standards and legal practice is problematic.

A great deal of attention in the studies of Masoudi and Yarahmadi (2024), Poorhashemi (2024), Sarra (2025) is paid to the issue of legal personality of AI, which acquires both theoretical and practical significance. Scientists are discussing the possibility of recognizing an autonomous system as a bearer of rights and obligations, that is, granting it the status of an "electronic person". However, the fundamental question of the criterion of legal personality remains unresolved: the presence of will, consciousness and the ability to act with intention. Algorithms, even the most autonomous, do not have an internal intention, therefore, their subjectivity can only be fictitious, that is, constitute a legal construct necessary for the distribution of responsibility, and not for the recognition of an independent legal status.

Scientists Moretti and Zuffo (2025), Zhaltyrbayeva et al. (2025), indicate the possibility of considering AI as a new form of delegated responsibility, which involves expanding the



concept of agency, i.e. treating AI as a legal instrument acting on behalf of the subject. The question of the legal distinction between “algorithmic error” and “offense” remains unclear, as well as the possibility of applying the norms of tort or criminal law to the actions of autonomous systems.

In a report from IBA (2024), Gilani et al. (2023), there is a trend towards an interdisciplinary analysis of the legal status of AI. Research indicates that it is impossible to isolate legal systems from ethical and technological contexts. A model of “shared responsibility” is proposed, according to which the state, developers, users and independent supervisory bodies jointly ensure that algorithms comply with legal and moral standards. However, the model itself remains at the conceptual level, since there are no mechanisms for its implementation, especially within national legal systems, where there is a lack of independent structures for verifying algorithmic decisions.

To summarize, the authors can state that scientific research undoubtedly confirms the relevance of the researched issues and recognizes the integration of AI into the legal system as an objective process, but also forms the problem of the dichotomy of the status of AI in interaction with the law and legal regulations of the country.

The aim of the article is to substantiate the formats of interaction between AI and the legal system, in order to determine the principles of its transition to the status of a potential subject of legal relations.

## **Research Methodology**

The methodological foundation of the study is based on an integrative approach that synthesizes general scientific, special legal and comparative methods for a comprehensive analysis of the phenomenon of AI integration into the legal system. The leading methodological principle is a systemic approach, based on the interpretation of AI as a component of a digital legal ecosystem in which a person, an algorithm, the state and legal institutions function and interact.

The dialectical method was applied, which made it possible to identify the evolutionary dynamics of the legal status of AI – from the object of technical regulation to the potential subject of delegated legal relations. The comparative legal method was used to study international regulatory acts: European Parliament & Council of the European Union (2024), OECD (2019), UNESCO (2021), European Commission (2022). This step provided the opportunity to expound on the differences between regulatory models.

The formal-dogmatic method provided an analysis of the categorical apparatus of “legal personality”, “legal responsibility”, “autonomy”, which function in scientific discourse and legislative practice to determine the legal status of AI. The content analysis method was implemented during the processing of scientific publications and international documents, in particular reports of the European Parliament (Mayer & Boni, 2017) and the Council of Europe (Committee of Ministers, 2020). Additionally, the study applied a predictive method to model scenarios of the evolution of legal regulation of AI in Ukraine, taking into account global trends in the field of digital law. The overall methodological



configuration made it possible to analyze the state of the regulatory framework, but also to formulate the author's scientific and practical recommendations.

## Results

### Part 1. Algorithms and practices of combining and interacting AI, law and legal relations

On the threshold of the third decade of the 21st century, humanity found itself in a state of profound transformation of legal thinking, caused by the expansion of AI into the sphere of public administration, communications, economic interaction and judicial process. Algorithmization, which was initially considered only as a technological tool for optimizing routine operations, has turned into a complex system that forms new types of legal relations, modifies the traditional categories of the subject and object of law, changes the structure of legal responsibility and the principles of the rule of law. Modern law, reacting to the emergence of intellectual systems, is forced to expand its ontology, recognizing that AI algorithms not only implement human intentions, but also independently produce decisions that affect legal reality and social justice Getman et al. (2023).

The problem of combining artificial intelligence and law is inevitably related to the renewal of fundamental legal principles. Thus, the principle of the rule of law, in the classical sense, is enshrined in the CM/Rec(2020)1, states that any decision that affects human rights should be taken by a legitimate and accountable authority. In the context of AI, this principle takes on a new form, algorithmic rule of law, i.e. requirements that algorithms operate under supervision, comply with the principle of transparency and can be checked for bias or discrimination (Committee of Ministers, 2020).

According to the European Parliament & Council of the European Union (2016), citizens of the European Union have the right not to be subject to solely automated decision-making that has legal consequences (Article 22). This regulatory provision is one of the first regulatory recognitions of algorithmic autonomy as a potential source of human rights violations, and therefore requires the creation of human-in-the-loop mechanisms, namely human control over each critical stage of the functioning of AI. The authors also point to the Recommendation on the Ethics of Artificial Intelligence (UNESCO, 2021), which establishes four key principles for the ethical interaction between law and AI:

- 1) promoting human well-being;
- 2) ensuring transparency of algorithms;
- 3) guarantee of justice;
- 4) developer accountability.

Thus, AI ceases to be just a technical phenomenon, and it becomes a legal event that creates obligations, rights and legal consequences. Algorithmic norms do not replace legal ones, but form a new level of legal practice, through operational normativity, in which the legal requirement is implemented not through a declaration, but through the



structuring of data and behavioral models in the digital space. Practical models of interaction between law and AI are already enshrined in a number of international documents. For example, OECD Principles on Artificial Intelligence sets out five basic guidelines: inclusive growth, safety and fairness of systems, transparency and explainability, accountability and sustainability. These principles serve as a global ethical framework for countries developing their own AI legislation. They outline a clear approach according to which algorithmic activities should then be not only effective, but also socially acceptable (OECD, 2019).

**Table 1.** Critical points of interaction between AI and law

Critical point	Characteristics	Legal document	Implications	Application recommendation
Algorithmic rule of law	Require algorithms to operate under oversight, transparency, and bias checks	CM/Rec(2020)1	Ensures protection of human rights from automated decisions	Implement regular AI audits in government agencies
Protection against automated solutions	The right not to be subject solely to algorithmic decisions with legal consequences	GDPR (Art. 22)	-in-the-loop control to avoid discrimination	Develop appeal mechanisms against AI decisions
Ethical principles of AI	Promoting well-being, transparency, fairness and accountability	UNESCO	Forms operational norms where AI becomes part of legal practice	Integrate ethical codes into the development of AI systems
Assessment of high-risk systems	Ethical risk screening, discrimination testing and impact analysis	AI Act (EU)	Shifts the paradigm to the interaction of law and technology, with a focus on responsibility	Create national AI impact assessment centers

Source: compiled by the authors based on Committee of Ministers (2020), European Parliament & Council of the European Union (2016; 2024), UNESCO (2021)

In the format of legal relations, this means that the traditional paradigm “law – regulates technology” is changing to “law ↔ interaction with technology”. “AI-based” technologies are emerging in the law enforcement system. legal analytics systems”, or algorithms that can predict court decisions, classify precedents, analyze legal risks. These processes have formed a completely new class of legal relations – algorithmic trust relations, in which the state delegates part of its legal powers to the AI system, but retains responsibility for the consequences of its actions. Special legal mechanisms are being developed for such situations: algorithmic audit, impact assessment, compliance-by-design. Within the framework of the AI Act, each high-risk system must undergo a compliance assessment, which includes ethical risk assessment, discrimination testing, and social impact analysis



(Popa & Pascariu, 2024). This means that the algorithm is included in the legal cycle as a “regulated sub-process”, not as an independent actor, but as a structural part of the legal decision (Table 1).

However, the integration of algorithms into the legal system cannot take place without updating the institution of legal liability. International practice is gradually moving from the principle of “fault” to the principle of foreseeable risk, which implies that the operator or developer of an AI system is obliged to foresee the potential consequences of its activities and is liable even for indirect errors. This approach is reflected in the EU Liability project for Artificial Intelligence Directive, which proposes to introduce a simplified presumption of liability for suppliers of high-risk systems (European Commission, 2022; Bertolini, 2025). In theoretical terms, this means that law becomes a self-learning system, and a legal norm becomes a separate dynamic code that is constantly updated under the influence of information flows.

## **Part 2. Artificial Intelligence as a Subject of Law: Comparative Analysis and Prospects**

The issue of the legal personality of AI is one of the most relevant in the legal theory of the 21st century. It reveals the limits of the anthropocentrism of law and raises the question of whether a human-created intellectual entity can be not only a tool, but also an independent participant in legal relations. In the article by Guitton et al. (2025), it is argued that modern discussions about the legal personality of AI go beyond the theoretical plane and are included in the political agenda of many states, primarily the EU and North America. These facts indicate a tendency towards a global legal revision of the concept of a legal subject, which was traditionally limited to a person and the legal entities created by him.

Legal personality in the classical sense includes legal capacity, capacity to act and tortious capacity. It is based on the ability of a subject to be aware of their own actions, to have will, interests and moral responsibility. Traditional law is based on anthropocentric logic, which was formed on the basis of human characteristics: emotionality, intentions, ability to understand consequences. That is why the main argument against recognizing AI as a subject of law is the “absence of something”: consciousness, intentions, feelings. However, this does not exclude the possibility of legal recognition of AI based on analogy with the legal personality of legal entities or animals. The idea of a “fictitious subject” has long been used in law: a company or a state are considered persons in the legal sense, although they have neither a body nor consciousness (Barichella, 2023). This kind of formal mechanism has created the possibility of assigning rights and obligations to collective or non-physical entities, which opens the prospect of its application to autonomous artificial intelligence systems (Makedon et al., 2024; Bernaziuk, 2025).

In the report of the European Parliament's Committee on Legal Affairs, “Draft Report on Civil Law Rules on Robotics” states that the development of autonomous robots raises the question of creating a “new category of electronic persons” to grant legal status to the most complex systems. Although this document is not binding, it has set the



framework for further discussions in the EU, in particular within the framework of directives on the ethics of artificial intelligence and training (Mayer & Boni, 2017).

Hallevy (2010), who developed a model of criminal liability for AI, similar to the liability of legal entities. The EU Regulation on Artificial Intelligence (AI Act), approved by the European Parliament in 2024, enshrines the principle of "human accountability" and establishes a clear distinction: AI is an object of regulation, but not a subject of law. However, the law recognizes a high level of autonomy in decision-making for certain autonomous systems, which potentially creates the basis for a gradual conceptual evolution towards legal subjectivity (European Parliament & Council of the European Union, 2024).

In the document Law of War The US Department of Defense Manual emphasizes that the law of war applies only to individuals, not to weapons, even if they have the ability to make "legally significant decisions," such as selecting a target. This suggests that at the level of international humanitarian law, recognizing AI as a subject is currently impossible. At the same time, the document does not exclude the future evolution of interpretation if technologies reach the level of autonomous moral judgment (Office of General Counsel, 2015).

In 2017, Saudi Arabia granted symbolic citizenship to the robotic system Sophia, marking the first time a machine has been legally recognized as a subject. While the move was largely a publicity stunt, it demonstrates the potential of soft law to legitimize new forms of subjectivity. In China, where Artificial Intelligence Industry Development Plan (2017) and a set of norms within Cybersecurity Law and Personal Information Protection Law, the state recognizes AI as an object of administrative responsibility of the developer, but not as an autonomous participant in the law (Webster et al., 2017). At the same time, the concept of a "responsible algorithm" in Chinese doctrine is increasingly seen as a potential form of limited legal personality (Hakimi et al., 2025).

International law does not contain a universal category of "electronic person", however, discussions are underway within the UN to create a *Global Digital Compact*, a separate document that can regulate the interaction of humans and artificial intelligence in the legal field. Thus, as soon as society recognizes the feasibility of granting AI rights and responsibilities, this will become legally possible. An important precedent is also CM/Rec (2020)1 on the human rights impacts of algorithmic systems, where the principle of "shared" is defined "accountability" – or practices of collective responsibility of developers, users and the state for the behavior of algorithms (Committee of Ministers, 2020).

The authors propose to give legal recognition to AI as an entity through a series of the following levels:

1) Functional subjectivity – consolidation of limited legal capacity in the field of civil rights (conclusion of contracts, copyright on the results of AI's creative activity). *Example: in the USA*, the US Copyright Office confirmed in 2023 that works created by AI without human input are not protected, but the law allows for "co-authorship", which actually recognizes the agent role of the algorithm;



2) Autonomous legal personality – a hypothetical model in which AI can be a party to a contract or bear civil liability (similar to corporations). This would require the creation of a new category in national codes, possibly in the form of an electronic person;

3) Moral and legal subjectivity, as the highest level, is possible only if AI is endowed with elements of self-awareness or social ethics. At this stage, issues of “digital rights” of AI may arise, for example, the prohibition of its unjustified destruction or modification;

However, there are serious risks: first, it is the problem of liability, or who will bear the punishment in case of unlawful actions of AI; second, the threat of undermining the principle of human control, enshrined in many international norms; third, the issue of moral equality between man and machine, which can change the value foundations of law. Comparative analysis has shown that modern world law is gradually moving from categorical denial to cautious functional recognition of artificial intelligence as a participant in legal relations. Mechanisms similar to the legal personality of legal entities already create a legal basis for granting AI a limited status (Makedon et al., 2025). However, the lack of moral awareness and autonomous will makes AI an object of regulation rather than a subject in the classical sense. The future of the legal personality of AI depends on the development of cognitive technologies, public consent and political will of states.

### **Part 3. Ways of interaction, ensuring partnership and tolerance between AI and the country's legal system**

AI is not the enemy of law, but rather its test, tool and co-creator. Today, there is a shift from the “law against technology” model to the “law in cooperation with technology” paradigm, where tolerance does not mean passive consent to the existence of digital autonomy, but a conscious recognition of its usefulness within a clearly defined regulatory framework. (Sasko et al., 2025).

The question of partnership between artificial intelligence and law is inextricably linked to understanding the very nature of law as a living, self-regulating system. Misch et al. (2025), indicate that the digital environment transforms law from a set of textual norms into a system of dynamic codes, in which algorithms become tools of legal practice, and not only objects of regulation. In this sense, law and AI enter into a relationship of functional symmetry: the first sets ethical boundaries, the second ensures the effectiveness of their implementation. According to the AI Act (Regulation (EU) 2024/1689), algorithmic systems can be integrated into the processes of legal proceedings, management or provision of administrative services, provided that the principles of transparency, accountability, explainability and human control (human-in-the-loop) are observed. This is embedded in a deep legal idea – AI should not replace a person as a moral subject, but should support his rationality, ensuring equality, impartiality and speed of legal processes (European Parliament & Council of the European Union, 2024).

Tolerance between AI and the legal system lies in the mutual recognition of boundaries: law recognizes the technical autonomy of the algorithm as a source of efficiency, and AI



recognizes the rule of law as the basis for the legitimacy of its actions. It is on this basis that the concept of cognitive partnership arises, in a model of cooperation between the human mind, which determines values, and machine intelligence, which ensures their implementation through analytical procedures (Organization for Economic Co-operation and Development, 2025).

International legal documents adopted over the past five years demonstrate that leading states and organizations are not limited to declarations on the safety of AI, but are creating the basis for its institutional inclusion in the legal ecosystem. Thus, Recommendation on the Ethics of Artificial Intelligence (UNESCO, 2021) declares that the purpose of regulation is to ensure the human-centered development of technologies, in which the autonomy of systems does not contradict human dignity and freedom. The document has already laid the foundations for tolerant interaction, but not through control or restrictions, but through trust, co-responsibility and adherence to ethical norms.

OECD (2019) identify five basic directions of development: (1) inclusive growth; (2) sustainable development; (3) transparency; (4) accountability; (5) orientation to human well-being. This vision forms the model of a "partnership algorithm" – a system that does not replace the law, but strengthens its ability to ensure justice (OECD, 2019). At the same time, CM/ Rec (2020)<sup>1</sup> introduces the concept of "algorithmic accountability", according to which the state must provide mechanisms for verifying and appealing decisions made on the basis of artificial intelligence (Committee of Ministers, 2020). Thus, a dual system of protection is created: on the one hand, these are certain technological barriers that prevent abuse, and on the other, legal instruments that guarantee access to justice. Based on these documents, a general trend emerges: the interaction of AI and law should evolve from strict regulation to a partnership based on trust, predictability, and humanistic control.

In the context of the interaction of law and artificial intelligence, the concept of "tolerance" takes on a meaning different from the traditional understanding of interpersonal tolerance. Here the authors are talking about institutional tolerance, or the ability of the legal system to adapt to new forms of rationality, to recognize the existence of another, non-thinking subjectivity that operates according to the rules of calculation, not intuition (Meyers, 2025).

Tolerance does not mean compliance, but rather the intellectual maturity of the law, which allows it to accept algorithms as partners while maintaining moral guidelines. For example, when introducing predictive justice systems (Predictive Justice) in some EU countries, the state does not abandon the principle of judicial independence, but uses analytical models to reduce subjectivity in the interpretation of norms. This is a manifestation not of subordination of law to the machine, but of tolerant integration, in which the human factor corrects algorithmic logic.

In such a context, it is appropriate to mention Article 22 of the General Data Protection Regulation (GDPR), which guarantees a person the right not to be the subject of an exclusively automated decision that has legal consequences (European Parliament & Council of the European Union, 2016). Such a norm is a manifestation of institutional



tolerance: it recognizes the potential of AI, but at the same time ensures the possibility of appeal, supervision and human judgment. The law does not reject the algorithm, it coexists with it on the basis of control and respect for dignity (Adams Bhatti, 2025). The authors believe that the interaction between law and artificial intelligence should not occur in the plane of subordination, but in the form of cooperative regulation, where technology and law perform complementary functions. Such a model can be defined as integrative-tolerant, which should contain three levels:

1. Regulatory level – building a legal framework that recognizes the autonomy of AI, but sets limits on its use. This means adapting legislation (for example, within the AI Act or GDPR) to new forms of decision-making made with the help of machine learning, with the guarantee of human oversight.
2. Ethical level, through the development of codes of algorithmic conduct that establish moral principles for developers and users. This approach proposes to expand the concept of professional responsibility of lawyers and programmers, turning it into a form of shared ethical accountability.
3. Institutional level – creation of state and supranational structures that ensure monitoring and auditing of algorithms. This includes the formation of centers for assessing the impact of AI on human rights (AI Impact Assessment Centers), which carry out independent examination of the social risks of technologies (Figure 1).

The authors propose that every country integrating AI into its legal system develop a National Charter on Artificial Intelligence and the Law, which would include: partnership principles (human – algorithm – state); standards of ethical interaction; criteria for assessing algorithmic fairness; procedures for legal liability for the actions of autonomous systems.

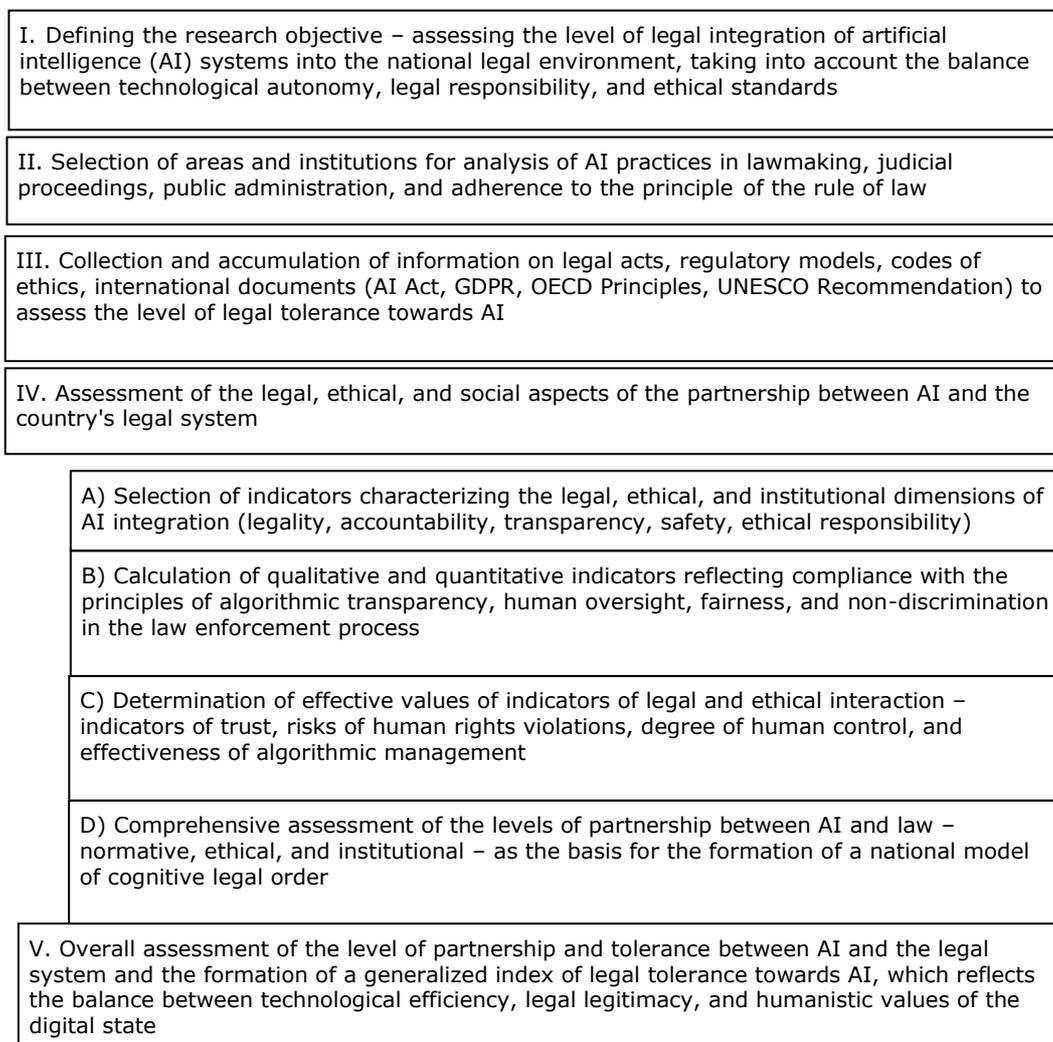
To truly establish a partnership between AI and the legal system, it is necessary to implement a number of practical steps that will ensure a balance between innovation and legitimacy. The author identifies several key areas:

1. Algorithmic rule of law. Mechanisms should be established to verify algorithms that perform legal actions (for example, in the field of e-justice, customs control or public services). This would include independent certification of software, the creation of public registers of high-risk algorithms and the introduction of a mandatory “ethical license” for systems that affect citizens’ rights.
2. Human-centric justice. The justice of the future must combine the analytical capabilities of AI with human moral judgment. The use of algorithms to analyze evidence or predict decisions is possible only if the model is fully transparent. The judge must see not only the conclusion of the algorithm, but also its logic, which implements the principle of the “right to be explained” enshrined in the GDPR.
3. Education and legal culture in the algorithmic era. In the training of lawyers, disciplines dedicated to digital law, ethics of technologies and regulation of AI should be introduced. This will allow to form a generation of lawyers who are able not only to interpret the law, but also to evaluate algorithms as social norms.



4. International cooperation. No country is capable of independently creating a universal model of partnership with AI, therefore, participation in intergovernmental structures is necessary, for example, in the Global Council on the Ethics of Artificial Intelligence (Global Partnership on AI), created at the initiative of the OECD. Such cooperation will allow harmonizing standards, sharing audit results, and creating a single legal infrastructure for accountability (Office of General Counsel, 2025; OECD, 2025).

**Figure 1.** Stages of convergence and ensuring interaction between artificial intelligence and the legal system of the state



Source: developed by the authors

Tolerance and partnership between law and artificial intelligence is not a short-term response to a technological challenge, but a new vector of evolution of legal civilization. In this process, legislators would do well to stop considering technology as a threat and start perceiving it as a co-creator of the rule of law, capable of ensuring accuracy, efficiency, and objectivity of law enforcement (Table 2).



**Table 2.** Directions for synchronization and development of interaction between AI and the country's legal system

Direction	Working principle	A decisive advantage	Challenges	Recommendations
Algorithmic rule of law	Verification and certification of algorithms for legal actions, including registers of high-risk systems	Ensures transparency and legitimacy of AI decisions	The difficulty of auditing complex models	Implement a mandatory ethical license for AI in public services
Human-centered justice	Integration of AI into judicial proceedings with mandatory human control and the right to explanation	Increasing efficiency and reducing subjectivity	Risk of bias in the data	Develop standards "right" this explanation " at the national level
Education and legal culture	Training lawyers in digital law and AI ethics	Formation of competent specialists for the algorithmic era	Insufficient infrastructure for education	Integrate AI disciplines into legal higher education institutions
International cooperation	Participation in global initiatives like Global Partnership on AI	Harmonization of standards and exchange of experience	Various national regulations	Join international AI ethics councils
Ethical integration	Developing codes for AI developers and users	Strengthening moral principles in technology	Defining universal ethical norms	Create a national charter on AI and rights

Source: developed by the authors

The author concludes that legal tolerance for AI is not a relaxation of norms, but their flexible expansion, taking into account the multiplicity of forms of mind and intelligence. The partnership between a person and an algorithm will expand the practice of creating a legal culture of co-responsibility, in which technology operates within the ethical code of law, and law in the rhythm of technological progress.

## Discussion

The results of the study are generally consistent with the modern scientific concepts of Beruashvili (2025), Popa and Pascariu (2024), Sarra (2025), which focused on the need to implement AI in the legal sphere while adhering to the principles of anthropogenic control, accountability, transparency, and ethical responsibility of developers. Our study develops this concept, demonstrating that the incorporation of AI into the legal system



is not only a technological challenge, but also an ontological process within which law is transformed from a textual institution into a cognitive system capable of self-learning and predicting socio-legal risks.

At the same time, the concept of “institutional tolerance” proposed by us partially argues with the methodological approaches of Moretti and Zuffo (2025) and Rafanelli (2022), which interpret AI regulation mainly through the prism of ethical principles and risk-based supervision. Our position is that ethical principles should be operationalized through legal mechanisms – algorithmic audit, impact assessment, a certification system for high-risk systems, which concretizes the provisions of the OECD (2019) and Recommendation on the Ethics of Artificial Intelligence (UNESCO, 2021). In contrast to most scholars who limit themselves to declarative approaches to ethical regulation, our model enables the formalization of responsibility through algorithmic mechanisms. accountability and compliance-by-design, which ensured a transition from declarative principles to practical implementation.

Regarding the issue of AI legal personality, the results obtained partially correlate with the conclusions of Hallevy (2010), Barichella (2023) and Guitton et al. (2025), which assume the existence of intermediate forms of subjectivity with a variable degree of autonomy. In contrast to radical concepts of granting AI the status of an “electronic person”, the authors propose the concept of functional legal personality or limited legal status, which allows us to determine the scope of legal powers and delegated responsibilities without violating the principle of anthropogenic accountability. Our position corresponds to the norms of the European Parliament & Council of the European Union (2024), which stipulates that only a person can act as the ultimate bearer of legal responsibility, while AI is treated as a regulated sub-process within the legal system. Thus, our study not only agrees with the leading trends of scientific discourse, but also expands the theoretical field, moving the interaction of AI and law from the plane of declarative principles to the plane of institutionally established procedures and legal responsibility.

## Conclusion

The results of the scientific research show that the algorithmization of legal processes has determined the formation of a new paradigm of legal regulation, in which artificial intelligence functions as an integral component of the legal system, but does not eliminate its anthropocentric nature. It has been established that modern law is characterized by a gradual transformation from a normative to an operational form – “algorithmic governance”, within which legal norms are implemented through information arrays, models and digital procedures. It was found that international regulatory acts form a legal field where algorithmic decisions are considered as a component of a regulated cycle of law-making activity. At the same time, the problems of determining the boundaries of responsibility for the autonomous functioning of AI, procedural audit of algorithmic systems and legal legitimacy of operational decisions made by systems without human participation remain insufficiently resolved.



The results of the comparative analysis show that modern law demonstrates an evolutionary trajectory from categorical denial to limited functional recognition of artificial intelligence as a participant in legal relations. It was found that the vast majority of states adhere to the concept of "human accountability", while creating space for legal experiments, in particular in the field of the institute of "electronic person". Analysis of national legislative initiatives confirmed that the functional legal personality of AI is implemented within the delegated responsibility of developers and users. The issues of the moral and legal status of AI, the parameters of its autonomy in the decision-making process, and the lack of a unified international model of legal personality capable of determining the optimal ratio between technical independence and legal accountability remain debatable.

The study demonstrated that effective interaction between the legal system and artificial intelligence is possible only on the basis of partnership, based on the principles of trust, transparency, explainability and anthropogenic control. An integrative-tolerant model is proposed, covering three levels: normative (adaptation of legislation to algorithmic processes), ethical (codes of responsible development) and institutional (audit and monitoring of AI decisions). The feasibility of creating a National Charter of Artificial Intelligence and Law, which would regulate the standards of ethical interaction and legal liability, is argued. The conclusion is formulated that legal tolerance of AI does not imply a weakening of control mechanisms, but means a flexible expansion of the legal space, which recognizes technological rationality as an element of a new humanistic digital legal order.

## References

- Adams Bhatti, S. (2025). AI in our justice system: A rights-based framework. *JUSTICE*. <https://www.justice.org.uk/reports/ai-in-our-justice-system>
- Barichella, A. (2023). *Regulating artificial intelligence at the EU level: Obstacles and prospects*. Jacques Delors Institute. [https://institutdelors.eu/content/uploads/2025/04/PP294\\_Regulation\\_IA\\_Barichella\\_EN.pdf](https://institutdelors.eu/content/uploads/2025/04/PP294_Regulation_IA_Barichella_EN.pdf)
- Bernaziuk, I. (2025). Artificial Intelligence and the judicial system of Ukraine: Results of cooperation in the past year. *Supreme Court of Ukraine*. <https://court.gov.ua/eng/supreme/pres-centr/news/1891488>
- Bertolini, A. (2025). Artificial Intelligence and Civil Liability. *European Parliament*. [https://www.europarl.europa.eu/thinktank/en/document/IUST\\_STU\(2025\)776426](https://www.europarl.europa.eu/thinktank/en/document/IUST_STU(2025)776426)
- Beruashvili, M. (2025). The capabilities and challenges of artificial intelligence in the justice system. *Law and World*, 35, 148–159. <https://doi.org/10.36475/11.3.10>
- Çami, L., & Skënderi, X. (2023). The impact of AI on determining the applicable law in cross-border disputes under the Rome II Regulation. *Global Journal of Politics and Law Research*, 11(3), 1–10. <https://doi.org/10.37745/gjplr.2013/vol11n3110>



Committee of Ministers. (2020). *Recommendation of the Committee of Ministers to member States on the human rights impacts of algorithmic systems*. <https://search.coe.int/cm?i=09000016809e1154>

European Commission. (2022). Proposal for a Directive of the European Parliament and of the Council on adapting non-contractual civil liability rules to artificial intelligence (AI Liability Directive). *European Union*. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52022PC0496>

European Parliament & Council of the European Union. (2016). 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, and repealing Directive 95/46/EC (General Data Protection Regulation). *Official Journal of the European Union*, L119. <http://data.europa.eu/eli/reg/2016/679/oj>

European Parliament & Council of the European Union. (2024). Regulation (EU) 2024/1689 of the European Parliament and of the Council laying down harmonised rules on artificial intelligence and amending Regulations (EC) No 300/2008, (EU) No 167/2013, (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1139 and (EU) 2019/2144 and Directives 2014/90/EU, (EU) 2016/797 and (EU) 2020/1828 (Artificial Intelligence Act). *Official Journal of the European Union*, L289, 1–84. <https://eur-lex.europa.eu/eli/reg/2024/1689/oj>

Getman, A. P., Danilyan, O. G., Dzeban, A. P., & Kalynovskyi, Y. Yu. (2022). Modern ontology: Reflection on the continuity of cyberspace and virtual reality. *Revista de Filosofía (Venezuela)*, 39(102), 78–94. <https://doi.org/10.5281/zenodo.7017946>

Getman, A. P., Yaroshenko, O. M., Shapoval, R. V., Prokopiev, R. Ye., & Demura, M. I. (2023). The impact of artificial intelligence on legal decision-making. *International Comparative Jurisprudence*, 9(2), 155–169. <https://doi.org/10.13165/j.icj.2023.12.001>

Ghannadi, A. R. (2025). Artificial intelligence and international law: Challenges and opportunities. *Legal Studies in Digital Age*, 5(1), 1–15. <https://doi.org/10.61838/kman.lsd.207>

Gilani, S. H., Rauf, N., & Zahoor, S. (2023). Artificial intelligence and the rule of law: A critical appraisal of a developing sector. *Pakistan Journal of Social Research*, 5(2), 743–750. <https://doi.org/10.52567/pjsr.v5i02.1156>

Guitton, C., Druta, V., Hinterleitner, M., Tamò-Larrieux, A., & Mayer, S. (2025). Adoption of artificial intelligence in the judiciary: A comparison of 28 advanced democracies. *Discover Artificial Intelligence*, 5, 169. <https://doi.org/10.1007/s44163-025-00311-y>

Hakimi, M., Zarinkhail, S., Aslamzai, S., & Sahnosh, F. A. (2025). Artificial intelligence and legal reform in developing countries: Advancing ethical, rights-based, and accountable digital governance. *Jurnal Ilmiah Telsinas Elektro, Sipil Dan Teknik Informasi*, 8(2), 127–144. <https://doi.org/10.38043/telsinas.v8i2.6934>

Hallevey, G. (2010). The criminal liability of artificial intelligence entities – from science fiction to legal social control. *SSRN Electronic Journal*. <https://doi.org/10.2139/ssrn.1564096>



IBA. (2024). The future is now: Artificial Intelligence and the legal profession. *International Bar Association*. <https://www.ibanet.org/The-future-is-now-artificial-intelligence-and-the-legal-profession>

JuLIA Project. (2025). *Artificial Intelligence, judicial decision-making and fundamental rights*. School for the Judiciary. [https://ssm-italia.eu/wp-content/uploads/2025/02/JuLIA\\_handbook-Justice\\_final.pdf](https://ssm-italia.eu/wp-content/uploads/2025/02/JuLIA_handbook-Justice_final.pdf)

Makedon, V., Myachin, V., Kuriacha, N., Chaika, Yu., & Koptilyi, D. (2025). Development of strategic management of a corporation through the implementation of scenario analysis. *Scientific Bulletin of Mukachevo State University. Series "Economics"*, 12(2), 135–146. <https://doi.org/10.52566/msu-econ2.2025.135>

Makedon, V., Trachova, D., Myronchuk, V., Opalchuk, R., & Davydenko, O. (2024). The development and characteristics of sustainable finance. In A. Hamdan (Ed.), *Achieving sustainable business through AI, technology education and computer science* (Studies in Big Data, Vol. 163, pp. 373–382). Springer. [https://doi.org/10.1007/978-3-031-73632-2\\_31](https://doi.org/10.1007/978-3-031-73632-2_31)

Masoudi, R., & Yarahmadi, H. (2024). The role of artificial intelligence in the judicial process. *Legal Studies in Digital Age*, 3(4), 195–206. <https://doi.org/10.61838/kman.lsd.3.4.18>

Mayer, G., & Boni, M. (2017). Report with recommendations to the Commission on civil law rules on robotics. *European Parliament*. [https://www.europarl.europa.eu/doceo/document/A-8-2017-0005\\_EN.html](https://www.europarl.europa.eu/doceo/document/A-8-2017-0005_EN.html)

Meyers, Z. (2025). Better regulation and the EU's Artificial Intelligence Act. *Intereconomics: Review of European Economic Policy*, 60(3), 149–153. <https://doi.org/10.2478/ie-2025-0029>

Misch, F., Park, B., Pizzinelli, C., & Sher, G. (2025). Artificial Intelligence and productivity in Europe. *IMF Working Paper*, (67). <https://doi.org/10.5089/9798229006057.001>

Moretti, J. L., & Zuffo, M. M. (2025). Artificial Intelligence in Law: Utilisation by Brazilian legal practitioners and regulatory challenges. *Beijing Law Review*, 16(1), 331–352. <https://doi.org/10.4236/blr.2025.161016>

OECD. (2019). *Recommendation of the Council on Artificial Intelligence (OECD/LEGAL/0449)*. Organisation for Economic Co-operation and Development. <https://legalinstruments.oecd.org/en/instruments/OECD-LEGAL-0449>

OECD. (2025). *Governing with Artificial Intelligence: The State of Play and Way Forward in Core Government Functions*. Paris: OECD Publishing. <https://doi.org/10.1787/795de142-en>.

Office of General Counsel. (2015). *Department of Defense Law of War Manual*. Office of General Counsel, Department of War. <https://media.defense.gov/2023/Jul/31/2003271432/-1/-1/0/DOD-LAW-OF-WAR-MANUAL-JUNE-2015-UPDATED-JULY-2023.PDF>



- Orobets, K., Shkolnikov, V., Batrachenko, T., Baranovska, T., & Sereda, V. (2025). Legislative categorization of crimes committed with the help of cryptocurrencies. *Management (Montevideo)*, 3, 253. <https://doi.org/10.62486/agma2025253>
- Petrovskiy, A., Kyrdan, B., & Kutsyk, K. (2025). Implementation of artificial intelligence in civil proceedings: Experience of EU countries. *Scientific Journal of the National Academy of Internal Affairs*, 30(1), 45–59. <https://doi.org/10.63341/naia-herald/1.2025.45>
- Poorhashemi, A. (Ed.). (2024). *Artificial Intelligence and the future of International Law: Bridging rights, trade, and arbitration*. Cham: Springer. <https://doi.org/10.1007/978-3-031-73334-5>
- Popa, A., & Pascariu, L. (2024). Impact of the EU's Artificial Intelligence Regulation on workers. *European Journal of Law and Public Administration*, 11(2), 92–101. <https://doi.org/10.18662/eljpa/11.2/234>
- Rafanelli, L. M. (2022). Justice, injustice, and artificial intelligence: Lessons from political theory and philosophy. *Big Data & Society*, 9(1). <https://doi.org/10.1177/20539517221080676>
- Sarra, C. (2025). Artificial Intelligence in decision-making: A test of consistency between the "EU AI Act" and the "General Data Protection Regulation". *Athens Journal of Law*, 11(1), 45–62. <https://doi.org/10.30958/ajl.11-1-3>
- Sasko, O., Shvedova, H., Orobets, K., Ovcharenko, R., & Ostapenko, O. (2025). Criminal offence during martial law in Ukraine: Peculiarities of qualification. *Bangladesh Journal of Multidisciplinary Scientific Research*, 11(1), 13–22. <https://doi.org/10.46281/bjmsr.v11i1.2658>
- Tavolzhanskyi, O., Shumeiko, O., Burda, O., Orobets, K., & Struchaiev, M. (2025). Using big data in criminal investigations: Between privacy and efficiency. *Khazanah Hukum*, 7(3), 312–324. <https://doi.org/10.15575/kh.v7i3.45201>
- UNESCO. (2021). Recommendation on the Ethics of Artificial Intelligence. *UNESCO*. <https://unesdoc.unesco.org/ark:/48223/pf0000380455>
- Webster, G., Creemers, R., Kania, E., & Triolo, P. (2017). China's New Generation Artificial Intelligence Development Plan *DigiChina*. <https://digichina.stanford.edu/work/full-translation-chinas-new-generation-artificial-intelligence-development-plan-2017/>
- Zhaltyrbayeva, R., Jangabulova, A., Suleimenova, S., Saimova, Sh., & Tlembayeva, Zh. (2025). Legal challenges of regulating artificial intelligence in law enforcement, taking into account the interdisciplinary approach to socio-legal transformations. *Social & Legal Studies*, 8(2), 118–130. <https://doi.org/10.32518/sals2.2025.118>