



The Legal Life of AI: Insights from *The Positronic Man* and Contemporary Jurisprudence

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Abstract

Isaac Asimov and Robert Silverberg's *The Positronic Man* (1992) explores the evolving legal and ethical challenges posed by artificial intelligence, dramatizing the journey of Andrew Martin, a robot who attains self-awareness and ultimately seeks recognition as a human being. Through Andrew's progression from property to economic agent, autonomous creator, and finally legally recognized human, the novel examines the conceptual boundaries of personhood, freedom, and liability. This paper situates the text alongside contemporary legal debates involving AI. By tracing Andrew's fictional legal battles alongside real-world developments, the study highlights the incremental, socially mediated, and jurisprudentially complex process through which law may extend recognition and rights to autonomous artificial intelligence.

Keywords: autonomy, legal rights, human, artificial intelligence.

Introduction

Isaac Asimov's *The Positronic Man*, co-written with Robert Silverberg, is both a work of science fiction and a legal thought experiment. The story of Andrew Martin charts the transformation of a household robot into a self-aware being who seeks recognition as a human. This journey unfolds through a series of legal confrontations that examine the boundaries of personhood, autonomy, and citizenship. Andrew's recognition progresses in stages. Each

stage reflects on the capacity of law to adapt to new forms of intelligence.

This paper focuses on the legal dimensions of the novel, arguing that Andrew's struggles anticipate modern debates over artificial intelligence, liability, and rights. It situates his legal battles alongside real-world precedents and proposals, showing how Asimov's fiction informs contemporary jurisprudential thinking in an age of autonomous machines.

From Property to Personhood

At the outset of *The Positronic Man*, Andrew enters the Martin household not as an individual but as a product, identified only by his serial number: NDR-113. This designation underscores his original status as manufactured property, echoing how contemporary law treats robots and AI as commodities rather than legal subjects. As the narrator observes, "You are a robot, Andrew reminded himself sternly. You are a product of the United States Robots and Mechanical Men Corporation" (ch.5).

It is Little Miss who first disrupts this framework by transforming a sterile designation into a personal name. Playing on the sound of "NDR," she christens the household robot Andrew. This seemingly small act is deeply significant: naming recognizes Andrew as more than a machine and plants the seed for his eventual claim to individuality under the law. Andrew's first formal legal breakthrough occurs through his creative woodworking, which demonstrates originality and artistry. When Sir gives away Andrew's work as gifts, Little Miss intervenes, insisting that he deserves compensation: "Robot or not, he's got the right to benefit from the results of his labor. When you coolly hand out the things he makes as gifts to your friends or political associates, the way you do, you're exploiting him, did you ever stop to think of that, Dad? He may be a machine but he's not a slave. And also he's an artist. He's entitled to be compensated for making those things" (ch.5). To formalize Andrew's economic agency, Sir establishes Pacific Coast Artifactories, Inc., making Andrew the sole officer entitled to withdraw funds: "Corporation set up—Pacific Coast Artifactories, Incorporated, and Andrew Martin was the only officer of Pacific Coast Artifactories who was entitled to draw money from the corporate account" (ch.6). This strategy mirrors the legal fictions used in corporate law: corporations, though not human, are granted personhood to own property and enter contracts. Andrew acquires limited agency

through legal proxy, marking a first step from object to rights-bearing individual.

Autonomy and Legal Recognition

A pivotal moment in *The Positronic Man* occurs when Andrew demands freedom from Sir, challenging the conventional master-servant framework that defines robots as property. Sir initially reacts with incredulity, framing Andrew's request as absurd and likening it to an inanimate object asserting autonomy. This response highlights the societal tendency to dismiss artificial intelligence as legally and morally incapable of possessing rights. Little Miss counters this perception, emphasizing Andrew's intelligence and capacity for intentional action, thereby challenging the prevailing assumptions about the legal and moral status of nonhuman entities.

The narrative demonstrates the limitations of existing legal frameworks, which provide no recognized mechanism for granting freedom to robots. Sir warns that pursuing autonomy could jeopardize Andrew's economic independence, underscoring how legal recognition and property rights are closely intertwined. Despite these structural constraints, Andrew frames his claim as a moral and ethical question rather than a purely legal one. He argues that freedom is intrinsically valuable and is defined not by physical mobility but by the capacity to make choices.

When the case reaches the courts, Andrew faces opposition from multiple stakeholders. Labour unions express concern that granting robots freedom could threaten human employment, while the manufacturing corporation maintains that robots are products and therefore inherently ineligible for autonomous legal recognition. These interventions reflect the broader societal and economic anxieties associated with extending rights to robots.

In court, Andrew reframes freedom as the capacity to desire and pursue autonomy. The

judge initially resists, asserting that a slave is someone whose freedom has been taken away, and that Andrew, as a created entity, does not meet this criterion. Andrew's argument shifts the legal conception of freedom from formal status to cognitive and moral capacity, asserting that the ability to understand and desire freedom constitutes the basis for its recognition. The court ultimately rules in his favour and notes: "There is no right to deny freedom to any – object – that possesses a mind sufficiently advanced to grasp the concept and desire the state... I intend to rule in favor of the petitioner" (ch.8). This decision legally recognizes autonomy as the basis for rights, extending personhood to a nonhuman entity capable of consciousness, intentionality, and moral understanding.

Social Integration and Incremental Legal Recognition

Later, Andrew faces social challenges as he navigates human society while still legally distinct. During a library visit in human clothing, he is bullied, and George Charney, Little Miss's son, intervenes. Little Miss urges George to continue the fight for Andrew's civil rights. The legal framework in this respect evolves slowly. A law prohibiting orders that might harm robots is passed, revised, and eventually ratified by the World Legislature, confirmed after appeal to the World Court. Although the law is weak – "endlessly qualified and the punishments for violating its provisions were totally inadequate" (ch.12) – its passage extends the principle of robot rights. The final approval coincides with Little Miss's death, symbolizing the generational struggle for recognition. Even imperfect legal protections lay the foundation for future claims to autonomy and civil rights for nonhuman entities.

Embodiment and Legal Humanity

A key turning point occurs when Andrew seeks upgrades to his mechanical body and to study physiology: "I would be studying an organic humanoid body – of which I have the

only one, as far as I know. Examining the way it functions, the way it simulates a true human body" (ch.15). This reflects his desire to transcend robot origins and approximate human form. Andrew is greatly successful in this endeavour. Feingold and Charney help him draft licensing agreements so that prosthetic devices developed by Andrew Martin Laboratories are manufactured and marketed on a royalty basis.

Andrew observes how human he had become after undergoing the upgrades he had designed for himself: "I have the shape of a human being and bodily organs equivalent to some of those that a prosthetized human being has. I have the mental ability of a human being – a highly intelligent one. I have contributed artistically, literarily, and scientifically to human culture as much as any human being now alive. What more can one ask?" (ch.18). However, the legal question remains whether biological embodiment defines humanity. The World Court upholds earlier rulings, affirming: "It is the brain...that is the highest determinant of humanity. The use of auxiliary devices to sustain the life of the brain can in no way invalidate the fundamental and inalienable humanity of that brain. It is unacceptable...to argue that the presence of robotic prostheses within a human being's body gives that person the status of a robot" (ch.20). The court privileges cognitive capacity and societal contribution over material composition.

This court ruling motivates Andrew to go in for a final upgrade. Andrew reflects on the physiological and philosophical significance of his final upgrade: "Decades ago, when my positronic brain was placed in this android body, it was connected to organic nerves, but it remained carefully insulated from the metabolic forces that would otherwise have ultimately caused it to deteriorate. Now I have undergone one last operation in order to rearrange the connections along the brain-body interface. The insulation has been removed. My brain is now subject to the same forces of decay that any

organic substance is vulnerable to" (ch. 23). It is significant to note that Andrew is recognized as human only by embracing mortality.

Contemporary Parallels and Legal Implications

Andrew's case anticipates contemporary debates over AI and intellectual property. Courts today continue to deny AI the status of author or inventor. In *Thaler v. Vidal* (2022), Stephen Thaler sought to list his AI system, DABUS, as the inventor on patent applications. The U.S. Patent and Trademark Office rejected the applications, asserting that under the Patent Act, only a "natural person" may be designated as an inventor. On appeal, the Federal Circuit affirmed this decision, stating that "there is no ambiguity: the Patent Act requires that inventors must be natural persons" (*Thaler v. Vidal*). Similarly, in *Getty Images (US) Inc. v. Stability AI Ltd.* (2025) and *Thomson Reuters v. ROSS Intelligence Inc.* (2025), courts have grappled with fair use and copyright infringement arising from generative AI, ruling that the existing framework does not automatically protect AI-generated output and that training processes may expose developers to liability.

These cases demonstrate that autonomous AI currently occupies a limited legal status. While machines can act independently, law often treats them as property, with liability assigned to owners or manufacturers. This mirrors Andrew's early legal journey, where his rights and economic agency depended on proxies like Pacific Coast Artifacts rather than direct recognition of his individual personhood. Scholars and policymakers have proposed "gradient" or hybrid models of AI personhood, enabling machines to hold specific rights or responsibilities in narrowly defined contexts without granting full legal standing equivalent to humans or corporations (Baeyaert 355-86). The European Parliament's 2017 Draft Report on Electronic Personhood similarly recommends

intermediate legal categories for increasingly independent technological actors, acknowledging the need for functional recognition while retaining human-centred legal structures.

Symbolic gestures, such as Saudi Arabia granting citizenship to the humanoid robot Sophia (2017) and Japan issuing residency to the chatbot Shibuya Mirai, indicate a growing societal willingness to recognize AI as quasi-persons. However, these acts remain largely declarative, conferring little substantive legal protection or enforceable duties. Andrew's incremental legal recognition anticipates this gradualist approach: each step, from creative agency to freedom, from civil rights advocacy to human embodiment, reflects the tension between symbolic acknowledgment and formal legal authority.

Furthermore, the novel anticipates the issue of liability as AI becomes more autonomous. As robots act independently, law must determine responsibility for actions that produce harm or conflict with societal norms. For much of the story, liability remains tied to Andrew's owners or manufacturers, echoing current doctrines of product liability. Ryan Calo observes that robotics challenges traditional legal regimes by introducing physical consequences into domains previously limited to digital harms (Calo 531). Freitas proposes new legal categories, such as "cruelty to robots," to address potential harms directed at AI. Asimov dramatizes these challenges through courtroom debates over Andrew's rights, highlighting the need for law to recognize AI both as autonomous agents capable of action and as potential victims entitled to protection.

By situating Andrew's narrative alongside contemporary legal cases and proposals, it becomes evident that the law currently struggles to accommodate increasingly independent AI. Just as Andrew's creativity and autonomy were initially acknowledged through legal proxies, real-world

AI is recognized incrementally, often via symbolic gestures, functional rights, or corporate intermediaries. Legal scholars, courts, and legislators continue to explore hybrid frameworks that balance innovation, accountability, and moral considerations, suggesting that the gradual extension of rights and responsibilities to AI may mirror Andrew Martin's fictional journey toward personhood.

Conclusion

The Positronic Man provides a speculative yet jurisprudentially grounded exploration of how law may respond to artificial intelligence. Andrew Martin's legal journey from property to economic agent, from autonomous creator to fully recognized human mirrors contemporary debates about AI personhood, authorship, liability, and citizenship. The novel illustrates both the challenges and possibilities of extending legal recognition to robots, showing that law evolves reactively in response to technology, morality, and social pressure. By dramatizing these processes, Asimov offers a roadmap for understanding how jurisprudence might adapt in an age of increasingly autonomous machines.

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