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Reconsidering Legal Personhood in Indonesian Private Law: Bundles of Legal Incidents, Attribution, and Governance Failure

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Article

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Abstract

Legal personhood in contemporary private law has undergone a profound conceptual shift in response to the challenges posed by natural and artificial intelligence. Rather than positioning legal personhood as an ontological category, this article considers it as a functional institutional instrument for allocating rights, obligations, powers, responsibilities and immunities. Legal personhood is the starting point for a series of Hohfeldian legal incidents in private law relations, which are then viewed as possessing legal capacity, enforceability, liability and remedies. The article integrates Hohfeldian analysis with systematic comparative assessment. It also focuses on a doctrinal legal research method with a conceptual and analytical-jurisprudential orientation. The Atrato and Whanganui River models are the subjects of study, examining issues of effective representation, enforceability, effective remedies and granting of liability. When the models are linked to artificial intelligence, the authors offer three options: no legal personhood, limited legal personhood and full legal personhood. Although the analysis focuses on Indonesian private law, the authors also include cross-border dogmatic and regulatory developments, particularly those occurring in Malaysia and the ASEAN region. This article asserts that the recognition of nature as a legal entity can be effective only if it is based on enforceable obligations, concrete representations, and legal remedies. Recognition of legal personhood for artificial intelligence can only be normatively justified if it strengthens attribution and legal remedies, without excluding human actors and organisations that develop, implement, manage, or benefit from AI systems from responsibility. Therefore, rigorous institutional justification is a prerequisite for expanding legal entity status under Indonesian private law to prevent governance failure. This expansion should not be limited to symbolic designation or exemption from liability.

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INTRODUCTION

One of the most foundational topics in legal education concerns legal personhood—often discussed under the headings of "legal subjectivity" or "legal personality." In conventional doctrinal terms, a legal subject is any entity that can hold rights and/or be bound by obligations. This article begins from that minimal definition to foreground passive legal capacity (*rechtsbevoegdheid*) before turning to the institutional design of legal capacity to act. The definition is used deliberately as an entry point, because the central concern of this article is how legal personhood operates as a point of attribution within private-law institutions.

That seemingly simple definition, however, is neither adequate nor unproblematic. The difficulty is not merely definitional; it concerns the function of personhood itself—whether it is treated as an ontological category or deployed primarily as a technique of attribution through which private law allocates rights, obligations, and liability (whether by direct attribution or through representation and forms of indirect liability). To clarify how private law functions in practice, it is therefore necessary to distinguish between passive legal capacity as a point of attribution *(rechtsbevoegdheid)* and active legal capacity to perform legal acts, either directly or through representation *(rechtsbekwaamheid).*

Hohfeld's theoretical framework is therefore relevant not only to determining legal incidents but also to analysing the interrelationships among legal relationships.[1] From this perspective, governance problems arise when rights, duties, powers, and responsibilities are no longer institutionally linked in operational terms.[2] Legal personhood, therefore, gains importance insofar as it stabilises these interrelationships within the private law structure.[3]

In Indonesian legal usage, *rechtsbevoegdheid* is commonly rendered as the capacity to hold rights, whereas *rechtsbekwaamheid* refers to the capacity to act. Accordingly, an individual may qualify as a legal person by virtue of holding rights yet be unable to exercise those rights independently when placed under legal guardianship. In such cases, the person retains the capacity to hold rights but lacks the capacity to act.[4]

The focus on r*echtsbevoegdheid* also highlights that legal personhood is not a biological matter alone but can be constructed normatively around legally protected interests. For example, a fetus may be treated as the holder of certain rights (such as inheritance rights), the

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1 Wesley Newcomb Hohfeld, "Some Fundamental Legal Conceptions as Applied in Judicial Reasoning," *Yale Law Journal* 26 no.8 (1917): 710–70.

2 Although Hohfeld himself did not formulate the issue in terms of governance failure, his relational framework helps explain how institutional fragmentation may disrupt the operational continuity between claims, duties, powers, and liabilities. See Pierre Schlag, "How to Do Things with Hohfeld," *Law and Contemporary Problems* 78 no.1 (2015): 185–234; Luca Fiorito and Massimiliano Vatiero, "Beyond Legal Relations: Wesley Newcomb Hohfeld's Influence on American Institutionalism," *Journal of Economic Issues* 45 no.1 (2009): 199–222.

3 Visa A. J. Kurki, *A Theory of Legal Personhood* (Oxford: Oxford University Press, 2019).

4 In private law terminology, *rechtsbevoegdheid* denotes the capacity to hold rights, whereas r*echtsbekwaamheid* concerns the capacity to perform legal acts. In Indonesian legal terminology, the translation of certain Dutch-derived terms is not always consistent. For instance, J. Satrio renders the term *"bevoegd"* as *"wenang" (authority).* Building on this term, he distinguishes between *"kecakapan" (capacity) and "kewenangan bertindak" (authority to act).* In his formulation, capacity refers to a general legal competence—namely, the ability to perform legal acts in general—whereas authority to act denotes a more specific competence, limited to particular or determinate legal acts. For a detailed discussion, see J. Satrio, *Hukum Perjanjian* [*Contract Law*] (Bandung: Citra Aditya Bakti, 1992), 273–91.

exercise of which is contingent upon live birth. Conversely, a newborn possesses rights but lacks the capacity to act and therefore requires representation.[5] This example illustrates that personhood often functions as a technique of attribution and an institutional design for the exercise of rights, rather than as an ontological claim about what an entity "is."[6] At this point, it becomes clear that private law does not merely label legal persons; it designs who may serve as the point of attribution for a bundle of legal incidents—claims, obligations, competences, and immunities (that is, protection against alterations of legal status by others)—and how that bundle is operationalised through mechanisms of representation and patrimonial consequences.[7]

Recent developments show a growing tendency to expand the category of legal persons beyond natural persons and traditional legal entities, whether through the recognition of the "rights of nature" or through discourse on artificial intelligence. This issue is especially salient for Indonesian private law, which remains anchored in the dichotomy between natural persons and legal persons, as well as in the patrimonial logic of liability. Once nature and AI are brought within the framework of personhood, the central question is whether such recognition strengthens protection and remediation or instead obscures the human actors who ought to bear liability, provide compensation, and undertake preventive measures. The need for such clarification is becoming more urgent as environmental litigation, restorative financing schemes, and the deployment of AI systems in both public and private settings continue to expand.[8]

The article proposes functionally evaluating legal personhood based on the attribution of rights rather than on ontological status. It proceeds from a diagnosis of governance failure. On the environmental side, protection mechanisms often fail to ensure that ecological interests have an effective legal "voice."[9] On the AI side, the deployment of AI systems generates accountability gaps in private-law relations, because legally significant outcomes may emerge from complex networks of actors and technical systems that resist straightforward attribution.[10] Classical instruments of Indonesian private law—including representation, corporate personhood, and fault-based liability regimes—often prove insufficient to secure effective standing and adequate remedies.

Accordingly, this paper develops an analytical framework that conceptualises personhood as a point of attribution together with its associated bundle of legal incidents. It examines that framework in the context of nature's personhood through a comparative analysis of the Atrato

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5 Civil Code of Indonesia, art. 2.

6 Quotation marks signal a qualified usage. In particular, "is" is marked to avoid implying an ontological claim about the entity's nature, instead indicating a juridical or analytical characterisation.

7 Hohfeld, “Some Fundamental Legal Conceptions,” 710-70.

8 European Union, *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), *Official Journal of the European Union* (2024); Council of Europe, *Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law*, opened for signature September 5, 2024.

9 "Voice" is used here as institutional shorthand for legally structured mechanisms such as standing, representation, and enforceable claims. For discussions on how rights-of-nature frameworks attempt to operationalise such representation.

10 P. Wesche, “Rights of Nature in Practice: A Case Study on the Impacts of the Colombian Atrato River Decision,” *Journal of Environmental Law* 33 (2021): 531–557.

River and the Whanganui River, using explicit evaluative metrics.[11] The authors acknowledge that the recognition of the Atrato and Whanganui Rivers as legal subjects arose primarily from local ontological-cosmological pressures rooted in Indigenous communities, rather than merely from the design of functional legal instruments. This paper does not entirely deny this ontological dimension; instead, it emphasises that this dimension alone is insufficient to sustain legal-subject status and to ensure its effective operation. Then, it addresses AI through three alternative design options: no personhood, limited personhood, and full personhood, while assessing the trade-offs among innovation, risk, and accountability in light of contemporary governance approaches.

On this basis, the article does not merely catalogue practices of legal personification. Instead, this article offers criteria for distinguishing between cases where legal personhood can strengthen legal protection and remedies, and cases where it actually breaks the chain of responsibility and protects those who should be held liable.

Although Indonesian private law is the focus of this article's analysis, AI legal personhood needs to be understood from a broader perspective. This is because the concept of legal personhood develops through interactions between legal systems, and even the development and operation of AI itself transcends national jurisdictional boundaries. Developments outside Indonesia are therefore relevant not as models to be transplanted automatically, but as comparative materials for assessing how different legal systems preserve the attribution of liability, access to remedies, and the accountability of human and organisational actors. Particular attention to Malaysia and the broader ASEAN region is warranted because regional economic integration, cross-border digital activities, comparable regulatory challenges, and emerging ASEAN governance initiatives expose member states to related problems of regulatory fragmentation, enforcement, and responsibility for AI-related harm.

In this context, the article poses three related questions. First, how should legal personhood be understood as a functional point of attribution in Indonesian private law? Second, under what institutional conditions does the recognition of nature as a legal person strengthen representation, enforceability, remedial effectiveness, and accountability, as illustrated by the Atrato and Whanganui models? Third, under what conditions, if any, could legal personhood for artificial intelligence address gaps in accountability without undermining the liability of the human and organisational actors involved in its development and deployment, and how should Indonesian private law evaluate this possibility in light of relevant transjurisdictional doctrinal and regulatory developments, particularly in Malaysia and the broader ASEAN region?

RESEARCH METHODS

This paper employs a doctrinal method with a conceptual, analytical-jurisprudential orientation. It treats legal personhood not as an ontological thesis but as an institutional device for attributing rights, duties, and liability. The argument develops the legal aspects of personhood from a Hohfeldian perspective, which includes the concepts of claims, duties, powers, and immunities. It then reconstructs the Indonesian private-law baseline (legal capacity, representation, patrimonial liability, and remedial design) and links it to standing and

[11] New Zealand, *Te Awa Tupua (Whanganui River Claims Settlement) Act 2017*, Public Act 2017 No 7.

enforcement tools in Indonesian environmental law. The framework is tested through a structured comparison of two models of nature's personhood (Atrato and Whanganui), assessed against metrics of representational effectiveness, enforceability, remedial performance, and accountability allocation. For AI, the article evaluates three design options—no personhood, limited personhood, and full personhood—by tracing their implications for innovation, risk management, and private-law accountability, including the risk that personhood functions as a liability shield.[12]

ANALYSIS AND DISCUSSION

This section examines the questions raised through three main lines of discussion. The article begins by considering the concept of legal personhood. This concept is then discussed in the context of nature before its application to artificial intelligence is addressed. The article also deals with the problem of governance failure and the limits of legal personhood. Finally, it discusses the global position on AI related to the issues of governance and personhood.

Conceptualising Legal Personhood: Attribution and Legal Incidents

A highly minimalistic approach that defines a legal person merely as the bearer of rights and/or obligations is insufficient to explain the function of legal personhood in private-law practice. Such an approach tends to remain fixated on the category of the entity (who/what), without clarifying how the legal system actually allocates and operationalises rights, duties, competences (*powers*), and responsibilities (*liabilities*) attached to that entity.

The Hohfeldian framework provides analytical clarity by mapping the relational structure of normative consequences: *claim-rights* correlate with *duties*, *powers* with *liabilities*, and, where relevant, *immunities* with *disabilities*. From this perspective, legal personhood is more accurately understood as a legal technology—an institutional device that enables private law to attach bundles of legal incidents to specific entities so that they may occupy positions within legal relations, bear responsibility, and serve as the locus of remedial mechanisms—rather than as an ontological status concerning what an entity "is." The weakness of a purely minimalist definition contributes to governance failure**,** particularly where the allocation of legal incidents fails to secure adequate representation, effective standing, and remedies that function in practice.

The next issue concerns how this normative status operates as a point of attribution**—**that is, the locus at which the law "attaches" rights, duties, competences, and liabilities, thereby enabling an entity to participate in legal relations, to be addressed as a holder of rights and/or as the object of legal claims, and to be held accountable for the consequences of its conduct. In these terms, legal personhood, as a point of attribution**,** designates an entity as the formal address for bundles of legal incidents—claims, rights, *duties, powers, liabilities,* and, where

[12] The authors acknowledge that the recognition of legal status for nature and AI is likely grounded in different teleological considerations. This difference is precisely the reason for juxtaposing the two in this paper, as it provides a new basis for reflection on the extent to which the concept of a legal subject can be reexamined. The paper's subheading sets out the parameters for this juxtaposition.

applicable, *immunities/disabilities*.[13] Through this structure, an entity may be positioned as the holder of claim-rights-generating duties in others, as the bearer of duties enforceable by legal claims, as the holder of powers capable of altering normative relations, as the subject of liability exposure arising from such powers, and, under certain conditions, as the beneficiary of immunities against alterations of legal status.

Figure 1: *Legal Personhood Framework of thinking*



Hohfeld's relational framework serves as the basis for the operational definition of this point of attribution (See **Figure 1**). This concept is then embedded in the design of legal institutions. This point of attribution is used to answer three questions: what legal event occurred, to whom the event is attributed, and how this attribution affects the distribution of responsibility. Within this framework, legal personhood is neither merely a normative label nor a classification of an entity's nature. It is an institutional instrument! Through this instrument, the law determines to whom an action and its legal consequences are attributed. This determination forms the structure of responsibility. It also indicates who is legally obligated to bear the loss. It is important to note that a private legal system requires clear and structured attribution rules. These rules determine who can sue or be sued, who is responsible, which Court has jurisdiction, and what forms of redress are available. If the attribution of legal personhood is unclear, claims will be difficult to enforce. Responsibility can also be spread among multiple parties without certainty. As a result, legal redress becomes ineffective. This

[13] This distinction reflects a functional differentiation frequently discussed in analytical jurisprudence, in which the bearer of legal rights does not necessarily coincide with the actor performing legally relevant conduct or the entity ultimately bearing liability. The expression "bundle of legal incidents" is used here in a Hohfeldian sense to denote the structured combination of claim-rights, duties, powers, liabilities, and, where applicable, immunities or disabilities, rather than a mere aggregation of rights. Thus, legal personhood can clarify and facilitate the enforcement of responsibility, but it can also shift responsibility away from the party who should bear it in substance.

condition indicates a structural weakness in the private legal system. The framework is then used to evaluate the granting of legal personhood to nature and artificial intelligence.

Legal personhood as a point of attribution does not, however, automatically imply that the entity concerned is capable of performing the legal incidents attached to it. Within private-law doctrine, the attribution of rights and duties must be distinguished from the capacity to perform legal acts. Here, the classical distinction between *rechtsbevoegdheid* (the capacity to hold rights and duties) and *rechtsbekwaamheid* (the capacity to act within legal relations) becomes essential. This distinction demonstrates that private law has long recognised the possibility of entities that validly function as bearers of rights yet do not act independently, thereby requiring mechanisms of representation to operationalise their normative status.

Mechanisms of representation demonstrate that the capacity to act is not a necessary requirement for legal personhood. Fetuses, newborns, persons under guardianship or custodianship, and legal entities can be holders of rights and obligations, although they cannot always act independently. Other parties take legal actions to represent their interests. These parties can be parents, guardians, trustees, administrators, representatives, or organs of legal entities. Therefore, legal personhood need not be based on psychological or biological will. More importantly, the existence of a clear institutional structure. This structure determines how decisions are made. It also regulates how rights are exercised, and obligations are fulfilled. Furthermore, it must determine who acts and who is responsible. Representation enables legal status to function concretely. Without representation, rights and obligations remain merely abstract constructs. Through representation, a subject can engage in legal relationships. Its rights can be exercised and defended, and its obligations fulfilled.

The relationship between capacity and representation becomes even more important when legal personhood is assigned to nature. Nature cannot act autonomously, and similar issues arise with AI. The capacity of AI to act legally is still debated. Therefore, the law must determine who represents it. The law must also determine to whom its actions are attributed. Finally, the law must determine who is responsible for the consequences. The central question is not simply whether such actors can "act," but how legal systems structure attribution, representation, and responsibility so that legal facts remain functional, and accountability is maintained. Accordingly, the functioning of legal personhood depends less on ontological assumptions concerning will or consciousness than on the institutional design of attribution itself.[14]

Once legal personhood is conceptualised as a point of attribution, its most consequential implications within private law emerge in the architecture of responsibility**.** Legal personhood thus entails the creation of responsibilities, identification of those who could be liable for damages and the provision of channels for compensation. In this sense, it can be a means of accountability, showing who is liable, who is at legal risk, and who can be approached for compensation. At the same time, legal personhood can serve as a shield to liability when

[14] It must be acknowledged that the ontological aspect of personhood also depends heavily on the legal culture adopted within a community. Modern legal systems in the West have also proven challenging to embrace this paradigm shift. See Cyrille Vallet, Christian Bréthaut, and Michel Lussault, "The Legal Personhood as an Instrumental Tool for Reforming the Governance of the Rhône River." *Water* 16 no. 3131 (2024): 1-13.

regulatory constructs blur the lines of responsibility that should be attributed to the human actors behind an entity. Such distortions may be caused by fragmentation or disintegration of liability, or by a reduction in compensation obligations. The difficulty, therefore, lies not in the recognition of legal personhood as such, but in the design of attribution regimes that fail to preserve continuity among conduct, consequences, and responsibility holders.

Failures in structuring liability attribution directly contribute to governance failure in private law: standing weakens, enforcement becomes ineffective, and remedies prove inadequate. For that reason, any evaluation of legal personhood must address whether it strengthens channels of responsibility or instead generates normative veils that dilute accountability. This analytical perspective will inform the examination of legal personhood when applied to non-classical entities.

Testing Legal Personhood in Nature

If the requirements of legal personhood were satisfied merely by allocating certain rights to an entity, it would be reasonable to ask whether the designation "bearer of rights" could be extended to any entity whatsoever, including animals and elements of nature. This question is not purely speculative. Humans have long instrumentalised animals, and in several jurisdictions legal developments have shifted the paradigm from animals as objects of ownership to living beings whose use must be justified and legally constrained. Nevertheless, such protective regimes do not automatically confer legal personhood upon animals. Advocacy efforts—most prominently those associated with Steven M. Wise, initially directed at certain primates—have likewise encountered persistent resistance, largely due to unresolved issues of criteria and institutional design.[15]

By contrast, certain natural entities have received explicit recognition as legal persons. Two widely cited examples are the Atrato River in Colombia and the Whanganui River in New Zealand. For present purposes, however, the central issue is not whether these rivers have been granted legal personhood, but why such recognition emerged and whether it effectively addresses governance failure in environmental protection. Therefore, this study asks two questions. First, who has the authority to represent ecological interests in Court? This question relates to legal capacity. Second, what mechanisms enable ecological interests to demand compliance with obligations and obtain redress? The second question relates to representation.

The legal personhood of nature should not be judged solely on its symbolic value. The assessment should be guided by its institutional outcomes. This status must address structural weaknesses in environmental protection. Environmental damage often occurs because the law does not clearly delineate roles. It is not always clear who can file a lawsuit, who is obligated to act, and who is responsible. Legal personhood must be assessed based on its ability to address these issues.

The Hohfeld framework can be used to analyse the legal personhood of nature. This analysis encompasses several legal incidents. First, what rights are granted to natural entities?

[15] Shidarta, "Alam sebagai Subjek Hukum" [Nature as a Legal Subject], *Business Law BINUS*, February 14, 2026, https://business-law.binus.ac.id/2026/02/14/alam-sebagai-subjek-hukum/ (in Indonesian) [retrived 16 May 2026].

Second, what obligations correlate with these rights? These obligations can be imposed on both public and private parties. Third, what authority is granted to representatives or managers of natural entities? Finally, what responsibilities arise from the implementation or violation of these legal positions? This structure **is** then used to analyse the Atrato and Whanganui River models.

In 2016, the Colombian Constitutional Court recognised the Atrato River as a legal person. The river has suffered severe ecological damage, impacting the lives of people in the Chocó region. This case began with a lawsuit by citizens claiming the state had violated their constitutional rights. These rights include the rights to life, health, and a healthy environment. They also requested recognition of the intrinsic rights of the Atrato River, given its vital importance to the local community's economic and cultural life. The Court granted the lawsuit. It also recognised the rights of the Atrato River. The river's damage was seen as evidence of a failure of governance. The state failed to implement and enforce environmental laws. The Court also agreed that protection focused solely on human interests was inadequate. Nature should not be viewed merely as a resource to be exploited but should also be protected and restored.

The Colombian Constitutional Court distinguishes human rights from the rights of nature. The two types of rights are interconnected, but by no means identical. Recognition of the rights of nature is a form of legal remedy. This recognition creates a positive obligation for the state. It is not sufficient for the state simply to mitigate the damage; it must also restore the environment. According to Hohfeld's framework, the rights of the Atrato River are correlated with government obligations. These obligations take two forms. Negatively, the government must prevent further damage. Positively, the government must undertake restoration. Therefore, damage to the Atrato River is treated as a violation of the river's rights.

Legal remedies are not simply about stopping or limiting the damage. The damaged environment must also be restored. However, recognising the Atrato River as a legal entity raises the issue of capacity to act. The river cannot exercise its rights on its own. The Court then established a representative mechanism known as the guardians of the river. The state appoints one representative, while the local community appoints the other. These representatives have the authority to speak on behalf of the river. They can file demands and complaints and request repairs and restoration. However, their effectiveness depends on the strength of their authority. They must be able to enforce obligations against public and private parties and seek redress in the event of violations.

The Atrato model demonstrates that legal personhood cannot stand alone. Normative recognition must be supported by institutional mechanisms, one of which is representation. However, this is also where the weaknesses of the Atrato model become apparent. Recognition of river rights may contain strong ideals. However, its success depends on implementation on the ground. Coordination between institutions must be effective. The authority of representatives must be clear, and the state, in turn, must demonstrate ongoing commitment. Therefore, the Atrato model must be tested by several questions: Is the river effectively represented? Are obligations to the river legally enforceable? Are remedies clearly implemented? And are parties who fail to fulfil their obligations consistently held accountable?

The approach described above has actually been implemented in New Zealand. The Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 recognises the Whanganui River as a legal entity. The Act also recognises Māori customary law. For Māori, the river is part of their cultural identity. This relationship has endured for centuries. Like the Atrato River, the Whanganui River is represented by two parties. The New Zealand Royal Government appoints one representative, while the Iwi, or a Māori tribal group appoint the other.

The rationale of the Whanganui model is similar to that of the Atrato model. Legal personhood is not granted because the river is considered a living organism in the biological sense. This status was granted to address the weaknesses of traditional legal instruments. Previous instruments were deemed incapable of providing effective ecological protection. However, the Whanganui model has distinct institutional characteristics. The task of representation does not rest solely with the state; it is shared with traditional Māori authorities. This division can strengthen the stability and legitimacy of representation. However, the model also raises questions. How is authority divided? How do the representatives coordinate? Who is responsible if representation and restoration fail?

This comparison should not stop at the differences between the two rivers. Both models must be assessed against clear institutional criteria. The article uses four criteria. First, the effectiveness of representation. This criterion is whether the guardianship mechanism gives a real legal voice to ecological interests. Second, legal compulsion. The criterion is whether legal recognition of personhood creates legally enforceable obligations. Third, recovery performance. The criterion is whether the recovery process is measurable, sustainable, and proven effective. Fourth, allocation of responsibility. The criterion is whether the responsible party remains clearly identifiable when recovery efforts fail.

These indicators help, at least in part, to explain why the Atrato model is considered less effective than the Whanganui model. Institutional complexity, state capacity, and the density of actors involved in environmental pollution differ, subjecting each model to different pressures. A comparative analysis also explains why attempts to recognise the Ganges and Yamuna rivers as legal entities in India have been abandoned. The scale of environmental pollution, the complex interplay of cultural practices, and the political considerations associated with implementing such a measure have made the recognition of legal personhood vulnerable to symbolic excesses in the absence of the necessary frameworks for remediation and enforcement. Several conceptual lessons follow. Nature-personhood tends to be effective where its institutional design satisfies at least four conditions: (1) a clear and functional representational structure; (2) enforceable obligations; (3) a credible remedial architecture; and (4) a coherent allocation of accountability. Under these conditions, personhood operates as a channel of responsibility rather than as a symbolic label.[16]

[16] In 2017, the High Court of Uttarakhand made an extraordinary ruling, declaring the Ganges and Yamuna Rivers to be legal persons, recognising that these rivers deserve legal protection, rights, and responsibilities. In time, the Indian Supreme Court suspended the ruling due to practical difficulties in its implementation, but the movement for natural rights gained momentum. This growing awareness culminated in a conference in 2025 titled “Restoring Rivers and Natural Systems in India: Science, Society, and Sustainability," which introduced the concept of "Eight Fundamental Rights of Rivers." These rights prioritise the rights of rivers to their space and territory, the free flow of water, clean water, the conservation of their ecosystems, the interconnection of

Conversely, recognition becomes normatively fragile when it degenerates into symbolic metaphor, when representation is inadequately structured, or when responsibility attribution becomes diffuse. In such circumstances, legal personhood can actually obscure important issues, as it becomes unclear who should act and who should be held accountable. Ultimately, it is difficult to determine who should bear the consequences of failing to protect nature.

This perspective is crucial for Indonesia, given that Indonesian private law does not yet recognise nature as a separate legal subject. This notion has only a philosophical connection to Pancasila. However, Indonesian environmental law provides other mechanisms. Under certain circumstances, the government, affected communities, and environmental organisations can file a legal action. Through this mechanism, nature remains the object of protection. Nature's interests are defended by parties with legal standing to act. The effectiveness of these mechanisms must be assessed based on several criteria. These criteria include effective representation, enforcement of obligations, remedial outcomes, and clarity of accountability. If legal personhood for nature alone requires complex institutional arrangements, its application to AI poses even greater challenges. AI operates through a diverse network of actors and technologies. AI can also produce outputs that have legal consequences. This issue provides a link to the next discussion.

Artificial Intelligence and the Design of Personhood

Today, discussions of AI as a subject of legal study are increasingly prominent. The debate over the legal standing of AI arises not because the law has run out of concepts, but because AI increasingly complexifies the relationship between actions, perpetrators, and responsibilities. Decisions and legal consequences may now emerge from networks of actors and systems that resist linear tracing. At certain stages, AI may still be treated as a tool; at others, it appears to function as a *decision-making node* producing outputs with determinative effects, even where human agents formally remain "behind" the system. The achievement of legally relevant results through AI does not in itself determine the distribution of powers and legal responsibilities. Therefore, it is necessary to distinguish between the de facto operator of the system, the actor with legally relevant powers, and the normatively responsible body. At this juncture, the attribution problem becomes structural: not a scarcity of norms, but uncertainty regarding the *point of attribution*—the locus at which law must attach bundles of normative consequences so that claims may be brought, duties enforced, and remedies realised.[17]

To understand why AI unsettles private-law design, a basic distinction must be drawn at the outset: the *bearer of rights*, the *actor/decision-maker*, and the *liability holder* do not necessarily coincide. In practice, the relevant actors may include the developer, model provider, fine-tuner, deployer, professional user, and the corporate entity that derives benefit from the system. However, this does not automatically make AI legally responsible. Problems arise

waterways, the restoration of groundwater, and the preservation of the integrity of their watersheds. See "Meet Charts Eight Fundamental Rights of Rivers for Sustenance," *The Times of India*, November 14, 202, http://timesofindia.indiatimes.com/articleshow/125309290.cms

[17] Shidarta, "Kecerdasan Artifisial sebagai Subjek Hukum" [Artificial Intelligence as a Legal Subject], *Business Law BINUS*, February 21, 2026, https://business-law.binus.ac.id/2026/02/21/kecerdasan-artifisial-sebagai-subjek-hukum/ (in Indonesian) [retrived 16 May 2026].

when AI causes harm, and the law must determine to whom those actions and consequences are attributed. This issue can arise in tort or in breach of contract. The technical facts about how AI operates do not always align with the legal structure that determines who can be sued and who should be held responsible.

The categories ANI, AGI, and ASI can be used as analytical tools. These categories indicate different levels of system autonomy and dependence on humans. Most AI in use today is ANI. These systems perform limited tasks and still rely on human regulation or oversight. Therefore, private liability must still be assigned to the human or legal entity involved. Responsibility can attach to the party that developed, distributed, implemented, or used the AI. The issue becomes more complex as systems become more autonomous and complex. Decisions can be made through the interaction between humans, AI models, data, and technological infrastructure. This interaction can also involve multiple parties. In such circumstances, the law cannot always rely on the assumption of a single "human operator." The law must determine responsibility based on the entire network of people and technology that produces the legal effect

From an operational point of view, the question regarding the role of artificial intelligence (AI) in private law can be approached from three perspectives: (1) no recognition of legal personhood; (2) limited recognition of legal personhood; and (3) unlimited recognition of legal personhood. The analysis of these options is as follows:

No Personhood

AI as Object/Instrument, Liability on Humans/Corporations. AI can primarily be understood in the classical sense of the word: not as a legal person.[18] In the first option, AI is not recognised as a legal subject. AI is treated as an object, instrument, or product. AI does not have its own legal rights, obligations, authority, or responsibilities. Rights and obligations remain with humans or legal entities, and the authority to take legal action also remains with them. The same applies to liability for damages. This responsibility must be traced throughout the design, implementation, and use of AI. This option has a relatively stable structure. The law need not create a new legal subject. It can utilise various existing private law doctrines. This option also prevents the premature granting of legal status to AI. This could obscure the responsibilities of humans and companies. However, this model faces problems when multiple parties are involved. The developer may claim that they only provided the model. Likewise, the implementer may claim that they were simply following the supplier's instructions. The user may claim they were simply using the system, and the company may argue that the AI operated autonomously. This situation complicates matters for injured parties. They may have difficulty determining which party to sue. They may also struggle to obtain compensation because liability becomes diffused and increasingly weak. In Indonesian private law, both humans and legal entities can still be points of attribution. Therefore, the main problem is not the absence of

[18] See Joanna J. Bryson, Mihailis E. Diamantis, and Thomas D. Grant, "Of, for, and by the People: The Legal Lacuna of Synthetic Persons," *Artificial Intelligence and Law* 25, no. 3 (2017): 273–91; and John Frank Weaver, *Robots Are People Too: How Siri, Google Car, and Artificial Intelligence Will Force Us to Change Our Laws* (Santa Barbara, CA: Praeger, 2014).

a responsible entity. The problem lies in the diffusion of responsibility. This diffusion occurs throughout the development, implementation, and use of AI.

Limited Personhood

a Functional Legal Fiction with Well-Defined Limits. The second option grants AI limited legal personhood. This status applies only in specific contexts, so its purpose must also be clearly defined, meaning its boundaries must be established by law.[19] This option does not regard AI as possessing consciousness or moral will. Legal personhood is used as a legal fiction to create a stable point of attribution. It can also facilitate risk allocation and the implementation of legal remedies. In this model, AI has only certain legal incidents. AI can be subject to limited obligations. AI can also be given the capacity to be a party within certain scopes, but it does not acquire all the rights of a human or legal entity. This status should not sever the relationship between the humans and the companies behind the AI. The party controlling the AI must remain accountable. The same applies to those benefiting from its use. This model can help address frequent and repeated use of AI. It can provide clearer channels for complaints and make the redress process more consistent, even though limited legal personhood still carries risks. A person or a company can transfer responsibility to AI. The AI then becomes formally responsible, while substantive responsibility should remain with the human or company. Therefore, simply granting legal status is not enough. The relationship between AI and the parties behind it must be clearly regulated. These rules must define the rights, obligations, authorities, and responsibilities of each party. They must also ensure that human and corporate accountability is not compromised.

Full Personhood

Radical Implications and Accountability Critique. The third option is to grant AI full legal personhood, thereby making it a legal subject.[20] Such a design introduces implications that cannot be accommodated within private law without fundamental structural adjustment. Questions immediately arise: whether AI becomes an autonomous liability holder; whether asset segregation is required to render remedies effective; whether AI may exercise powers capable of altering the normative positions of others, and how enforceability operates where the decision-making entity diverges from the patrimonial liability bearer.[21] Through a Hohfeldian lens, full personhood confers on AI almost all legal incidents. AI can have claim-rights, obligations, powers, and possibly even immunities. AI can also be subject to legal changes by others. However, this choice magnifies the liability issue. Responsibility can shift from humans and companies to AI, even though humans and companies design, implement, and profit from

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[19] See Shawn Bayern, "The Implications of Modern Business-Entity Law for the Regulation of Autonomous Systems," *Stanford Technology Law Review* 19 (2015): 93–112.

[20] See Lawrence B. Solum, "Legal Personhood for Artificial Intelligences," *North Carolina Law Review* 70 no.4 (1992): 1231–87; and David J. Gunkel, *The Machine Question: Critical Perspectives on AI, Robots, and Ethics* (Cambridge, MA: MIT Press, 2012).

[21] This is in line with the view that the primary characteristics for AI to be a complete legal person are its ability to develop autonomy and independent judgment, and its interactions with humans having progressed to the extent that it is regarded as a member of society. See P. Księżak and S. Wojtczak, "Artificial Intelligence and Legal Subjectivity," in *Toward a Conceptual Network for the Private Law of Artificial Intelligence*, Law, Governance and Technology Series 51 (Cham: Springer, 2023), 13-35.

the system. AI liability also requires a tangible asset basis. If AI lacks assets, its liability cannot be effectively enforced. Legal remedies will be merely symbolic. The injured party might win a lawsuit but not receive compensation. The AI's assets may have to be provided by humans or companies. These assets could take the form of a security deposit or mandatory insurance. In such cases, substantive responsibility remains with the humans or companies. AI merely acts as a formal intermediary. In such circumstances, full legal personhood can act as a liability shield. It can protect those who are actually responsible. Legal personhood no longer serves as a channel for establishing and enforcing liability.

These three options are assessed using criteria consistent with the analytical framework developed earlier and the evaluative approach applied subsequently: (1) the clarity of the point of attribution and the distribution of legal incidents; (2) enforceability; (3) remedial performance; and (4) the allocation of accountability—namely, whether the design of legal personhood strengthens the liability channel or instead creates a liability shield. In summary, the three options may be mapped as follows:

Table 1*: Comparative Design Options for AI Legal Personhood*

Design Option	Structure of Legal Incidents	Liability Implications	Primary Risk	Legal Basis
No Personhood	All legal incidents are attributed to human actors or legal persons	AI holds no legal powers and is not a point of attribution for liabilities	Fragmented attribution weakens the liability channel	AI is Excluded from Contract/Private & Tort (*perbuatan melawan hukum*) domains
Limited Personhood	AI is assigned a limited bundle of legal incidents; legal powers remain with controllers	Liabilities must remain linked to human actors	Risk of partial shield or AI becoming judgment-proof	AI is partially recognised under Contract/Private & Tort domains
Full Personhood	AI holds an extensive bundle of legal incidents (including powers and liabilities)	Dependent on patrimonial grounding and remedial design	Risk of empty liability or erosion of accountability	AI is fully recognised under private/contract and tort domain Contract/Private & Tort domains

Taken together, the three design options suggest the legal positions are not perfectly aligned, but the general position in contract and tort law is that AI should not be granted independent legal personhood and that the Hohfeldian assignment of claim-rights, duties, powers and liabilities should remain with human actors and existing legal persons. But a limited and context-specific form of personhood may be possible if it fills identifiable governance or attribution gaps, provided that the legal incidents attributed to AI are narrowly defined and remain institutionally linked to the developers, providers, deployers, users and corporations that control, benefit from or are capable of preventing the relevant risks.

The biggest risk for the institution is full personhood. This is because AI lacks moral agency and cannot be held ethically liable, and there is no binding international treaty or final international judicial authority that recognises AI as an autonomous legal person. Without a patrimonial basis of recognition, it can be an empty liability or a protective shield to avoid responsibility for human and organisational agents.

In the patrimonial sphere, private claims are basically divided into two major branches, namely tort (perbuatan melawan hukum) or breach of contract (wanprestasi). Both have implications for the design of attribution. The main problem in establishing tort liability is identifying the responsible actor and proving causation within a web of participants. Here, existing private law tools to fill attributional gaps include vicarious liability for those who exercise control or benefit; strengthening duty-of-care standards for developers and deployers; and, in cases of increased risk, stricter liability regimes as risk-management tools. In claims for breach of contract, the issues of interest are misrepresentation, professional standards of care and allocation of risk under the contract. The questions are Hohfeldian: Who can make legally binding representations? If the system outputs are wrong or misleading, who is liable?

In this doctrinal framework, the attribution points of Indonesian and Malaysian private law are relatively fixed by the established forms of corporate personhood. Similar to Indonesian company law, the Malaysian Companies Act 2016 does not recognise AI as a separate legal entity. Malaysia's Ministry of Digital is still deliberating on whether a specific statutory framework is necessary for AI governance, legal status, and liability. The burden of justification for extending legal personhood to AI should therefore be high. Such limited recognition must show that it improves standing, enforceability, and remedial performance, and that it links liability to the human and organisational actors who design, deploy, control, or benefit from AI systems. These reflections provide the ground for the following discussion on governance failure and the institutional limits of legal personhood.

Governance Failure and the Limits of Legal Personhood

The preceding analysis has demonstrated that legal personhood is not a metaphysical concept. It is a legal instrument! This instrument is used to divide rights, obligations, responsibilities, and legal remedies. Therefore, the extension of legal personhood is never neutral. The primary issue is not whether an entity can be a legal subject, but whether that status can be consistently applied. Rights and obligations must also be enforceable. The division of responsibilities must remain clear. If poorly designed, legal personhood can create new problems. Rights become merely symbolic. Adequate assets do not back responsibilities. Institutional mechanisms can also obscure who is truly responsible. This section discusses these boundaries and assesses their impact on the private liability system.

Legal personhood has two sides. On the one hand, it can clarify the legal structure, while on the other hand, it can also lead to distortions. Legal personhood for nature can give ecological interests a legal voice. This mechanism is crucial for addressing widespread, collective, and intergenerational damage. Such damage is difficult to address through individual claims. However, legal recognition alone is not enough. Representation mechanisms must be in place. Reparation funds must also be available, and the division of responsibilities must remain clear. Similar issues arise in AI. The development and use of AI involve multiple parties. These include manufacturers, providers, operators, and users. Their relationships do not always conform to traditional models of responsibility. These models are typically based on a single actor and a direct causal relationship. Legal personhood for AI can obscure human responsibility. This risk arises when there is no clear accountability structure. AI may also lack the capacity and resources to bear legal consequences, so the primary challenge is not simply

granting legal personhood. The challenge is regulating attribution, representation, accountability, and redress. Governance failures arise when normative recognition is not supported by institutional capacity. In such circumstances, rights, obligations, authority, and responsibilities lose their clear relationship.

Legal personhood can be justified when existing legal instruments are inadequate. First, this status can protect the interests of those who are difficult to represent. An example is widespread environmental damage. This damage is not always limited to a single location or individual. Second, legal personhood can provide a clear point of contact for various claims. These claims can include compensation, restitution, or other remedies. Third, legal personhood can serve as a coordination mechanism. It can regulate the distribution of rights, obligations, and responsibilities within a network involving multiple parties. In such circumstances, legal personhood is not simply a label but an instrument of attribution that links claims, responsibilities, and compensation.

Legal personhood becomes problematic if it undermines the structure of accountability.[22] There are three main risks. First, legal personhood can serve as a shield against liability. The new status can shift responsibility away from the individuals or companies behind it. Second, legal personhood can fragment responsibility because the law no longer provides a clear path to determining who is responsible. Third, legal personhood can carry excessive symbolic weight. Legal status is granted without adequate mechanisms for representation, enforcement, and redress. In such circumstances, expanding legal personhood does not improve the legal system. This expansion actually creates responsibilities without substance and rights without remedies, resulting in weakened accountability.[23]

This article offers four criteria for assessing legal personhood. The assessment should not be based on theoretical appeal. On the other hand, symbolic value is also insufficient. The assessment must be based on legal personhood's performance in private law. First, does legal personhood enhance the ability to enforce the law? Second, does it clarify the division of responsibilities? Third, does it enhance the effectiveness of remedies? Fourth, is human responsibility maintained? These four questions test the implementation of legal personhood. Rights must be enforceable, and the responsible party must be identifiable. Remedies must also be enforceable. If these conditions are not met, normative inflation occurs. Legal status is recognised, but it cannot be enforced, and legal remedies cannot be realised.

Legal personhood can be a means of redress. It can provide a clear point of attribution for claims, responsibilities, and remedies. This function is important when losses are diffused. It is also important when causal relationships are complex. It is worth noting that legal personhood can also act as a shield from liability. This occurs when actions are separated from responsibility. Responsibility is then spread or transferred to new entities, making it increasingly difficult for injured parties to obtain redress.

The expansion of legal personhood must be assessed based on its structure. The assessment should not be based solely on the nature of an entity. The primary question is not whether

[22] See Karsten Brensing, "Precautionary Governance of Autonomous AI: Legal Personhood as Functional Instrument," *arXiv preprint* (2026).

[23] Cf. Mardohar B. B. Simanjuntak and Tristam P. Moeliono, "Legal Personhood for Artificial Intelligence: an Axiological Argument," *Melintas* 41 no. 1 (March 2026): 26-43.

nature or AI resembles humans. Legal personhood can be justified if it clarifies the point of attribution. This status must also maintain the relationship between rights, obligations, authority, and responsibilities. Furthermore, legal personhood must support law enforcement and redress. All of these functions must be carried out without diminishing human responsibility.

Global Position on AI related to the issues of Governance and Personhood

The global position on artificial intelligence (AI) also reflects growing concern about governance failures and the inadequacy of existing international legal frameworks for regulating AI effectively. International organisations such as the United Nations, UNESCO, and the Council of Europe have recognised that AI play a role in innovation; however, the use of AI may affect human rights, accountability, and democratic governance. Hence, most global AI governance instruments remain, at best, "soft law" that regulates AI without imposing any definitive binding enforcement and compliance mechanisms. AI personhood status proved to be a key governance failure due to fragmentation or a lack of consensus on international regulatory approaches to AI personhood.

Recently, the European Union adopted the European Artificial Intelligence Act (AI Act)[24] which enters into force on 1 August 2024. The AI Act seek to foster responsible artificial intelligence development and deployment in the EU. Proposed by the European Commission in April 2021 and agreed upon by the European Parliament and the Council of the European Union in December 2023, the AI Act establishes a comprehensive regulatory framework to address the risks posed by artificial intelligence to health, safety, governance, and fundamental rights. The Act imposes clear obligations and compliance requirements on AI developers, providers, and deployers, particularly for high-risk AI systems. The AI Act is regarded as the world's first comprehensive and legally binding regulatory framework specifically governing artificial intelligence for observation in ASEAN.[25]

The rights, liabilities, and attribution associated with AI were addressed in several respects that proved legally instructive for adoption in the ASEAN region, and for Indonesia and Malaysia, for that matter. Perhaps, certain legal provisions of this AI Act could be considered by the Parliament of Indonesia and Malaysia towards addressing the personhood issue of AI, in view of global enactment of AI laws by certain countries specifically on AI agenda, such as the OECD AI Principles, UK AI Regulation White Paper, USA AI Bill of Rights, USA Executive Order 14179, Canada Artificial Intelligence and Data Act (AIDA), China Generative AI Regulation, etc[26]. To date, there is no universal treaty under international law on AI. Article 1(3) of the Charter of the United Nations establishes the purpose of promoting "respect for human rights and for fundamental freedoms," yet current AI governance lacks enforceable international standards to ensure such protection. The issue of legal personhood for AI exposes

[24] European Commission, 'AI Act enters into force' (1 August 2024) https://commission.europa.eu/news-and-media/news/ai-act-enters-force-2024-08-01_en [retrieved: May 19, 2026].

[25] ASEAN Guide on AI Governance and Ethics (2024) https://asean.org/wp-content/uploads/2024/02/ASEAN-Guide-on-AI-Governance-and-Ethics_beautified_201223_v2.pdf [retrieved: May 19, 2026].

[26] Anecdotes, 'AI Regulations in 2025: US, EU, UK, Japan, China and More' (28 January 2026) https://www.anecdotes.ai/learn/ai-regulations-in-2025-us-eu-uk-japan-china-and-more [retrieved: May 19, 2026].

the limits of existing national and international law in addressing the emergence of AI within the global community. Under international law, and guided by the ICJ Statute and its decisions, including United Nations guidance, legal personhood traditionally applies to states, individuals, corporations, and international organisations. Article 1 of the Montevideo Convention on the Rights and Duties of States 1933 defines the criteria for statehood[27] while corporate legal personhood derives from domestic legal systems, as exemplified by Indonesian and Malaysian law for that matter. The Hohfeldian framework, including nature's personhood (Atrato and Whanganui reference), although not considered, could be promoted to address personhood from the aspect of attribution.

AI systems, however, possess neither consciousness nor moral agency. Granting AI independent legal personhood would fundamentally conflict with established principles of accountability and liability, as international responsibility under the 2001 Articles on Responsibility of States for Internationally Wrongful Acts presupposes human or state conduct attributable to legal actors. AI does not have such attribution. Article 7 of the Universal Declaration of Human Rights 1948[28] provides that "all are equal before the law and are entitled without any discrimination to equal protection of the law." AI-driven profiling and automated decision systems increasingly challenge this principle, for example through algorithmic bias and discriminatory outcomes. Article 17 of the International Covenant on Civil and Political Rights (1966) protects individuals from "arbitrary or unlawful interference" with privacy. Yet, mass AI surveillance technologies deployed across borders frequently operate beyond meaningful international oversight and governance. These examples add further chaos into the disruptive whirlpool of legal uncertainty concerning AI and personhood. Perhaps the Hohfeldian framework and nature's personhood (as seen in the Atrato and Whanganui cases) may have played a role in the recent development of international instruments on AI personhood.

CONCLUSION

This article has reconsidered legal personhood not as an ontological category but as an institutional device within private law. Within a Hohfeldian framework, personhood has been understood as a point of attribution—the normative address to which bundles of legal incidents are attached so that legal relations, standing, and responsibility function in practice. The juridical value of personhood thus lies not in its declaration but in its capacity to clarify liability attribution, maintain enforceability, and generate effective remedies.

Analysis of the Atrato and Whanganui Rivers demonstrates that legal personhood is not merely formally recognised. This status must be supported by effective representation mechanisms, namely clarity about who can act on behalf of the river. Obligations to the river must also be enforceable. Furthermore, concrete redress mechanisms must be in place. Without these elements, legal personhood remains merely symbolic. Rights are recognised but cannot be

[27] Montevideo Convention on the Rights and Duties of States. Article 1. The state as a person of international law should possess the following qualifications: (a) a permanent population; (b) a defined territory; (c) government; and (d) capacity to enter into relations with the other states. Montevideo Convention on the Rights and Duties of States (signed 26 December 1933, entered into force 26 December 1934), https://www.jus.uio.no/english/services/library/treaties/01/1-02/rights-duties-states.html

[28] Universal Declaration of Human Rights, UNGA Res 217 A (III), UN Doc A/RES/217(III) (10 December 1948).

enforced. Similar issues arise with AI. Legal personhood may be able to address responsibility spread across multiple parties. However, this status must remain connected to the humans and companies behind the AI. Otherwise, human responsibility can be weakened or obscured. AI can also be burdened with responsibility without having the assets to pay compensation. This situation would create a void of responsibility. Therefore, the expansion of legal personhood must be assessed structurally. The assessment should not be based on an entity's similarity to humans. What should be assessed is the function of that status within the legal system. The point of attribution must be clear. The path to accountability must be robust. Legal remedies must also be effective. In Indonesian private law, humans and legal entities have become relatively stable points of attribution. Therefore, granting legal personhood to new entities requires a strong rationale. Legal personhood should be viewed as an institutional design choice. This choice must be assessed based on its impact on accountability. Legal personhood is justifiable if it strengthens accountability. Conversely, legal personhood is unjustifiable if it obscures or diminishes responsibility.

This article suggests that future legal reforms relating to nature and artificial intelligence should prioritise establishing institutional mechanisms for accountability, enforcement, and remedy, rather than merely symbolic recognition. In the Indonesian context, expanding the legal status to non-classical entities must be approached with caution and justified only if it demonstrably strengthens accountability structures without weakening human responsibility within private-law structures. This position is similar to that of Malaysia and many other countries within the Association of Southeast Asian Nations (ASEAN). Within the ASEAN landscape, where Indonesia and Malaysia are located, the absence of binding international AI regulation allows irresponsible parties to exploit jurisdictional inconsistencies and legal gaps to evade accountability for transnational harms caused by AI. Current international law remains reactive at most, demonstrating substantial limitations in balancing the personhood of AI while protecting the interests of human dignity, legal certainty, attribution, liability, and remedies. This can be seen within ongoing legal developments and debates in the ASEAN region on AI. Recent developments on the AI agenda have seen the emergence of a new guiding document issued for compliance and observation regarding AI. The ASEAN Guide on AI Governance and Ethics 2024 outlines the ethical and legal approach to the utilisation of AI within domestic boundaries. This could be utilised to shed light on the dark corridors of the AI rugged landscape and minimise any negative impact on the global community in the digital age of the 21st century.

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