

Jurisprudence of Heterogeneous Subjects: Legal Subjecthood, Responsibility, Sanctionability, and Procedural Standing

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Abstract

This paper examines legal subjecthood, rights attribution, responsibility, sanctionability, and procedural standing across heterogeneous subject configurations. It argues for a source-specific and historically situated analysis of juridical positions that distinguishes protected interests, the exercise of legal capacity, attribution of acts, duties and their breach, liability, penal constraints, and procedural access. Drawing on incident-based jurisprudence and a preliminary Generative Relational research programme, the analysis combines doctrinal comparison with accounts of representation, evidence, institutional power, cross-jurisdictional translation, and changes of legal status. Human, nonhuman animal, natural-entity, organizational, artificial-system, and hypothetical extraterrestrial cases illuminate both the portability and the limits of such distinctions. Existing human-rights protections and criminal-law safeguards retain their independent authority; proposals for artificial or extraterrestrial legal positions remain conditional. The paper develops source-indexed analytical records for legal recognition, rights, agency, conduct, responsibility, sanctioning, standing, translation, institutional power, and historical transitions, along with a cross-dossier compatibility rule and a worked comparison of natural-entity representation and automated credit scoring. A register of jurisprudential research obligations identifies conditions for withholding inference. Its conclusion consolidates three contributions: the non-equivalence and interdependence of legal incidents; the dependence of their practical exercise on law, evidence, representation, and institutions; and the need to preserve accountability and procedural safeguards when proposing new forms of legal recognition. The framework supplies a revisable method of inquiry, not a universal test of personhood or an authorization to extend penal jurisdiction. Its formal economy treats cross-case comparison as reuse of a common position record rather than as a separate predictive model, and tests attribution against counterexamples involving advisory scoring, institutional review, and legal-person sanctions. Subsequent work separately examines adjudicative authority, shared nomos, and aid-specific legal duties.

Keywords: legal subjecthood; legal responsibility; sanctionability; procedural standing; heterogeneous subjects

Discussion Paper Note

This manuscript is Paper XIII of the Generative Relational programme on social history, recognition of vulnerability, ethics of assistance, humanitarian protection, and legal status. Papers X–XII provide internally developed theoretical context [33, 31, 32]. Their research claims are preliminary and neither constitute binding legal authority nor replace independent jurisprudential argument.

Legal subjecthood, responsibility, sanctionability, and procedural standing are investigated as source-sensitive legal positions, with their possible non-equivalence placed at the centre of analysis. Existing legal rules are described within their respective jurisdictions and temporal applicability. Proposed extensions to artificial systems and hypothetical extraterrestrial subjects remain philosophical and institutional questions. The paper does not recommend or assume criminal sanctions absent an applicable legal basis and independent safeguards.

Notices

Status. Paper XIII, Revision R17: complete first draft with a second integrated audit of doctrinal claim strength, formal economy, adversarial counterexamples, and LaTeX source hygiene. Source-level consistency and selected primary-source checks have been conducted; comprehensive doctrinal review, expert evaluation, wider adversarial revision, and expert evaluation remain outstanding; typeset visual checks are reported separately. The manuscript is neither a legal opinion nor a claim of external validation. This is the compiled PDF edition of Revision R17.

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Statement on the use of language models. OpenAI’s ChatGPT assisted with research dialogue, source discovery, argument development, and preparation of the $\text{\LaTeX}$ draft. The author retains responsibility for reviewing sources, legal interpretations, and the manuscript. The accompanying ledger records source checks for citations used in the Introduction and Sections 2–15, including the consolidated 2026 EU AI Act source and official legal materials rechecked for the adversarial cases. The R17 audit introduces no new bibliography keys. Previously verified references are reused in the conclusion without adding bibliography keys; the record is not equivalent to exhaustive jurisprudential review.

1 Introduction

This paper develops a preliminary jurisprudence of legal subjecthood, responsibility, sanctionability, and procedural standing under heterogeneous-subject conditions. Its research object is the constitution and historical operation of legal positions among actors whose embodiment, agency, communicative capacity, institutional role, and possible subjective experience may differ substantially. The objective is to distinguish legal statuses that can become entangled in debates about animals, artificial systems, collective entities, and hypothetical extraterrestrial beings; identify the relationships among those statuses; and develop a source-sensitive analytical basis for evaluating proposed extensions. The method combines doctrinal interpretation, jurisprudential reconstruction, comparative institutional examples, and a provisional Generative Relational (GR) analysis. The inquiry begins with the diversity of positions already recognized in positive law, examines responsibility and procedural access as separate legal problems, and then formulates the conditions under which their relations can be compared across heterogeneous settings.

Debates concerning legal personality often compress several different questions into a single claim. A legislature might authorize an entity to hold property, a court might permit someone to represent its interests, a regulatory scheme might assign duties to persons responsible for its operation, and a sanctioning system might identify a culpable actor. The resulting legal relationships may share participants while drawing their force from different norms and institutions. A declaration that an entity is a *legal person* can therefore have considerable practical significance, yet the legal consequences of the declaration depend on the constitutive instrument and on its interaction with other applicable rules. Conversely, legal protection may operate without a general declaration of independent legal personality. The analytical problem concerns both the available incidents of legal status and the relations by which those incidents are created, exercised, contested, modified, and enforced.

Contemporary jurisprudence already supplies resources for disentangling this problem. Kurki's account of legal personhood treats the concept as a cluster of distinguishable incidents and critically examines its reduction to the bare holding of rights or duties [37]. That account forms an important scholarly point of departure for this paper. The present inquiry does not claim to originate the incident-based approach. It extends the question in a different direction: how historically changing relations among evidential recognition, legal attribution, responsibility, sanctionability, representation, and procedure shape the feasible legal positions of heterogeneous subjects. A GR perspective asks how such positions become constituted within specified legal and institutional practices and how their exercise can transform the later conditions of legal recognition. Whether a particular extension should be adopted remains an independent normative and legal question.

The need for source specificity becomes apparent in established examples. The Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 declares Te Awa Tupua a legal person and provides for Te Pou Tupua to exercise or perform its rights, powers, and duties, and to take responsibility for its liabilities, on its behalf and in its name [39]. The statutory arrangement makes legal personality operational through a particular representational structure. Its significance arises in the context of the legislation's settlement, institutional design, and relationship to Whanganui iwi and the River. The example supports the narrower proposition that a legal system can construct a legally operative status through specified representatives. It does not settle the moral standing, subjective experience, criminal culpability, or universal recognition of natural entities in other jurisdictions. Any comparison with animals or artificial systems must preserve those contextual differences.

Other established instruments show how legal protection, capacity, and procedural standing are separately constituted. Article 12 of the Convention on the Rights of Persons with Disabilities reaffirms the equal recognition of persons with disabilities before the law, affirms their legal capacity on an equal basis with others, and addresses support for exercising that capacity together with safeguards concerning will, preferences, conflicts of interest, and review [47]. Within its human-rights domain, the provision illustrates the importance of distinguishing holding legal capacity from the practical means and safeguards through which a person exercises it. The present analysis does not use the rights of persons with disabili-

ties as a contingent analogy for assigning humanity or personhood to other beings. Those rights provide a normative constraint on any account that would mistake communicative difficulty, dependency, or reliance on assistance for an absence of legal standing. Proposed heterogeneous extensions must supply their own justificatory grounds and should respect the established protections from which they draw methodological lessons.

A different distinction emerges between welfare protection and juridical subjecthood. Article 13 of the Treaty on the Functioning of the European Union recognizes animals as sentient beings for purposes of requiring regard for animal-welfare requirements in specified Union and Member State policy fields, subject to the provision's stated qualifications [15]. That provision is an important example of legally recognized welfare concern with its own regulatory scope. It does not by itself provide a uniform designation of animals as legal persons, general litigation standing, or criminal responsibility. The position of an animal, the responsibility of an owner or institution, the competence of veterinary authorities, and any ability to seek judicial relief must be analyzed using the relevant applicable sources. This separation is especially important where welfare, guardianship, property, and public-law regulation intersect.

Legal responsibility introduces an additional range of distinctions. An obligation to maintain a system, liability to repair loss, attribution of an action to a juridical entity, and criminal culpability can involve different conditions, evidential thresholds, and consequences. The Rome Statute of the International Criminal Court illustrates the domain-specific character of punitive responsibility: Article 25 places the Court's jurisdiction over natural persons, while Articles 22–24 articulate legality and temporal constraints relevant to criminal liability [34]. These provisions define the particular international criminal jurisdiction established by the Statute. They should neither be extended by analogy to artificial systems nor read as exhausting forms of corporate, administrative, civil, or other responsibility that may exist in different legal orders. A proposed legal regime for artificial actors would consequently need explicit answers concerning the bearer of duties, identification of attributable conduct, legally recognized fault or risk, the institution authorized to decide, and the content and justification of any sanction.

Procedural standing has a similarly regime-specific character. Article 34(1) of the Statute of the International Court of Justice confines parties in contentious cases before that Court to states [42]. The rule concerns access to a particular forum. It establishes neither an exhaustive taxonomy of international legal subjects nor the proposition that every state can invoke every available procedure irrespective of jurisdictional requirements. Likewise, the ability of an organization, representative, beneficiary, or alleged violator to participate in a domestic proceeding depends on the relevant law of competence, admissibility, representation, and remedy. The question of who has an interest in a dispute and the question of who may formally initiate proceedings are related through particular procedural rules. The difference matters for subjects who are unable to communicate with a legal institution in its usual forms and for potential interests represented by others.

Artificial systems make the resulting distinctions particularly visible. Contemporary European Union AI regulation allocates extensive regulatory obligations to identifiable providers, deployers, and other actors within the legislation's scope [21]. That mode of regulation supplies a concrete legal arrangement for governing AI-related risks while avoiding the assumption that an AI system is itself the bearer of independent rights or punitive culpability. Distinct future arrangements are conceivable as normative proposals, including limited capacity to hold assets, delegated legal agency, representational mechanisms for possible machine interests, or narrow forms of attribution. Their availability as conceptual possibilities says little about their desirability or present legal validity. Each would require an identifiable source of authority, conditions of operation, remedies for affected people, and safeguards against shifting accountability away from actors capable of bearing it.

The present research accordingly treats *legal subjecthood* as a question about positions and recognition within a specified legal order; *responsibility* as a family of relations concerning duties, attribution, answerability, and liability; *sanctionability* as the legally constrained exposure of an addressee to a particular authorized adverse response; and *procedural standing* as a relation of access and participation in a specified forum. These are provisional analytical descriptions rather than purportedly universal definitions. The legal consequences of each category depend on its sources, jurisdiction, temporal conditions,

and recognized procedures. The argument is concerned with possible non-equivalence: an actor can receive one legally consequential position without thereby receiving all the others. The paper will analyze when the same actor, a representative, or a different institution occupies several of these positions and how the resulting distribution affects legal protection and accountability.

An analytical separation also requires attention to intersections. A corporation can possess rights or obligations through a legal regime while corporate actions are performed through authorized natural persons. A represented entity can hold a legal position while another actor has a power to appear or manage liabilities on its behalf. The welfare of an animal can generate duties for people and institutions while questions of the animal's own procedural access remain governed by other rules. An AI system's output can be a legally relevant event even where legal responsibility is attributed to its operator, provider, institution, or another person under applicable law. In each configuration, the location of the protected interest, the attributed act, the bearer of liability, the authorized representative, and the forum may differ. The fact that these positions are connected through one course of events provides a reason for relational analysis, while their separation prevents an inference from one position to another without a source of legal warrant.

The comparative problem extends to hypothetical extraterrestrial subjects. An encounter with a previously unknown intelligence could raise questions about its capacity to express preferences, engage in commitments, experience injury, negotiate shared rules, or participate through interpretation and mediation. Such scenarios are philosophical and institutional stress tests. Existing legal instruments should be interpreted within their actual legal scope; their language about human beings, animals, states, corporations, or particular organizations supplies no automatic settlement of the legal status of extraterrestrial entities. A future institutional response would require substantive grounds for recognition, procedures for obtaining and contesting evidence, accountable representation, and the formation of mutually intelligible or otherwise justifiable norms. Any scheme of responsibility or sanctioning would face additional challenges of notice, legitimate jurisdiction, attribution, and fair opportunity to respond.

Three levels of inquiry structure the GR interpretation. At the level of *ontological reality*, ultimate questions about subjectivity, consciousness, and the metaphysical status of candidate beings remain suspended where the available grounds do not resolve them. At the level of *relational reality*, juridical practices may constitute causally and institutionally efficacious structures of rights, duties, authority, liability, representation, and enforcement. At the level of *manifestation reality*, legal status becomes accessible through texts, records, public acts, testimony, classifications, judgments, and other situated expressions. These levels are analytically distinguishable while potentially coupled. An institutional recognition decision can change actual opportunities for protection; new procedural access can disclose previously excluded evidence; that evidence can, in turn, generate reasons to revise the recognition decision. A legal document is therefore both a manifestation of an asserted legal position and, where its issuance has constitutive legal effect, a participant in the historical production of that position. The analysis does not infer metaphysical personhood from the existence of such documents.

An especially important consequence concerns the role of legal power. The power to classify subjects, accept petitions, authorize representatives, attribute responsibility, or impose sanctions is distributed among institutions and participants. Classification can determine whose injury is visible in legal procedure, who may dispute an accusation, who receives a remedy, and whose actions are charged to another person. Institutions also differ in whether and how their classification decisions may be appealed or revised. Under heterogeneous conditions, these asymmetries may be amplified by differences in communication, dependence on technical interpretation, the costs of representation, and uncertainties about a candidate subject's interests. The analysis accordingly investigates how procedural design and representational authority condition the practical exercise of legally recognized positions. The legal order is a source of rights and responsibilities as well as a historical structure through which access to those positions is distributed.

The inquiry builds upon three preceding papers in the author's ongoing research programme. Paper X examined support-relevant suffering recognition under heterogeneous-subject uncertainty; Paper XI developed a preliminary ethics of assistance and revisability; and Paper XII constructed a source-

sensitive theory of humanitarian protection linking recognition, protective interests, ethical evaluation, institutional access, and the continuity of assistance. The present paper uses those studies for conceptual continuity while assigning legal questions an independent jurisprudential treatment [33, 31, 32]. A reason to protect a being, a legitimate institutional intervention, and the being's legal subjecthood may intersect, but their legal status remains dependent on applicable sources and justified normative extensions. The earlier manuscripts are author-generated theoretical contributions, with the humanitarian manuscript presently assessed as internally reviewed pre-release. They are not invoked as judicial authority, authoritative interpretations of positive law, or empirical validation of the propositions developed here.

The proposed contribution has four components. First, the paper reconstructs legal positions as source-specific and historically exercisable incidents whose relations warrant separate analysis. Second, it develops a distinction among legal subjecthood, modes of responsibility, sanctionability, and procedural standing, including potential non-equivalences and transfers mediated by representatives. Third, it examines how evidence, communicative access, jurisdiction, legal power, and enforcement affect the formation and revision of those positions. Fourth, it compares heterogeneous cases through an explicitly conditional and provenance-preserving method. Any subsequent formal constructions will identify their relevant legal order, subject class, type of position, conditions of application, and interpretive limitations. A formal relation will organize reasoning over a specified scheme; it will not by itself constitute legal recognition or determine moral worth.

The principal limits follow from that research design. The analysis is comparative and preliminary; it does not provide a universal catalogue of world legal systems or a legal opinion for a particular dispute. The legal positions of artificial systems and hypothetical extraterrestrial subjects remain especially unsettled, and the paper does not presume that legal status follows directly from technical sophistication, expressivity, or apparent suffering. Nor does the presence of an institutional interest in regulating an entity establish that the entity should be punished. Legal sanctions, particularly penal sanctions, call for independently justified conditions of culpability, legality, due process, proportionality, and competent judgment. Debates about the identity, expertise, and legitimacy of human, AI, or hybrid adjudicators will receive fuller treatment in Paper XIV; the formation of shared nomos and contractual membership in Paper XV; and the specific jurisprudence of aid and humanitarian duties in Paper XVI.

The subsequent argument is organized as follows. The first substantive section will examine the sources and domains of legal status. Later sections will address recognition, legal capacity and representation, the attribution of acts, differentiated responsibility, sanctionability, and procedural standing, followed by jurisdiction-sensitive comparison of heterogeneous cases. A worked comparison will contrast statutory natural-entity representation with the protection of a human data subject affected by automated scoring; the comparison preserves the legal and historical specificity of both settings. The final part will examine power over legal classifications, institutional change, validation obligations, and limits of the proposed framework. Throughout, normative proposals are identified as such, and legal claims remain linked to the sources that authorize them. This discipline is intended to make the relationship among heterogeneous subjects, their representatives, and legal institutions analytically tractable while preserving substantive questions that cannot be resolved by classification alone.

2 Juridical Domains and Source-Specific Legal Positions

This section establishes the legal-analytical vocabulary used throughout the paper. Its objective is to identify the conditions under which a juridical position can be attributed to a bearer, exercised by an actor, enforced against a counterpart, and recognized by an institution. The method first distinguishes legal domains and forms of juridical relation, then examines the source conditions of legal status, introduces a modest documentation scheme, and tests the possibility of transporting conclusions between legal orders. The intended output is an interface for subsequent study of legal status formation, rights attribution, responsibility, sanctionability, and procedural standing. Its claims about existing law remain local to the instruments and jurisdictions identified in the citations.

2.1 Legal Orders, Domains, and Institutional Competence

A juridical position is intelligible within a setting in which legal norms, interpretive practices, and recognized institutions specify its consequences. National legal systems, supranational regimes, and international legal institutions may employ overlapping terms while attributing different powers to different actors. A corporation's capacity to contract within one domestic system, for example, provides limited information about that corporation's entitlement to bring a proceeding before an international tribunal. Similarly, a statutory representative's power to act for a specified natural entity is established through that statute's institutional arrangement and any applicable surrounding rules. These observations invite a distinction between the *legal order* in which a norm operates, the *normative domain* of the question, and the *forum* in which a claim or dispute is heard.

A legal order here denotes an institutionally maintained configuration of purportedly authoritative norms and practices of recognition, interpretation, and enforcement. The description is methodological: it does not settle a general jurisprudential dispute about the ultimate grounds of legal validity. A normative domain identifies the type of relations for which a rule supplies criteria, such as civil obligations, administrative permissions, human-rights guarantees, criminal responsibility, or tribunal procedure. A forum denotes an adjudicative or administrative body whose competence is determined by governing rules. One order can include several domains and forums; several orders may overlap in a particular episode. Their boundaries can be contested historically, especially when the legal status of a participant is itself disputed.

Three determinations are therefore required before an assertion of legal status is made. The first concerns *source validity*: which recognized enactment, treaty rule, judicial determination, or other legally relevant source is said to support the claim, and with what authority within the pertinent order? The second concerns *applicability*: which territorial, temporal, personal, material, and institutional conditions govern the norm's operation in the case? The third concerns *legal effect*: what incident, remedy, duty, or procedure follows once applicable interpretive and evidential requirements are met? These are analytical questions rather than a universal test of validity. The answers depend upon the positive-law regime being studied. Institutional effectiveness, normative desirability, and legal validity may influence one another historically, yet they warrant separate assessment.

The International Court of Justice supplies a clear example of forum specificity. Article 34(1) of its Statute provides that only states may be parties in contentious cases before that Court [42]. Article 38 identifies categories of materials the Court applies in deciding disputes in accordance with international law; its enumeration is situated within the Court's function [42]. This arrangement is informative for the jurisprudence of legal positions precisely because the Court's rule on parties cannot simply stand in for the procedural rules of regional or domestic forums. The competence of an institution and the substantive interests implicated in a controversy are distinguishable questions.

2.2 Elementary Juridical Incidents and Relational Correlatives

The second analytical step identifies what a source recognizes. Hohfeld's distinction among claim-rights, privileges (often called liberties), powers, and immunities, together with their correlatives and opposites, provides a foundational vocabulary for specifying the relevant juridical relation [29, 30]. Hohfeld's categories belong to an established analytic tradition. The present paper uses them as a resource for source-specific reconstruction and does not claim to have originated the classification.

A claim-right in the relevant Hohfeldian sense is associated with a corresponding duty of another legal party concerning an action or omission. A privilege or liberty concerns the absence, within the relevant relation, of a duty to refrain from an action and is correlated with another party's no-right that the first actor abstain. A legal power concerns a legally recognized ability to alter juridical relations through a legally relevant act; another party may be exposed to that exercise through a correlative Hohfeldian liability. An immunity concerns a protected position against the exercise of a specified power, with a corresponding disability on the actor who lacks that power. Each formulation presupposes an identified act, relation, applicable law, and counterpart. The word "right" in statutes and ordinary legal argument

frequently covers a wider family of claims, liberties, competences, procedural guarantees, and associated remedies.

The terminological distinction between *Hohfeldian liability* and *legal liability for wrongdoing or loss* is crucial. The former describes susceptibility to another's juridical power: a person may be liable, in this technical sense, to a valid exercise of a public authority's power even when the exercise is wholly lawful and involves no punishment or wrongdoing. Civil damages liability, administrative sanctions, and penal responsibility each require their own substantive and procedural grounds. Consequently, the occurrence of the term "liability" in an incident taxonomy supplies no inference of criminal guilt or exposure to punishment. Paper XIII's later treatment of responsibility and sanctionability will make those grounds explicit.

Nor is the Hohfeldian decomposition a comprehensive replacement for the practical language of law. Legal instruments may define composite entitlements, procedural devices, protective standards, and administrative relationships that combine several elementary incidents. A duty can be owed to a specified right-holder, imposed for the public benefit, or structured through a regulatory mechanism whose addressees and enforcement channels require further interpretation. Identifying a correlative relation is informative when the relevant norm and counterpart are well defined. A claim that a beneficiary is protected by regulation, considered in isolation, may leave open whether the beneficiary has a personal enforceable claim, who owes the duty, and which authority can grant a remedy.

2.3 Legal Personhood, Holding, Exercise, and Representation

A third step concerns the composition of status. Kurki's incident-based theory analyzes legal personhood as a cluster of interconnected but distinguishable incidents, including passive and active dimensions [37]. Its conceptual significance for this paper is the possibility of comparing legal positions without forcing an immediate binary classification of every actor as either a complete legal person or a legal nonperson. The present analysis adds attention to the time- and source-dependent institutional pathways through which incidents become operative; this extension is proposed within GR, while the incident-based starting point is explicitly attributed to the preceding jurisprudential literature.

An entity's designation as a holder of an interest, a holder of a legal right, an administrator of a legal platform, and a competent performer of juridical acts need not identify one and the same participant. This distinction is especially important in institutional representation. Sections 14–19 of the Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 establish a particular statutory legal personality and representative arrangement for Te Awa Tupua [39]. Te Pou Tupua acts in the River's name and on its behalf within the statutory structure. The attribution of rights and duties through such a representative is intelligible as a legally specified arrangement, and the exercise of those incidents remains dependent on the instrument's terms. The statute does not supply a general jurisdiction-independent doctrine for recognizing every river, animal, or artificial system as a legal person.

Representation also has limits that are especially visible in human-rights law. Article 12 of the Convention on the Rights of Persons with Disabilities establishes equal recognition before the law and equal legal capacity for persons with disabilities, together with access to support in exercising legal capacity and safeguards for their rights, will, and preferences [47]. These protections affirm the relevant human legal positions. Support in exercising legal capacity should therefore be analyzed with attention to the person's own legal authority and safeguards against undue influence, rather than treated as evidence that assistance automatically transfers authority to a substitute. The later paper section on supported representation will examine such differences more fully. In this section, the example establishes a methodological constraint: an incident-based vocabulary must remain consistent with independent substantive guarantees under applicable human-rights law.

The possibility of legal personhood for heterogeneous entities is consequently a set of differentiated questions. For a human subject, existing rights and guarantees define an indispensable starting point. For an animal, the presence of protective welfare rules can warrant serious recognition of its interests, while the identity of the enforcing party and the availability of standing depend upon additional sources. For an

artificial system, legally assigned obligations of providers or deployers may organize accountability for that system’s operation, while any proposal concerning the system’s independent rights would require separate justification and constitutive legal measures. For a hypothetical extraterrestrial community, the relevant questions remain theoretical until there is adequate evidence, a specification of governing institutions, and an account of legitimate normative relations. A common analytic vocabulary makes these comparisons possible without representing them as identical cases.

2.4 Norm Sources, Interpretation, and Temporal Qualification

The fourth step concerns the traceability of the source. A legal assertion is ordinarily incomplete when the identity of an authority is provided without the conditions governing its effect. Statutory text can be amended, treaty obligations can depend on ratification and temporal rules, a judicial holding can have institution-specific reach, and subordinate instruments can require authorization under superior law. A legal opinion may also distinguish binding legal propositions from professional standards, policy recommendations, and broader normative arguments. These are all potentially important in a relational analysis, but the authority and interpretive limits of each differ.

Treaty interpretation offers a particularly useful methodological example. The International Law Commission’s 2018 draft conclusions and commentaries situate subsequent agreements and subsequent practice within the interpretive framework associated with Articles 31 and 32 of the 1969 Vienna Convention on the Law of Treaties [53]. The discussion emphasizes interpretation through treaty text, context, object and purpose, and legally relevant subsequent materials. This is a source-specific interpretive framework for treaties, with its own domain and qualifications. It does not function as a general mechanical algorithm for interpreting every domestic statute, custom, or organizational rule. The analytical lesson is that source identification and interpretive reasoning form part of the provenance of a juridical conclusion.

Temporal qualification matters for rapidly changing technological domains. Regulation (EU) 2024/1689 establishes obligations for providers, deployers, and other identified operators of AI systems, within its material and temporal conditions [21]. Its consolidated text of 27 July 2026, particularly Article 113, contains a staggered timetable: several general provisions apply from 2 August 2026, while specified high-risk requirements in Chapter III, Sections 1–3 have later dates differentiated by classification under Article 6 and the relevant annexes; particular prohibitions and transitional arrangements have their own commencement rules [22]. Describing an obligation therefore requires recording the version of the Regulation, the provision at issue, the classification of the system, the applicable date and any transition or exception. An obligation scheduled for later application can be legally enacted yet cannot simply be treated as presently enforceable. More generally, an observed institutional practice may persist after a formal change in law, while an enacted norm may become legally applicable before its effective implementation in practice. The paper treats these as different dimensions of juridical history. Institutional implementation may be relevant to a sociological or empirical account, but cannot on its own establish that an otherwise unsupported positive-law entitlement exists.

A further distinction concerns *source authority* and *evidential authority*. A statutory provision is a potential source of law; a historical record, witness account, or administrative database entry may serve as evidence relevant to establishing facts under that law. An authoritative judicial interpretation may have legal force within its specified system while also becoming evidence of how an institutional practice evolved. These functions sometimes coincide in the same document, and their relations need to be reconstructed carefully. A record that reliably shows that an institution recognized someone as a beneficiary does not automatically prove that the recognition exhausted the person’s legal rights or established the legal correctness of that institution’s classification.

2.5 A Source-Indexed Juridical Position Record

The preceding distinctions motivate a restrained formal representation. Its purpose is documentary and comparative: to prevent source identity, position type, relational counterpart, triggering conditions, and

institutional venue from disappearing inside a generic statement of “legal personality.” The primitive inputs are an identifiable legal order, an articulated norm or interpretive source, a proposed juridical incident, the actors occupying its roles, the conduct or legal effect at issue, the conditions of applicability, and a forum or institution where the incident matters. These inputs may remain partly disputed; the representation therefore records uncertainty and rival interpretations rather than determining their truth by notation alone.

Let ℓ denote an identified legal order; let n denote a candidate legally relevant source; let ρ denote a specified juridical position type; let h denote the purported holder or addressee; let k denote its legally relevant counterpart, where one can be specified; let α denote the conduct or legal effect in question; let c denote the stipulated conditions of applicability; let f denote a forum or institution; and let t denote the time of assessment. A *source-indexed position record* is defined in Equation 1.

$$\pi = (\ell, n, \rho, h, k, \alpha, c, f, t). \quad (1)$$

Every component in Equation 1 has an analytical role. The pair (ℓ, n) locates the putative legal source; ρ retains the type of status being asserted; (h, k, α) specifies the relational content of the proposed incident; and (c, f, t) records the case-sensitive institutional conditions. When the relation is collective, public-facing, or lacks an identifiable individual counterpart, k can be recorded as “unspecified under current interpretation,” accompanied by an explanation of the norm’s possible addressees. The record is a *candidate* until its legal validity, applicability, and interpretation have been assessed through the governing legal methods. In particular, membership in a researcher’s collection of records is no assertion of legal effectiveness.

A separate provenance annotation associated with π should identify the consulted version of n , interpretive decisions, contested facts, evidence supporting the identification of h and k , and any limits on available legal remedies. These are annotations rather than extra elements in the minimal tuple, because their form differs across doctrinal, archival, institutional, and empirical investigations. Separating a minimal status record from its justification permits correction of evidence or interpretation without silently changing the asserted legal incident. A single event may support several records, and a single legal subject may occupy different roles in several records. There is accordingly no presupposition that the paper’s four major objects—subjecthood, responsibility, sanctionability, and standing—can be recovered from one scalar property.

Cross-dossier compatibility and evidential discipline. Later sections introduce more specialized records for capacity, act attribution, liability, sanctions, procedure, inter-order recognition and historical change. They are *projections and enrichments of a common inquiry*, rather than independent mathematical theories of legal personality. Two records may be joined for a concrete comparison only after the analyst has established the identities of the legal actors and relevant transactions, the operative source and version, the legally material time interval, and the competent order or forum. A shared name or technological system identifier is insufficient: for example, a provider under a risk-regulation instrument is not automatically the contracting principal or the person who committed an internationally wrongful act. An apparent evidential match must also preserve the difference between a registered fact, an allegation, a normative proposal and an adjudicated determination. A conflict between two records should be recorded with its source and provenance rather than eliminated by choosing the most comprehensive tuple. The proposed framework thereby enables a traceable chain of conditional inferences across sections while leaving legally distinct tests and burdens of proof intact.

Minimality and use conditions. A separate record is justified only where it captures a distinct source-defined operation or a new potential failure in legal inference. The source-indexed position record provides a minimal common base. Attribution, exercise, liability, sanction, procedure, recognition and temporal-transition records document specific legal operations with different conditions. The comparative case exercise in Section 11 consequently reuses the base record in prose, rather than adding another near-identical equation. Institutional-power and research-obligation registers remain exploratory audit

Table 1: Illustrative juridical interfaces and unresolved inferential steps. Each example is tied to its own legal source and institutional domain.

Source and domain	Identifiable juridical position	Further question requiring an independent ground
Te Awa Tupua Act, ss. 14–19 CRPD, Art. 12	Statutory legal personality with specified representative performance of incidents Equal legal capacity, support to exercise it, and protective safeguards within the Convention’s human-rights domain	Scope of any procedural remedy, external recognition, or criminal-law consequence Design of a particular domestic supported-decision procedure and relevant remedies
ICJ Statute, Art. 34(1)	Party capacity in that Court’s contentious proceedings confined to states	Other forums’ admissibility rules and substantive legal entitlements
TFEU, Art. 263(4)	Conditions under which a natural or legal person may seek review of an EU act	Satisfaction of direct/individual concern or the alternative regulatory-act conditions in a given case

devices: they organize questions about evidence and authority, while making no independent legal determinations. No mathematical property follows merely from the order, number or completeness of the listed fields.

Table 1 presents four examples. Their purpose is to show which elements of a source-specific analysis are determinable from the cited instruments and which remain conditional on additional rules. The entries are abbreviated analytical descriptions and do not purport to resolve individual disputes.

2.6 Procedural Access and Inter-Order Translation

The next analytical problem is whether a position identified in one order or domain warrants a conclusion in another. Article 263(4) of the Treaty on the Functioning of the European Union provides a useful contrast to the ICJ Statute: it specifies the conditions under which natural or legal persons may institute certain actions for review of Union acts [18]. The Article’s standing rules contain several distinct routes and conditions; the words “natural or legal person” alone do not settle admissibility. Conversely, Article 34(1) of the ICJ Statute supplies a forum-specific state-party limitation [42]. These sources concern different jurisdictions and proceedings. They allow us to identify the grounds of procedural access within each regime without assuming that eligibility in one forum generates eligibility in another.

The same issue arises within a single legal order. A legal entitlement to receive a benefit, a power to manage another’s property, an immunity from certain interventions, and a capacity to initiate judicial review are distinguishable incidents. The normative and legal connections between them may be highly consequential, but they must be demonstrated through applicable law. Where a new statute recognizes an artificial organization as capable of holding specified assets, one must still ascertain the rule designating who acts for it, the regulatory obligations of its administrators, the applicable standards of attribution, and any available procedural channels. Theoretical descriptions of future legislation should therefore be formulated as alternative arrangements requiring legislative or institutional adoption.

Proposition 2.1 (Source-dependent transport of juridical positions). *Consider an inference from a juridical position π_1 attributed within one source-and-forum setting to a position π_2 proposed in another. If the available premises establish only the legal basis, conditions, and incident associated with π_1 , then those premises alone provide insufficient warrant for the applicability and legal effect of π_2 . A legally justified inference to π_2 requires additional applicable grounds specifying the relevant cross-domain or inter-order relation.*

The proposition expresses an *epistemic non-entailment*, rather than a claim that cross-domain recognition is legally impossible. For example, the ICJ rule concerning parties and the EU rule concerning certain review applications identify different relevant institutions and tests. Nothing about eligibility under the EU procedure, considered alone, establishes or defeats an entity’s status in a distinct court. An

agreement, implementing statute, recognition rule, or other valid legal bridge might provide such a relation, depending on the case. The content and authority of the bridge would then become an independent subject of research. This argument follows from the deliberately restricted premises of Proposition 2.1; it makes no empirical claim that a particular bridge is absent in every legal system.

Inter-order translation can also fail through incomplete identification of the question. “Responsibility” may denote an obligation to account for an administrative decision, liability to provide compensation, susceptibility to a legally valid change in status, or criminal culpability. A cross-system comparison that treats these meanings as interchangeable loses the very distinction it is intended to examine. The source-indexed record permits a more disciplined comparison: the researcher states the specific relation, identifies its authority, and records any inference that remains unsupported. It thereby preserves both institutional differences and possible historical relations among legal regimes.

2.7 Relational Consequences for Heterogeneous Jurisprudence

The source-indexed analysis supports the later GR reconstruction without predetermining it. At the level of *ontological reality*, ultimate questions about consciousness, moral status, and the nature of a subject remain suspended. At the level of *relational reality*, a legally relevant position may be constituted and maintained through interacting norms, recognized institutions, actors, practices, and historically accumulated expectations. At the level of *manifestation reality*, documents, adjudications, registrations, statements, procedural appearances, and observable institutional responses make those relations accessible to investigation. The three levels are analytically differentiated, while legal action and its recorded manifestations can influence subsequent relations through review, amendment, recognition, refusal, or enforcement.

The relevant couplings are substantive. A classification as a beneficiary can alter which institution collects evidence, what evidence is accepted, who is invited to speak, and which legal remedy can practically be sought. The institutional power to recognize a representative can shape whose account of a subject’s interests becomes authoritative. The exercise of a legally valid power may change future opportunities to contest the status produced by that power. Conversely, a legal right may be formally preserved while material barriers prevent its effective exercise. These are potential explanatory relations to be studied, rather than mathematical or legal identities entailed by an incident taxonomy.

Several methodological cautions follow. First, evidential inaccessibility is not a reliable general proxy for a lack of legal capacity or protective standing, particularly where existing human-rights guarantees apply. Second, the protective significance of an animal or natural environment does not by itself identify a procedurally competent claimant or an authorized representative. Third, the regulation of artificial systems through providers and deployers establishes governance relationships whose current legal bearers must be located in the actual legislation. Fourth, hypothetical extraterrestrial cases require explicit assumptions concerning contact, communicative interpretation, institutional legitimacy, and the proposed source of law; they cannot be inserted into existing domestic or international jurisdiction by terminology alone.

The present section thus furnishes a source-indexed analytical interface, anchored in established jurisprudential distinctions and concrete legal instruments, for the programme developed in the remaining paper. Section 2 leaves substantive questions of morally justified recognition, applicable liability standards, criminal sanctions, and remedial access to their dedicated sections. It provides the more limited foundation needed to study how heterogeneous legal positions can be constituted, interpreted, transferred, challenged, and transformed while keeping their legal authority and evidential provenance visible.

3 Legal Status Formation in Relational Reality

This section examines the constitution, recognition, manifestation, and historical transformation of juridical positions within a specified legal order. Its objective is to explain what a relational analysis adds to a

source-specific incident taxonomy while preserving the independent criteria of positive law. The analysis proceeds through the three levels of Generative Relational (GR) inquiry, the institutional conditions of status formation, the evidential mediation of legal recognition, temporal transitions, and the feedback relations among legal power, participation, and access to remedies. Comparative examples illustrate the resulting distinctions. The method is jurisprudential reconstruction accompanied by a deliberately limited documentary formalization; claims about particular legal effects remain anchored in their governing legal sources.

A legal position can persist through changing occupants of institutional offices, be performed through a representative, or become practically unavailable despite the continued existence of a governing norm. These possibilities indicate why the study of status formation requires more than a static list of predicates attached to entities. It must also reconstruct the relational conditions under which a position is assigned, exercised, interpreted, contested, and reproduced. The source-indexed juridical record introduced in Equation 1 supplies the elementary unit for that reconstruction. The present section adds historical and institutional relations among such records while keeping the question of legal validity within the applicable legal system.

3.1 Ontological Suspension and the Three Reality Levels

GR distinguishes ontological reality, relational reality, and manifestation reality for analytical purposes. These terms name different questions rather than three juridical ranks. *Ontological reality* concerns what an entity ultimately is, including disputed questions of consciousness, welfare experience, collective agency, or the nature of an artificial subject. In this programme the answers remain suspended where the requisite arguments or evidence are unavailable. A juridical theory can nonetheless ask which positions an applicable norm assigns to an entity, what institutional arrangements make the assignment operative, and how an observer can establish the assignment's provenance. Ontological suspension thereby avoids making speculative metaphysical judgments into implicit legal-validity criteria.

Relational reality concerns sufficiently stable and consequential relations among bearers, counterparts, interpreters, legal sources, institutional competences, and practices of recognition. Juridical reality in this sense contains normative relations that depend on a legal order; it is not reducible to a set of causal regularities or a researcher's conceptual classification. A court's capacity to issue a legally effective order, an organization acting through authorized representatives, and a person's entitlement to receive procedural assistance have different legal grounds. Their operation can affect what other participants are empowered or required to do. The GR reconstruction proposes to study such relations as historically maintained and mutually conditioning, while treating the positive-law sources and doctrinal methods as independent tests of their asserted legal effects.

Manifestation reality encompasses the situated ways a juridical relation becomes accessible: legislation, official registers, judicial reasons, appointments, procedural communications, administrative decisions, institutional responses, and the conduct of parties. A manifestation can be a legally required constitutive act, evidence of an already constituted relation, an interpretation of the relation, or a disputed assertion about it. Which role it plays depends on the applicable legal rules and the question being investigated. An entry in a database may correctly report a prior decision, misdescribe an entity, or, under a particular statutory scheme, contribute to the creation of a legally effective position. The outward resemblance of these records does not decide their legal character.

The three levels therefore support a disciplined division of inquiry. Ontological questions remain open where appropriate; relational analysis specifies positions and their institutional conditions; manifestation analysis explains what can be known, recorded, and contested. Relations among the levels are relevant because a manifestation can itself become a legally operative event and thereby alter the later relational configuration. Equally, stable legal positions can remain poorly manifested to particular persons, with consequences for practical access and recognition. This proposal is a methodological reconstruction of legal phenomena, not a new legal rule or a demonstration of a single ontology of law.

3.2 Constitutive Rules, Triggering Events, and Institutional Roles

The formation of a juridical position may depend on the existence of an applicable source, the satisfaction of specified conditions, and legally relevant action by a competent participant. The contributions of these elements differ. A statute can specify an entitlement that operates upon satisfaction of statutory conditions; a registration rule can assign constitutive significance to an entry; an appointment can authorize one person to act for another; and an adjudication can determine or change a contested legal position according to its jurisdiction and legal effect. Identifying the relevant mechanism requires close reading of the governing source. The researcher's assertion that a position was "recognized" is incomplete until the recognition's legal role has been specified.

An institution may participate as lawmaker, registrar, adjudicator, representative, administrator, enforcing authority, or provider of evidence. A single actor can occupy several such roles, sometimes subject to procedures separating them. This role differentiation matters in heterogeneous-subject settings. The entity potentially affected by an action, the bearer of a statutory right, the actor with the power to exercise that right, and the respondent to a remedy may be different participants. Kurki's incident-based reconstruction already supplies the conceptual reason to resist reducing these assignments to one indivisible designation of personhood [37]. The additional GR question concerns the historical arrangements through which the incidents are jointly maintained, redistributed, or made practically effective.

The Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 supplies a concrete example. Section 14 declares Te Awa Tupua a legal person and specifies that Te Pou Tupua exercises or performs the associated rights, powers, and duties, and takes responsibility for its liabilities, on behalf of and in the name of Te Awa Tupua. The surrounding statutory framework provides further conditions for the representative institution [39]. Its significance is the coupling of statutory recognition to representation within a particular settlement and legal framework. The statutory language does not resolve disputes about consciousness, confer a universal international status on natural entities, or specify every possible procedure and sanction across other legal orders. The present analysis treats the historical relationship and cultural context reflected in the statutory arrangement as part of what the source is about, while avoiding a generic analogy that would detach the institution from those commitments.

Different formation pathways also appear in legal arrangements for organized groups. For example, the German Civil Code establishes registration as the way specified non-commercial associations acquire legal capacity under Section 21, while Section 26 addresses representation by a board [26]. These provisions concern an organization constituted under the applicable civil-law regime, with a distinction between organizational status and the acts of particular representatives. Their relevance here is structural and illustrative; detailed contemporary application requires checking the operative German text and any amendments. The example further shows that the use of a representative is an ordinary feature of some legal structures and cannot, considered alone, establish the legal character of the represented subject.

3.3 Recognition, Interpretation, and Evidential Manifestations

An institutional assertion can perform several analytically different functions. *Constitutive recognition* occurs where an applicable rule gives a specified decision, declaration, registration, or other act legal effect in forming or changing a position. *Declaratory recognition* identifies or confirms a position on the basis of a source and facts thought already to satisfy its conditions, subject to the legal effects of the declaration itself. *Evidential recognition* records an observer's grounds for believing that a position exists. These are provisional research categories; the legal classification of any particular act must follow the source and governing doctrine. A court's declaratory order, for instance, can also carry binding procedural consequences that extend beyond the researcher's informational use of the order.

The distinction matters especially where institutional records are mistaken for independent grounds of validity. A list of service recipients can document whom an agency currently serves without determining the full entitlements of excluded persons. A formal decision can supply a legally operative classification even while its factual basis is subsequently contested. An observer can therefore recover from one recorded event at least three questions: what the record purports to say, whether the conditions

for its legal effect were satisfied, and what actual response the relevant institutions produced. These questions can be asked together while preserving their different evidential and normative standards.

Source provenance is consequently more demanding than citing an isolated document. A legal-status investigation should identify the version of a norm at the relevant time, its institutional provenance, the act or occurrence thought to trigger its operation, interpretive alternatives, and the evidence available to the affected participant. Documents may be authentic yet legally irrelevant to the contested issue; reports may be factually accurate yet incomplete concerning a person’s rights; official acts may be subject to appeal, correction, or review. The analytical record should therefore distinguish the institution’s assertion, the researcher’s reconstruction, and a legally authoritative determination when one has been made.

This separation is particularly important where communications are difficult or mediated. Article 12 of the Convention on the Rights of Persons with Disabilities provides for equal recognition before the law, equal legal capacity, support in exercising legal capacity, and safeguards relating to the person’s rights, will, preferences, and protection against abuse [47]. Communication through a supporter or representative may be relevant to the manifestation and exercise of a person’s legal positions; the treaty’s guarantees supply an independent constraint on interpretations that would confuse communication difficulty with an absence of legal capacity. Its protections are established human-rights commitments and serve here as a substantive reference, rather than a speculative analogy about the possible legal status of machines or extraterrestrial beings.

3.4 Temporal Transitions and Legal Effect

Legal status can change through enactment, commencement, satisfaction of statutory conditions, legally competent exercise of a power, amendment, review, dissolution, revocation, or other events recognized by the applicable legal order. A historical account should distinguish the occurrence of an event, the time at which the event becomes observable, the date on which the relevant rule applies, and the time at which a position has legal effect. These dates may coincide, but their equivalence requires support from the governing source. The distinction prevents the date on which a researcher finds a record from being mistaken for the date on which a legal position arose.

To connect the source-indexed record of Section 2 to historical inquiry, the paper introduces a *proposed transition record*. Let π^- and π^+ be records of a candidate juridical position before and after a putative transition. Let e be the alleged legally relevant event; n^* the applicable legal source alleged to authorize or determine its effect; θ the relevant event, assessment, and effective-time information; and η the evidence and interpretive provenance. Equation 2 specifies the documentary structure.

$$\tau_\ell = (\pi^-, e, n^*, \pi^+, \theta, \eta). \quad (2)$$

Equation 2 is a descriptive schema, with ℓ locating the legal order under examination. A researcher may leave π^+ unresolved where the legal effect is contested, or record rival candidate transitions under alternative interpretations. Its components can also identify a transformation involving multiple positions, such as a change of holder paired with a change of representative. The record neither validates n^* nor determines whether e satisfies its requirements. It organizes the evidence and doctrinal questions that an independent inquiry must assess. Crucially, the existence of a document in η does not establish the claimed transition by itself.

A transition can also have distributed consequences. Modifying the status of an organization may change the legal competence of its representatives, the duties of a registry, and the position of creditors. A new mechanism for supported decision-making may affect participation and safeguards while established legal capacity remains protected. An altered rule of access to proceedings may change who can practically contest a prior classification without changing every associated substantive entitlement. The records in Equation 2 are therefore candidates for a network of legally relevant transitions rather than a universal one-to-one mapping between entities and juridical identities.

The historically relevant effects can also outlast the formal operation of a particular rule. A past status may condition reliance interests, liabilities incurred at an earlier time, evidential records, or the

availability of remedies. Conversely, an institution may continue following outdated practices after an amendment. Whether a former right survives, an earlier act is valid, or a new rule has retrospective effect requires doctrine-specific analysis. The GR perspective invites attention to continuing dependence and institutional memory, while the outcome of each legal question remains governed by applicable law. Historical succession alone provides no presumption of retroactive validity or the automatic extinction of accrued claims.

3.5 Legal Power, Classification, and Institutional Feedback

The formation of legal status is mediated by power over legal sources, institutional agendas, evidence, and means of contestation. A legislative authority can alter the criteria of recognition within its competence; an administrative institution can determine access to a registration pathway; a representative may decide what to submit on another’s behalf; and an adjudicative body may resolve a controversy subject to jurisdictional and procedural limits. These powers differ in their legal basis and degree of accountability. They also shape which social experiences become legible in the record on which future decisions rely.

The corresponding relational dynamics are potentially recursive. Official classifications influence eligibility for institutional processes; participation in those processes generates evidence and precedents or patterns of administrative practice; the resulting records influence subsequent recognition and public understanding. These feedback relations require empirical examination in particular institutions. The jurisprudential claim is narrower: where one actor controls access to evidence or representation, the reliability and contestability of a proposed status determination require special scrutiny. Legal power can be exercised lawfully yet remain difficult for an outsider to observe; conversely, a widespread institutional practice cannot by its prevalence alone supply an independently valid legal source.

Consider an entity whose protection depends on the selection of a representative. Even if the appointment is lawfully authorized, questions remain concerning conflicts of interest, access to relevant information, accountability, and the possibility of challenging a deficient representation. An appointed actor could also be an economic beneficiary of decisions nominally taken for the represented entity. This is an analytical risk, not an allegation concerning any particular real-world institution. Such possibilities make it important to record the representative’s authorization, the affected party’s legally recognized position, the available monitoring procedures, and the authority competent to remedy a failure. Institutional design questions of this kind become particularly prominent where the alleged subject cannot readily communicate through established human procedures.

The distinction between legal attribution and practical agency should be maintained. AI software may execute complicated transactions or autonomously select instrumental actions, while an applicable legal regime assigns duties to providers, deployers, users, or other legally identified operators. Regulation (EU) 2024/1689 provides a source-specific example of duties allocated to defined operators of AI systems, subject to the Regulation’s scope and staggered application [21]. Those provisions do not themselves settle independent artificial legal personhood or criminal culpability. The GR analysis can investigate how technological mediation affects evidence, decision-making, and the distribution of control, while doctrinal attribution requires the particular source and time-specific legal conditions. A hypothetical artificial subject endowed with separate juridical positions is a legislative-design question that would require a distinct normative and institutional justification.

3.6 Comparative Formation Pathways

Table 2 compares pathways through which protective interests, legal incidents, institutional intermediaries, and documentary manifestations may be related. The comparison is deliberately typed: it does not place every case on one scale of legal personhood or autonomy. It identifies the mechanism that an investigator must establish and the boundary of the resulting legal inference.

The examples illustrate distinct modes of juridical formation. *Te Awa Tupua* concerns an explicit statutory attribution coupled to representation [39]. Article 12 of the CRPD concerns entrenched guarantees for human legal capacity and safeguards in its exercise [47]. German Civil Code Section 90a

Table 2: Selected pathways of juridical formation and limits of the resulting inference.

Case and source	Formation or exercise mechanism	Limit on inference
Te Awa Tupua Act, ss. 14–19	Express statutory personality exercised through Te Pou Tupua under specified arrangements	Contextual legal status and representation; other forums and sanctions require separate grounds
CRPD, Art. 12	Equal human legal capacity; access to support and safeguards in its exercise	Protected capacity does not turn on practical independence or communicative fluency
German BGB, §90a	Distinct treatment of animals, special statutory protection, qualified use of rules applying to things	Differentiation from things does not by itself establish general juridical personhood
EU AI Act, Regulation 2024/1689	Duties allocated to legally identified providers, deployers, and other operators within temporal scope	Regulation of a system does not itself assign the system autonomous legal responsibility
Proposed alien-contact regime	Hypothetical recognition criteria, interpreters, protective rules and dispute resolution	Requires a future legal source and justified jurisdiction; currently an open design scenario

distinguishes animals from things and refers to their protection through special statutes while retaining qualified application of rules governing things [24]. The EU AI Act assigns obligations to categories of legally defined operators [21]. The proposed alien-contact regime has no existing legal source within this analysis. The common research task is to identify the actual constitutive and mediating mechanisms; the legal meaning and moral justification of each arrangement remain source- and domain-specific.

The cases also warn against treating legal history as a universal progression. A statute recognizing one natural entity may arise through a particular settlement and a specific institutional design, without furnishing a template for unrelated cases. The formal protection of existing human rights can coexist with social barriers to their exercise, which requires attention to access and implementation. Regulatory controls over technology can become increasingly detailed without shifting legal culpability to the technology itself. A reform may distribute capacities and safeguards unevenly, and subsequent litigation may reveal unanticipated limits in the enacted scheme. Legal change can expand, redistribute, condition, or restrict selected positions, and the effect must be investigated individually.

3.7 Analytical Consequences and Remaining Questions

The relational reconstruction yields four commitments for the subsequent inquiry. First, each claimed position must be traceable to its legal source, triggering circumstances, and relevant counterpart or institution. Second, any claim about a status transition should distinguish legal effect from documentary manifestation and from the researcher’s evidential interpretation. Third, the role of representation must be identified through its specific powers and duties, with attention to the rights of the represented subject and opportunities for contestation. Fourth, the account should identify historical feedback among official classification, institutional power, participation, and future evidence while keeping empirical causal hypotheses separate from doctrinal conclusions.

These commitments connect to the paper’s four principal objects without resolving them prematurely. Legal subjecthood calls for analysis of what positions a bearer holds within the relevant order. Responsibility requires identifying the conduct, duty, attribution rules, and forms of answerability at issue. Sanctionability requires special attention to legal authority, standards of fault where applicable, procedure, and permissible consequences. Procedural standing requires source-specific investigation of forums, eligible participants, admissibility requirements, representatives, and remedies. The existence of any one of these positions does not determine the others without the relevant legal bridges. Proposition 2.1 provides the corresponding epistemic caution for comparisons between orders.

Several questions remain open. Which properties of an entity are legally relevant to the holding of a

protected interest, and under what sources? How can a representative's intervention preserve the agency, will, or legally recognized concerns of the represented party? When can institutional attribution to an organization or artificial system be justified, and who should bear the associated responsibility? How should a legal order respond to evidence that its previous classifications excluded subjects whose positions were already legally protected? These questions require doctrinal arguments, historically grounded inquiry, and independent ethical evaluation. The present framework supplies a means of tracing their relations, rather than an automatic rule for resolving them.

In methodological terms, the study of legal status formation in relational reality is the study of a time-indexed, institutionally mediated set of legal positions and evidential pathways. The account remains compatible with differences among national and international legal orders and with contested theories of legal validity. Its distinctive GR proposal is to treat mutual conditioning, historical transformation, and the production of legal manifestations as objects of inquiry in their own right. Section 3 thus prepares the analysis of protected interests and rights attribution in the following section while preserving the existing jurisprudential distinctions and human-rights guarantees on which subsequent arguments must rely.

4 Legal Subjects, Protected Interests, and Rights Attribution

This section examines the legal relations among subjects, interests, beneficiaries, rights-holders, duty-bearers, and representatives. Its objective is to specify how protection of an interest may be legally organized, what additional grounds support an attribution of rights, and which aspects of juridical subjecthood remain unresolved when protective rules operate through another actor. The argument proceeds through a source-specific distinction between interests and legal positions, the forms of rights attribution, protective regulation and partial recognition, representational asymmetry, and comparative heterogeneous-subject examples. A limited documentary formalism provides a check on premature conclusions about rights-holding. The method combines analytical jurisprudence, interpretation of identified legal instruments, and a provisional Generative Relational (GR) reconstruction of the institutions that sustain and manifest these positions. The analysis of capacity to exercise rights belongs principally to the following section; questions of responsibility, sanctionability, and access to remedies remain separate inquiries.

A protective norm may concern a subject whose interests are affected by conduct, an institutional beneficiary whose interests are legally considered, and a holder of a claim-right entitled to demand specified conduct from another. These descriptions can overlap, yet their overlap requires a source-specific explanation. A regulation that restricts harmful conduct, a statutory entitlement to a benefit, and a legal power to bring an action against a duty-bearer may improve the position of the same affected entity through different juridical mechanisms. In particular, the existence of a public-law protective duty leaves open the question whether the protected entity has a correlative subjective claim-right, a legally authorized representative, or a directly available remedy. The incident analysis of Section 2 provides the vocabulary for distinguishing these possibilities [29, 37].

4.1 Interests, Legal Protection, and Identifiable Beneficiaries

An *interest* can first be identified at several different levels of assertion. An empirical account may describe a need, vulnerability, dependency, preference, functioning, environmental condition, or possible adverse effect. An ethical argument may give reasons for considering the interest morally significant, often against a background of uncertainty about subjectivity or welfare. A legal claim requires the further question whether a source of law directs an institution or addressee to protect, consider, weigh, or otherwise respond to the relevant interest. These analytical uses of "interest" can be connected, although evidence that a condition matters ethically or causally is insufficient by itself to establish a legal entitlement. Earlier studies in the author's research programme address suffering recognition and ethical reasons for assistance; they are conceptual predecessors rather than positive-law authorities [33, 31].

An interest is *legally protected in a specified sense* when a valid and applicable norm imposes a legally relevant constraint or assigns a legally operative consideration concerning it. The protected in-

terest may be identifiable through express statutory purposes, the persons to whom rights are granted, protected goods defined by criminal law, standards governing administrative discretion, or other recognized interpretive grounds. The phrase “legally protected” therefore requires specification of the rule’s addressee and effect. It is compatible with several configurations: a subjective right vested in the affected person, an objective regulatory norm directed at another person, a duty exercised by a public institution for an identified class, or a legally significant consideration within a discretion-conferring framework. The correct classification is a question of the governing legal materials and interpretive doctrine.

For example, Article 3(1) of the Convention on the Rights of the Child requires the best interests of the child to be a primary consideration in the specified actions concerning children. Article 12 separately protects qualified participation and opportunities to be heard, including in judicial and administrative proceedings as specified there [45]. The interest-based decision standard and the participation entitlement are related components of a treaty framework that recognizes the rights of children. The best-interests provision therefore should neither be reduced to an observer’s benevolent assessment nor treated as a substitute for the child’s participatory legal position. Their domestic invocation and remedies require attention to the relevant treaty obligations and implementation within the legal order concerned. Children already possess human rights; the example illustrates how protected interests and participation coexist within human legal subjecthood.

German animal-welfare law supplies a different normative form. Section 1 of the *Tierschutzgesetz* states a statutory purpose of protecting the life and well-being of animals and prohibits inflicting pain, suffering, or harm without a reasonable ground [27]. Section 90a of the German Civil Code differentiates animals from things, refers to their protection under special statutes, and retains qualified corresponding application of rules governing things [24]. These texts provide an identifiable protective orientation and constraints on human conduct. Their words alone do not establish that an animal is a general civil-law legal person or may assert an independent civil claim in a particular forum. The legal questions of enforcement, representation, and personal rights therefore require separate statutory and doctrinal analysis. Comparing the child-rights treaty and animal-welfare statute is an exercise in identifying distinct juridical designs; it supplies no analogy that diminishes existing human rights.

4.2 Subjecthood and the Incidents of Rights Attribution

The designation *legal subject* may carry different meanings in legislation, doctrine, and legal theory. Some usages refer to recognized capacity to hold legal rights and duties; others designate a broader legally salient participant or a cluster of juridical incidents. An analytical account should specify its intended sense and then identify the relevant rights, duties, legal powers, immunities, liberties, and institutional mechanisms. Kurki’s incident-based theory is particularly relevant to the possibility of partial and differently organized legal personhood [37]. The present inquiry preserves that prior theoretical contribution and asks how individual incidents become assigned and maintained through historically constituted institutions.

A *claim-right* in Hohfeld’s technical vocabulary requires identifying the duty-bearing counterpart and the action or omission to which the relation pertains [29, 30]. A statute may additionally provide liberties, powers to consent or authorize acts, or immunities against specified changes in a legal relation. Legal texts sometimes use “rights” as a composite category spanning these incident types. A person’s entitlement to substantive protection, a representative’s power to lodge a claim, and the standing requirement imposed by a tribunal can thus operate together without becoming identical positions. Furthermore, a right-holder’s inability to exercise a particular power independently does not cancel the right where governing law preserves holding and provides assistance or representation.

The distinction has direct human-rights significance. Article 12 of the Convention on the Rights of Persons with Disabilities affirms equal recognition before the law and legal capacity on an equal basis with others, together with access to support in exercising legal capacity and safeguards concerning its exercise [47]. The analytical separation of rights-holding and rights-exercise must therefore respect existing guarantees. A support arrangement is assessed by its legal authority and its relation to the

person's rights, will, preferences, and safeguards. It is not evidence of lesser human personhood. The discussion of support, agency, and decision-making procedures will be developed in Section 5, while the present point establishes the prior attribution of the right-bearing position.

A legal entity may also possess a right through an express institutional scheme while exercise occurs through designated human offices. The Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 recognizes Te Awa Tupua as a legal person and establishes an arrangement in which Te Pou Tupua performs rights, powers, duties, and responsibilities in its name and on its behalf, subject to the statutory terms [39]. The attribution to the River and the representative performance of incidents are distinct components of this source-specific construction. The settlement's institutional and historical setting is part of the legal meaning of the arrangement; the statute furnishes no general transnational status for unrelated natural entities. This case demonstrates that legally assigned subjecthood can be constituted through express sources without positing that an entity exercises the associated incidents through human-like mental capacities.

4.3 Protective Duties, Subjective Rights, and Partial Recognition

Protective regulation creates an important classification problem. The presence of a duty, prohibition, eligibility criterion, welfare standard, or public-interest objective identifies a legally relevant normative arrangement. Whether that arrangement constitutes a subjective right in a particular beneficiary is a further doctrinal question. The inquiry should distinguish at least four possible modes: *interest-referential protection*, in which law directs attention to a stated interest; *protective obligation*, in which an identified addressee bears an applicable duty; *rights attribution*, in which a beneficiary holds a legally recognized incident such as a claim-right; and *procedural realization*, in which an authorized actor can seek review, enforcement, or redress through a specified channel. These names are proposed analytical modes and do not claim to reproduce a universal legal taxonomy. Each may coexist with, or be limited independently of, the others.

The differentiation clarifies two familiar legal structures. First, Article 13 of the Treaty on the Functioning of the European Union requires the Union and Member States, in formulating and implementing specified policies, to pay full regard to animal-welfare requirements while respecting the additional conditions in that provision [15]. Its identification of animals as sentient beings matters for a particular field of institutional obligation; the provision alone does not decide the animal's general legal personhood, individual standing, or remedies in every Member State. Second, the EU Artificial Intelligence Act identifies regulated systems and assigns numerous duties to providers, deployers, and other defined operators, with scope and application dates specified by the Regulation [21]. Such duties can protect persons and public interests affected by system behavior while leaving independent legal rights of the software system unestablished under that Regulation. The legal beneficiary of a protective regulatory norm must be identified from its actual operation, not guessed from the technological object addressed by the law.

The concept of *partial recognition* is useful where a legal order assigns selected positions while reserving other incidents or procedures. It should be applied with care. Partiality can concern the content of an entitlement, the competence to exercise a power, the class of valid representatives, the institutional scope of protection, or the possibility of obtaining a remedy. Those dimensions have distinct normative implications. For a human person, a limited mode of independent exercise can coexist with full equal legal capacity protected by human-rights instruments. For an organization, the relevant legal incidents may be specified by constitutive and representative rules, such as Sections 21 and 26 of the German Civil Code for registered non-commercial associations [26]. For a nonhuman entity, an express statutory personality may coexist with extensive representative mediation. These arrangements are comparable through their incident structures, without locating them on a single hierarchy of worth.

It follows that the absence of an individual remedial pathway in the presently examined source is a *research limit* until surrounding law has been investigated. A duty may be administratively enforceable without a personal cause of action; an individual may have a substantive right but lack standing

in a particular court; and a legal representative may be authorized for some acts but not others. The procedural distinction in Proposition 2.1 is relevant even within the same legal order. Neither a protective purpose nor the rhetorical language of personhood warrants automatic conclusions about access to a forum. Questions of enforcement and standing will be revisited in Sections 8–9.

4.4 Beneficiary, Holder, Duty-Bearer, and Representative Relations

To reconstruct a protective arrangement, the study should distinguish four roles. The *affected entity* is the entity whose interests or conditions may be altered by relevant conduct. The *beneficiary* is the entity or class the source intends to benefit or protect, insofar as that role is established by interpretation. The *right-holder* is the party to whom a legally recognized incident is attributed. The *duty-bearer* is the addressee of a legally operative obligation; a *representative* or other authorized exercising actor may be specified in addition. An entity can occupy multiple roles, and a single protective regime may distribute the roles among several institutions. The analytical benefit lies in making the alleged legal relation recoverable from the evidence.

Representation introduces an additional asymmetry because one participant may control the evidential and procedural means through which another participant’s interests are recognized. The relevant arrangement can be justified by a legal authorization, a fiduciary office, a guardianship scheme, a statutory appointment, or another valid source, each with its own limits. The legal authority of the representative, the source of the represented entity’s position, and the control of institutional access require separate identification. A representative who is able to speak in a forum is neither necessarily the holder of the underlying right nor necessarily its beneficial recipient. Conversely, practical influence over a protected entity’s affairs does not by itself constitute legal authority to exercise its rights.

Three problems deserve attention. *Interpretive asymmetry* arises where a representative’s account of interests substitutes for information the protected subject could provide through accessible means. *Incentive asymmetry* arises where the representative has independent financial, organizational, political, or personal interests. *Procedural asymmetry* arises where the represented subject or an independent reviewer has limited ability to examine the representative’s acts. These are potential relational mechanisms whose significance depends on evidence and governing law. In human settings, existing rights to participation and support place legally significant limits on a purely paternalistic model. Under the Convention on the Rights of the Child, Article 12 protects opportunities for children to express their views under its conditions [45]; Article 12 of the CRPD supplies a distinct support-and-safeguard regime for persons with disabilities [47]. The legal rules and affected populations differ and cannot be assimilated through a generic label of incapacity.

For heterogeneous subjects, representation raises epistemic difficulties alongside legal questions. An animal’s welfare may be assessed through behavioral, veterinary, and ecological evidence. A river’s legally recognized interests may be articulated through the institutions created by its constitutive settlement. A prospective artificial system might generate coherent claims about its continued operation, yet their moral meaning and legal relevance would depend on evidence, normative analysis, and an applicable legal source. A hypothetical extraterrestrial community might have communicative practices whose interpretation requires extended reciprocal inquiry. None of these empirical considerations supplies a currently valid universal rule of subjecthood. They instead identify the kinds of evidence and institutional mediation that a proposed rights-attribution arrangement would have to address.

4.5 Source-Indexed Rights-Attribution Dossiers

The juridical position record π in Equation 1 provides the basic representation of a proposed legal incident. To evaluate whether a claim concerning protected interests entails a right-bearing status, the present section proposes an *attribution dossier*. The dossier is a documentary schema that records the connection, or evidential gap, among an interest, a legal rule, a beneficiary, an attributed incident, a duty-bearer, a representative, and procedural mechanisms. Its purpose is traceability of legal reasoning, including

negative and indeterminate results. It is neither an algorithm that generates rights nor a substitute for judicial interpretation.

Let e be the entity affected, ι a specified interest, π a candidate juridical position as defined earlier, b an identified beneficiary, d a candidate duty-bearer, r a representative or authorized exercising actor if one is specified, and v a provenance and uncertainty annotation. Equation 3 records these fields together with a separate account q of available or contested procedural channels.

$$\mathcal{D}_{\text{attr}} = (e, \iota, b, \pi, d, r, q, v). \quad (3)$$

Every field in Equation 3 may be explicitly marked as disputed, inapplicable, or yet to be established. The dossier preserves a distinction between a recorded interpretation and a legally validated classification. In particular, the presence of π as a *candidate* leaves the juridical incident unresolved where the source does not support the proposed attribution. The field q may identify administrative complaint mechanisms, legal representation, judicial review, statutory enforcement, or an open procedural question. Their inclusion in the dossier does not imply that the affected entity personally holds standing in the relevant forum. The uncertainty annotation v should record primary texts, their relevant versions, legal interpretations, evidential alternatives, and the independent institutions responsible for determining contested claims.

A right-bearing attribution can be examined through the following source-dependent questions: which norm is valid and applicable; to whom does the asserted incident legally belong; against whom does a duty arise; what acts or interests form its object; which exceptions and temporal conditions govern its operation; and what mechanisms support exercise or enforcement? An affirmative answer to one question should remain localized. For example, the identification of an express statutory interest may be conclusive for the existence of that purpose while leaving the subjective-right question unresolved. The dossier supports such partial conclusions. It also prevents the uncertainty about consciousness or moral worth of a hypothetical subject from being silently converted into certainty about its current legal standing.

4.6 Comparative Configurations of Rights and Protection

Table 3 uses the dossier’s distinctions to compare selected legal regimes and a hypothetical extension. It separates the identified source-based arrangement from the inferential work remaining. The rows identify forms of normative attribution in their respective domains; the table is neither a cross-jurisdictional ranking of subjects nor a complete account of domestic implementation.

The table’s legal entries rest on distinct sources: the children’s rights treaty [45], the disability-rights treaty [47], the German animal-welfare and civil-law provisions [27, 24], the New Zealand settlement statute [39], and the EU AI Act [21]. The artificial-systems row intentionally distinguishes the regulated technology from those persons whose interests the rules may protect. Its legal effect depends on the scope, applicable dates, and relevant rights or enforcement mechanisms. The extraterrestrial row is expressly hypothetical; its proposed relations have no claimed present validity or determinate jurisdiction. Comparative use is defensible when it clarifies the structural question posed to each source while preserving the particular interests and histories to which those sources respond.

The dossier permits more precise accounts of legal change. A reform might first make an interest a mandatory consideration in administrative decisions, subsequently create a specific entitlement, then establish an authorized representative or review mechanism. Another reform might narrow institutional discretion or alter who may enforce an existing duty. Such developments need not follow a common sequence. They can be studied through the transition record in Equation 2, provided that each change is supported by the relevant source and the legal effect is distinguished from its evidential manifestation. The value of the formal scheme lies in making discontinuities and asymmetries visible, rather than imposing a presupposed direction of legal evolution.

Table 3: Source-specific configurations of protected interests, rights, and representation.

Source and affected subject	Identifiable protection or attribution	Further legally distinct inquiry
CRC, Arts. 3 and 12: children	Best interests in covered decisions; treaty-recognized participation and hearing guarantees	Domestic implementation, procedural representation, and remedies within the relevant legal order
CRPD, Art. 12: persons with disabilities	Equal human legal capacity; access to support and safeguards concerning exercise	Context-specific operation of support and the person's own legal authority
German TierSchG, §1; BGB, §90a: animals	Statutory animal-welfare purpose and restrictions on harmful conduct; special legal treatment	Any individual animal's subjective rights or forum access under additional applicable law
Te Awa Tupua Act, ss. 14–19: River	Express statutory legal personality and representative performance of incidents	Particular procedural entitlements and effects outside the settlement's statutory scope
EU AI Act: artificial systems and affected persons	Operator-targeted regulatory obligations and protection-oriented governance	Identification of actual individual beneficiaries, remedies, and any separate artificial rights-holding
Hypothetical alien-contact framework	Possible future interest recognition, claims, and mediated participation	Normative justification, legal authority, jurisdiction, reciprocal interpretation, and institutional design

4.7 Relational Implications and the Scope of Attribution

The three GR reality levels help locate the epistemic and institutional dimensions of the proposed attribution analysis. *Ontological reality* concerns ultimate questions of consciousness, suffering, collective being, and identity; these remain suspended where the evidence and arguments do not resolve them. *Relational reality* concerns the legally constituted relations through which normative positions are attributed and historically reproduced, together with the social and institutional interactions that condition their exercise. *Manifestation reality* concerns the documentary, communicative, procedural, and institutional appearances through which protected interests and legal claims are made accessible to interpreters. An official record can also operate constitutively when the governing legal rule gives it that effect. The ontological suspension of a difficult heterogeneous-subject case does not suspend established human-rights protections or the authority of otherwise applicable positive law.

The framework proposes a further research question concerning feedback among rights attribution, information, and institutional power. Where a source recognizes a beneficiary only through an authorized representative, the representative can influence the information a tribunal receives and the alternatives it regards as available. Institutional choices about evidence, translation, appointment, and review can in turn affect later manifestations of the beneficiary's interests. Where a legally recognized right-holder has effective means of contestation, the resulting challenges may correct official classifications and redistribute practical power. These are relational hypotheses that require situated historical and empirical testing, distinct from source-based legal conclusions. They also motivate careful examination of potential conflicts of interest and institutional accountability.

Three jurisprudential limits remain. First, a claim about morally significant interests requires an applicable legal bridge before it yields a conclusion about current legal rights. Second, recognition of a subjective legal right does not alone settle independent exercise, representation, procedural standing, responsibility, or sanctionability. Third, structural resemblance between heterogeneous cases does not supply a rule for transferring their legal classifications between orders. The rights-attribution dossier retains these open fields, while the source-specific analysis preserves established protections in the regimes actually cited. The next section examines legal capacity, agency, and supported representation as distinct determinants of the lawful exercise of legal positions already identified or claimed here.

5 Legal Capacity, Agency, and Supported Representation

This section examines the juridical arrangements through which an attributed legal position may be exercised, communicated, or represented. Its objective is to distinguish the capacity to hold a legal position from the legal power to act in relation to it, the practical conditions of exercising that power, and the authority of another actor to assist or represent the holder. The discussion first establishes an incident-specific vocabulary of capacity and agency; it then examines the normative protection of legal capacity under disability-rights law, contrasting domestic decision-making arrangements, and differentiates personal support from institutional representation. A source-indexed exercise record and a comparative table make possible failures of authorization, participation, and review more explicit. The method combines interpretation of identified legal instruments, analytical jurisprudence, and a provisional Generative Relational (GR) account of institutional mediation. Responsibility for an act, sanctioning authority, and procedural standing remain distinct questions for later sections.

A right-bearing position and its exercise have different conditions of legal intelligibility. A person may own an entitlement whose performance requires a written instrument, an accessible communication channel, an authorized representative, or a particular administrative procedure. An organization may hold property rights while acting through its legally designated organs. A natural entity may receive legal personality through a statute assigning the exercise of its incidents to a specially constituted office. The recognition of an interest or right, however, supplies neither an unrestricted ability to effect legal change nor a universal proxy for deciding on the holder's behalf. The differences matter most when an interpreter is tempted to move directly from the observation of a subject's cognitive, technical, or physical abilities to a conclusion about that subject's juridical position.

5.1 Capacity to Hold, Capacity to Act, and Practical Exercise

The word *capacity* is used in several legal settings for different juridical questions. For the present comparative analysis, the *capacity to hold* describes the legal recognition of an entity as a possible bearer of the relevant rights, duties, powers, or other incidents within an identified order. The *capacity to act* concerns whether the applicable rules recognize legal effects produced by a specified actor's acts concerning those incidents. *Practical exercise* describes the social, communicative, financial, physical, and administrative means by which an otherwise legally available act can be performed. These are analytical descriptions for comparing source-based arrangements. They do not purport to constitute a new legal doctrine applicable across jurisdictions.

A further distinction separates practical skill, legally relevant decision-making criteria, and the juridical consequences of an act. Comprehending a document, obtaining assistance with communication, possessing access credentials, and having authority to conclude a transaction may be associated in practice. Yet the act's legal effect depends on the governing rule and its requirements; technical access is not legal authority. Conversely, difficulty with a communication mode does not establish the disappearance of an underlying human legal capacity. In Hohfeldian terms, the actor's exercise of a legal power is a question about the conditions under which a recognized legal relation can be altered, while an immunity may protect the bearer against alterations attempted without adequate authority [29, 30].

Such distinctions operate at different levels of analysis. A claim-right might already exist when the person entitled to invoke an administrative process requires an interpreter, reasonable accommodation, or assistance with filing. A legally constituted corporation might engage a director or attorney to exercise a property-related power, subject to the relevant corporate and agency rules. Even where an external observer observes sophisticated behavior from an artificial system, the system's computational capability does not determine whether a law attributes contractual authority to the system itself, to an owner, or to a human organization deploying it. The juridical question is addressed through sources and legally relevant acts, not through a general intelligence scale.

5.2 Equal Legal Capacity and Human Rights Constraints

Article 12 of the Convention on the Rights of Persons with Disabilities (CRPD) affirms recognition before the law, enjoyment of legal capacity on an equal basis with others in all aspects of life, access to support in exercising legal capacity, and safeguards concerning the exercise of that capacity [47]. The Committee on the Rights of Persons with Disabilities interprets legal capacity as encompassing both legal standing to hold rights and legal agency to act with juridical effect. It expressly distinguishes legal capacity from the practical and socially conditioned abilities often described as mental capacity [49]. The Committee's interpretation, presented in General Comment No. 1, is significant for this study because the conceptual analysis of holding and exercising an incident must preserve the human-rights requirement that persons with disabilities enjoy both on an equal basis with others.

The analytical distinction made in the preceding subsection therefore carries a particular limitation. It is useful for asking which procedures and supports are necessary for the exercise of a right; it supplies no warrant for removing a person's human legal agency by appeal to a speculative assessment of cognitive quality. General Comment No. 1 criticizes arrangements that deprive persons with disabilities of legal agency on the basis of actual or perceived decision-making deficits and emphasizes support respecting their rights, will, and preferences [49]. The Committee's view of substituted decision-making is expressed with further precision in the 2018 corrigendum to paragraph 27 [50]. The treaty text, the Committee's interpretation, national statutes, and judicial applications should nonetheless remain explicitly identified as different kinds of legal material. Domestic implementation and the interpretive weight accorded to a general comment are questions for the competent legal order.

The Convention on the Rights of the Child (CRC) provides an additional, differently situated human-rights context. Article 12 establishes the child's entitlement to express views freely in matters affecting the child, with due weight according to age and maturity, and a qualified opportunity to be heard in judicial and administrative proceedings. Article 3 requires best interests to be a primary consideration in specified actions [45]. A legal process that uses parental, guardian, or institutional participation must therefore inquire into the child's own protected voice under the relevant rules. The children's-rights framework and disability-rights guarantees have distinctive histories, doctrinal content, and decision contexts. Their comparison is directed to the interaction between legal standing, personal participation, and institutional mediation; it does not posit interchangeable human capacities or convert a child's participation right into an adult disability-based capacity assessment.

A broader implication concerns the institutional production of apparent incapacity. Complex forms, inaccessible interfaces, unfamiliar languages, high transaction costs, and reliance on intermediaries may obstruct the manifestation of a person's judgment even when the law protects the person's capacity. Such obstacles demand examination as social and procedural conditions, including under applicable accessibility rules; they are not straightforward observations of an internal trait. Empirical studies would be needed to establish their incidence and causal effects in particular institutions. For purposes of this jurisprudential inquiry, the claim is more limited: evidence of non-participation must be examined alongside the opportunity, communication arrangements, and constraints through which participation could have occurred.

5.3 Supported Decision-Making and Domestic Decision Frameworks

Support may operate through accessible explanations, interpreters, assistive communication, peer assistance, advance planning, trusted supporters, or other arrangements responsive to the person's choices. The Committee's General Comment No. 1 takes support to be compatible with a variety of formal and informal arrangements while giving priority to the person's will and preferences. It regards substitute decision-making that displaces the person's legal authority with a third party's best-interests determination as inconsistent with its understanding of Article 12 [49, 50]. Support also brings concerns about coercion, dependency, and undue influence. The requirement for safeguards is consequently integral to the arrangement, especially where a supporter interprets communication, transmits instructions, or controls access to the forum in which a decision has effect.

The Mental Capacity Act 2005, applicable to England and Wales, provides a source-specific domestic framework whose terminology and decision rules differ in significant respects from the Committee's interpretation. Section 1 establishes a presumption of capacity, requires practicable assistance before treating a person as unable to decide, recognizes that an unwise decision alone does not demonstrate incapacity, and requires consideration of less restrictive alternatives. It also provides a best-interests requirement for specified acts or decisions performed under the Act concerning persons who lack capacity. Section 4 requires attention to participation, the person's past and present wishes and feelings, beliefs and values, and other relevant circumstances [41]. The Act's decision-specific machinery is an existing legal scheme; its best-interests provision should be described accurately even though the CRPD Committee criticizes substituted decision-making of that form. Their doctrinal relationship is contested and must not be harmonized by silently replacing one source's terminology with another's.

German adult *Betreuung* provides another legally particular configuration. Section 1821 of the *Bürgerliches Gesetzbuch* (BGB) requires the appointed *Betreuer* to support the person in legally managing their own affairs and to use representative authority only insofar as necessary, with statutory duties concerning ascertainment and implementation of the person's wishes. Section 1823 specifies the representative's authority within the assigned remit, including judicial and extrajudicial representation [25]. These provisions indicate that support and representation can be connected within a legally defined mandate. They do not authorize the conclusion that every representative act is permitted merely because the appointment exists. The scope, statutory limitations, circumstances of the person's own action, and opportunities for oversight remain determinative. Further inquiry into German doctrine, judicial practice, and the operation of reform is needed before drawing comparative conclusions about realized autonomy.

The three sources illuminate different legal questions: the CRPD establishes international human-rights commitments; the Committee offers an interpretation of those commitments; the English and Welsh and German statutes organize domestic decisions, support, and representation within their respective regimes. The comparison demonstrates possible tensions among international interpretation, enacted institutional practice, and the communicative infrastructure needed for meaningful exercise. It is a comparative account of those normative forms, rather than a finding that one entire jurisdiction is compliant or non-compliant. Institutional and empirical assessment requires evidence beyond the provisions considered here.

5.4 Representation, Delegated Action, and Source-Bounded Mandates

Representation identifies a relation in which an actor is authorized, under specified legal conditions, to perform acts on behalf of or in the name of another. The legal basis may be contractual authorization, organizational office, statutory appointment, judicial order, or another recognized source. Its effects and constraints differ across these arrangements. In particular, the appointment of a representative, the representative's power to act, the bearer of an affected right, and the bearer of resulting liabilities may occupy different positions. Identifying the actor who physically communicates a decision thus answers only one part of the attribution problem.

Consider a registered association under the German BGB. Sections 21 and 26 address legal capacity of registered non-commercial associations and their representation by the board, respectively [26]. The association's legal position is legally differentiated from the actions of the officeholders empowered to represent it. An officeholder's signature can acquire significance through the applicable rules of office and representation. The association's entitlement, board authority, relevant limitation on that authority, and any ensuing legal responsibility require independent identification. This structure permits institutional action across personnel changes, although its precise operation depends on the applicable rules governing the association.

The Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 offers a particularly instructive, historically situated model. Section 14 declares Te Awa Tupua a legal person and assigns performance or exercise of its rights, powers, duties, and liabilities to Te Pou Tupua in accordance with the statutory arrangements; Sections 18 and 19 establish the office and its functions, including acting and speaking

on behalf of the River [39]. This arrangement is embedded in the settlement’s distinctive historical, political, and normative context. The representative office’s authority derives from the statute, not from an inference that a river shares a human model of decision-making. Any extrapolation to other natural entities would require an independent legal source and reasons appropriate to their particular settings.

An authorized representative can also be a contested intermediary. Authorization may be valid yet narrow, expired, subject to conflict rules, or challenged for reasons relating to the represented person’s wishes or the institution’s own duties. A representative may possess information unavailable to the bearer, while the bearer may express priorities that diverge from the representative’s institutional preferences. An organization may have internal decision processes that establish when an officer’s act binds it. These differences are juridically significant. They warrant a source-sensitive analysis of whose authority is being exercised, who may withdraw or challenge it, and who is entitled to receive relevant information.

For artificial systems the distinction is especially important. The EU Artificial Intelligence Act imposes duties on identified natural or legal persons in defined provider, deployer, and other operator roles, subject to the regulation’s scope, application dates, and conditions [21]. A model may draft an instruction, select an option, or implement a transaction in a technical system while current legal responsibility and authorization are allocated elsewhere. That separation leaves room for future legal-policy proposals concerning artificial systems; it establishes no present general autonomous AI personhood or unrestricted AI agency. The factual performance of an operation, juridical attribution of an act, and responsibility for its consequences will be examined more closely in Section 2 and the following section on juridical acts.

5.5 An Exercise-Authority Record for Juridical Acts

An analytical record can reduce the risk of treating the presence of a spokesperson as proof that lawful agency has been exercised. The proposed *exercise-authority record* documents a particular attempted act concerning a particular incident in a specified legal order and at a specified time. It separates the holder, mode of action, performer, authorization, scope, safeguards, and evidential status. The record is defined in Equation 4; it is a jurisprudential aid for source mapping, not an algorithm for generating legal authority.

$$X_{\ell,t}(h, i, a) = \langle s, m, p, \alpha, \sigma, \omega, \gamma, e \rangle. \quad (4)$$

Here ℓ denotes the relevant legal order, t the legally relevant time, h the putative holder of incident i , and a the specified act or attempted act. The field s identifies the alleged governing source; m the exercise mode, such as direct, assisted, or representative action; p the performer of the externally observable act; α the asserted grant or basis of legal authority; σ the legally relevant scope, conditions, and temporal limits of that authority; ω the method by which the holder’s will, preferences, instructions, or legally constituted collective decision were engaged where legally relevant; γ the safeguards, conflict controls, and available channels for objection; and e the evidential and interpretive qualifications attached to the record. The letter ω does not assume a human-like mental state for organizations or natural entities; it requires the analyst to identify the legally recognized decision or representation procedure appropriate to the case. An unavailable or disputed field remains visibly unresolved.

Equation 4 is deliberately narrower than a comprehensive theory of valid juridical action. Whether a produces a binding effect depends on governing law, which may contain additional elements of intention, form, notice, capacity, public registration, third-party reliance, or judicial approval. The record also distinguishes an attempted act from a legally attributed one. Documents generated by an AI assistant, statements by an intermediary, or technologically authenticated transactions can all be included as evidence in e while leaving the juridical performer or legal effect disputed. The model’s use is comparative and diagnostic: it identifies which legally indispensable questions remain to be resolved and what further source or evidence is required. Section 6 will address act attribution, causation, authorization, and evidential provenance in greater depth.

The exercise record complements the status dossier in Section 2, the transition record in Equation 2, and the rights-attribution dossier in Equation 3. The status dossier identifies the relevant order and

juridical positions, the rights dossier asks to whom specific incidents belong, and the exercise record tracks an attempted use of the incident. Their combination may disclose a position that is substantively protected yet practically unavailable, or an operation performed through a widely accepted technical interface despite unresolved legal authorization. Such asymmetry is a research finding to be investigated at the level of the relevant facts and sources, not a license to supply missing authority by formal definition.

5.6 Conflicts of Interest, Participation, and Corrective Safeguards

The allocation of representative powers creates questions of accountability to the bearer and to the forum recognizing the act. A supporter may filter information or frame alternatives, an organizational officer may serve competing institutional interests, and an appointed representative may control a person's access to external review. In each setting, participation can be affected by appointment procedures, information asymmetries, fees, linguistic barriers, conflicts of interest, and the availability of independent advice. Legal safeguards will differ according to the source. The existence of an intermediary should therefore be accompanied in the analysis by questions concerning mandate, loyalty or statutory duty, disclosure, objections, replacement, and review rather than by a presumption of either benevolence or capture.

The CRPD itself requires safeguards to respect rights, will and preferences, protect against conflict of interest and undue influence, be proportional and tailored, apply for the shortest appropriate period, and be subject to appropriate review in the terms of Article 12(4) [47]. General Comment No. 1 elaborates the Committee's interpretive account of how safeguards should facilitate supported decision-making and enable challenge when support deviates from the person's will and preferences [49]. These requirements belong to their disability-rights setting. They may inspire questions for the comparative analysis of other representational arrangements, but their human-rights foundation must remain explicit rather than serving as a freely transferable statute for rivers, companies, or artificial systems.

A defensible comparative inquiry can organize safeguards along five questions. First, who defines or appoints the assistant or representative, and by what legally recognized means? Second, how are the holder's wishes or the entity's legally established purposes represented without allowing the intermediary to recast the underlying entitlement? Third, who may inspect reasons and challenge conflicted conduct? Fourth, which persons bear the costs of support and review, and do those costs obstruct effective exercise? Fifth, how does the institutional arrangement respond to a change in the holder's circumstances or to new evidence of coercion? These questions do not establish universal positive-law duties. They locate issues that may become duties where an applicable legal source imposes them and suggest dimensions for empirical inquiry into institutional performance.

A GR reconstruction treats a representative arrangement as a history-dependent relation whose continuation can reshape both access and power. The representative may determine which expressions reach a decision-maker; repeated reliance can stabilize the representative's position and reduce other channels of access. Equally, an independent review procedure or accessible communication infrastructure may diversify legally effective expressions and contest entrenched interpretations. These are provisional causal and institutional hypotheses. Whether either pathway occurs requires evidence about actual procedures, users, records, and outcomes. The lawfulness of any resulting act remains a source-specific question even when a pattern of institutional influence is empirically established.

5.7 Comparative Exercise Arrangements and Heterogeneous-Subject Limits

Table 4 compares selected arrangements according to the source of the holder's position, the exercise or representation mechanism, and the unresolved analytical question. Its columns intentionally separate existing rights-based protection from legal personality conferred by specific statutes and from merely contemplated future subjecthood. The table does not rank different forms of life or intelligence and does not support inference of shared human-rights status across the examples.

The rows draw on the treaty texts for disability and children's rights [47, 45], the UK and German domestic statutes [41, 25, 26], the New Zealand settlement statute [39], and the EU AI Act [21]. The

Table 4: Exercise and representation arrangements across selected legal sources and hypothetical cases.

Subject and legal setting	Existing exercise or support arrangement	Source-specific limit or unresolved question
Persons with disabilities, CRPD Art. 12	Equal legal capacity; treaty-recognized support and safeguards concerning its exercise	Implementation and dispute over substituted versus supported decision-making in domestic settings
Adults subject to MCA 2005 in England and Wales	Presumed capacity, practical support, participation; qualified best-interests decisions under the Act	Decision-specific application, lawful authority and relation to the Committee's CRPD interpretation
Children, CRC Arts. 3 and 12	Protected rights, best-interests consideration and the child's participation in relevant proceedings	Domestic rules governing parental roles, independent voice, procedural representation and remedies
German adult Betreuung, BGB §§ 1821, 1823	Support directed to person's wishes; representative acts within assigned scope	Necessity, limitations, wishes, review and actual exercise of the person's own agency
Registered association and Te Awa Tupua	Board office or statutory representative exercises incidents assigned to a legally constituted entity	Validity of each act, distinct institutional purposes, limits and accountability mechanisms
Artificial systems and hypothetical alien subjects	AI: regulation currently assigns operator roles; alien: no specified existing juridical procedure in this comparison	Any proposed autonomous legal capacity, applicable law, authorized representation and jurisdiction remain open

distinction between legal and mental capacity in the first row is illuminated by the CRPD Committee's interpretive statement [49]; it cannot be generalized into a permission to grade the human rights of persons with disabilities. The two legally constituted nonhuman organizational examples share a structural distinction between bearer and performer, although they arise from markedly different legal sources and normative histories. The final row isolates two separate prospective inquiries: presently regulated artificial technology and hypothetical relationships with extraterrestrial beings. It is not evidence for any existing unified law of heterogeneous subjects.

For nonhuman animals, the protected-interest inquiry in Section 4 remains prior to any proposed independent exercise arrangement. The German animal-welfare provisions considered there concern protection and the civil-law treatment of animals [27, 24]. Identifying an advocate for animal welfare would not by itself show that the animal holds every relevant subjective right or that the advocate is the animal's legally authorized procedural representative. A future legal model could introduce particular protections, representation powers, or enforceable interests, but its source and forum would need to be specified. Nor should the possibility of legal recognition for another kind of subject displace the established equality rights of humans or the historically grounded arrangements associated with indigenous communities.

The GR reality levels sharpen the limits of the comparison. *Ontological reality* concerns unresolved questions about consciousness, subjectivity, and the ultimate character of the entities under discussion; the present study suspends those questions. *Relational reality* concerns historically constituted legal capacities, mandates, and support relationships and the institutional interactions that sustain them. *Manifestation reality* includes communication, filings, records of consent, representative statements, accessible interfaces, and decisions through which these relations are expressed or interpreted. Where the applicable source makes a particular record constitutive, its legal effect arises from that source rather than from its mere observability. A gap in manifestation may conceal effective legal capacity; a conspicuous manifestation of action may occur without legal authorization. The exercise-authority record is designed to preserve both possibilities as live inquiries.

The section's main analytical result is an incident-specific separation of holding, legally effective exercise, support, and representation, together with an insistence on their source-bound connections. In the human-rights domain, the distinction is subject to the equal legal-capacity commitments of the CRPD and the child's participatory guarantees under the CRC. For organizations and legally constituted

natural entities, powers of representatives derive from their governing arrangements. For artificial or hypothetical extraterrestrial subjects, proposals require independent justification and lawmaking rather than inference from observed intelligence or operational capacity. The next section examines how legal systems identify and attribute juridical acts when performance, authorization, causation, evidence, and institutional interpretation are distributed across multiple actors.

6 Juridical Acts, Attribution, and Evidential Provenance

The attribution of a legally significant act requires a relation between observed or reconstructed conduct and an applicable juridical position. The relevant conduct may have been performed by one person, carried out through an authorized intermediary, distributed among institutional actors, or generated through automated operations. The person or entity to whom a legal consequence attaches may differ from those who physically performed or technically produced the relevant event. This section develops an account of such relations for the heterogeneous-subject inquiry. It first separates juridical acts from their operational histories, then examines authorization and organizational attribution, automated communication, public-law attribution, and evidence. A provisional attribution record and a comparative table organize the resulting distinctions. The method is source-specific legal comparison supplemented by a Generative Relational (GR) analytical reconstruction; the proposed record is a research instrument and carries no independent normative authority.

6.1 Act Individuation and Legally Relevant Conduct

For the present analysis, an *act token* is a situated occurrence or legally relevant omission identified with sufficient specificity to ask what rule governs it. Its description records a time or period, the conduct at issue, the relevant participants, and the alleged juridical consequence. A transfer instruction sent by a representative, a decision issued by a corporate body, a deployment of an automated classifier, and a failure to carry out a statutory monitoring duty may each require different forms of individuation. The legal question determines which description is material. A long technical sequence may be treated as one transaction for a particular contractual inquiry, while a regulatory investigation may distinguish the initial configuration, a later deployment, repeated system outputs, and a missing intervention.

Several analytically separable questions then arise. *Performance* asks which person, institution, or technical process produced the conduct. *Operational control* concerns the ability to configure, initiate, stop, monitor, or redirect the relevant process, with attention to the time at which that power existed. *Causal contribution* asks what counterfactual or process evidence supports a proposed connection between an intervention and an outcome. *Authorization* concerns the applicable legal authority for an act to be performed for or in the name of another. *Juridical attribution* identifies the bearer of a specified legal effect under a governing norm. *Evidential provenance* concerns the origin, preservation, reliability, and contestability of materials used to establish these propositions. Different legal doctrines may use overlapping evidence while applying different thresholds and consequences.

These distinctions make room for relations among multiple performers without assuming that they are juridically interchangeable. A laboratory may design a system, a provider may make it available, a deployer may integrate it into an administrative procedure, an official may rely on its output, and an affected person may supply data. The technical history of a single output includes some or all of these interventions. Whether a person legally made a decision, whether an organization breached a duty, and whether the system itself holds any juridical status remain separate source-dependent inquiries. The descriptive fact that a system autonomously selected an output, in an engineering sense, neither settles legal authority nor determines civil, administrative, or criminal responsibility.

The reverse asymmetry is equally relevant. A person may hold an enforceable entitlement while acting through an assistant or representative; the record of the assistant's conduct may therefore be central to proving exercise of the person's right. The CRPD's protection of equal legal capacity and support in its exercise continues to govern its own domain [47, 49]. An attribution analysis must preserve the rights-

holder's legal standing and agency, including the possibility that an intermediary has misdescribed the holder's expressed will or exceeded the relevant authority. The existence of a technical or procedural intermediary supplies a reason to inspect authorization and safeguards, rather than a presumption of incapacity.

6.2 Authorized Performance and Private-Law Attribution

Representation illustrates how an act performed by one person can create direct legal effects for another. Under section 164(1) of the German Civil Code, a declaration of intent made within an agent's authority in the principal's name takes effect directly for and against the principal; the principal's name may be express or discernible from the circumstances [23]. The provision establishes a conditional legal attribution. The physically speaking or signing agent is identifiable, and the conditions of acting within representative power and in the principal's name determine the effect of that declaration. A third party's observation of the signing event alone cannot resolve the scope of agency. The relevant mandate, its temporal validity, and the contextual identification of the principal may be contested.

Attribution of a representative's declaration should also be distinguished from attribution of every surrounding event. A lawyer may transmit an authorized filing, a support worker may assist with communication, and a software interface may format the transmitted text. These participants may contribute causally to transmission without thereby becoming the right-holder or the legally authorized author of each substantive position advanced. Conversely, authorized conduct can have legally relevant consequences for a principal even when the principal was physically absent. Juridical effects thus depend on the legal relation connecting a performer to a holder, together with the particular act's compliance with its conditions.

Institutional action introduces analogous questions through different sources. The German law governing registered associations identifies a board charged with representing the association under section 26 BGB [26]. Whether a particular statement or instrument binds an association may therefore depend upon the legal identity of the association, the authorized office, and any applicable limits. The 2017 Te Awa Tupua legislation expressly establishes legal personality for the river and a representative arrangement for acts and interests within that statutory framework [39]. That historical settlement has its own purposes, cultural and legal commitments, and institutional design. Its representatives and a German association's board share an analytically useful separation of legal bearer and exercising actor, while their authority and the significance of the underlying entity arise from distinct legal histories. Neither regime supplies an automatic legal mandate for a newly imagined artificial or extraterrestrial subject.

An attribution analysis accordingly requires two records where their objects differ: a record of the performer's conduct and a record of the law's specified effect upon a principal or institution. Where the governing rule allows ratification, treats an apparent authorization as sufficient, or regulates unauthorized action, those additional possibilities must be established from the applicable law. The present examples do not support a general rule that technical control, contractual deployment, or organizational affiliation is itself conclusive proof of authorization. The power to carry out an operation and the juridical power to act for another may be concentrated in the same person, but their coincidence is a question to investigate.

6.3 Automated Contracting and Distributed Operational Agency

Automated contracting provides a particularly useful case because legal effects may be recognized despite the absence of individual human review of each message. Article 12 of the United Nations Convention on the Use of Electronic Communications in International Contracts addresses contracts formed through interactions between an automated message system and a natural person, or between automated message systems. Within the Convention's applicable field, an agreement is not to be denied validity or enforceability solely because no natural person reviewed each individual action by the systems or the resulting contract [46]. The Convention's operation is also subject to its scope, applicability conditions, and other relevant rules. The provision resolves a specified objection to legal validity; it does not attribute general legal personhood to an automated message system.

A legal account of an automated transaction may involve a system developer, the party employing the system, configuration settings, a counterpart, and an ordered history of exchanged communications. Different questions require different evidence. Contract formation may concern the attribution of communications and satisfaction of applicable formation rules. A dispute over defective instructions may concern the configuration or use of an interface. A regulatory inquiry may concern separate duties of a provider or deployer. The ability of a model to produce an unforeseen output may alter the technical analysis of control and predictability without by itself selecting the legally responsible party. A claim that a contract was validly concluded through an automated exchange remains distinct from a claim that the automated system independently possessed capacity to enter the contract on its own behalf.

Under the EU AI Act, the text of Article 12 specifies logging capabilities for high-risk AI systems, while other provisions distribute relevant obligations across defined operator roles, including providers and deployers [21]. These provisions illustrate a regulatory effort to make parts of an operational history reconstructable. Their substantive scope and temporal applicability require article-specific checking. The existence of an event log does not itself identify the legal person to whom an act is attributable. Logs may show a sequence of system events, while a determination of authorization, breach, causation, or legally effective exercise depends upon additional evidence and governing rules. Further, a log may omit the institutional reasons behind a deployment, the instructions given to human reviewers, or the experiences of persons affected by an output.

For an interaction between two advanced artificial systems, the inquiry can be expressed without a pre-emptive conclusion about artificial subjecthood. One would identify the governing legal order and any parties recognized under it; determine what conduct and communications occurred; examine the rules making such exchanges effective, if any; and establish whom a particular legal regime recognizes as responsible for the resulting juridical acts. A speculative future regime might allocate limited or extensive incidents directly to an artificial participant, but that allocation would require identifiable legal authority and its own mechanisms of contestation. The possibility of a technically autonomous exchange is a reason to investigate institutional attribution, rather than evidence that legal personality must accompany autonomy.

6.4 Public-Law Attribution and Responsibility-Specific Sources

International law provides another carefully delimited attribution structure. In the International Law Commission's 2001 Articles on Responsibility of States for Internationally Wrongful Acts, Article 4 attributes the conduct of State organs to the State; Article 8 addresses persons or groups acting on the instructions of, or under the direction or control of, the State in carrying out the conduct. Article 2 separately formulates attribution and breach of an international obligation as components of an internationally wrongful act [35]. The Articles are a text adopted by the ILC with commentaries and provide a framework for the international responsibility of States. Their attribution rules cannot be transferred unchanged to the responsibility of an ordinary company, individual, animal, or artificial system.

The State-responsibility example clarifies why a shared word such as *control* can conceal distinct legal tests. For Article 8, direction or control concerns the relevant conduct under the international-law framework and its judicial interpretation. In a private-law agency case, the legal consequence may depend upon representative power and the presentation of a declaration in the principal's name. In an AI-governance setting, operational control may refer to configuration, monitoring, or intervention duties imposed upon defined operators. These inquiries may concern the same historical occurrence, yet different sources specify their subjects, legal elements, exceptions, and consequences. A factual graph showing who influenced an outcome is therefore insufficient to determine juridical attribution until the legally relevant relation is stated.

The distinction is consequential for omissions and multi-actor situations. A missing safeguard can be relevant to a duty-holder even if another entity produced the immediate harmful event. Conversely, proof that a person gave instructions may be material to one legal attribution test while insufficient for a different test governed by different conditions. One inquiry may establish that a State organ acted

in its official capacity; another may ask whether a governing obligation was breached; another may investigate a natural person’s individual responsibility. The existence of several legitimate inquiries offers a reason to retain a plurality of legal descriptions without prematurely merging their outcomes into one undifferentiated notion of accountability. These source-specific distinctions establish prerequisites for the responsibility analysis developed in the next section.

6.5 Evidence, Provenance, and Contestable Interpretations

An event’s manifestation in a document, testimony, digital log, or judicial finding differs from the underlying occurrence and from the legal significance attributed to it. For a digital record, the initial questions include what the item purports to depict, which system produced it, whether it has been altered, how it was retained, and whether the opposing party can scrutinize its origin and interpretation. United States Federal Rule of Evidence 901, for federal proceedings to which the Rules apply, requires evidence sufficient to support a finding that an item is what its proponent claims it to be. Rule 902(13) and (14) provide specified certification routes for certain electronic records and data copied from electronic devices or files [55]. Authentication through such a route addresses the record’s identity or manner of production. Other issues of admissibility, probative weight, authorship, legal attribution, and opportunity to challenge may remain.

The distinction has practical significance for artificial-system records. A certified log may accurately reproduce what a server stored, yet the stored content might have been generated under a faulty configuration, altered upstream before logging, or incorrectly interpreted by a human reviewer. A hash comparison may support an inference that copied bytes match a source item without establishing that the source item recorded a legally authorized act. Equally, the absence of a complete machine log need not extinguish otherwise legally sufficient testimonial or documentary evidence. A provenance inquiry should state which proposition each item can actually support, rather than treating technical integrity as a substitute for juridical reasoning.

A proposed *evidential lineage* identifies the origin of a piece of evidence, relevant transformations, custodians, selection decisions, and the asserted inferential path to the legal proposition in dispute. Versions and timestamps can matter when rules or mandates changed during an interaction. Where a model provides a summary of a human communication, the original communication, the system transformation, and the institutional use of the summary may need to be represented separately. A document can reflect the view of a representative without faithfully conveying the wishes or interests of the represented person. A tribunal may regard a record as persuasive, insufficient, or contested under its procedural rules. Evidential traceability supports reason-giving and review, yet it should preserve legitimate privacy, confidentiality, and data-protection limits rather than demand indiscriminate collection of personal data.

Provenance is also shaped by unequal institutional resources. One participant may operate the system and control the retained logs, while another must contest a decision without meaningful access to its technical or administrative basis. The resulting asymmetry is relevant to procedural fairness and to the practical ability to challenge an asserted attribution. Its legal implications require the applicable disclosure, procedural, and remedial rules; the GR analysis adds a hypothesis that asymmetric evidential control may reinforce asymmetric legal voice over time. Whether that hypothesis applies to a particular institution calls for empirical study of access requests, retention practices, disclosures, expert participation, review outcomes, and the effects of record-keeping on the affected parties.

6.6 A Source-Indexed Attribution and Provenance Record

A compact formal record can help prevent an ambiguous act description from silently determining a legal conclusion. Let ω denote an individuated act or omission together with its temporal interval; p a set of identified operational performers or processes; c a time-indexed account of materially relevant control and contributions; a the asserted authorization and the bearer of its legal effects, if any; s the applicable source and version of the governing attribution rule; ε an evidential lineage; f the legal forum or decision-maker; and u the status of contested propositions and unresolved uncertainty. Equation 5

defines an *attribution and provenance record* for comparative analysis.

$$\mathcal{R}_{\text{act}}(\omega; s, f) = (\omega, p, c, a, s, \varepsilon, f, u). \quad (5)$$

The record in Equation 5 is documentary rather than determinative. It does not generate a legally valid act, find that any specified party is responsible, or establish an admissibility standard. The source field s identifies which norm is alleged to create an attribution relation and whether that norm applied at the material time. The field a records an asserted authorization or relevant attribution relation, including its scope and the legally affected bearer. Where the source provides attribution without representative authorization, as with a legal rule concerning State organs, that basis is stated directly and the agency field is marked inapplicable. The control field c records evidence about operation or influence only to the extent relevant to the defined legal inquiry. The evidential field ε can contain several competing lineages and should state which facts remain unverified. The uncertainty field u distinguishes established facts, plausible interpretations, disputed assertions, and questions reserved for a competent authority.

The record can be linked to the earlier rights-attribution dossier in Equation 3 and exercise-authority record in Equation 4; it need not collapse their distinct juridical questions. For example, the same affected person may have a protected right, be assisted by an authorized intermediary in exercising it, and challenge an institutional act whose attribution rests on incomplete logs. The right-holder's position belongs to the rights dossier; the intermediary's authority belongs to the exercise record; and the disputed decision and its evidence belong to $\mathcal{R}_{\text{act}}$. Their interfaces can reveal inconsistencies between an asserted legal position and a document purporting to exercise it. Such inconsistencies are prompts for legal verification and procedural inquiry, with no presumption that the research schema supplies a judicial finding.

Three safeguards are proposed for applying this schema in research. The *source safeguard* requires every attribution to specify its order, norm, conditions and relevant time. The *provenance safeguard* requires an evidential item to be tied to the proposition it is offered to establish and to its relevant custody or transformation history. The *contestability safeguard* records how an affected or legally authorized participant could, subject to the applicable procedure, question the attribution and correct errors. These safeguards are design recommendations, not claims that current legal systems universally provide an identical record or remedy. They are especially pertinent when a powerful intermediary controls the technical means by which another subject's intentions or interests become institutionally legible.

6.7 Comparative Attribution Configurations and GR Reality Levels

Table 5 compares five grounded legal or institutional configurations and a speculative extension. The comparison identifies the type of juridical relation asserted and the proof that would remain necessary. It does not equate the governing rules or presume that every configuration concerns the same form of subjecthood.

The comparative entries rest respectively on German agency law [23], the UNCITRAL Convention [46], the ILC Articles [35], the EU AI Act [21], and United States federal evidence rules [55]. The final row is a hypothetical research configuration, not a statement of existing legal arrangements for extraterrestrial subjects. For animal-welfare and natural-entity cases, the source-specific analysis of interests and representation in Sections 4 and 5 continues to determine who is legally entitled to assert a position. A record of harm to an animal, or of an act affecting a legally constituted river, leaves the appropriate rights, duties, enforcement powers, and forum to the governing law. In every case, legally effective action requires examination of source and attribution conditions beyond evidence of a physical event.

The GR three-level distinction supplies an epistemic orientation to the comparison. *Ontological reality* concerns the ultimate nature of agency, consciousness, collective intention, and the being of any artificial or hypothetical nonhuman participant; claims at that level remain suspended for purposes of this jurisprudential inquiry. *Relational reality* concerns historically generated legal positions, mandates, institutional powers, operational dependencies, and interpretive practices through which acts acquire legally

Table 5: Source-bound configurations of performance, juridical attribution, and evidential inquiry.

Legal setting	Attribution relation specified by source	Separate evidence or boundary question
German BGB § 164	Agent's declaration within representative power and in principal's name directly affects principal	Scope and timing of power; identity and content of declaration; limits of the particular mandate
UNCITRAL electronic contracts, Art. 12	Automated-message contracts receive a specific protection against invalidity based solely on absence of individual human review	Convention applicability, contract formation, other substantive rules, and contracting parties' legal identity
ILC State responsibility, Arts. 4 and 8	Organ conduct or specified instructed, directed, or controlled conduct may be attributable to State	Particular conduct and relationship; separate breach inquiry under applicable international obligation
EU AI Act, Arts. 12 and 26	Specified high-risk-system logging and defined operator duties support regulatory oversight	Scope and applicable dates; log completeness; separate operator duty, legal effect, and proof of breach
US federal evidence, Rules 901–902	Authentication and specified certification routes address the identity or production of evidence	Other admissibility rules, authorship, probative weight, attribution and ability to contest
Hypothetical AI–AI or alien–AI interaction	A future juridical regime could establish acts, bearers and representation by an express source	Present authority absent from this comparison; jurisdiction, translation, evidential access, and safeguards remain to be developed

recognized effects. *Manifestation reality* concerns observable performance, articulated consent, reports, logs, testimony, administrative classifications, and decisions through which those relations become available for interpretation. Where a legal source makes an entry, signature, or institutional pronouncement constitutive, that effect arises through the specified legal arrangement. The three levels thus distinguish questions of ultimate being, juridical constitution, and evidential access while allowing legally significant interactions between the latter two.

The resulting insight is methodological. A juridical act can involve a distributed causal history and a concentrated legal consequence, or a concentrated physical performance and several distinct legal assessments. Under some regimes an organization bears the effects of a representative's authorized conduct; under others a State may bear attributed conduct for international-law purposes; automated contract formation can have legal effects without individual human review; and evidence may authenticate a record while leaving its asserted legal significance unresolved. These configurations invite a source-indexed analysis of the relations among acts, performers, bearers, authorization, and proof. Their consequences for answerability, civil and regulatory liability, repair, and other responsibility structures are reserved for Section 7, on responsibility structures and accountability relations.

7 Responsibility Structures and Accountability Relations

The juridical attribution of conduct provides one component of a responsibility inquiry, while the determination of legal responsibility additionally depends upon obligations, breach conditions, the relevant connection to a legal bearer, and applicable consequences. Heterogeneous-subject configurations make these elements especially difficult to associate with a single actor: a right-holder may rely on a representative, a decision may involve several institutional offices, and an automated system may mediate the production of an injurious outcome. This section develops a source-indexed account of responsibility and accountability relations. It distinguishes obligations and answerability, compares public-law and private-law responsibility, analyzes the allocation of roles in distributed arrangements, considers repair, and introduces a provisional responsibility dossier. Its method combines limited comparison of identified legal sources with a Generative Relational (GR) reconstruction. The proposed formalism describes

questions requiring legal determination; it neither supplies an independent ground of liability nor alters the protection owed to established human legal subjects.

7.1 Obligations, Answerability, and Responsibility-Bearing Positions

A preliminary vocabulary distinguishes *the bearer of an obligation*, *the bearer of attributed conduct*, *the addressee of a demand for reasons*, and *the bearer of a legal consequence*. The applicable legal order can connect several of these positions in one person or distribute them among different persons and institutions. A regulatory officer, for example, may have an internal obligation to inspect an automated decision process while an employing public body is the addressee of a separate legal duty. The operational originator of a particular output might be a technical service, and the person entitled to contest the resulting decision might be its affected subject. The correspondence among these positions is determined by the governing sources, rather than by the engineering architecture alone.

Answerability, in the modest analytical sense adopted here, refers to a relation in which an identified actor or institution may be required to explain conduct, supply records, respond to a complaint, or justify a decision before a forum with specified authority. Its modalities include administrative reporting, organizational review, a civil proceeding, and a public-law challenge. Some instances of answerability are accompanied by sanctions or compulsory orders; others support deliberation or fact-finding without resolving a liability claim. A publicly intelligible explanation may enable review even where the applicable legal conditions for damages have yet to be established. Conversely, a specified legal obligation may persist despite a responsible office's unwillingness or inability to give a satisfactory account.

Legal responsibility is accordingly used in a narrower, source-dependent sense: a norm links conduct or another legally recognized ground to a bearer and produces a legal consequence when its conditions are fulfilled. This definition permits several distinct consequences, including a duty to cease conduct, repair injury, comply with a remedial order, or respond to an authorized enforcement procedure. It also permits responsibility that does not rely on an individualized finding of moral blame, subject to the precise rule applicable in each jurisdiction. *Moral responsibility*, *political accountability*, and *professional responsibility* may interact with juridical consequences, but their normative premises and procedures require separate justification. In particular, moral language about an artificial system's apparent autonomy cannot establish a recognized legal person or a ground for imposing liability upon it.

The relationship to prior juridical distinctions is material. Equation 5 records evidence for an act and a proposed attribution. Equation 4 records the conditions of exercising an entitlement. Neither record settles the existence, bearer, or consequences of a breached obligation. The responsibility analysis therefore opens a further source-specific inquiry. For human rights-holders whose expression or practical decision-making involves support, participation in that inquiry should preserve the distinction between assistance and transfer of legal agency under Article 12 of the CRPD and the Committee's interpretation [47, 49].

7.2 International Responsibility and Public-Law Duties

The International Law Commission's Articles on Responsibility of States for Internationally Wrongful Acts provide a particularly clear, domain-specific illustration of the relation between obligations and responsibility. Article 2 describes the elements of an internationally wrongful act of a State as conduct attributable to the State under international law that constitutes a breach of an international obligation of the State. Article 4 concerns organs of the State, and Article 8 addresses conduct carried out on the instructions of, or under the direction or control of, a State, under the conditions specified there. Attribution and breach therefore perform separate work in the legal analysis. The Articles' general commentary also distinguishes *primary* rules specifying obligations from *secondary* rules concerning the conditions and consequences of State responsibility [35].

This example shows why a responsibility inquiry must begin with the applicable duty. A determination that an administrative act is attributable to the State identifies a relevant legal bearer for that act

within the governing international-law inquiry. It does not itself specify which treaty or customary obligation was breached. Establishing a breach requires interpreting a primary rule applicable at the material time, including any contextual elements or exceptions. Whether a private contractor's conduct can be attributed to a State is also a question with its own criteria; an employment contract, procurement relationship, or technical integration cannot be substituted automatically for the conditions of the pertinent attribution rule.

The consequences of a State's internationally wrongful act include cessation and non-repetition under Article 30 and full reparation for injury caused by the internationally wrongful act under Article 31, subject to the architecture of the Articles. Articles 34–37 address restitution, compensation, and satisfaction as forms of reparation [35]. These are consequences within a particular body of international law; they neither describe a universal remedial regime nor provide a ready-made structure for regulating an artificial agent. The inquiry into which person or State may invoke responsibility, and before which forum, must be conducted separately. The temporal operation and international-law status of the ILC Articles, including their role as a text adopted by the Commission and the customary-law questions associated with particular provisions, are likewise distinct from assuming a comprehensive binding treaty.

Public-law responsibility may also emerge through domestic statutes or administrative law, whose duties and enforcement mechanisms vary by jurisdiction. An organization providing public services, an official using a classification tool, and a contractor supplying the tool may each occupy different juridical positions. Whether the governing regime imposes review duties, transparency obligations, compensation, or administrative consequences requires a statute- or decision-specific examination. This variability is an argument for recording the duty, source, time, and legal bearer explicitly, rather than importing the framework of State responsibility into domestic administrative disputes.

7.3 Civil Liability, Regulatory Accountability, and Collective Exposure

The General Data Protection Regulation supplies a more specific instance of statutory differentiation. Article 82(1) recognizes a right to compensation for material or non-material damage suffered as a result of an infringement. Article 82(2) distinguishes a controller involved in infringing processing from a processor, whose liability is conditioned upon breach of obligations specifically directed to processors or action outside or contrary to lawful instructions. Article 82(3) provides an exemption where the controller or processor proves it is in no way responsible for the event giving rise to the damage. Where the conditions of Article 82(4) are satisfied, multiple responsible controllers or processors may each be held liable for the entire damage to secure effective compensation, with the internal recovery of shares subsequently addressed by Article 82(5) [20].

These statutory arrangements show how collective exposure can be legally structured without assuming that all operational contributors share identical duties. For a data-processing configuration involving a platform, contractor, and deploying organization, classification as controller or processor, the obligations attached to each classification, infringements, legally relevant damage, causation, and applicable exemptions must be considered. A single technical pipeline or a shared contribution to data processing does not itself establish joint liability. Where Article 82(4) applies, the liability to the injured person and later contribution among responsible parties answer related but distinct legal questions. Such separation is important when institutional actors seek to shift their external obligations by contractual allocation.

Article 83, by comparison, governs the conditions for administrative fines and requires consideration of enumerated circumstances when determining their imposition and amount. The Court of Justice has expressly characterized the compensation available under Article 82 as compensatory rather than punitive, distinguishing it from the function of Articles 83 and 84 in *Scalable Capital* [20, 7]. The distinction matters for a general theory of juridical responsibility: liability in compensation, regulatory enforcement, criminal punishment, internal discipline, and duties of organizational explanation are different legal relations. They may coexist in a single historical episode while requiring different elements, safeguards, procedures, and forums. The specific legality, culpability, and proportionality constraints relevant to punishment are reserved for Section 8 of the planned manuscript; the present discussion records that

boundary without deciding penal responsibility.

The GDPR example is positive law in its applicable field. It does not authorize extrapolating controller and processor roles to every artificial-system interaction or assigning an artificial system the juridical status of a controller by functional resemblance. Similarly, it cannot establish that an injured nonhuman or hypothetical extraterrestrial entity has standing under Article 82. Those questions require applicable definitions, recognized rights-holders, and potentially new legislative choices. The comparability across regimes lies in the analytical questions that must be asked, while the answers remain legally particular.

7.4 Organizational Answerability and Risk-Based Due Diligence

Organizational accountability often includes processes initiated before a final judicial finding of liability. The United Nations Guiding Principles on Business and Human Rights set out a *Protect, Respect and Remedy* framework, within which business enterprises are expected to respect human rights, exercise human-rights due diligence, and address adverse impacts, while States retain their own duties and roles in access to remedy. The framework discusses business responsibility and grievance mechanisms, including expectations relevant to identifying and responding to adverse impacts [54]. Its status as guiding principles and the separate force of applicable domestic and international law must remain visible: compliance with a voluntary process does not automatically discharge a binding obligation, and an unmet principle alone does not establish an otherwise absent civil cause of action.

The OECD Guidelines for Multinational Enterprises on Responsible Business Conduct, revised in 2023, similarly articulate governmental recommendations concerning risk-based due diligence, the identification and mitigation of adverse impacts, communication, and remediation. Their due-diligence approach concerns relationships among enterprises, operations, products, services, and business partners. The Guidelines do not purport to convert every business relationship into identical legal responsibility for every downstream outcome [40]. Within a GR reconstruction, the significance of these instruments is that they offer operational sites in which historically constituted relations can be examined, records can be produced, concerns can be heard, and conduct may be revised. Such a reconstruction remains the author's conceptual interpretation of the instruments, rather than their stated philosophical foundation.

Responsibility chains deserve particular care where functions are split among a commissioner, provider, integrator, deployer, operator, reviewer, and complaint-handling office. A descriptive chain identifies which actors could have influenced an event or supplied relevant information. A juridical chain identifies a sequence of normatively specified positions under applicable law. The two chains can overlap without being identical. For example, outsourcing the technical production of an administrative score may change how oversight is exercised and what evidence the agency possesses; whether it changes the agency's legal obligations or a supplier's independent duties follows from the respective legal sources and valid allocations of authority. A contract may also produce rights of recourse between organizations without extinguishing a claim that an injured person holds against a particular legal bearer under a mandatory rule.

A further distinction concerns *institutional capacity to answer*. An organization may have a duty to account for processes even when its individual employees lack sufficient information about a model's internal operations. Such a mismatch creates a practical problem of evidence governance and prospective design: logging, procurement conditions, audit access, and routes to challenge can affect whether an existing duty can be fulfilled. A descriptive analysis can locate this mismatch without treating opacity as proof of wrongdoing. Whether a failure to preserve records or enable review constitutes a legal violation depends on the governing obligation and the conditions for its enforcement.

7.5 Responsibility Chains, Intermediary Power, and Contestable Repair

Attribution records and accountability procedures are themselves embedded in relations of power. A deployer may control the technical logs; a provider may control explanatory documentation; an employer

may control which events an employee can report; and an affected person may depend upon intermediaries to translate an experience of harm into admissible evidence. These asymmetries influence the practical possibility of invoking a legal norm. A formally available remedy can remain difficult to exercise when the necessary documentation, representation, or forum access is unequally distributed. A relational analysis therefore tracks who can demand an account, who can respond, who defines the categories of relevant evidence, and who possesses the authority to order correction.

The terms *repair* and *remedy* also require careful separation. An actual legal remedy is a source-authorized consequence arising under specified conditions. A broader process of repair may include acknowledging injury, correcting an erroneous record, restoring access, revising an institutional practice, or rebuilding relationships. Some such acts can be ordered or obtained as remedies; others may be voluntary or situated within professional and social practice. In the international-law case, restitution, compensation, and satisfaction have doctrinal roles defined by the ILC Articles. Under Article 82 GDPR, financial compensation addresses legally qualifying damage. Neither is equivalent to the entire set of relational interventions that could be imagined as restorative [35, 20].

The distinction is essential for heterogeneous subjects. Where a recognized human right-holder has experienced an adverse decision through an artificial system, arrangements for documentation, contestation, explanation, and repair concern the human subject's existing rights and the obligations of relevant institutions. Where nonhuman animal interests are protected by welfare law, a legal duty may fall upon a human caretaker or institution even if the animal does not occupy the same procedural position as a natural-person litigant. A statutory natural entity may act through specially designated representatives, with the content of those representatives' legal responsibilities dependent on the establishing law [27, 39]. The speculative possibility of future juridical positions for certain artificial systems or extraterrestrial beings must be kept separate from these existing arrangements. Attributing an outcome to a purported autonomous process cannot, by itself, create a fund for compensation, a duty-bearer, a forum, or meaningful repair.

One risk arises when a newly imagined responsibility-bearing artificial subject is used to divert scrutiny from organizations already subject to law. Even were a future legal order to establish some form of artificial-system responsibility, that choice would require examination of independent legal personality, enforceable duties, access to assets or other remedies, evidential fairness, and preservation of existing human protections. The same scrutiny applies to proposals for liability borne by collectives or representatives of nonhuman subjects. A responsibility classification should be evaluated partly by its effects on the accessibility and effectiveness of rights, remedies, and the accountability of actors with genuine institutional power. This is a proposed normative design consideration, not a consequence already required by the laws cited above.

7.6 A Source-Indexed Responsibility and Repair Dossier

A documentary schema can retain the principal questions while leaving their resolution to the competent legal forum. Let ω be the act or omission under review, j the legal order and forum, t the legally relevant time, d the primary obligation or other asserted ground of responsibility, b the proposed legal bearer, a the legally relevant attribution basis, e the evidence and contestations, κ the source-defined conditions for responsibility, ρ the available consequences or remedies, and u the unresolved questions. Equation 6 specifies a source-indexed responsibility and repair dossier:

$$\mathcal{R}_{\text{resp}}(\omega; j, t) = (\omega, j, t, d, b, a, e, \kappa, \rho, u). \quad (6)$$

The dossier is a structured research record. The legal bearer b may be a set of candidate bearers under different norms; in such a case, each candidate requires its own grounds, defenses, and conditions. The field d records the precise obligation or legally operative rule at the relevant time. The field a records the asserted attribution relation with a link to Equation 5. The field κ identifies source-specific conditions such as breach, causation, harm, required mental elements where applicable, exemptions, or procedural preconditions. The consequence field ρ distinguishes cessation, reparation, civil compensation, administrative measures, and other permissible responses, with their separate legal bases. The evidential field

Table 6: Responsibility and accountability configurations across heterogeneous juridical arrangements

Configuration	Responsibility or answerability relation	Source and interpretive boundary
State organ or State-directed actor	Conduct attribution, breach of an applicable international obligation, and resulting State responsibility are analyzed in distinct stages.	ILC State Responsibility Articles; a specified international-law inquiry, including applicable primary obligations.
Data controller and processor	Damage-compensation claims may reach several legally responsible parties; administrative fines have distinct criteria.	GDPR Articles 82–83; defined roles, injury, causation, exceptions, and EU-law interpretation govern.
Business group or outsourced service	Due diligence, grievance handling, and response to adverse impacts occur across organizational relationships.	UN Guiding Principles and OECD Guidelines express responsibilities and expectations; legal liability requires an independent legal source.
Supported human legal actor	Institutional assistance and explanation may be necessary to exercise rights and contest decisions.	CRPD Article 12 and its interpretive framework preserve equal legal capacity and access to support.
Animal or statutory natural entity	Duties of caretakers or legally appointed representatives vary with protection and constitutive statutes.	Animal welfare provisions and Te Awa Tupua legislation are jurisdiction- and purpose-specific.
Artificial or extraterrestrial candidate	Operational influence, harms, and imaginable responsibility mechanisms can be documented for future normative inquiry.	Legal subjecthood, duties, assets, forums, and remedies remain source-dependent; hypothetical cases establish no present legal status.

e stores competing accounts and their provenance. The uncertainty field u records open questions, including applicability, disputed facts, qualifications of legal status, and forum competence. Equation 6 thereby encodes an inquiry protocol and yields no automatic finding of responsibility.

The representation is deliberately permissive with respect to multiplicity. One event may generate several dossiers indexed to different sources; the same norm may assign duties to multiple actors; one injured person may pursue several legally distinct routes subject to applicable restrictions against duplicate recovery. No numerical allocation of responsibility follows from the number of technical contributors or the length of a causation chain. The schema can also record institutional inability to provide an account as a factual circumstance while leaving the legal significance of that inability to the governing source. A dossier used for a hypothetical artificial subject must mark each imagined duty, forum, remedy, and capacity as hypothetical, preserving the distinction between analytical possibility and valid law.

7.7 Comparative Configurations and the Three GR Reality Levels

Table 6 compares representative configurations without erasing their doctrinal differences. The comparison identifies the duty-bearing position, the mode of accountability, the boundary separating established law from a proposed extension, and the implications for repair. Its purpose is to reveal where a single event produces overlapping and non-equivalent normative relations, rather than to rank subjects on a scale of juridical agency.

Within the GR framework, an *ontological reality* level suspends claims about the ultimate nature of human, animal, artificial, or extraterrestrial subjectivity. Whether a process is phenomenally conscious, autonomous in a metaphysical sense, or capable of experiencing injury is not determined by the legal attribution analysis. *Relational reality* concerns historically maintained legal positions, obligations, organizations, evidential arrangements, and power relations that can constrain conduct and produce consequences. A juridical person or office can be modeled through such institutions without reducing its legal existence to the physical operator who carried out a particular event. *Manifestation reality* concerns the decisions, transcripts, complaint records, audit trails, reports, settlements, and judicial reasons by which those relations become accessible, interpretable, and contestable.

The three-level analysis has a specific limitation. Evidence of an experienced injury may be absent, distorted, or contested at the manifestation level; a recognition scheme may omit interests that are normatively significant; a legal record may classify participants through historically contingent categories. None of these observations displaces binding procedural requirements or establishes an otherwise unavailable remedy. Their analytical use is to identify points at which legal recognition, evidential access, answerability, and practical repair become coupled. A preliminary jurisprudence of heterogeneous subjects consequently treats responsibility as a structured set of legal and institutional relations whose specific elements must be established from applicable sources. Whether and how an actor may then be sanctioned is a further question involving penal and regulatory constraints, developed in Section 8 of the planned manuscript.

8 Sanctionability and Penal Constraints

Legal responsibility and the authorization to impose a sanction occupy related but distinguishable juridical positions. An actor may bear a duty, be required to answer for conduct, or owe compensation without thereby being a legally permissible target of criminal punishment. Conversely, certain regulatory regimes authorize financial sanctions against legal persons while prescribing conditions different from those applicable to natural persons charged with crimes. Heterogeneous-subject analysis requires particular care at this boundary, because a legal order may protect an entity's interests, recognize its juridical acts, or classify its operations while withholding sanctioning competence over that entity. This section examines the legal object of sanctionability, the requirements of prior law and fault, penal procedure, proportionality, institutional consequences, and the treatment of proposed artificial and other nontraditional subjects. It combines limited comparisons of the Rome Statute, the European Convention on Human Rights (ECHR), and the EU General Data Protection Regulation (GDPR) with a provisional Generative Relational (GR) documentary reconstruction. Each legal regime supplies its own conditions of application; the reconstruction supplies a means of identifying unanswered questions rather than an independent ground of punishment.

8.1 Sanctioning Subjects and Categories of Legal Consequence

Sanctionability denotes, in the present analytical vocabulary, the legally constituted susceptibility of an identified bearer to a specified adverse measure following a source-governed finding or procedure. The definition has four immediate parameters: the bearer over whom the relevant authority has competence; the conduct, status, or breach that may trigger the measure; the competent institution and procedure; and the measure authorized by the governing source. Sanctionability is therefore relative to a legal order, time, legal bearer, and class of measures. The capacity to suffer an operational disadvantage, such as a loss of access to computing resources, is a physical or institutional fact. The legal power to impose a penal consequence requires a further juridical basis.

A workable taxonomy distinguishes *criminal punishment*, *administrative or regulatory penalties*, *civil compensation and remedial orders*, *preventive or protective restrictions*, and *private organizational responses*. These categories may interact, and the legal classification of a measure may differ across systems or depend on an autonomous legal test. An administrative label by itself cannot determine the application of the ECHR's criminal-charge safeguards. Equally, a precautionary order stopping an unsafe operation has a different asserted legal purpose from a retrospective penalty for misconduct. The competent interpreter must determine the nature of the measure from the governing law and relevant jurisprudence; the present taxonomy does not predetermine that classification.

The Rome Statute supplies a deliberately bounded instance of criminal sanctionability. Article 25(1) places *natural persons* within the International Criminal Court's (ICC) personal jurisdiction; Articles 22–24 regulate legality, punishment under the Statute, and non-retroactivity. Article 77 identifies the Court's authorized penalties, including imprisonment and specified additional financial measures. The Statute also regulates individual responsibility and sentencing through further provisions, including Articles 30

and 78 [34]. The ICC’s personal jurisdiction is thus a positive-law design choice with an ascertainable domain. A counterexample to any inference from juridical personality to punishability is a corporation that can be fined under an applicable domestic or EU administrative regime while remaining outside Article 25(1) of the Rome Statute. The two regimes classify different addressees, offenses, authorities and procedural requirements. Calling both consequences “liability cannot bridge that jurisdictional and substantive separation [34, 20]. A corporation’s capacity to incur a domestic regulatory fine, or an imagined artificial entity’s possible future legal status, supplies no basis for placing that entity within the ICC’s existing personal jurisdiction.

This differentiation also clarifies the relation to Section 7. A source-indexed responsibility dossier can identify a breached duty and a compensation claim. The sanctioning analysis must separately establish whether a punitive or administrative measure is authorized, who is the proper addressee, and which guarantees constrain the exercise of that power. For example, an injured person’s entitlement to compensation under Article 82 GDPR and a supervisory authority’s competence to impose an administrative fine under Article 83 concern legally distinct relations, even where they arise from the same data-processing event [20]. Their coexistence should be recorded as a question of applicable sources and facts, without equating restitution to the injured person with punishment of the regulated actor.

8.2 Legality, Prior Notice, and Temporal Determination

Criminal legality limits the scope of penal power by requiring an operative legal basis for the offense and authorized punishment at the relevant time. Under the Rome Statute, Article 22(1) concerns conduct constituting a crime within the Court’s jurisdiction when it takes place; Article 22(2) requires strict construction and restricts extension by analogy. Article 23 confines the Court’s punishments to those permitted by its Statute. Article 24 governs non-retroactivity of individual responsibility under the Statute and addresses the application of more favorable law before final judgment [34]. These provisions frame the ICC’s own legal scheme. They do not establish that the Statute directly controls all domestic offenses or all administrative measures.

Article 7 ECHR likewise protects the principle of punishment under law and limits retrospective criminal liability and heavier penalties. The European Court of Human Rights’ Registry *Guide on Article 7* describes the case law concerning accessibility and foreseeability of legal rules, including the role of judicial interpretation and the possibility of obtaining appropriate legal advice. It also discusses the relation between the imposition of a penalty and an element of personal liability. The Guide is an explanatory synthesis prepared by the Registry and expressly lacks binding force; the Convention and the Court’s judgments provide the governing legal authority [2, 9].

These requirements create a temporal problem for speculative heterogeneous-subject arrangements. Suppose a legislature later recognizes a category of autonomous artificial legal subject and prescribes an offense for particular acts by that category. The existence of later recognition supplies no general justification for retrospectively punishing the proposed subject for earlier conduct. A juridical analysis must identify the governing legal source at the time of the conduct, any applicable transition rules, the scope of the particular jurisdiction, and the safeguards applicable to the proposed sanction. Questions concerning retroactivity of legal recognition itself, civil obligations, and remedial relations require their own source-specific treatment; the present argument concerns criminal legality and comparable constraints in their applicable domains.

A second temporal distinction separates *the time of conduct*, *the time at which relevant legal provisions apply*, *the time of adjudication*, and *the time at which a measure is imposed or reviewed*. An artificial system may undergo substantial changes between these points, and organizational responsibility may shift through merger, outsourcing, or delegation. The factual persistence of software, records, or assets can be relevant to an investigation, but it cannot replace the juridical determination of identity and continuity required by a specified sanctioning regime. The same temporal discipline applies to sanctions directed at existing organizations, where the applicable norms, legal bearer, and powers must be established before conclusions are drawn from institutional continuity alone.

8.3 Fault Conditions and Attributable Responsibility

An account of sanctionability must identify the culpability or other legally required responsibility condition appropriate to the particular measure. Under Article 30 of the Rome Statute, unless otherwise provided, the material elements of a crime within the ICC’s jurisdiction require intent and knowledge as defined by that Article. The Statute also provides additional rules on individual responsibility, defenses, superior responsibility, and the protection of accused persons; their application depends on the relevant articles, charges, and circumstances [34]. A record showing that an automated component generated an output establishes, at most, a factual starting point. It cannot infer a natural person’s statutory mental element from the algorithm’s functional sophistication.

The EU GDPR presents a different legal arrangement. Article 83 addresses administrative fines for controllers and processors under specified infringement categories and factors. In *Deutsche Wohnen*, Case C-807/21, the Court of Justice held, within the scope of Article 83 GDPR, that the imposition of an administrative fine on a controller that is a legal person cannot be conditioned on previously attributing the infringement to an identified natural person under the national approach at issue. The Court also required an intentional or negligent infringement for such a fine. These are particular requirements of the EU data-protection regime, as interpreted by the Court, and they should not be restated as a universal rule for organizational crimes or every administrative penalty [20, 5].

The two examples demonstrate the analytical importance of separating an *attribution rule* from a *fault rule*. An attributable act is linked to a juridical bearer under a governing norm; a fault rule identifies whatever mental, behavioral, organizational, or other legally operative condition is required before that bearer can be sanctioned. A statute may permit certain organizational penalties using its own standards and may also make available defenses, mitigating factors, or review. The fact that an institution operates through many people or software components can make the determination evidentially complex without automatically defeating its legal responsibility. Conversely, functional autonomy attributed to an artificial component cannot itself discharge a human or organizational bearer from the requirements of a governing liability or sanctioning rule.

For possible future artificial subjects, the analogy to culpability remains an open normative and institutional problem. Machine learning systems may represent goals, update policies, and produce explanations, but these observable capacities do not establish phenomenal consciousness, moral desert, or a lawfully applicable *mens rea*. A proposed regime might define duties and non-penal regulatory measures for certain systems without treating them as criminally blameworthy; a more demanding proposal for artificial criminal culpability would have to specify a legal bearer, offense elements, admissible proof of relevant states, defenses, means of representation, and sanctions with an intelligible juridical function. Similar caution applies to extraterrestrial subjects, whose cognitive and communicative capacities remain hypothetical in the cases considered here. Recognition of possible interests, experience, or vulnerability and justification of penal liability are separate normative inquiries.

8.4 Proportionality, Protective Measures, and Collateral Effects

Sanctioning power also concerns the nature, intensity, distribution, and reviewability of an adverse measure. Article 83(1) GDPR requires administrative fines within its specified field to be effective, proportionate, and dissuasive. Article 83(2) directs attention to circumstances including the nature, gravity, and duration of an infringement, intentional or negligent character, measures to mitigate damage, and related factors. Article 83(8) expressly subjects exercise of supervisory-authority powers to appropriate procedural safeguards, including an effective judicial remedy and due process under Union and Member State law [20]. By contrast, the Rome Statute’s Articles 77–78 define the ICC’s sentencing powers and reference gravity and individual circumstances within that court’s distinct jurisdiction [34]. These sources justify comparison of legally structured proportionality questions while maintaining different tests, purposes, and sanctions.

A *protective intervention* requires its own legal analysis. Suspending an automated medical triage service after a safety incident, isolating a compromised computing system, or withdrawing an organiza-

tion's operating permission may have substantial adverse consequences. A protective rationale, however, may concern immediate prevention of harm, evidence preservation, or compliance rather than desert or censure. Whether the measure is lawful depends on the authorizing source, the competent actor, threshold conditions, notice and hearing requirements, temporal limits, and routes of contestation. Where the ECHR applies, the autonomous characterization of a purportedly administrative measure may affect whether criminal guarantees attach. The policy aim of risk reduction alone supplies no unlimited power to restrict protected human persons or property.

Collateral effects arise when a sanction formally directed toward one bearer burdens persons whose conduct does not satisfy the sanctioning condition. A corporate fine can affect employees, customers, pension beneficiaries, or other stakeholders; suspension of a platform may disrupt users and dependent institutions; forced deletion of a system may destroy records important to an injured claimant. These effects can matter to legally required proportionality and to wider normative assessment, subject to the available rules and facts. They also raise a more specific distributive question: who controls the resources required to absorb or pass on the cost of the measure? An apparently severe fine may be internalized by a powerful organization, shifted to dependent contractors, or recovered through higher charges. The legal relevance of each effect requires its own doctrinal basis; identifying the wider incidence of a measure is a proposed supplement to, rather than a substitute for, statutory proportionality review.

The possibility of morally significant artificial experience adds a further conditional issue. At the ontological level, whether a particular artificial system can suffer is unsettled. Nevertheless, a proposed institution considering irreversible shutdown, memory deletion, or enforced alteration could distinguish ordinary engineering maintenance, protective containment, regulatory restriction, and punitive intervention by reference to legally recognized interests and evidence available at the relevant time. The inquiry should remain protective of existing human interests and rights, including the safety, property, access, and remedies of affected people. Assigning human-like suffering to an artificial system in advance of evidence would risk both speculative punishment theory and misallocation of practical protection. The normative challenge is to devise reviewable classifications that can respond to better evidence without granting speculative subjects unexamined authority over existing persons.

8.5 Penal Procedure, Evidential Fairness, and Review

The legitimacy of a sanction depends upon the procedure through which the relevant conditions are established. Under Articles 66–67 of the Rome Statute, an ICC accused is presumed innocent, the prosecution bears the onus of proof, conviction requires proof beyond reasonable doubt, and procedural rights include notice, adequate time to prepare a defense, assistance of counsel, evidence challenges, interpretation, and protection against compelled self-incrimination under the specified conditions [34]. Article 6 ECHR provides for a fair hearing and additional guarantees in the determination of a criminal charge, including the presumption of innocence and adequate facilities for defense [2]. The scope and operation of these guarantees follow the pertinent system; the use of one regime's evidential standard cannot establish a transnational standard for every sanctioning process.

A heterogeneous configuration can create serious *procedural asymmetry*. A sanctioned organization may possess the full technical record, whereas the person reporting harm may have only an observed outcome. Conversely, a small organization may depend upon the regulator for relevant disclosures while lacking access to the information needed to challenge an adverse inference. A service provider's explanation, an event log, and a probabilistic reconstruction may also disagree. Authentication of electronic evidence, a subject already separated from attribution in Section 6, is one task; establishing the elements of a punishable offense and applying the applicable burden of proof are further tasks. The penal procedure must preserve the legal roles of prosecutor or sanctioning authority, accused or addressee, witnesses, reviewer, and competent decision-maker.

For human participants with disabilities or communication-related support requirements, procedural accommodation and the protection of legal agency remain critical. Article 12 CRPD and the Committee's General Comment No. 1 provide the human-rights context for recognizing legal capacity and access to

support. The present analytical distinction between representation and decision-making capacity must therefore remain consistent with the protections applicable to existing human rights-holders [47, 49]. Where a corporate legal person is the addressee of a regulatory fine, procedural acts will ordinarily be performed through authorized human or institutional representatives under applicable rules. Neither arrangement requires the fiction that all juridical actors have identical cognitive characteristics.

A hypothetical procedure against an artificial subject would generate additional unresolved questions concerning notice, meaningful response, preservation of relevant state, independence of counsel or technical representative, identity after model updates, and the consequences of sanctioning an entity maintained by another legal person. A developer’s ability to modify the system could undermine the independence of an apparent defense. A claimant might also lack access to evidence if operators are permitted to erase the system during review. Future legislation could address these problems through specialized procedural architecture, but legal personhood alone would be insufficient to establish its fairness. Distinguishing procedural voice from normative authority is especially important here: an artificial system’s generated reasons may be evidence or input to a hearing without automatically making the system a legally authorized party, judge, or criminal defendant. The institutional competence to judge and impose sanctions is the separate object of Paper XIV.

8.6 A Source-Indexed Sanctionability Dossier

A formal research instrument can assist in keeping sanctioning claims attached to identified sources. Let x be the proposed sanctionable bearer, ω the conduct or event, j the legal order and competent forum, t the legally relevant temporal configuration, n the asserted offense or sanctioning norm, q the jurisdictional and personal-competence conditions, a the applicable attribution rule, f the source-specific fault or other qualifying conditions, e the body of evidence and contestations, p the required procedural guarantees, m the proposed measure and proportionality criteria, h the protected interests and foreseeable third-party effects, and u the unresolved questions. The source-indexed sanctionability dossier is defined in Equation 7.

$$\mathcal{S}_{\text{san}}(x, \omega; j, t) = (x, \omega, j, t, n, q, a, f, e, p, m, h, u). \quad (7)$$

This representation is a *documentary schema*, rather than an objective numerical test, decision rule, or presumption that x is sanctionable. The norm field n identifies the precise rule and its temporal application; q records personal, subject-matter, territorial, and institutional competence; a links proposed attribution to Equation 5; and f identifies the burden of establishing the relevant legally required mental, organizational, or other conditions. The evidence field e records provenance, competing accounts, disclosure limits, and unresolved inferences. The procedural field p records applicable rights, review, and safeguards. The measure field m identifies an authorized consequence, its purpose, statutory limit, and legally relevant proportionality analysis. The field h concerns potentially affected rights-holders and third parties, without assuming that every identified impact is a legally operative factor. Finally u preserves uncertainties that a purported finding must not conceal. A response may be entered as provisionally proposed while its legal availability remains disputed.

The relation to the responsibility dossier in Equation 6 is a *partial interface*. A responsibility determination may supply an established duty, legally attributed conduct, or evidence, yet the sanctioning dossier still requires an independently authorized measure and the governing safeguards. An incident may also generate several sanctionability dossiers under different sources, for instance an organizational administrative fine, an individual prosecution, and a protective suspension, each with different conditions and decision-makers. Such multiplicity creates possible interaction and double-jeopardy or cumulative-measure questions under applicable law; the documentary schema records those issues without deciding them through arithmetic aggregation. It preserves the distinction between describing a legal configuration and determining legal validity.

For hypothetical subjects, the dossier contains explicit status annotations. A record concerning an artificial or extraterrestrial candidate marks whether legal personhood, a particular duty, culpability, judicial competence, and an authorized sanction are *existing*, *contested*, or *proposed* within a specified legal

Table 7: Sanctionability conditions and source boundaries in heterogeneous juridical configurations

Configuration	Possible consequence and inquiry	Applicable legal or theoretical boundary
Natural-person ICC accused	Individual criminal conviction and sentence require charged offense, appropriate mental elements, proof, defenses, and prescribed procedure.	Rome Statute Articles 22–25, 30, 66–67 and 77–78; ICC personal and substantive jurisdiction.
EU data controller (legal person)	Administrative fines for specified GDPR infringements, with fault conditions, mitigating criteria, and legal remedies.	GDPR Article 83; <i>Deutsche Wohnen</i> concerns an intentional or negligent infringement, not a general law of corporate criminal guilt.
Human supported decision-maker	Criminal accusation, where legally available, must preserve existing human procedural and legal-capacity guarantees.	ECHR Article 6 and applicable domestic rules; CRPD protections are specific to human persons with disabilities.
Animal or statutory natural entity	Welfare protection or representation can govern legally relevant decisions and enforcement concerning caretakers or representatives.	Status and enforcement powers are source-specific; protection of a subject does not itself entail its criminal sanctionability.
Automated service or artificial candidate	Containment, suspension, or operator-directed administrative measures can be analyzed separately from a hypothetical penalty addressed to the system.	Existing humans and organizations remain governed by current law; artificial culpability and legal sanctions require new competent sources.
Hypothetical extraterrestrial candidate	Possible future recognition, offense definitions, representation, evidentiary inquiry, and penalties remain conditional.	No asserted jurisdiction or sanction follows from this thought experiment; legality and protected-human interests remain controlling in present regimes.

order. The descriptive ability to fill in a field does not supply the missing rule. Similarly, a technological platform's technical capacity to execute a shutdown provides no authorization for a State or private actor to employ shutdown as punishment. This constraint is methodologically important because formal diagrams can otherwise conceal an unsupported shift from imagined normative possibilities to operative legal conclusions.

8.7 Heterogeneous Configurations and Three-Level Relational Analysis

Table 7 sets out selected sanctioning configurations. It separates an existing sanctioning regime, a legal relationship that presently concerns protection or representation, and proposed heterogeneous extensions. The comparisons are deliberately asymmetrical: the available law is more specified for natural-person criminal prosecution and EU organizational data-protection fines than for speculative future artificial or extraterrestrial liability. That asymmetry is a feature of the research question, rather than a defect to be filled by formal analogy.

The GR framework permits a three-level reading of these configurations. *Ontological reality* remains suspended with respect to ultimate accounts of consciousness, agency, desert, or the subjective experience of an artificial or extraterrestrial candidate. The proposition that a system exhibits intentional-looking behavior does not resolve the ontological or juridical elements of blame. The existence of recognized human legal protections, meanwhile, remains a positive-law and normative starting point unaffected by that suspension. *Relational reality* concerns historically constituted penal institutions, persons, offices, procedures, duties, evidence practices, protected interests, and asymmetries of power. Within this level, legal sanctionability is constituted through source-governed relations among a potential addressee, a competent authority, an authorizing norm, and an enforceable measure. *Manifestation reality* concerns the accessible forms of these relations: charges, regulatory notices, documentary evidence, expert explanations, oral hearings, judgments, reasoned penalty determinations, records of execution, and

appellate decisions.

The three levels make salient a recurrent risk of *institutional translation*. An operational event may first appear as a harmful outcome, then be described as a fault of a technical component, and finally be presented as a reason to penalize a human or organization. At each transition, the evidential and legal criteria may change. A machine-generated explanation can become a regulatory exhibit; a risk score can influence enforcement priority; a label such as “autonomous decision” can shift public attention away from the people who define deployment and review conditions. The analytical question is which institutions possess the power to define the categories of offense, produce admissible records, select a defendant or regulated addressee, and determine the response. Existing legality and procedural guarantees constrain those powers; a relational reconstruction helps locate the places where their exercise may be obscured.

A preliminary normative implication concerns *the conservation of accountability across proposed new statuses*. Recognizing a new category of legal subject should be evaluated against the continued enforceability of duties already owed to existing persons and institutions. It would be normatively troubling if a company could nominate a putatively culpable artificial system as the exclusive penalty-bearer while retaining control of its operation, records, and assets and thereby frustrating claims against the company wherever existing law authorizes them. That concern does not justify overriding statutory allocation of duties or manufacturing joint liability. It motivates institutional design questions about independent oversight, effective procedure, remedies, and anti-evasion safeguards that a future legislature could examine. Similarly, concern for potentially experience-bearing systems could support careful investigation of unnecessary harm without assigning such systems existing criminal-law rights or obligations on the basis of conjecture.

Sanctionability thus forms a narrower juridical position than responsibility in its broad sense. It requires a source-authorized measure and a competent process within the law’s personal, substantive, and temporal scope. Its formal description can assist comparative inquiry by keeping legal sources, culpability questions, evidence, procedural rights, and collateral consequences separately visible. Yet the adequacy of those arrangements cannot be settled by the descriptive schema alone. The next section examines procedural standing, voice, and access to remedies, including whose interests can be presented and contested before the institutions that interpret and enforce these differentiated legal positions.

9 Procedural Standing, Voice, and Access to Remedies

Legal protection becomes institutionally consequential through procedures capable of receiving a claim, recognizing relevant participants, examining evidence, and authorizing a response. The person whose interest is affected may be distinct from the claimant permitted to initiate proceedings, the representative who performs procedural acts, and the actor whose testimony or account is heard. This section examines those positions within the jurisprudence of heterogeneous subjects. Its objectives are to distinguish procedural standing from substantive legal status, identify arrangements for supported and representative participation, compare private and public-interest access, and characterize the relation between formal remedies and their effective availability. The discussion uses a source-specific comparison of international human-rights instruments, European procedural regimes, and a statutory natural-entity arrangement, followed by a preliminary Generative Relational (GR) reconstruction. The proposed formal record documents relevant relations; it creates neither a new cause of action nor a general rule of standing.

9.1 Procedural Positions and the Institutional Object of a Claim

A *procedural position* is a source-governed entitlement, competence, obligation, or opportunity concerning the initiation, conduct, participation in, or review of a legal process. Its content depends upon the jurisdiction, type of proceeding, claim, and stage. A claimant may request a judicial remedy for infringement of a right; a defendant may contest an allegation; a witness may contribute testimony without becoming a party; a child may be entitled to be heard in an affecting proceeding; a public-interest

organization may be permitted to challenge an environmental decision. These positions have different objects and legal grounds. An analysis that labels each participant merely a “subject before the law” leaves important institutional differences unspecified.

At least five distinctions are useful. *Affected interest* identifies the person or entity whose legally cognizable position is implicated. *Standing* identifies the source-defined permission or entitlement to invoke a specified procedure, which may require victim status, sufficient interest, an impaired right, or a specially recognized public-interest role. *Party capacity and procedural authority* identify who can conduct proceedings and through which representation or authorization. *Voice* concerns the opportunity to communicate evidence, reasons, wishes, objections, or experiences in a form relevant to the procedure. *Remedial entitlement* concerns the conditions under which an institution may or must grant a particular legal response. These categories may coincide in a natural person acting personally, but their legal relations differ in cases of representation, collective litigation, disability accommodation, institutional claimants, and natural entities.

The distinction between standing and substantive right-holding is especially important. A legal system may recognize an interest yet channel its enforcement through public authorities or specified representatives. Another may permit public-interest review of a decision even when the applicant is unable to identify an individualized injury of the type required in other proceedings. A further system may provide an actionable right subject to procedural requirements such as time limits, exhaustion of designated remedies, or the competence of the chosen forum. These requirements deserve source-specific justification and examination for conformity with applicable higher norms. The ability to describe a protected interest therefore does not determine the appropriate forum or an admissible procedural route.

Procedural voice also has several legally relevant forms. A party may be able to present allegations and seek disclosure; a witness may be questioned about perceived events; a representative may advance the represented person’s position; a technical expert may explain the basis and limits of a reconstruction; and a court may examine a record that contains an artificial system’s output. The legal weight assigned to each form depends upon rules governing evidence, participation, and decision-making. Treating an algorithmic account as evidence can be compatible with denying the system independent procedural status under the relevant law. Conversely, a human rights-holder may possess a right to participate even when practical communication requires substantial support. These differences concern the constitution and exercise of legal relationships, rather than a presumed scale of cognitive worth.

9.2 Claimant Identification, Forum Competence, and Admissibility

The European Convention on Human Rights illustrates the specificity of procedural standing in a supranational forum. Under Article 34, the European Court of Human Rights may receive applications from persons, non-governmental organizations, and groups of individuals claiming to be victims of a violation of Convention or Protocol rights attributable to a High Contracting Party. Eligibility to submit a complaint is tied to that framework; it does not establish a general authorization to litigate any public wrong or to represent unconnected interests. Article 35 supplies distinct admissibility requirements, including domestic-remedy exhaustion and a four-month period for relevant applications following the final domestic decision, subject to the Convention’s rules and their application. The Court’s current guidance is essential because older reproductions of Article 35 contain a superseded six-month formulation [3]. The applicant, alleged victim, State respondent, subject matter, and domestic procedural history must therefore be distinguished before a claim’s merits can be assessed.

The European Union supplies another set of interfaces. Article 47 of the Charter of Fundamental Rights of the European Union protects an effective remedy before a tribunal for violations of rights and freedoms guaranteed by Union law; it also addresses fair hearing, advice and representation, and legal aid where necessary to ensure effective access. These are legally operative protections within the Charter’s applicable scope [14]. They do not resolve every question of direct access to a particular Union or domestic court. Rules that identify the permitted applicants, proper defendants, reviewable acts, time limits, and forms of relief remain relevant, subject to the governing hierarchy of law. Article 263

TFEU, for example, specifies particular conditions for direct judicial review in the EU judicial system; its individual-standing structure is a distinct legal question from Article 47's guarantee [18].

A source-indexed comparison can consequently distinguish *forum competence*, *claimant eligibility*, *admissibility*, and *the merits*. Forum competence asks whether an adjudicative or administrative institution has the prescribed subject-matter, personal, temporal, and territorial authority. Claimant eligibility identifies the persons and capacities through which the procedural avenue is open. Admissibility addresses relevant threshold rules; the merits concern the legal claim supported by established facts. The grounds for a procedural rejection can be important in their own right. An alleged rights violation dismissed for lack of competent jurisdiction has a different doctrinal and institutional significance from a claim examined and rejected for failure to prove a breach.

The separation remains relevant to new-subject proposals. A legislature might recognize a specified artificial system as the bearer of a limited civil entitlement and still have to decide who may invoke that entitlement, whether a human supervisor can challenge an adverse act, which institution hears the dispute, and how conflicts with an operator or owner are addressed. A hypothetical extraterrestrial claimant raises additional unresolved questions about jurisdictional connection, translation, authorization, and available law. The present analysis asserts no standing for those candidates under Article 34 ECHR, Article 47 of the Charter, or Article 263 TFEU merely by constructing an analogy to recognized legal persons.

9.3 Participation, Supported Voice, and Representative Fidelity

Procedural participation for existing human rights-holders supplies a concrete normative boundary for heterogeneous-subject analysis. Article 13 of the Convention on the Rights of Persons with Disabilities requires States Parties to ensure effective access to justice for persons with disabilities on an equal basis with others, including procedural and age-appropriate accommodations enabling their effective roles as direct and indirect participants, including witnesses, at investigative and preliminary stages. Article 13(2) separately concerns appropriate training for justice personnel [48]. Article 12 and the Committee's General Comment No. 1 provide related protections concerning equal recognition before the law, legal capacity, and access to support in exercising legal capacity [47, 49]. The Committee's interpretation has its particular treaty-monitoring status and should be distinguished from the treaty's text and from domestic implementation.

These provisions have implications for the design of procedural communication. The inability of an institution to receive a person's usual form of communication can create a barrier to effective participation. A reasonable analysis therefore records accommodation needs, the format of questions, timing, availability of assistance, comprehension, and whether the person has been allowed to respond. The question of evidential weight remains governed by the relevant legal procedure, but practical barriers should not be silently transformed into a finding that the rights-holder lacks legal standing or agency. Human disability-rights protections are established normative commitments within their legal domain; the GR framework supplies an additional descriptive vocabulary without revising those guarantees.

Article 12 of the Convention on the Rights of the Child provides another differentiated participation rule. States Parties are to assure children capable of forming views an opportunity to express those views in matters affecting them, with weight accorded in relation to age and maturity. Article 12(2) addresses an opportunity to be heard in judicial and administrative proceedings, directly or through a representative or appropriate body, consistently with domestic procedural rules [45]. This makes it possible to separate the child as a bearer of the participation entitlement from the adult or institution facilitating its exercise. It also prevents the procedural concept of representation from being reduced to mere transmission of an intermediary's preference. The duties and criteria established for children should not be mechanically extended to other classes of subjects with different legal histories and grounds of protection.

Representative fidelity describes a proposed analytical concern: how the legally authorized representative's account relates to the represented person's expressed will, ascertainable interests, legally protected position, and available channels of contestation. The appropriate normative test depends upon the regime. A support person's facilitation of a human rights-holder's own decision, a guardian's per-

formance of a specified legal function, a corporate officer's authorized act, and the representative office of a statutory natural entity differ in object and source. Fidelity analysis can ask whether authorization remains valid, conflicts of interest are disclosed, information is shared appropriately, reasons are documented, and complaints can reach an independent reviewer. These are questions for legal and institutional design, not claims that a universal fiduciary standard already exists for every case.

There is also a distinction between *expression* and *juridically relevant speech*. A human participant may need translation or alternative communication to place a position before the forum; the resulting statement remains attributable under ordinary evidential and procedural rules. An organization may speak through a designated officer. An artificial system's generated explanation may be examined as an operational output or as a party-submitted exhibit. Assigning the last item the role of a legal party's autonomous procedural voice would require an applicable source conferring that status and adequate safeguards concerning control of the output, continuity of system identity, and the interests of affected humans. The question is left open as a candidate for future normative specification.

9.4 Public-Interest Litigation and Natural-Entity Representation

Environmental law supplies a distinctive procedural configuration in which an applicant may seek review in relation to interests extending beyond its own immediate injury. The 1998 Aarhus Convention links access to environmental information, public participation, and access to justice. Its institutional meaning depends upon treaty obligations, applicable parties, and implementing law [51]. Article 11 of the European Union's Environmental Impact Assessment Directive illustrates a more specifically articulated review mechanism. Within its scope, members of the public concerned who satisfy the prescribed standing conditions must have access to review of the substantive or procedural legality of specified decisions, acts, or omissions. Qualifying environmental non-governmental organizations are treated as possessing sufficient interest for Article 11's specified purpose. The provision also addresses fairness, timeliness, costs, and public information concerning review procedures [13].

The resulting legal technique is significant: participation in a review process can be allocated to an organization on the basis of a public-interest function recognized by law, while the environmental objects and communities affected by the challenged decision remain separate from the claimant's juridical identity. The organization may act in its own legally recognized procedural capacity, with interests extending to the public or environment. It is analytically misleading to treat this necessarily as an agency relationship in which the environment personally appointed the organization as attorney. The legitimacy and independence of environmental representation may instead involve statutory criteria, organizational governance, standing doctrine, and public accountability. Each route has its own legal foundation and potential representational deficiencies.

The Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 provides another, historically particular arrangement. Section 14 establishes Te Awa Tupua as a legal person and directs the exercise of its rights, powers and duties, and the assumption of responsibility for its liabilities, through Te Pou Tupua in the manner provided by the statute. Sections 18–19 establish the representative office and specify functions including acting and speaking for Te Awa Tupua [39]. The settlement's cultural and historical foundations are integral to the meaning of the legal design; it is more than a generic illustration that any ecosystem can receive identical standing by declaration. The statutory office provides a concrete relation between the legal bearer and its authorized institutional voice, subject to its own powers, duties, and other applicable laws.

Comparing these arrangements reveals several institutional paths: a qualifying NGO may obtain a procedural entitlement to challenge a public decision; a public enforcement body may pursue a welfare-law violation under its statutory mandate; and a specific natural entity may have a juridically appointed representative exercising powers in its name. Animal welfare provisions supply an example of protected interests that may be enforced through obligations upon humans and public authorities, without thereby demonstrating independent animal standing in a particular forum [27]. Each arrangement distributes the rights to initiate, speak, request interim action, seek review, and monitor compliance differently.

Recognition of a protected interest, creation of a legal personality, grant of collective standing, and authorization of a representative are analytically separate acts whose interaction must be established under the relevant sources.

9.5 Effective Relief, Evidential Access, and Procedural Inequality

A formally admissible action can yield limited protection when the claimant lacks the information, assistance, time, or practical capacity necessary to present the dispute. The content of an *effective remedy* nevertheless depends upon the legally applicable standard. Article 47 of the EU Charter identifies effective judicial protection within the field of Union law and provides for legal aid when its stated necessity condition is met [14]. Article 11(4) of the Environmental Impact Assessment Directive requires review procedures within its scope to be fair, equitable, timely, and not prohibitively expensive [13]. These provisions address different routes to institutional effectiveness. Their requirements should not be collapsed into a general conclusion that every institutional grievance process must provide identical relief, cost rules, or legal assistance.

For comparative purposes, access can be analyzed along a sequence of legally significant stages: knowledge of a potentially reviewable event; access to adequate reasons and relevant evidence; recognition of eligible claimant or participant status; availability of a competent procedure; ability to contest an adverse account; a determination under the applicable standards; selection of legally authorized relief; and implementation or review of the outcome. Identifying the stages is a descriptive method. It does not establish that an unverified fact should be disclosed, that a remedy is available for every loss, or that the relevant system supplies judicial review of each administrative choice. The value of the sequence is to locate where a legally recognized position may become practically ineffective, including when procedural authority and access to supporting materials are distributed asymmetrically.

Information asymmetry can be particularly pronounced where an automated service affects a person's legally protected interests. A deployer may control training documentation, configuration files, event logs, or internal review records. The affected person may possess only an outcome notice, a personal observation, or a limited explanation. Some records can contain confidential, proprietary, security-sensitive, or personal information that cannot simply be made public. The evidential problem is therefore to identify which propositions need proof, which legally authorized disclosure and preservation tools exist, and how an independent decision-maker can scrutinize material subject to legitimate restrictions. The attribution and provenance distinctions in Equation 5 remain relevant: a reliable technical log does not alone determine whose legal act occurred or whether the respondent breached an obligation.

Remedial design also concerns the *object of repair*. A claimant may seek recognition, cessation, correction of an administrative record, access to information, compensation, restoration of access, a declaratory judgment, or another source-authorized order. The presence of a legal wrong does not determine a single remedy across legal orders, and a tribunal's competence may limit the relief it can award. Some injuries involve continuing relational consequences: a discriminatory exclusion can alter subsequent eligibility, repeated faulty decisions can erode access to future processes, and a publicly disseminated allegation can persist after formal correction. A GR account may help identify these temporal and relational effects as matters for investigation. The legal authority to order a particular form of repair continues to depend upon positive law and established procedures.

Procedural costs can also be shifted through representation. A claimant who has to rely on a service provider for technical translation may lose meaningful control over framing the question. An advocate may possess procedural skill while having limited access to the represented person's communications; an environmental organization's mandate may encompass interests that conflict within a local community. The possibility of procedural capture arises when a purported intermediary can determine which injuries become visible, which evidence is preserved, and whether the dispute reaches a reviewer. Evaluation therefore requires attention to independence, contestability, reasons, affordability, and the actual ability to obtain legally available relief. These considerations supplement concrete procedural rights, rather than purporting to override the conditions for their exercise.

9.6 Source-Indexed Procedural Access and Voice Dossier

A comparative case study benefits from a record that keeps juridical authority, representation, and evidential access separate. The proposed *procedural access and voice dossier* identifies a candidate affected bearer b , a proposed applicant or procedural initiator c , a competent forum f , an applicable source j , and a disputed or reviewable event ω at time t . It then records the standing criterion s , the participation and representation arrangement v , procedural conditions a , evidential access e , potential source-authorized relief r , and outstanding questions u . The dossier is defined in Equation 8.

$$\mathcal{P}_{\text{access}}(b, c, \omega; f, j, t) = (b, c, \omega, f, j, t, s, v, a, e, r, u). \quad (8)$$

The record is a *source-indexed documentary schema*. It is neither a standing test nor a formula that converts suffering, technical capacity, or public concern into procedural rights. Field s contains the actual source's applicant-category and connection requirements; v contains authority to act and speak, available accommodations, potential conflicts, and channels for disputing misrepresentation. Field a concerns the forum's procedural rules, which may include exhaustion, time limits, notices, admissibility, and procedural stage. Field e notes identified evidence, provenance, relevant access or disclosure rules, and factual gaps. Field r identifies the kind of relief potentially within the forum's powers and conditions, recording whether such relief has merely been sought or legally established. Field u preserves issues of jurisdiction, status, proof, representation, and effectiveness that remain unsettled. A source-change or new claimant configuration produces a new or revised dossier rather than silently changing the meaning of an existing field.

The dossier has partial interfaces with the rights-attribution record in Equation 3, the exercise-authority record in Equation 4, the evidence record in Equation 5, and the responsibility and repair dossier in Equation 6. An attributed right can be a candidate basis for a claim while leaving standing and forum competence to be established. Representation may allow a legally recognized subject's procedural position to be exercised by another without transferring the underlying right. Evidence can substantiate a claim or procedural objection without deciding the admissibility of the applicant. A responsibility dossier may identify a potential duty-bearer and claim for reparation while leaving the lawful remedy to the relevant forum. These interfaces are intentionally partial: the governing source remains authoritative wherever analytic categories encounter doctrinal limits.

An especially useful feature is the distinction between *denied standing* and *unheard voice*. A represented person can possess legal capacity and an admissible claim yet experience a procedurally defective failure to receive necessary accommodation. A non-governmental organization can have a right to seek review in its own name while the interests underlying the challenged decision cannot literally speak. An artificial-system output can be placed in evidence while the system itself has no independently recognized claimant position. The fields s and v help prevent these situations from being merged into one undifferentiated notion of "legal recognition". They also identify where procedural inequality might arise from the control exercised by a representative, information holder, or gatekeeping institution.

9.7 Heterogeneous Configurations and Three-Level Relational Analysis

The comparison in Table 8 places established rights, public-interest review, and hypothetical extensions on the same analytical grid while preserving their different evidential and legal status. The comparison concerns procedural *configurations*, rather than treating human persons, organizations, rivers, animals, and artificial systems as interchangeable legal subjects. Each row indicates who can present a position, by which source, and what remains contingent on forum-specific rules.

The GR three-level framework supports a careful reading of these configurations. *Ontological reality* remains suspended regarding ultimate accounts of consciousness, intrinsic moral standing, or first-person experience, especially for artificial or hypothetical extraterrestrial entities. Such suspension has no effect on the enforceability of existing human procedural protections. *Relational reality* concerns the historically generated legal institutions and configurations that constitute an applicant, representative, witness, adjudicative office, evidence holder, or remedy-bearing duty. Standing and voice emerge as different

Table 8: Procedural positions, representational forms, and source-specific limits in heterogeneous configurations

Configuration	Recognized or proposed procedural arrangement	Source boundary and open inquiry
Human claimant with disability	Effective access to justice, accommodations and participatory opportunities, with support where legally applicable.	CRPD Articles 12–13; domestic procedures and accommodation requirements require independent application.
Child affected by a proceeding	Opportunity to express views and to be heard directly or through a representative or appropriate body.	CRC Article 12, conditioned and implemented within its stated scope and domestic procedural rules.
ECHR natural-person or NGO applicant	Application may proceed if Article 34 victim and other Article 35 and forum criteria are satisfied.	ECHR Convention rights and State respondents; claimant categories do not confer general public-interest standing.
Qualifying environmental NGO	Review of specific decisions, acts or omissions, including substantive and procedural legality.	EU EIA Directive Article 11 within its project-related field; standing and cost rules are source-specific.
Te Awa Tupua and representative office	Recognized legal personality, with Te Pou Tupua acting and speaking under statutory arrangements.	Te Awa Tupua Act 2017, Sections 14, 18–19; particular historical settlement and statutory powers govern.
Protected animal interests	Welfare duties can be enforced through designated authorities or legally entitled claimants under applicable law.	Welfare protection alone does not establish the animal's standing as an individual applicant in an unspecified forum.
Artificial or extraterrestrial candidate	Possible future claims, voice, representation, and review mechanisms are subjects for normative and institutional design.	No autonomous standing is inferred from existing human-rights instruments, technical communication, or hypothetical vulnerability.

positions in an institutional relation involving a forum, a governing source, and other participants. *Manifestation reality* concerns how those relations become accessible through filed applications, translated testimony, procedural orders, admissibility decisions, technical records, oral hearings, judgments, and implementation records. An apparently absent voice may reflect an inaccessible procedure or failed translation rather than the absence of a legally recognized interest.

The temporal dimension matters because procedural institutions help determine which claims can be recognized in future periods. A restrictive standing rule may keep a class of harms outside official review, limiting the evidential record available to lawmakers. A successful review can produce reasons that later officials and claimants use to reconstruct relevant categories, subject to the recognized authority of the resulting decision. Representation may sustain a voice over time, yet it can also reproduce established hierarchies if its mandate, evidential choices, and accountability are insulated from meaningful scrutiny. This feedback is a GR interpretive hypothesis concerning institutional development. Establishing its empirical significance would require case-specific historical and procedural evidence, and it supplies no judicial authority to disregard a valid jurisdictional limit.

Two provisional design considerations follow. First, where a legal system recognizes an interest or new juridical bearer, institutional evaluation should ask whether the available procedure gives the relevant position a suitably authorized and contestable route of presentation, review, and relief. The answer will differ for direct human participation, organizational applications, public-interest litigation, and representation of a statutory natural entity. Second, proposals for artificial or extraterrestrial subjects need explicit rules for the identity of the claimant, authorization of representatives, conflicts involving technical controllers, evidential preservation, and the protection of existing human participants. The continuing duties of recognized human and organizational actors should remain visible when a new procedural category is proposed. These are legislative and research questions rather than conclusions about current standing.

Procedural standing is therefore best examined as a relation among a claimant, affected position, competent forum, authorizing norm, evidential process, and possible remedy. Supported voice and representative action add further relations without altering the source-governed conditions of admissibility. The next section addresses jurisdictional plurality and normative translation: how such positions interact when different legal orders classify the same subject, incident, or representative differently.

10 Jurisdiction, Legal Plurality, and Normative Translation

A juridical position constituted in one legal order may become relevant to a dispute, institution, or person governed by another. Whether that position has legal consequences elsewhere depends upon the receiving forum's authority, the applicable conflict rules, the subject matter, recognized modes of proof, and any conditions for recognizing a foreign judgment or status. This section examines these relations within heterogeneous-subject jurisprudence. It distinguishes jurisdiction from applicable law, legal classification from recognition, and interpretation from the institutional authorization to give a foreign position effect. Comparative reference is made to European private international law, the 2019 Hague Judgments Convention, the jurisdiction of the International Court of Justice, and the recognition of Indigenous juridical institutions. A preliminary Generative Relational (GR) reconstruction then treats normative translation as a partial and contestable institutional process. The comparison is jurisdiction-sensitive: it supplies neither a general choice-of-law algorithm nor a proposed universal rule for recognizing artificial or extraterrestrial legal subjects.

10.1 Forum Competence, Jurisdictional Connections, and Subject-Matter Classification

Jurisdiction concerns a forum's legally grounded competence to decide a particular dispute or question, exercise a specified public power, or issue a legally relevant determination. In private civil litigation, a connecting factor such as domicile, place of performance, location of property, or party agreement may matter. Public-law proceedings, criminal jurisdiction, administrative supervision, and international adjudication operate through other authorizing rules. A single event involving multiple actors may accordingly implicate several jurisdictional questions that cannot be answered by the event's geographical location alone. Institutional classification precedes the competent forum's detailed assessment: the decision-maker must know which type of matter is presented and which legal instrument, if any, governs its competence.

Regulation (EU) No 1215/2012, usually called Brussels I bis, illustrates a carefully delimited regime. Its general rules address jurisdiction and the recognition and enforcement of judgments in civil and commercial matters. Article 1 excludes specified subjects, including the status or legal capacity of natural persons, arbitration, social security, and other enumerated categories. Article 4 generally connects jurisdiction to the defendant's domicile within the applicable regime; Article 7 recognizes certain special jurisdictions. Article 24 identifies subject matters in which courts of particular Member States have exclusive jurisdiction, including specified proceedings concerning company constitution and decisions of company organs. Article 25 provides a regulated role for jurisdiction agreements, subject to its requirements and limits [16]. The statutory classifications are operative legal distinctions. A question relating principally to status or capacity should not be relocated into this Regulation merely because it has cross-border effects.

The treatment of a preliminary question also requires care. The Court of Justice has explained, in a particular dispute involving the validity of a gift of immovable property, that a question of a donor's capacity raised incidentally did not necessarily remove the underlying civil action from the Regulation's material scope [4]. The distinction between a proceeding's principal subject and an incidental issue matters when comparing juridical positions across orders. An analytic study cannot simply assign the entire dispute to the legal category of its most philosophically interesting element; the source's jurisdictional characterization controls the inquiry.

The International Court of Justice provides a different configuration. In contentious proceedings it receives legal disputes submitted by States, and its jurisdiction rests on recognized forms of State consent under Article 36 of its Statute. Only States may apply to and appear before the Court in that contentious capacity [43]. An affected individual, corporation, animal, river, or artificial system therefore acquires no direct contentious standing before that Court by possessing a protected interest somewhere else. Different international complaint bodies, treaty procedures, or domestic courts may have their own rules. Jurisdiction must be verified at the level of the *particular forum and procedure*, rather than inferred from the importance of the underlying interest.

10.2 Applicable Law and the Distribution of Conflict Rules

The forum's authority to hear a claim and the law governing a legal issue are analytically and doctrinally distinct. A court may have jurisdiction under one set of rules while its choice-of-law rules direct it to consider substantive law from another legal order. The law applicable to the principal obligation may also differ from the law governing a preliminary status question, the authority of a representative, or the forum's procedure. Which distinction is available depends on the relevant conflict regime. The fact that several systems contain similar expressions such as "capacity," "agency," or "rights" offers no independent reason to treat their operative tests as identical.

The EU Rome I Regulation addresses the law applicable to contractual obligations within its material field. Article 3 establishes qualified party choice of law, while Article 4 provides rules where a choice has not been made. Article 9 addresses overriding mandatory provisions, including a specific role for provisions of the forum. The Regulation expressly excludes certain matters, such as the status or legal capacity of natural persons (subject to Article 13), particular issues involving companies and their internal organization, and arbitration and choice-of-court agreements [12]. These details matter when a person or organization engages in a cross-border transaction: identification of the contractual governing law does not settle the entire legal position of each participant, the existence of representative authority, or the status of a putative artificial counterparty.

Regulation (EC) No 864/2007, Rome II, deals with specified non-contractual obligations. Its Article 4 supplies a general connecting rule for tort or delict based on the place where damage occurs, with stated qualifications for common habitual residence and manifestly closer connection. Article 1 excludes several matters, including aspects of the creation, capacity, and internal organization of companies or other bodies. It is also limited by subject matter and territorially relevant participation rules [11]. In a cross-border system incident, a court might thus separately examine jurisdiction over a defendant, the applicable law for an alleged non-contractual obligation, and any antecedent question concerning the legal identity or authority of an institution. A record that attributes technical events to an automated process, discussed in Section 6, cannot replace those legal inquiries.

The distinction creates a recurrent danger of *unidentified governing law*: conclusions about a subject's capacity or liability may appear portable only because the author silently switches between one system's conflict rules and another's substantive definitions. A responsible comparison records the exact proposition governed by each source, the connecting facts used to select it, and any protective norms that restrict legal choice. Human rights, public-law obligations, and jurisdiction-specific safeguards may supply constraints independently of private party agreement. These questions remain specific to the legal order and subject matter concerned.

10.3 Foreign Judgments, Recognition Filters, and Legal Effects

Recognition presents a further problem. A judgment issued by an authorized court may have legal effect where rendered, yet its enforceability or recognition elsewhere depends on the applicable instrument and the requested jurisdiction. Recognition of a judgment, recognition of its factual findings for a limited purpose, recognition of a person's legal status, and adoption of the issuing court's general legal reasoning are distinct operations. Each can involve different sources, standards, and institutional consequences.

The distinction is especially significant when a forum is asked to treat a nonhuman natural entity or an artificial organization as possessing a position that originated in another jurisdiction.

Within its civil-and-commercial scope, Brussels I bis provides for recognition of judgments from other Member States, subject to defined procedures and possible refusal grounds. Article 36 states the basic recognition rule; Article 39 addresses enforcement, while Article 45 sets out specified grounds for refusal, including manifest incompatibility with public policy, certain service defects, and irreconcilable judgments [16]. The Regulation regulates judgment effects within its field; it does not declare every legal status originating in a Member State equally applicable to every form of dispute abroad. Nor is the public-policy provision a general warrant to revisit the foreign court's merits. A sound account specifies what is being recognized and the legal consequence requested.

The Convention of 2 July 2019 on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters offers a distinct treaty model. Articles 1–2 delimit its scope and exclude, among other matters, the status and legal capacity of natural persons and certain company-law status questions. Article 4 states its general framework, Article 5 supplies bases for eligibility, and Article 7 enumerates grounds on which recognition or enforcement may be refused. Article 8 treats preliminary questions, while Article 22 expressly considers non-unified legal systems with multiple territorial legal units. The Convention's operative effect depends on its being in force between the relevant States, the material scope, applicable declarations, and the conditions in its text [28]. Its existence therefore cannot be cited as evidence that an order-specific designation of an artificial or natural-entity subject automatically travels internationally.

The structure reveals a useful separation between the *object submitted* and the *effect requested*. The object might be a status instrument, judgment, representative authorization, factual finding, or contractual declaration. The requested effect might be admissibility of a document, authorization to litigate, enforceability of an obligation, recognition of an office's standing, or exemption from re-litigation of a defined issue. A receiving authority can sometimes assign a limited effect while reserving other questions. Conversely, an explicit exclusion or unmet recognition condition can prevent the requested effect without deciding the ultimate moral character of the claimant. This partiality is legally substantive, not merely semantic: it determines whose rights may be exercised, against whom, in which proceeding, and with which enforceable consequences.

10.4 Plural Legal Institutions and Asymmetric Recognition Power

Plurality also exists within political communities. State law, Indigenous legal institutions, collectively maintained norms, professional regulations, and transnational contractual practices can possess different kinds of social authority and may interact with courts in unequal ways. Their coexistence does not imply that each has the same legal rank or is enforceable through the same forum. It nevertheless creates important questions of institutional recognition: which body is authorized to identify a rule, who is entitled to speak for a community, how disagreements are resolved, and how applicable human rights constrain adjudication. Here *legal plurality* designates the historically observable coexistence and interaction of normative orders; the recognition of any particular order as a source of enforceable law remains a matter for juridical examination.

The United Nations Declaration on the Rights of Indigenous Peoples recognizes rights concerning the maintenance and development of distinct institutions and, where they exist, juridical systems or customs in Article 34, subject to the Declaration's human-rights framework. Article 40 addresses fair procedures and effective remedies, with due consideration for Indigenous customs, traditions, rules, and legal systems alongside international human rights. The Declaration's legal character and domestic implementation must be distinguished from the direct binding effect of a particular national constitutional or statutory rule [52]. An Indigenous legal system therefore offers a real, historically constituted configuration of normative plurality, although its concrete relationship with State courts varies by polity and legal source. This is a matter of self-determination and institutional authority, not a convenient illustration invented to anticipate future AI systems.

An order’s power to declare another order’s norms “recognizable” can shape the relationship between those orders. Registration requirements, translation costs, specialist accreditation, proof of customary practice, time limits, and control of legal representation may give a receiving institution practical power over the visibility of another legal system. Those effects warrant investigation even where the receiver faithfully applies a valid source-based recognition rule. The historical source and authorized interpreter of the originating norm should be documented, and disagreements internal to the community or institution should not be erased by constructing a single representative voice. The question of whose account becomes authoritative is therefore both a procedural and a political problem.

Statutory natural-entity recognition supplies a related but legally different case. The Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 constitutes a specific legal person and representative arrangements under New Zealand law, grounded in a particular historical settlement [39]. A litigant seeking effect for such arrangements elsewhere would still have to identify a competent receiving authority, applicable law, and the exact juridical consequence sought. The analogy with Indigenous legal plurality highlights the importance of relations and history, but it should not collapse a statute’s legal mechanism, Indigenous jurisdiction, and the river’s legal personality into one legal category.

10.5 A Source-Indexed Normative Translation Dossier

The comparative materials support a preliminary documentary method for identifying the conditions of translation between legal orders. Let o denote an originating legal order and d the order or forum from which an effect is sought. Let x identify a person, organization, natural entity, or proposed subject; ω identify the issue or event; and t the relevant time. The *normative-translation dossier* is the structured record in Equation 9.

$$\mathcal{T}_{\text{jur}}(x, \omega; o, d, t) = (x, \omega, o, d, t, \kappa, \lambda, \chi, \rho, \epsilon, \nu). \quad (9)$$

The field κ records the competent authorities, jurisdictional grounds and procedural setting. Field λ identifies candidate applicable laws and their conflict rules for each distinct legal question. Field χ records the originating classification, evidence of its validity, claimed representative authority and the substantive effect requested. Field ρ records the receiving legal order’s recognition rule, any relevant instrument’s territorial and material scope, and the possible decision on legal effect. Field ϵ holds documents, provenance, translation and communication arrangements, accessibility, and gaps in the evidence. Field ν preserves unresolved issues, refusal grounds, affected third-party interests and avenues of review. These fields are designed for *traceability*. A dossier may conclude that a relevant rule is absent, that the forum lacks competence, or that the submitted classification is excluded from the applicable instrument. Such a record remains informative precisely because the proposed translation is partial.

The analytic protocol has three steps. First, formulate the *source-specific proposition*: for example, whether an identified representative can commence a defined proceeding, whether a judgment can be enforced, or whether an attributed right is recognizable for a narrow legal purpose. Second, separate the originating order’s proof of that proposition from the receiving order’s legal rules for giving it effect. Third, document any result as an authorized recognition, a bounded evidential use, an unresolved question, or a source-grounded refusal. These terms are provisional scholarly categories for recording findings, not a substitute for each legal system’s own classifications. Every operative conclusion requires independent legal analysis under applicable sources.

The dossier’s value becomes clearer when a proposed translation fails. *Scope failure* occurs when an instrument does not regulate the requested question. *Competence failure* occurs when the invoked forum lacks the requisite authority. *Classification conflict* occurs when the receiving order’s operative categories require a legal characterization that the originating record does not establish. *Authority conflict* occurs when competing representatives claim power to speak or act for a bearer. *Proof failure* concerns authentication, interpretation, translation or insufficient evidence. *Public-policy or safeguard conflict* refers to refusal or qualified recognition where the applicable law specifically authorizes such limits. The taxonomy is methodological and revisable; it does not assert uniform judicial doctrines of refusal across legal systems.

Table 9: Juridical interfaces and recognition limits across legal orders and heterogeneous configurations

Configuration	Juridical translation question	Source-dependent boundary
EU cross-border civil claimant	Competent court, law of contractual or non-contractual obligation, subsequent judgment effect.	Brussels I bis, Rome I and Rome II govern differentiated issues within their separate scopes.
Company operating across borders	Recognition of corporate acts, representative authorization, liability or judgments.	Incorporation and company status questions may require company-specific law; Brussels I bis Article 24(2) and scope exceptions matter.
Indigenous community institution	Recognition of juridical procedures, authorized voice and collective interests before State institutions.	UNDRIP Articles 34 and 40; effect depends on constitutional, statutory and other applicable legal sources.
Statutory natural entity	Capacity of a designated statutory representative to seek defined relief in a different order.	Te Awa Tupua Act constitutes source-specific domestic positions; cross-border effect requires independent grounds.
Human with disability	Exercise of recognized rights when representation, support and cross-border procedure intersect.	CRPD guarantees remain binding where applicable; jurisdictional and procedural implementation must be examined separately.
Automated transnational system	Liability of recognized human or organizational actors; possible future classification of system itself.	Existing automated contracting rules do not establish a general internationally transferable independent AI subjecthood.
Hypothetical extraterrestrial encounter	Competence to regulate, rights-holder status, translation of claims and remedies.	Speculative research problem; no existing general recognition rule follows from comparative civil instruments.

The record interfaces with prior formal constructions while leaving them partly independent. A right-holder identified by Equation 3 may need a different procedural actor under Equation 4; an attribution finding in Equation 5 may require a further choice-of-law assessment; a remedy recorded in Equation 8 may require international judgment recognition before its practical effect can be realized. Equation 9 collects those interfaces while retaining jurisdiction, applicable law, evidence and remedy as independent questions. It is a documentary schema, rather than an empirical model or a proof of equivalence between normative orders.

10.6 Heterogeneous Cross-Order Configurations and Institutional Effects

Table 9 compares selected configurations by locating the particular interface at which a translation question arises. The rows deliberately include both established legal situations and proposed extensions. Their inclusion on a common analytical grid establishes no common legal personality or equivalent right to international recognition.

A transnational automated-service incident illustrates the analytical work required. Suppose a service provider is incorporated in State A, customers are located in State B, and an automated process is operated partly through infrastructure in State C. A harmed claimant may advance a contract claim, a non-contractual claim, a data-protection complaint, or another claim defined by applicable law. Different competent authorities, governing sources and remedies may apply. The system's operational location, identity of its operator, and source records of automated decisions are relevant facts; they do not themselves identify the correct forum or the liable party. If the provider argues that an automated subsystem has distinct legal status under an unfamiliar domestic arrangement, the receiving authority must examine both that arrangement and the applicable recognition or classification rules. The hypothetical establishes a question set, not the legal outcome in any named jurisdiction.

The same comparative discipline applies in a dispute involving an Indigenous community or a nat-

ural entity with statutory recognition. An institutional representative may produce a mandate under the originating order, yet the receiving forum will need to decide its legal significance under the relevant procedure. Legal translation may require specialist interpretation, culturally and linguistically competent communication, and safeguards against unauthorized representation. A receiving court that admits evidence about another normative tradition has not thereby undertaken to enforce that tradition as the governing substantive law. Conversely, a rule of recognition or treaty may give specified foreign legal material an effect that goes beyond merely hearing it as evidence. Analytical care protects both possibilities from premature assimilation.

10.7 Three Relational Reality Levels and Research Obligations

The GR framework offers a secondary reconstruction of these institutionally specified cases. At the level of *ontological reality*, ultimate accounts of consciousness, being, collective existence, and the possible subjectivity of artificial or extraterrestrial systems remain suspended. Legal plurality does not settle those questions, and ontological uncertainty provides no ground to dilute existing human rights. At the level of *relational reality*, jurisdiction, legal statuses, competent courts, offices of representation, recognition procedures and conflict rules are constituted and reproduced through historically situated legal relations. Multiple legal orders can jointly condition an event's juridical trajectory while assigning different roles and consequences. At the level of *manifestation reality*, these positions become accessible through statutes, registrations, pleaded claims, translated documents, choice-of-law decisions, authenticated judgments, official records and enforcement actions. The manifestation of a foreign status can be intelligible as evidence even when it lacks the juridical effects sought by its proponent.

This three-level account suggests a more precise sense of *normative translation*. A receiving institution selectively relates one legal order's source-defined position to its own authorized procedures and categories. Selection occurs through valid rules and through material infrastructures of communication and proof. Translation may preserve selected features, condition their operation, or terminate at an explicit exclusion. Distinct normative orders may therefore remain related without becoming equivalent. GR vocabulary functions here as a method for describing historical coupling and its conditions; it cannot authorize a court to override an applicable statutory exclusion, invent jurisdiction, or disregard human rights safeguards.

Institutional power is also relevant to translation. Actors controlling technical records may affect proof of cross-border conduct. Legal intermediaries may determine whether a foreign claimant can obtain documents, translations and procedural support. Governments and corporate litigants may have unequal resources for contesting jurisdiction and enforcing judgments. Communities may face asymmetries when their legal institutions are assessed through categories designed elsewhere. These are plausible mechanisms for empirical study, requiring case evidence before claims about their prevalence or causal importance can be established. A relational account should make the costs and authority of translation observable while preserving the distinct normative significance of relevant rights.

Four research obligations follow. First, an account of cross-order legal effect should document the instrument's material, territorial, personal and temporal scope, along with relevant declarations or implementation measures. Second, the status of the originating subject and the authority of its representative require independent source verification. Third, translation should preserve an audit trail for classification choices, evidential provenance, refusal grounds, safeguards and practical enforcement. Fourth, proposals for future artificial or extraterrestrial subjects should specify legislative competence, recognition pathways, conflict rules, protection of affected humans and other beings, and mechanisms for contesting wrongful representation or liability displacement. These obligations discipline normative design without claiming that existing law already provides a complete solution.

Jurisdictional plurality consequently sharpens the paper's principal distinctions. The holder of a juridical position, the forum empowered to decide a question, the law applicable to that question, and the authority that recognizes or enforces an outcome can occupy different institutional locations. Translation across those locations is legally constrained and historically mediated. Section 10 supplies a source-

indexed method for recording both partial recognition and failed translation. The next section examines particular heterogeneous-subject juridical cases, preserving existing human-rights obligations, statutory recognitions and hypothetical future legal designs as different kinds of material.

11 Heterogeneous-Subject Juridical Cases

Heterogeneous-subject jurisprudence becomes more precise when comparable juridical questions are posed to cases whose legal foundations differ. This section undertakes a controlled comparison of persons with disabilities, nonhuman animals, a statutorily recognized natural entity, corporations and collective institutions, contemporary artificial systems, and hypothetical extraterrestrial beings. The objective is to examine how protected interests, right-holding, duties, legal agency, representation, liability, sanctionability, and procedural access are distributed within particular legal orders. The method combines close reading of selected legal sources with an explicitly provisional Generative Relational (GR) reconstruction. Each case is assessed at its own evidential and normative level; grouping cases for analysis entails neither equivalence of moral standing nor substitution of speculative classifications for established human rights.

11.1 Comparative Units, Source Hierarchies, and Case Selection

The comparison begins with a *juridical configuration*: a specified subject or candidate, legal order, institution, source, position, event, and question of legal effect. These coordinates prevent the word “subject” from doing several jobs simultaneously. A human rights-holder whose communication requires assistance, an animal whose welfare is protected by statute, a river constituted as a legal person, and a corporation acting through officers can occupy different combinations of beneficiary status, legal personality, authority, and procedural competence. An AI system regulated as an object of deployment and a hypothetical extraterrestrial interlocutor present further questions; current legislative provisions for human and organizational operators do not alone resolve their proposed legal positions.

The selection is purposeful rather than exhaustive. Persons with disabilities test whether the analyst preserves already recognized equality and accommodation duties. Nonhuman animals test the relationship between legally protected interests and personality. Te Awa Tupua tests express statutory constitution of a natural entity as a legal person through an institutional arrangement developed in the context of Whanganui Iwi claims. Associations and Indigenous collectives expose differences between separate legal personality, collective rights, office-holding, and representation. Contemporary AI regulation tests attribution where technical agency and recognized legal agency diverge. Extraterrestrial encounters test the outer boundary of knowledge, jurisdiction and source availability. Each case illuminates a distinct inferential failure that could otherwise be obscured by a single graded measure of “subjectness.”

Comparability is therefore *question-relative*. A comparison about access to remedies requires attention to competent forums, claimants, standing and remedies; a comparison about sanctionability calls for the applicable offense or administrative provision, the recognized target and relevant safeguards. A comparison about interests may involve empirical inquiry concerning suffering, ecological harm, human preference or collective self-determination. The different questions generate different evidential burdens. Analytical consistency consists in preserving the questions and recording why a particular norm applies. It does not require each configuration to receive the same juridical result. Hohfeld’s analysis of distinct legal incidents and contemporary work on the incidents of legal personhood provide useful conceptual cautions against treating the vocabulary of “rights” as a single undifferentiated entitlement [29, 30, 37].

11.2 Human Legal Capacity, Disability Rights, and Accommodated Participation

The human disability-rights case has a distinct normative starting point: the person already holds legal recognition and protections established through applicable human-rights law. Article 12 of the Convention on the Rights of Persons with Disabilities (CRPD) reaffirms recognition of persons with disabilities

as persons before the law, requires legal capacity on an equal basis with others in all aspects of life, and calls for access to support in exercising legal capacity. Its safeguard provisions include respect for the person's rights, will and preferences and protection against conflicts of interest and undue influence [47]. Article 13 requires effective access to justice, including procedural and age-appropriate accommodations for participation at different stages of legal proceedings [48]. The Committee's General Comment No. 1, read with its 2018 corrigendum, supplies an influential treaty-body interpretation of supported decision-making and the distinction between legal and mental capacity; its interpretive status remains distinct from both treaty text and the variety of domestic implementing arrangements [49, 50].

Consider a person who communicates through an assistive device, requires additional time during questioning, and seeks review of a decision affecting personal property. The right-holder's juridical status remains independent of the device, the competence of the person operating the device, and the institution's existing accessibility. The case raises distinct questions about reliable communication, freely expressed preferences, accommodation, the authority of a support person, documentation of the decision, and the competent procedure for contesting it. A court's practical failure to receive a communication is an institutional access problem that requires legal evaluation under the applicable safeguards. It cannot simply be converted into a deficit in the rights-holder's status.

The distinction also prevents inappropriate analogies. A person with a disability is not a speculative candidate for moral or legal admission to a class of subjects. Their protection rests on an established human-rights framework. Analytic comparison with animals, corporations, and artificial systems may reveal how representation and evidence function, yet the comparison supplies no basis for reducing disability rights to a contingent inquiry into intelligence, autonomous technical performance, or an observer's confidence about subjective experience. A relational reconstruction may examine the material arrangements through which rights are exercised, while CRPD commitments constrain both the design and the interpretation of those arrangements.

11.3 Nonhuman Animals, Protected Welfare, and Institutional Duties

Nonhuman animal protection illustrates another juridical configuration. Article 13 of the Treaty on the Functioning of the European Union recognizes animals as sentient beings in specified Union policy contexts and requires regard for their welfare subject to the Article's express qualifications [15]. In Germany, Section 90a of the Civil Code states that animals are not things, provides that they are protected by special statutes, and applies provisions concerning things correspondingly unless otherwise provided [24]. Section 1 of the German Animal Welfare Act frames the protection of an animal's life and well-being through human responsibility and restricts the infliction of pain, suffering or harm without reasonable cause [27]. These sources establish meaningful protection and duties; their wording alone does not confer an undifferentiated civil legal personality upon each animal.

A welfare complaint concerning a captive animal can therefore be analyzed through several separate positions. The animal is the beneficiary of relevant protections. A keeper, professional, or institution may bear conduct duties. An inspection authority may have powers to investigate or intervene. A claimant's power to challenge an administrative decision depends on the particular procedure and standing rules. Veterinary evidence, records of housing conditions and behavioral observations may help establish the factual grounds for a legal intervention. Their probative use is governed by evidentiary rules and scientific limitations rather than by the proposition that the animal has articulated a legal claim.

Animal-centered interests are neither exhausted by property law nor automatically coextensive with human legal capacity. The doctrinal question is which interests obtain legal protection, through which duties, and by whose institutional action. The normative question whether a system should grant animals additional legal entitlements may be argued separately, drawing on empirical and ethical inquiry. The answer would depend on the proposed right's object, duty bearers, remedy and representation safeguards. The distinction avoids both the dismissal of existing protection because it lacks generalized personhood and the unwarranted inference of full legal personality from statutory concern for sentience or suffering.

The case also exposes representation risk. A keeper, owner, welfare organization and public authority

may assert conflicting interpretations of an animal's welfare. Protecting an interest may require expert input and review of incentives and evidentiary quality. If an institution with authority to enforce a rule also has material incentives to minimize a recorded harm, accountability must address that conflict within the applicable system. These questions anticipate Section 12, whose planned analysis of gatekeeping and capture will remain conditional until drafted.

11.4 Natural Entities, Indigenous Relations, and Statutory Representation

The Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 furnishes a comparatively explicit instance of juridical constitution. Section 14 declares Te Awa Tupua a legal person, while Sections 15–17 qualify the legal effects and limits of that status. Sections 18–20 provide for Te Pou Tupua and its functions and appointments within a broader statutory framework, whose structure also includes other participatory and administrative arrangements [39]. The status thus follows from a named legislative settlement and institutional design. It does not follow from a general rule that rivers, forests or ecosystems automatically possess legal personality in every jurisdiction.

Te Awa Tupua should also be read in its institutional and historical context. The statute recognizes a particular relationship involving Whanganui Iwi and the river and forms part of a settlement of historical claims. The representation arrangement cannot be characterized adequately as a technical device for making an inanimate object legible to a court. It concerns a legally articulated relation among place, community, history, responsibilities and authority. Particular powers and limits must be retrieved from the governing enactment, and legal analysis should avoid using Indigenous concepts merely as detachable metaphors for artificial intelligence or novel entities.

Related collective claims require a different doctrinal inquiry. The United Nations Declaration on the Rights of Indigenous Peoples addresses Indigenous peoples' rights to maintain and develop institutional structures and legal systems, subject to international human-rights standards, and their entitlement to fair procedures and effective remedies for infringements of rights [52]. Its status as a General Assembly declaration and the legal effect of particular provisions must be distinguished from directly enforceable domestic legislation and other binding obligations. Collective legal interests, representative institutions, the rights of individual members, and the personality of an organizational vehicle are analytically distinguishable. Reducing them to the personality of a single corporate shell would conceal distinct normative grounds.

The methodological lesson has two sides. Express personality for a natural entity may carry legally specified capacity and institutional duties even without proof of consciousness. At the same time, the entity's officeholders may face conflicts of interest, evidentiary limits and questions of accountability. An application concerning the river, for example, needs to identify the statutory mandate, the proper representative, the interest or legal position asserted, and the permitted procedure. Comparisons with AI or extraterrestrial subjects may borrow the *question* of how representation is authorized, while the historical and normative grounding of Te Awa Tupua's status remains specific to its enactment.

11.5 Corporate Persons, Associations, and Collective Institutional Agency

Organizational legal personality demonstrates how certain legal positions are constituted and exercised through institutional roles. Sections 21 and 26 of the German Civil Code, for example, address the legal personality of non-commercial associations through registration and their representation by a board within the statutory framework [26]. Corporate actors may enter transactions, hold assets and bear obligations through legally authorized offices and processes. Particular national and supranational regimes determine the relevant capacity, liability, jurisdiction and possible sanctions. The association's legally recognized act should be analyzed through those sources and agency arrangements rather than equated with a psychological act by every member.

A collective can nevertheless be relevant to the law without constituting a separate juridical person under a given regime. A group of individuals may act through authorized representatives, claim collective interests under a specialized instrument, form an association, or be recognized in a culturally specific

juridical tradition. The legal vocabulary of “collective subject” is accordingly an analytical placeholder until its applicable source and position have been identified. In particular, the rights of Indigenous peoples and their institutions require an account of self-determination, participation, recognition and applicable law; analogies with commercial incorporation are incomplete and may obscure core protections [52].

An organization also exhibits distributed institutional agency. Employees, directors, contractors, algorithms and external service providers may contribute to a decision or transaction. Their causal contributions and legally authorized capacities are often distinct. One entity may hold a contract right while an officer exercises signing authority, a contractor maintains records, a court assesses evidence, and a regulator enforces separate obligations. Juridical coherence depends on identifying these interfaces. An organization may be a proper defendant or administrative sanction recipient in one field while other natural persons retain distinct criminal, professional or civil responsibilities. As Sections 7 and 8 develop, the relevant liability and sanctioning criteria remain source-specific.

The organizational example supplies a limited analogy for future novel subjects: law can constitute institutional positions whose exercise requires representative structures. This observation leaves unresolved the reasons for a proposed extension, the qualifications that would authorize it, and the safeguards against allocating rights or liabilities so as to diminish protection for already recognized persons. Institutional complexity demonstrates a possibility of differentiated status; it provides no general warrant for personifying technically autonomous systems.

11.6 Artificial Systems and Hypothetical Extraterrestrial Interlocutors

Contemporary artificial systems are a legally consequential but heterogeneous class of technologies. The EU Artificial Intelligence Act, Regulation (EU) 2024/1689, defines AI systems and differentiates providers, deployers, authorized representatives, importers, distributors and other operators for the purposes of its risk-based regime. Those legal roles are assigned through the Regulation’s definitions and operative provisions to specified natural persons, legal persons, authorities or other bodies [21]. The Act’s definitions and operator obligations should be read with its material scope, amendments, staggered application and other applicable laws. In particular, Article 113 of the version consolidated on 27 July 2026 assigns later application dates to specified high-risk-system provisions; classification and transitional rules must be checked before asserting an operative duty [22]. The Act does not, on its own, establish a general independent civil or criminal personality for the AI system. Likewise, the 2005 UN Convention on the Use of Electronic Communications in International Contracts treats the legal effectiveness of certain automated contractual interactions without constituting a universal class of automated legal persons [46].

Consider an automated agent that negotiates service terms, modifies its strategy, and emits records used to make downstream decisions. Technical autonomy describes operational characteristics, not the juridical position of the system. The analyst must identify the contract parties, scope of delegated authority, legal effects of automated communications, provider and deployer duties where applicable, and available challenge mechanisms. If an injury occurs, the event may implicate several actors, regimes and remedies. Recognizing the agent as a technical cause does not decide whose legal obligation was breached. Conversely, the absence of independent AI legal personhood does not extinguish duties borne by developers, providers, deployers or other recognized actors.

An extension granting a narrowly defined legal position to a future artificial system would require a legislative or otherwise competent legal source, justification of the interest or function protected, identification of representation and exercise arrangements, allocation of continuing responsibilities, and safeguards against a liability vacuum. Claims that an AI experiences suffering add a separate empirical and philosophical question, for which current observation and conceptual analysis remain contested. The framework suspends ultimate ontology, treats observable behavior and technical traces as evidence of limited kinds, and requires caution in deciding normative consequences. At most, the thought experiment specifies a possible institutional design and the information it would need.

Hypothetical extraterrestrial interlocutors expose even more pronounced uncertainty. Their biology, communication, degree of social organization, modes of agency, exposure to harm and possible normative institutions are unknown. A familiar biological appearance, unfamiliar communication pattern, or simulated form of distress supplies insufficient grounds for conclusive judgments about either consciousness or legal standing. The initial analytical response would therefore require protocols for non-coercive observation, evidential provenance, translation uncertainty, prevention of avoidable harm, preservation of established protections for affected humans, and identification of competent authorities. The existence of international institutions does not, without additional law, confer them universal jurisdiction to adjudicate all possible extra-terrestrial disputes [42].

Different hypothetical contact patterns would demand different work. A human–extraterrestrial encounter raises questions about the reach of domestic jurisdiction and obligations to humans as well as proposed protections for visitors. An extraterrestrial–extraterrestrial dispute observed by humans poses questions of authority, consent, non-interference and possible humanitarian response. An AI–extraterrestrial exchange introduces further mediating technologies and the potential to confuse algorithmic translations with the interlocutors’ authorized decisions. These remain thought experiments. Their value lies in revealing which premises a legal proposal depends upon, and which questions are presently undecidable, rather than in asserting a pre-existing extraterrestrial law or universal entitlement to intervene.

11.7 Comparative Case Dossier, Relational Reality, and Institutional Limits

A cross-case comparison is useful when the same questions retain their meaning while permitting different, including undetermined, answers. The comparative case dossier reuses the source-indexed position record of Equation 1 and its provenance annotations. For a specified configuration, question and time, the researcher records the competent legal order and institution; the governing source and its scope; the recognized legal positions; the protected interest, if any; the authority to act or represent; applicable duties and attribution; standing, procedure and possible relief; evidential provenance; and material uncertainties, conflicts and safeguards. These are documentary headings, not a new mathematical object or a test of personhood. The original position record remains the unit of juridical analysis, and specialized records are consulted only for questions requiring them.

The entries may remain partial. A source may protect an interest without identifying an independent right-holder; an asserted novel subject may remain a *candidate* pending legally competent recognition. An unanswered field identifies a research task, not an inference that the relevant being lacks moral importance. An empty procedural field cannot be filled by importing an available remedy from another legal order. This reuse avoids treating a rearrangement of familiar information as an additional formal contribution.

Table 10 locates the dominant analytical boundary of the selected cases. Its entries are not interchangeable doctrinal summaries: each row identifies the legally relevant source-specific issue that would have to be resolved before broader claims about standing, liability or sanctions could be made.

Worked comparison of statutory representation and automated scoring. Two documented settings illustrate how the common position record in Equation 1 connects to the more specialized inquiries of prior sections. The comparison concerns the logic of legal inquiry, while leaving the distinct legal histories and normative claims of the settings intact. In the first setting, the Te Awa Tupua Act 2017 explicitly constitutes a particular legal person. Its Sections 14 and 18–19 respectively address legal personality and the establishment and functions of Te Pou Tupua, whose office acts and speaks on the River’s behalf [39]. In a source-indexed entry, the holder of the statutory status is Te Awa Tupua, while the office exercising representative functions is separately identified. The legal source and the office’s mandate supply the starting grounds for analysis. An additional question, such as who is competent to commence a given proceeding or incur a particular obligation, requires the applicable statutory and procedural provisions. The recorded existence of a representative does not resolve those further questions by itself.

The second setting concerns a natural-person data subject and the interpretation of the GDPR in the

Table 10: Selected juridical cases and the limits of cross-case inference

Case configuration	Grounded legal position or inquiry	Boundary of inference
Person with disability	CRPD equal legal capacity, support and accommodated access to justice.	Human rights are established; communication support does not condition legal recognition.
Nonhuman animal	German animal-welfare duties; BGB Section 90a; EU sentence and welfare in specified policy fields.	Protected welfare does not itself yield generalized independent legal personality.
Te Awa Tupua	New Zealand statutory legal person with designated representative arrangements.	Effects and offices depend on the particular settlement statute and its limits.
Association or corporation	Source-constituted organizational positions and authorized institutional representation.	Personal duties and institutional liability require regime-specific attribution.
Indigenous collective institution	Collective rights, institutions and procedural protections articulated in UNDRIP and relevant domestic frameworks.	Declaration status, implementation and Indigenous distinctiveness require explicit attention.
AI system	EU AI Act operator roles; automated-contract rules and relevant private-law positions.	Regulating human and institutional operators does not generally personify the system.
Hypothetical extraterrestrial	Proposed inquiry into evidence, communication, competent law, protected interests and non-coercive safeguards.	Empirical and juridical predicates are unresolved; the case is speculative.

Court of Justice’s judgment in Case C-634/21, *SCHUFA* (7 December 2023). The dispute concerned automated creation of a creditworthiness probability value transmitted to a third party; the Court interpreted Article 22(1) in circumstances where the value played a determining role in the third party’s decision [6]. Here the protected person is the data subject, and the credit-information agency and downstream user occupy potentially different legally relevant operational positions. The disputed inference concerns the classification of the upstream scoring as an automated individual decision and the requirements of the applicable data-protection regime. The judgment does not assign separate legal personhood to the scoring system, establish the legality of every use of a score, or dispose of all liability and remedy questions in the original dispute.

A counterfactual sharpens the ratio of the comparison. Suppose a lender treats a score as one provisional input, independently checks and may disregard it, and makes a decision through a genuinely substantive assessment. The particular reasoning in *SCHUFA* about a probability value playing a determining role cannot be transplanted mechanically to that configuration. The conditions of Article 22 and other GDPR obligations would need a fresh analysis of the actual automated process and effects; the absence of a determining influence would not confer a general exemption from data-protection law [6, 19]. In either configuration, the scoring model itself does not acquire legal capacity through technical influence.

These dossiers yield different answers to different questions. In the river setting, a statute positively recognizes a legal person and assigns specified representational functions. In the scoring setting, the recognized rights belong to a natural person affected by processing, while an automated calculation may play a legally consequential role without becoming a juridical subject. In both settings, a further inquiry must distinguish status, performance, evidence, competence and possible remedy. The shared analytical fields do not imply that a river’s institutional history is analogous to a credit model’s technical operation. Their value is that the analyst can identify exactly where a source supplies an answer and where a supplementary legal or evidential determination is still needed.

The comparison also clarifies the formalism’s limits. The same record cannot infer that a river is conscious, that a credit-scoring system is culpable, or that a particular remedy succeeds. Documents and computational outputs occupy the manifestation level as legally assessable evidence or acts; institutional

recognition and practices belong to relational legal reality, subject to the respective legal regimes; claims about ultimate subjectivity remain ontologically suspended. In future speculative AI-subject proposals, the existing human data subject's enforceable protections would remain a distinct baseline, rather than a value that could be traded for an asserted machine interest.

The dossier exposes several interactions among cases. First, legal protection and legal personality can vary independently: welfare statutes protect animal interests without automatically conferring personality, whereas a statute may expressly recognize a river as a legal person. Second, representative agency carries different justifications: support for a person with disabilities respects already held legal capacity; a statutory office performs duties concerning a named natural entity; a corporate board acts through organizational authorization. Third, a technical system may be operationally adaptive while its legally relevant conduct is attributed within a framework governing recognized actors. These are distinctions about legal source and institutional effect, not comparisons of dignity or intelligence.

A GR interpretation adds three disciplined perspectives. At the level of *ontological reality*, the ultimate character of consciousness, sentience, collective being, natural entities and speculative forms of life remains suspended. No ontological speculation alters the normative force of established human rights or produces legal personality by declaration of the analyst. At the level of *relational reality*, legally constituted subjects, offices, duties, representatives and forums emerge and persist within historical institutional relations. Rights, powers and responsibilities may be distributed across many actors while still remaining legally distinguishable. At the level of *manifestation reality*, positions are encountered through treaty texts, enacted statutes, registers, appointments, pleadings, evidentiary records, technical logs, translations and judgments. Manifestation supplies materials for juridical assessment, subject to questions of authenticity, accessibility and authorized interpretation.

Cross-case study also reveals possible failures of institutional mediation. An organization may present a technically complete file while excluding an affected person's wishes; an animal's recorded interests may be represented by a party with conflicting incentives; a river's designated office may confront demands outside its statutory competence; automated records may obscure human decisions; hypothetical translations of an unfamiliar interlocutor may conceal uncertainty. These possibilities warrant audit of control over evidence, procedural access, conflicts of interest and routes of challenge. Their actual incidence and effects require empirical investigation rather than assertion on the basis of a taxonomy alone.

The section's comparative claim is consequently limited but substantive. Distinct juridical statuses can be recorded on a shared question-specific analytical framework without making them normatively equivalent, and some cases already enjoy recognized positions while others remain open proposals. Careful analysis should preserve the applicable source, representation structure, institutional obligations and evidential limits for each case. Subsequent inquiry into legal power and procedural justice can build on the resulting dossiers to ask who controls classification and access, whose interests remain unrepresented, and which checks are available against the diversion of responsibility. This is the object of the following section.

12 Legal Power, Institutional Capture, and Procedural Justice

The legal recognition of a juridical position acquires practical significance through the institutions that classify claims, receive testimony, maintain records, authorize representatives, and administer remedies. These institutions exercise forms of legal power that can facilitate the realization of rights and can also concentrate control over the conditions of their exercise. This section examines those institutional interfaces within heterogeneous-subject jurisprudence. Its objective is to distinguish legitimate procedural ordering from several possible forms of gatekeeping and institutional capture, then to specify conditions under which a claim about capture can be substantiated. The method combines source-specific legal comparison, a provisional relational account of intermediary power, and a documentary diagnostic for contested proceedings. Examples concern disability access, environmental participation, statutory representation, data-driven decisions, and future artificial or extraterrestrial configurations. The analytical

framework proposes research questions and safeguards; it does not assert that every asymmetry constitutes misconduct, or that a common procedure can override the applicable law of each forum.

12.1 Juridical Interface Control and the Exercise of Legal Power

Legal power here denotes institutionally consequential capacities to establish, interpret, exercise, constrain, or alter juridical positions under a recognizable legal order. It includes legally authorized public powers and the practical capacities of private or organizational actors to condition the materials and pathways through which those powers are invoked. The distinction matters: a judge's jurisdiction derives from law, while a platform's control over the records supplied to that judge may derive from technical design, contract, or material resources. Both can affect the trajectory of a dispute, but only the former directly supplies the authority to adjudicate. A relational account must preserve the source of each power and its reviewability.

Four interfaces organize the inquiry. A *classification interface* determines the categories within which a complaint becomes legible, such as the identity of a right-holder, the legal status of a representative, or the characterization of a claim. An *evidential interface* governs the creation, retention, selection, interpretation, and production of records. A *representational interface* allocates who may formulate claims or give binding instructions for a person, organization, or statutorily recognized entity. A *remedial interface* concerns notification, complaint procedures, review, enforcement, and the implementation of decisions. A single institution may control several interfaces, or control may be distributed among courts, regulators, service providers, guardians, legal professionals, intermediaries, and technical vendors. Their authority, duties, and possible conflicts remain separate legal questions.

Institutional power has legitimate organizing functions. Claim classification permits coherent legal reasoning; evidential rules protect reliability and privacy; rules of representation can prevent unauthorized transactions; filing periods and jurisdictional conditions help secure finality and allocate institutional workloads. The problem arises when control over an interface becomes difficult to contest, is exercised beyond legal authorization, or systematically obstructs the effective vindication of a legally recognized position. *Institutional capture* is used in this section as a proposed analytic category for a sustained, institutionally consequential diversion of a decision process or access channel toward interests inconsistent with its governing obligations. A finding of capture would require evidence of the relevant duties, material controls, decision pathways, affected interests, and causal or normative deviation. Ordinary adverse rulings, institutional specialization, and asymmetric resources provide insufficient evidence by themselves.

The distinction between legal validity and effective realization can be expressed without discounting legal rights. A person retains rights under an applicable human-rights instrument even if a local institution fails to supply accessible procedures. Conversely, a privileged intermediary's ability to submit complete records does not expand its substantive rights beyond those recognized by law. The objects of investigation are the *conditions of exercise* and *accountability for those conditions*. The distribution of power at these interfaces may affect whether a legally available remedy is practically reachable, without being a substitute for the legal test governing entitlement to relief.

12.2 Classification Authority, Admissibility, and Status Displacement

Juridical categories influence the questions an institution considers legally relevant. A forum may require the identification of a claimant, recognized representative, defendant, cause of action, time limit, and requested remedy. Such requirements can constitute valid procedural conditions. They may also leave certain interests difficult to present when existing classifications fail to capture a particular institutional relation. The distinction is especially important for heterogeneous subjects. A protected animal interest can be relevant under welfare legislation without establishing that the animal is a general-purpose civil claimant; a river may possess expressly conferred statutory personality while its authorized representative remains bound by the founding legislation; a technical system can generate an action trace while the

applicable law continues to locate rights and obligations in recognized persons and institutions [24, 39, 21].

A classification dispute can involve *status displacement*: the contested position is redescribed through a category whose procedural consequences exclude the interest or actor that originally grounded the claim. Consider an institution that receives a complaint about a protected person's denied access and processes it solely as a question concerning the reliability of a communication device. Device reliability may be genuinely relevant evidence. Yet the classification could divert attention from an independent duty to accommodate the person's participation. Under Articles 12 and 13 of the Convention on the Rights of Persons with Disabilities (CRPD), equality of legal capacity and access to justice, including accommodation, provide legal constraints in their applicable settings [47, 48]. The diagnostic question concerns whether the institution has lawfully addressed those obligations alongside evidential issues. The proposed category describes a possible failure mechanism, not a finding concerning any actual disability-rights proceeding.

Procedural standing similarly depends on a particular legal source. Article 11 of the EU Environmental Impact Assessment Directive supplies conditions for review by members of the public concerned, including qualifying environmental organizations, within that directive's scope [13]. A restrictive decision on admissibility has to be assessed against those conditions and relevant implementing law. The existence of a public interest cannot independently establish standing before an unrelated tribunal. Equally, a purportedly neutral categorization warrants scrutiny if it is applied in a manner that deprives a source-recognized claimant of the procedure expressly made available by that source. The inquiry should examine both *legal permission to screen* and the factual operation of screening.

Classification power also extends beyond the formal hearing. Application forms, databases, automated routing rules, language defaults, expert categories, and administrative codes can establish which disputes become visible to an official. Their design is potentially consequential where the administrative record determines whether a claimant receives a hearing at all. A defensible study would compare written rules and software configurations, audit rejected or recoded submissions, examine opportunities for correction, and record the reasons actually given. Such evidence could reveal a gap between a formally valid right of access and the institution's operation. It would not establish the illegality of a classification without evaluating the applicable substantive and procedural norms.

12.3 Evidential Infrastructures, Automated Decisions, and Contestability

Evidence is generated and curated through social and technical relations before it enters a legal file. Records may originate from public registers, privately maintained platforms, laboratories, welfare inspections, automated scoring services, translators, witnesses, or appointed representatives. Different actors can control recording granularity, retention periods, access credentials, encryption keys, metadata, and the explanation attached to an output. These controls affect which legally relevant facts can be demonstrated. Their significance must be evaluated under the applicable rules of disclosure, data protection, confidentiality, evidential authentication, and procedural fairness, including the distinct questions examined in Section 6.

An automated decision chain makes this distribution unusually visible. In Case C-634/21, *OQ v Land Hessen*, concerning credit-scoring activity associated with SCHUFA, the Court of Justice of the European Union interpreted Article 22(1) of the General Data Protection Regulation (GDPR). The Court held that an agency's automated establishment of a probability value based on personal data may itself constitute automated individual decision-making within the provision when the third party receiving that value draws strongly on it to establish, implement, or terminate a contractual relationship with the person [6]. The holding concerns the particular statutory concept and the specified reliance relationship; it establishes neither general liability for all algorithmic predictions nor independent legal personality of the scoring system. It illustrates why the location of a nominal final decision and the practical influence of upstream information production must be examined together.

The GDPR offers source-defined routes for access and contestation. Article 15 addresses data sub-

jects' access to personal-data information within its conditions. Article 22 regulates certain decisions based solely on automated processing producing legal or similarly significant effects; it contains exceptions and corresponding safeguards, including specified opportunities for human intervention, expression of views, and contestation in particular cases. Articles 77–79 address complaints and judicial remedies in their respective settings [19]. These are EU data-protection rights with material, territorial, personal, and procedural limits. Their existence does not automatically impose a universal disclosure duty for all computational models, nor does “human in the loop” independently prove that legally required scrutiny has occurred.

A proposed evidential-power audit asks who can observe each consequential transformation, who may request correction, and who can challenge an authoritative interpretation of the record. A claimed technical fact may be reliable in one limited sense, such as a validated timestamp, while its significance for fault, legal agency, harmful outcome, or a person's will and preferences remains contested. Source provenance and interpretation should therefore be recorded separately. A reviewer also needs to know whether preservation of records would expose confidential personal information or protected third-party interests. Procedural justice entails proportionate management of competing rights, rather than indiscriminate publication of every underlying dataset or internal record.

In a speculative AI-subject proposal, the evidence problem becomes more complex. Logs that indicate planning, adaptation, or apparent distress might be advanced in arguments for a protected interest or an attributed act. These records can help clarify the system's behavior, but they cannot by themselves resolve consciousness, legal status, or juridical authority. If the operator also controls the data, representation arrangements and proposed remedy, a further governance question emerges concerning independent scrutiny. A possible safeguard would preserve qualified external review and existing human or institutional duties while leaving the candidate system's status open to competent normative determination.

12.4 Representation, Intermediary Interests, and Authorized Voice

Representation enables participation when legal positions are exercised through a person or body other than the immediate rights-holder. Different regimes supply different reasons for doing so. In the CRPD context, support should facilitate the person's own legal capacity, respecting rights, will, preferences, and safeguards against conflicts of interest and undue influence [47, 49]. For an association, authorization may arise through its constitutive organizational rules. The Te Awa Tupua legislation specifies the river's legal personality and representative institutional arrangements within its settlement framework [39]. These arrangements must be distinguished before their respective risks can be compared.

An intermediary may control information that the represented subject or affected community cannot independently inspect. It may also face divergent duties, professional loyalties, funding pressures, or institutional incentives. Some of these tensions are anticipated and managed through substantive legal standards, appointment rules, supervision, and opportunities to contest representation. The juridical concern is whether the intermediary possesses authority for the act in question and whether the exercise of that authority conforms to the relevant legal and fiduciary constraints. The inference from dependence to wrongful domination would be unwarranted without this inquiry. For a human with disabilities, a finding of disagreement with a supporter cannot erase the person's legal capacity or preferences.

Representation of collective or natural-entity interests can involve additional questions about plural voices and institutional origin. In Indigenous contexts, principles concerning the maintenance of juridical institutions and access to fair procedures require attention to the specific communities, legal orders, and histories at issue [52]. A generic appointment of an external spokesperson could produce a formally legible voice while concealing disagreement about who is entitled to speak and how the mandate should be constituted. The appropriate response depends on applicable law and the relevant community's own institutions, rather than the analyst's abstract preference for one representative structure. Similar questions arise where multiple environmental interests are affected by a statute conferring special legal status on a natural entity.

Potential artificial and extraterrestrial subjects present open design questions about representation without authorizing premature claims of legal capacity. A future legal order might consider an advocate, public guardian, technical auditor, or mixed institution for a particular protected interest. Each arrangement would need a specified mandate, funding model, evidential responsibilities, conflict safeguards, review procedure and mechanism for replacement. The risk of an intermediary manufacturing or suppressing the purported subject's wishes would be especially salient where communication itself is uncertain. Provisional non-coercive and harm-reducing measures may be explored while legal status remains unresolved, subject to obligations toward affected humans and other recognized subjects. The hypothetical design must preserve accountability for operators and sponsors even if a new representative is appointed.

12.5 Procedural Inequality, Remedy Reachability, and Institutional Safeguards

A legally available remedy may require notice, linguistic accessibility, professional assistance, evidence preservation, financial resources, jurisdictionally valid filings, and an enforceable decision. These requirements differ among forums and forms of claim. Article 47 of the Charter of Fundamental Rights of the European Union protects an effective remedy and fair hearing within the Charter's legally applicable field; legal aid is contemplated under the conditions specified there [14]. CRPD Article 13 provides a distinct, human-rights-specific commitment concerning accommodated access to justice [48]. Environmental review rights arise through narrower instruments, including the Aarhus Convention and relevant EU legislation [51, 13]. Source-specific grounds determine the existence and content of the obligation in each setting.

Practical barriers need not share a single cause. A claimant may lack access to the relevant logs, timely notice of the challenged decision, physical or digital accessibility, translation, funding, or an impartial opportunity to contest the opposing party's technical interpretation. Compounded barriers can be studied as a property of the *procedural pathway*: the sequence of steps that a legally entitled person must complete to obtain reasoned consideration and, where justified, effective relief. A procedure may appear accessible at the filing stage while its documentary production and enforcement stages remain difficult to use. Conversely, an institution may offer meaningful assistance and independent review despite significant background resource inequality. The existence and strength of any mechanism require evidence.

Non-judicial processes offer a useful comparison while maintaining their legal differences. The United Nations Guiding Principles on Business and Human Rights describe operational-level grievance mechanisms and, in Principle 31, specify effectiveness criteria including legitimacy, accessibility, predictability, equitability, transparency, rights-compatibility, continuous learning, and stakeholder engagement or dialogue in the relevant operational context [54]. The Principles are an authoritative non-binding framework; they do not themselves create a new civil cause of action or displace binding judicial remedies. Their criteria nevertheless supply a bounded basis for evaluating whether an institutional channel facilitates informed participation, communicates its operation, and offers meaningful processes for addressing concerns.

A proposed *remedy-reachability review* follows a claim from the recognition of an underlying position to possible implementation of relief. It tests which stage is governed by an enforceable legal guarantee, which stage rests on organizational discretion, and which stage depends on evidence or resources controlled by another actor. It also distinguishes three forms of institutional output: a reasoned rejection under valid law, a procedurally defective rejection potentially open to challenge, and an unresolved claim that lacks a forum or legal basis under existing rules. A successful procedure need not deliver the claimant's preferred substantive result. Rather, it should meet the standards of access, reason-giving, participation, review, and enforceability specified by its governing source. Where no source-recognized remedy exists for a proposed novel subject, the research question concerns prospective law reform rather than mischaracterizing an existing authority's refusal as unlawful capture.

Table 11: Institutional interface controls, possible risks, and source-bound review questions

Interface or configuration	Potential dependency for investigation	Legal or evidential review question
Disability-access proceeding	Device, official or intermediary controls how a person’s account enters the record.	CRPD legal capacity, will and preferences, accommodation and access safeguards.
Environmental public review	Administrative classification and cost or admissibility thresholds affect a qualifying claimant.	Aarhus and EIA Directive provisions, implementing law and lawful scope limits.
Statutory river representation	An appointed office controls submissions concerning a legally recognized natural entity.	Enabling statute, representative mandate, accountability and available review.
Automated credit assessment	Upstream model outputs strongly condition a third party’s consequential decision.	GDPR Article 22, <i>SCHUFA</i> holding, applicable access rights and remedial procedures.
Organizational grievance channel	Record retention, staffing and funding are administered by the organization complained against.	Applicable binding duties plus UNGP Principle 31 effectiveness criteria where relevant.
Hypothetical new artificial subject	Operator controls the system’s logs, proposed advocate and alleged injury information.	Prospective legal status, protected human interests, independent scrutiny and retained operator duties.

12.6 A Source-Indexed Institutional Power Dossier

A common recording structure can improve the comparative study of classification, evidence, representation, and remedies. Equation 10 introduces a provisional *institutional power dossier* for a legally specified question. The expression functions as a documentation protocol, with partially populated entries, rather than a quantitative index of capture or a doctrinal test sufficient to establish a violation.

$$\mathcal{P}(q, j, t) = (S, K, G, E, V, R, C, H, U)_{q,j,t}. \quad (10)$$

Here q denotes the particular legal question, j the applicable legal order and institutional setting, and t the relevant time. S specifies controlling sources and their applicability; K records classification decisions and the authority making them; G records practical and legally authorized gatekeepers; E records evidential production, provenance and access; V concerns voice, representation and possible conflicts; R traces procedural steps, review and possible remedies; C identifies actual and potential dependencies, concentration of control and alleged diversions of institutional purpose; H records applicable rights, safeguards and independent checks; and U preserves unknown facts, competing interpretations, privacy restrictions and other limits. Entries can be disputed and must distinguish allegations, verified records, operative law and normative proposals. The dossier is not an algorithm for assigning culpability, a prediction of adjudicative outcome, or evidence of institutional capture by mere completion.

Two audit questions organize the proposed use. First, *source fidelity* asks whether a classification, evidence rule, representative act, or remedial restriction is authorized and implemented consistently with the governing sources and safeguards. Second, *contestable dependence* asks whether the affected subject or another authorized participant has a legally and practically available channel to review material decisions made by an intermediary on whom the process depends. An apparent failure in either inquiry identifies an issue for investigation, together with the need to specify causation and remedies. It does not conclusively establish an unlawful act or a particular sanction.

Table 11 relates selected interfaces to possible questions and source-dependent protections. The entries identify mechanisms to examine, not findings that the named institutions engage in capture.

A difficult counterexample to an overly expansive theory of institutional capture is a decision-maker that restricts access to particular technical records for a legitimate, legally reviewable reason, such as protection of another person’s data, while affording an appropriate independent review of the disputed decision. Asymmetric possession of information alone would not establish wrongful capture. Conversely,

a nominal human reviewer who effectively rubber-stamps a model output does not necessarily remove a decision from the substantive inquiry required by Article 22 GDPR; the underlying role and legal effect of the automated process still matter [19, 6]. Both configurations require documented findings about access rights, review authority, actual decisional dependence and competing rights.

A worked analytical example concerns a disputed automated eligibility decision. A service administrator holds the applicant's submission; a vendor processes it into a score; a separate office issues a decision; the applicant receives a brief rejection; and a complaints unit may review selected materials. The dossier distinguishes the legal source for eligibility, the software supplier's contractual and legal role, access to records, the reason-giving rules, and review authority. If the process falls within GDPR Article 22 or another protective regime, the source-specific conditions and safeguards must be applied. The example yields neither a conclusion of unlawful automation nor an allocation of liability without facts about the decision process and the applicable law. It identifies documentary questions for a responsible investigation.

12.7 Three Reality Levels, Capture Allegations, and Jurisprudential Research Duties

A Generative Relational (GR) reconstruction can describe institutional power while retaining the primacy of legal sources. At the level of *ontological reality*, the ultimate nature of persons, collective beings, natural entities, and possible artificial or extraterrestrial experience remains suspended. Institutions operate amid incomplete knowledge; that condition does not reduce established rights of human persons or settle proposed extensions. At the level of *relational reality*, juridical positions, office-holding, resource dependencies, technical infrastructures and procedural expectations are historically constituted and can alter the practical exercise of legal powers. Power emerges through their mutual conditioning, including the way evidential practices shape classifications and classifications in turn organize access to evidence. At the level of *manifestation reality*, these relations become assessable through filing rules, register entries, interview transcripts, appointment instruments, audit logs, disclosed models, reasons for decisions, financial records, procedural accommodations and implemented remedies. Accessible manifestations remain selective; the act of recording can itself privilege some positions over others.

A relational perspective directs attention to *coupled institutional mechanisms*. Consider an initially lawful classification rule that relies on a database field. An intermediary designs the field, claimants learn to present their circumstances through its permitted categories, and officials repeatedly receive files structured in that way. The combination may reinforce the classification scheme through organizational learning and accumulated precedents. Whether such a process improves consistency, produces legally significant exclusion, or both depends on actual records and governing norms. A comparative investigation should study the historical development of the rule and software, the authority for each revision, feedback from affected persons, and the procedure for correcting erroneous classifications. The coupling is an object of study rather than proof of improper purpose.

Allegations of capture call for a demanding evidential standard in scholarly analysis. The researcher should identify a legally or institutionally defined purpose; an actor with relevant control; a particular practice; the claimed divergence; documentary or testimonial support; available contrary explanations; and the decision pathway through which the practice mattered. Legitimate confidentiality, evidential quality control, jurisdictional restraint, allocation of public resources, procedural finality, and competing protected interests may explain some restrictions. Conversely, formal authorization may be insufficient to answer a claim that implementation violates superior rights or enforceable guarantees. The legal conclusion belongs to a competent institution operating under applicable procedures, and empirical conclusions must reflect the available evidence.

Four research obligations follow. The first is to trace *authority and dependence* separately, distinguishing competence to decide from material control over the records presented to the decision-maker. The second is to preserve *claimant voice and contestability*, including legally required accessibility and conflict safeguards; recognized human rights and Indigenous institutional specificity constrain proposed analogies. The third is to assess *remedy reachability* through actual procedural stages and source-defined

outcomes, with attention to confidentiality, competing interests and valid limits. The fourth is to investigate *institutional learning and repair*: whether documented complaints trigger corrective changes, how affected persons participate, and how errors are acknowledged or remedied under the pertinent regime. Future proposals for artificial or extraterrestrial subjects would additionally need to address competent lawmaking authority, representation without manufactured consent, evidential uncertainty, and the preservation of existing operator and governmental responsibilities.

The analysis of legal power completes an important layer of heterogeneous-subject jurisprudence. A legally constituted right or duty can be distinguished from the institutional pathway through which it is claimed, evidenced, interpreted and enforced. That pathway may be supported or obstructed by differentiated control over categories, records and representation. The source-indexed dossier provides a bounded method for identifying those relations and testing allegations while preserving the possibility of legitimate procedural restriction and unresolved legal status. Section 12 therefore supplies a procedural and institutional complement to the case comparisons in Section 11. The following section turns to the historical alteration of juridical positions and to the obligations associated with reform, revocation, reliance and repair.

13 Historical Status Change and Institutional Accountability

Juridical positions are historically situated: institutions create, recognize, clarify, modify and sometimes terminate the legally relevant capacities, rights, duties and routes of representation of a subject. A theory of heterogeneous legal subjects therefore requires an account of the temporal effects of institutional change. This section identifies the distinct operations by which juridical positions change, examines the governing limits on temporal application, and proposes a source-indexed method for assessing continuity, reliance and accountability. The method is comparative and reconstructive. It draws on selected treaty-law, human-rights, European penal-law, international-responsibility and New Zealand statutory materials, while preserving their separate domains of application. The proposed representation supplies a structure for investigating institutional transitions; it does not confer retrospective legal status or determine vested rights independently of positive law.

13.1 Temporal Identity of Juridical Positions and Applicable Sources

A juridical position has several relevant times. The underlying conduct may occur at one time, the law establishing its normative classification may enter into force at another, and a court or administrative body may determine the position much later. The claimant's legal capacity and standing, a representative's authorization, the governing liability rule and the availability of a remedy may also change while a dispute remains unresolved. A time-indexed inquiry asks which rule governed which legally relevant event, what transitional rules apply, and which authority is competent to determine the consequence. The chronological order of events alone cannot answer those questions.

An initial distinction concerns the *existence of a legal norm*, its *applicability to the subject and event*, its *operation through institutions*, and its *conclusive determination in a particular proceeding*. A later recognition instrument may constitute a new legal position from its prescribed commencement date; another may acknowledge a position previously existing under an applicable source. Adjudication may clarify an earlier rule, yet the temporal effect of such clarification depends on the legal order's doctrines governing decisions, finality, reopening and the status of earlier acts. These are questions about legal sources and competent institutions, rather than consequences of a universal theory of recognition.

The distinction also separates a subject's continuing identity from the persistence of each juridical incident attributed to that subject. A corporation may continue while its authorization to pursue a particular activity expires. An individual retains fundamental human-rights protection even when a specific professional licence or administrative entitlement is lawfully modified. The holder of an environmental procedural right may gain or lose access to a particular proceeding because a statutory standing rule, the nature of the challenged decision, or a limitation period changes. For a statutory natural entity, the iden-

tivity of a representative board, the ownership of designated property and the scope of the entity's statutory powers may follow different commencement and transitional provisions. Such differentiated trajectories require the incident-based legal analysis developed in Sections 3 and 10.

Historical reconstruction additionally requires evidential discipline. Legislative enactments, commencement orders, official registers, judicial decisions, appointment instruments, contracts, administrative files and recorded reasons may each establish a different part of the relevant history. A current consolidated text can identify the law now displayed while leaving earlier versions, savings clauses, territorial differences and pending proceedings to be verified separately. A careful dossier thus identifies a *version of the legal source* and its effective period alongside the particular juridical assertion for which it is cited.

13.2 Constitutive Recognition, Declaratory Determination, and Status Revision

Recognition produces different temporal questions according to its legal operation. *Constitutive recognition* creates a position under the specified authority and conditions. *Declaratory determination* identifies or confirms a position claimed to have arisen under an already applicable source. Administrative registration may be a prerequisite for some positions and evidential or publicity-generating for others. Judicial interpretation may resolve uncertainty about an existing norm while legal rules about precedent and finality constrain its effects on other cases. Terminological similarity should not conceal these legally distinct mechanisms.

The New Zealand Te Urewera Act 2014 provides a concrete example of statutorily organized transformation. Section 11 declares Te Urewera a legal entity endowed with the rights, powers, duties and liabilities of a legal person, while specifying how its rights and powers are exercised through the Te Urewera Board and how its liabilities are handled. Section 12 addresses the vesting of identified establishment land, and section 92 provides for the continuation of certain pre-existing interests, with modifications and statutory substitution of the Board in specified circumstances [38]. These provisions show why a new legal entity and a change of land status call for analysis of continuing interests, representation and liability as well as recognition itself. They are features of this particular settlement and statutory scheme, shaped by Indigenous relationships and lawmaking; they do not constitute a generic model that may simply be transferred to other rivers, artificial systems or communities.

Recognition may also be disputed because different institutions attribute different evidential or normative significance to an instrument. A certificate, a judgment, an office holder's declaration and a political commitment can each be relevant without having identical constitutive force. In a heterogeneous-subject setting, the analyst must distinguish a philosophical claim that a subject warrants consideration, an institutional proposal to confer juridical standing, and a valid legal act that actually does so. The distinction matters especially where public discussion of artificial agents or extraterrestrial contact assigns ordinary-language labels such as "person," "representative" or "right-holder" before any competent law-making institution has defined their legal incidents.

A status revision may expand protections while reorganizing older rights and duties. Conversely, a reduction in a particular licence, office or power may coexist with a continuing right to challenge the decision. Recognition histories can therefore contain overlapping rather than synchronized trajectories: rights attribution, capacity, representation, responsibility, sanctionability and procedural standing may change on different dates and through different legal processes. The analysis should locate the *actual operative change* for each incident, including its effect on pending claims, before inferring a general gain or loss of subjecthood.

13.3 Reform, Revocation, Termination, and Legal Continuity

Institutional reform may involve prospective amendments to general rules, the revocation of an individualized authorization, termination of a legal arrangement, replacement of an office, or dissolution of a legal entity. Their temporal consequences differ. A statutory amendment normally takes effect under

its commencement and transitional provisions; the correction of an unlawful administrative decision follows the relevant rules of validity and review; a treaty's termination engages treaty-law rules and its own terms; and organizational dissolution raises separate questions about assets, claims, liabilities and representation. Describing these operations collectively as "loss of recognition" would obscure decisive legal questions.

The Vienna Convention on the Law of Treaties provides a domain-specific example. Article 70 states a default rule concerning the effects of treaty termination, subject to contrary treaty provisions or agreement: future performance obligations are released, while rights, obligations or legal situations of the parties created through execution of the treaty before termination are not thereby affected [44]. This is a rule governing the specified treaty relationships. It should not be converted into an unrestricted assertion that every domestic entitlement or expectation survives every legal change. Likewise, the treaty's non-retroactivity rule in Article 28 has defined conditions and qualifications [44]; its operation depends on treaty entry into force for the party concerned and on any different intention emerging from the treaty or otherwise established.

The Te Urewera Act illustrates a more particular technique of legal continuity. Its section 92 preserves specified existing interests in establishment land until expiry or termination, subject to necessary modification, and prescribes substitutions concerning the Board and legislative references [38]. The institutional shift thus specifies concrete carriers for ongoing relations rather than relying on an abstract assertion that pre-reform interests remain untouched. Other provisions deal with liabilities, title and governance. The example suggests a comparative question: which relations are maintained, reallocated, extinguished or newly constituted, by whom and under which source? It does not establish that every interest must continue under another statute.

Revocation deserves a separate analysis because legality may turn on competent authority, stated grounds, required procedures, notice, participation, proportionality and review, as applicable. The term can describe withdrawing a licence for breach of conditions, correcting an unlawful grant, ending a temporary measure, or changing a legislative policy. Some such decisions are properly effective only prospectively; others can be treated as invalid from inception or reopened under specific rules. Any reconstruction must distinguish the validity of the original grant, the legal basis for later interference, and the treatment of third parties who acted in reliance on the earlier position. These are separate from the moral assessment of whether recognition ought to have been granted.

Institutional succession adds a responsibility problem. A dissolved or reorganized office may have maintained evidence, administered payments, or made decisions later subject to challenge. The successor's authority to preserve records, receive proceedings, continue obligations or provide remedies depends on the relevant succession and savings rules. A historical account should track these duties across organizational change, especially when formerly affected subjects lack the resources to reconstruct the record themselves. Continuity of records and accessible review may be essential safeguards even where the law authorizes substantial change in the substantive status.

13.4 Retroactivity, Intertemporal Obligations, and Penal Guarantees

The temporal application of legal norms is conditioned by the type of obligation, institutional setting and applicable safeguards. Criminal punishment supplies a comparatively strong source-specific constraint. Article 49(1) of the Charter of Fundamental Rights of the European Union prohibits conviction for conduct that did not constitute an offence when committed and the imposition of a heavier penalty than the one applicable at that time; where subsequent law provides a lighter penalty, the Charter specifies that the lighter penalty applies. Article 49(3) requires proportionality of penalties [17]. These provisions apply within the Charter's scope under EU law, and they must be interpreted with the relevant case law and other safeguards. Their penal guarantees cannot simply be generalized into a ban on all retrospectively relevant legislative or administrative measures.

International responsibility supplies another temporal distinction. The International Law Commission's Articles on Responsibility of States for Internationally Wrongful Acts require, in Article 13, that

the State be bound by the relevant international obligation at the time of the conduct; Articles 14 and 15 distinguish the duration of continuing breaches and breaches made up of composite conduct [35]. The ILC Articles are a codification and progressive-development text requiring attention to the legal status of individual rules and the applicable primary obligations. A new substantive obligation ordinarily does not make an earlier completed act a breach solely because later law condemns comparable conduct. A continuing factual practice, an ongoing obligation, and a series of acts may call for more complex temporal analysis. The continued effects of an earlier act and an act that legally continues are analytically distinct.

Treaty non-retroactivity, international responsibility and criminal legality should therefore be kept separate from the question of whether a new class of legal subjects could prospectively acquire rights. For example, a hypothetical enactment that recognizes a defined category of autonomous systems as holding a property-related incident would require answers about its commencement, protected interests, representative authority and obligations. Claims concerning acts performed before the enactment could raise pre-existing contract, property, tort or regulatory law, but retrospective responsibility or punishment imposed on the newly recognized system would need its own clear legal basis and conformity with applicable fundamental safeguards. The recognition of new subjecthood does not, in itself, rewrite the legal classification of all antecedent acts.

A parallel consideration concerns rights already protected independently of a new institutional recognition practice. Human rights that are applicable under a legal order do not await a researcher-developed theory of relational subject formation. Later formal acknowledgment of previously marginalized persons should be examined against the pre-existing sources, actual institutional failures and available remedies. The historical record can disclose wrongful exclusion without entitling an analyst to invent retroactive causes of action where current law supplies none. Here, the distinction between normative criticism and the conditions of a legally available claim is especially important.

13.5 Reliance Interests, Institutional Repair, and Historical Claims

Status transitions change what actors may reasonably plan, claim, transfer or contest. Reliance interests concern the practical and sometimes legally protected expectations generated by competent decisions, official acts, established entitlements, contracts and institutional patterns. Such expectations vary in juridical force. Existing property rights, a final enforceable judgment, a statutory savings clause and a hope that a discretionary policy will continue are not equivalent. Their protection depends on the applicable legal norms, including procedural requirements and public-interest qualifications.

The European Court of Human Rights' jurisprudence under Article 1 of Protocol No. 1 offers one carefully bounded illustration. The Court distinguishes protected "possessions," which may in relevant circumstances include a claim supported by a sufficiently established legal basis or a legitimate expectation, from a mere hope of acquiring property. Questions of lawfulness, legitimate aim, fair balance and proportionality enter the assessment of interferences with qualifying possessions [8]. The Court's case-law guide summarizes rather than itself creates those legal holdings, and its reach is confined by Convention law and the facts of each case. This source cannot establish a general right to indefinite maintenance of an existing organizational or AI-related status.

An institution planning significant legal-status reform can nevertheless use reliance analysis prospectively. The relevant questions include which affected actors received legally reliable assurances, which transactions were organized around an existing status, whether vulnerable claimants had meaningful notice of the change, whether alternative representatives or accessible review pathways were provided, and which burdens fall on parties absent from the reform negotiations. Evidence is needed both about claimants' reliance and about overriding reasons for altering arrangements. Other interests, such as public safety, equality, environmental protection and fiscal responsibilities, may supply reasons for justified legal change within the applicable proportionality and procedural framework.

Institutional repair is used here as an analytic family rather than a single legal remedy. Source-specific measures may include correction of a register, reconsideration of a decision, restoration of an

entitlement, prospective safeguards, restitution, compensation, satisfaction or reforms to record-keeping and representation. Different forums can provide different subsets of these measures and may impose time limits, exhaustion rules and standards of proof. A research framework should therefore register remedial authority and jurisdiction before recommending a particular measure. The fact that a proposed correction would be ethically attractive does not demonstrate that a tribunal presently has power to order it.

Historical claims also raise evidential asymmetry. Records explaining why a person or entity was excluded may have been created by the excluding institution. A successor body can inherit fragmented archives; witnesses may have died; terminology and classification schemes may have changed. The historian and legal analyst should distinguish contemporaneous records, later reinterpretations, contested testimony and missing material. The creation of more inclusive categories can improve future participation without resolving every prior injury. Accountability requires examining how the institution learns, documents decisions, makes review possible, and supports authorized remedial pathways for affected parties across time.

13.6 A Source-Indexed Status-Transition and Accountability Dossier

A structured record can coordinate temporal questions without replacing applicable legal interpretation. Let q be the legal question, j the legal order or forum, x the juridical position under examination, and $I = [t_0, t_1]$ the relevant historical interval. Equation 11 defines a proposed *status-transition and accountability dossier* as a typed analytical record, with each field independently tied to verifiable material and with uncertain or contested entries preserved.

$$\mathcal{H}(x, q, j; I) = (N, E, P, C, D, L, A, M, U)_{x,q,j;I}. \quad (11)$$

The source field N identifies legal instruments, versions, hierarchy, territorial scope and applicable interpretive authority. E identifies triggering events, commencement and relevant conduct dates, including whether an act or breach is alleged to continue. P specifies the juridical position before and after each legally operative change, recording rights, duties, capacity, representation, liability and standing separately. C gives the legal characterization of each transition, such as constitution, recognition, amendment, revocation, succession or termination, with the authority competent to make it. D records applicable rules for temporal effect, savings, retroactivity, limitations and finality. L identifies documented reliance interests and possible third-party effects, without presuming their protection. A records continuing institutional duties, custody of relevant records and potential accountability actors. M records authorized review, remedies, enforcement and implementation. U preserves uncertainties, competing interpretations, missing evidence and normative proposals that remain outside positive law.

The dossier is a *documentary schema*, not a state-transition equation with predictive dynamics. Distinct events can affect a common subject without having commensurable legal consequences. At least three separations are required in practical use: the time when a fact occurred and the time of its legal recognition; the temporal application of a norm and the later availability of a remedy; and the continuity of institutional identity and the continuity of a particular duty. Each entry should identify its source and evidential status. Where the legal order does not recognize a proposed subject, the field for proposed recognition should remain expressly hypothetical. Any comparative use must retain the source-dependent difference between discretionary, statutory, constitutional and treaty-level positions.

Table 12 illustrates the distinct legal transitions considered here. It states review questions and operative examples, without suggesting that the cases share one legal test.

A worked hypothetical example concerns a public register that newly authorizes a category of organizational representative to submit certain claims. The enabling law commences at t_1 ; a contested refusal made at t_0 remains under administrative review at t_2 ; and a successor registry inherits the records at t_3 . The dossier first checks whether the new recognition rule applies to pending matters and whether any savings or remedial provisions exist. It separately identifies which authority may review the earlier refusal, who controls the evidence, and whether the successor can implement any resulting order. The outcome

Table 12: Historical alterations of juridical positions and source-specific continuity questions

Configuration		Potential change to be recorded	Source-dependent legal inquiry
Natural-entity statute		Recognition, vesting of land, Board representation and pre-existing interests under Te Urewera Act.	Commencement, sections 11–12 and 92, continued interests and authorized liability handling.
Treaty obligation		Entry into force, subsequent termination and acts during the interval.	Vienna Convention Articles 28 and 70, treaty terms and relevant parties.
State responsibility		Alleged completed, continuing or composite international wrong.	Applicable primary obligation at the relevant time; ILC Articles 13–15 as qualified guidance.
Criminal-law amendment		Later change to offence definition or available penalty.	Article 49 EU Charter within its scope, legality, lighter penalty and fair-trial guarantees.
Property-linked entitlement		Revision affecting an established claim or asserted expectation.	Existence of a possession, legality, public interest and fair balance under applicable Convention law.
Organizational succession		Transfer of office, records, claim administration or representation.	Specific succession, savings, records, jurisdiction and remedial rules.
Hypothetical subject	artificial	Proposed future recognition and possible reallocation of authority.	Competent enactment, prospective incidents, existing human/operator duties, transitional safeguards.

cannot be inferred from temporal order alone. A similar-looking hypothetical involving artificial subjects would require an entirely new inquiry into its legal basis and protected existing interests.

13.7 Three Reality Levels and Duties of Historical Jurisprudence

The Generative Relational (GR) interpretation provides a way to study the co-development of law and the subjects it classifies, subject to the source disciplines just described. At the level of *ontological reality*, the ultimate metaphysical nature of human persons, animals, natural entities, organizations and potential artificial or extraterrestrial beings remains suspended. The suspension addresses philosophical uncertainty; it leaves valid rights and legal constraints fully operative in their own domains. At the level of *relational reality*, legal subjects and institutional positions arise and evolve through lawmaking, social expectation, office-holding, representation, adjudication, historical power relations and the material organization of records. At the level of *manifestation reality*, legal transformation becomes observable through dated enactments, administrative entries, judgments, appointments, communications, account books, testimony, digital records and the actual use or non-use of remedial processes. Manifestations may be selective, contested or incomplete, making documentary provenance a continuing concern.

Historical development is relational because changes to the legal status of one actor may reorganize the powers and expectations of others. Recognition of a statutory entity can reshape governance, interests in land, representation and regulatory oversight. A later reorganization of an operator's duties can affect the practical availability of remedies for affected humans, even if those humans' legal personality never changed. New record-keeping and procedural rules may expose previously invisible harms, altering future policy decisions and the kinds of evidence produced. These couplings warrant empirical investigation; a theoretical description alone supplies neither causal proof nor a general claim that new recognition invariably promotes justice.

The first research duty is *temporal source fidelity*: reconstruct the law as applicable to the specific event, subject, institution and forum, with attention to transitional and savings rules. The second is *incident-level continuity*: follow rights, duties, agency, representation, liability and procedural access separately, including those of third parties. The third is *historical evidence and voice*: disclose missing records, disagreements about past classifications, the perspective of excluded actors where obtainable, and the limitations of retrospective interpretation. The fourth is *institutional responsibility across*

transition: identify lawful custodians of records, competent review bodies, continuing obligations and available remedies without inventing universal successor liability. The fifth is *prospective reform discipline*: evaluate recognition proposals for animals, natural entities, artificial systems and hypothetical extraterrestrial subjects through independently justified criteria, human-rights protections, legally competent implementation and safeguards against transferring existing institutional responsibility to nominal new subjects.

Temporal analysis also sets limits on formal analogy. A decision procedure cannot simply transport rights across time as if they were homogeneous tokens; legal sources may preserve, narrow, qualify, extinguish or newly constitute distinct relations. Likewise, an inquiry into past injustice must preserve the difference between demonstrating ethical reasons for historical criticism and establishing a currently actionable legal wrong. The proposed dossier makes such distinctions visible without adjudicating them. Historical status change thus adds a diachronic component to the source-indexed, institutionally mediated framework developed in Section 12. The next section examines the limits of the framework, conditions of empirical and legal verification, and remaining obligations for jurisprudential research.

14 Limitations and Jurisprudential Research Obligations

The proposed jurisprudence of heterogeneous subjects organizes legal personality, rights attribution, agency, responsibility, sanctionability and standing as distinct, historically situated juridical positions. Its usefulness depends on the conditions under which an analyst may infer those positions from a legally relevant source and on the consequences of error in that inference. This section specifies the framework's formal, normative, legal and empirical limitations; distinguishes established requirements for legal decision-making from additional research duties proposed here; and develops a source-indexed procedure for testing interpretations and reform proposals. The method combines internal model criticism, comparative legal analysis, evidential audit and institutional design assessment. Throughout, existing protections for human subjects retain their legal force independently of the proposed framework, while extensions to artificial systems or hypothetical extraterrestrial beings remain open research questions.

14.1 Formal Representation, Category Selection, and Underdetermination

An incident-based representation can distinguish a holder, correlative duty-bearer, authorizing institution, evidential record and possible remedy. Its apparent precision may nevertheless conceal prior choices about the incident to be represented. A legal right can be described at the level of a constitutional guarantee, a statutory entitlement, a particular cause of action or an adjudicated remedy. Selecting one level changes which relations appear and what counts as a missing relation. The research obligation is therefore to disclose the unit of analysis, the material source, the applicable time, and the interpretive purpose before presenting a relational diagram or formal record as an adequate representation.

Several sources of underdetermination deserve separation. *Semantic underdetermination* arises when terms such as "person," "agent," "interest," "harm" or "representative" have different meanings in different legal instruments. *Doctrinal underdetermination* concerns competing interpretations of the same source, including unresolved higher-court questions. *Institutional underdetermination* concerns which organ has authority to resolve those disputes. *Evidential underdetermination* concerns whether the facts relevant to a recognized test can be established. *Normative underdetermination* concerns which substantive criterion ought to guide a proposed law where no applicable enactment already determines the question. Each kind requires a different response. Clarifying notation addresses ambiguities in a model, whereas a conflict of legal authority requires legal interpretation, and a dispute over an entity's capacity for experience may require scientific or philosophical inquiry.

The formal diagrams used in Sections 3–13 are accordingly *research representations*, not algorithms for deciding who is legally a person. Two legal orders may assign distinct positions to entities that the model depicts as structurally similar. Conversely, an apparent divergence in diagrams may reflect different levels of analytical abstraction rather than an actual legal conflict. Comparative use requires retain-

ing source terminology, institutional competence and residual doctrinal differences. An analyst should record unsuccessful mappings alongside successful ones; selective display of tidy correspondences can create a false impression of legal convergence.

A further limit concerns the provisional ontology of heterogeneous subjects. An operator algebra, interaction network, or three-level Generative Relational description may organize observations of relations and their manifestations. Its mathematical coherence does not establish subjective experience, moral status or legal capacity. Neither anthropomorphic description of artificial systems nor a mechanistic description of human behavior resolves such questions. A proposal involving unobserved extraterrestrial beings is especially dependent on explicit assumptions about communication, embodiment, social organization and possible forms of vulnerability. Those assumptions belong in the model as conditions open to revision.

14.2 Normative Plurality, Rights Baselines, and Reform Criteria

The recognition of a new juridical position can be motivated by several partially independent concerns: protecting vulnerable interests, enabling stable transactions, allocating liability, authorizing representation, securing participation, and providing access to remedies. A single measure of “generativity” cannot by itself rank those concerns or establish their legal precedence. A reform designed to improve institutional coordination might facilitate transactions while exposing disadvantaged persons to greater surveillance; an expanded right of organizational standing might aid environmental litigation while raising disputes about representative authorization. Such conflicts require substantive argument about affected interests, rights, procedures, legal competence and distribution of burdens.

For presently recognized human subjects, legal protections supply constraints that a preliminary generative framework cannot displace. The Convention on the Rights of Persons with Disabilities and the Committee’s interpretation of legal capacity reject using perceived mental capacity as a general ground for denying legal agency to persons with disabilities [47, 49]. The Committee’s General Comment No. 7 further interprets the Convention’s consultation duties in Articles 4(3) and 33(3) and emphasizes active involvement through representative organizations in policies affecting persons with disabilities [1]. These treaty obligations and interpretations have their own source-specific standing; an investigator’s preference for efficient representation or a conjectured welfare score does not substitute for the participation and legal capacity protections concerned.

Similar caution applies where ecological integrity, animal welfare, collective identity or the treatment of artificial systems supplies the motivation for legal recognition. The German statutory protection of animals and New Zealand’s express creation of legal personality for particular natural entities have different constitutional, historical and institutional backgrounds [27, 39, 38]. A proposal to protect an interest can be justified and operationalized without assuming that every kind of protection entails identical rights, powers or liability. More demanding claims, such as conferring penal responsibility on an artificial system, require independent accounts of lawful attribution, culpability, institutional enforcement and the protection of third parties, consistent with the applicable penal framework discussed in Section 8.

The proposed evaluative method is therefore plural and source-sensitive. A normative research record should identify the persons or interests potentially protected; possible duties borne by existing actors; conflicting values; the legal rights baseline; likely distributional effects; available alternatives; and a reasoned account of why the chosen institution is proportionate to the purpose pursued. A reform’s conceptual novelty has no independent priority over feasible arrangements, such as strengthened enforcement of current protections, clearer representation, accessible complaint routes or better allocation of existing obligations. Competing considerations remain explicit where available arguments support more than one reasonable design.

14.3 Jurisdictional, Temporal, and Doctrinal Verification

Comparative research faces limits of both territorial and material legal scope. An instrument may bind specified parties, apply to particular subject matters, regulate certain acts, or depend on implementing

measures and judicial interpretation. The European jurisdiction and choice-of-law instruments examined in Section 10 differ from treaties allocating contentious jurisdiction between States and from domestic legislation constituting natural entities. A reference to “international law” or “European law” without a source, forum and temporal scope may consequently erase a qualification decisive for an individual case.

A verifiable doctrinal claim requires at least a primary legal text or otherwise authoritative source, the version applicable at the relevant time, the specific provision, the competent legal order, and an explanation of the inference drawn. Case-law propositions additionally require attention to procedural posture, material facts, ratio and subsequent treatment. Official explanatory guidance may help identify a question while remaining distinct from binding legislation or judgment. Where the relevant source is inaccessible, contested or superseded, the manuscript should mark the claim as provisional. A source’s inclusion in a bibliography establishes traceability, not its sufficiency to determine an actual dispute.

Claims about customary international law require a separate evidential method. The International Law Commission’s 2018 draft conclusions, taken note of by the General Assembly, describe identification through a general practice accepted as law and distinguish evidence of practice from evidence of *opinio juris* [36]. The conclusions are methodological materials rather than newly enacted universal substantive rules of legal personhood. A hypothetical pattern of future contact with nonhuman intelligences, an analogy to existing corporate personality, or a statement of ethical aspiration therefore provides insufficient grounds, standing alone, to claim that a new customary international legal status already exists.

Historical status analysis likewise depends on legal versions and transitional effects. Prohibitions on retroactive punishment, treaty rules concerning non-retroactivity, and statutory arrangements protecting pre-existing interests operate under different conditions [17, 44, 38]. The model cannot establish a universal rule governing the preservation of newly recognized status, the reassignment of past responsibility, or the revival of claims barred under the applicable law. When uncertainty bears on a proposed decision, the appropriate research output may be a sharply delimited unresolved legal question with a list of authorities requiring specialist investigation.

14.4 Empirical Verification, Counterexamples, and Observational Limits

The paper’s comparative cases illustrate possible configurations of legal status, yet they do not constitute a representative empirical sample of legal orders or demonstrate the frequency of any institutional arrangement. Selecting cases because their statutes are accessible or especially innovative can overrepresent salient recognitions and underrepresent ordinary disputes, failed legal claims and jurisdictions with different conceptual vocabularies. A general empirical claim would require a stated population, reproducible sampling, coding criteria and procedures for resolving contradictory classifications. The same applies to statements about whether rights on paper are effectively exercised in practice.

At least four kinds of observable material can discipline further work. First, *legal records* establish enacted provisions, decisions, registrations and official procedures. Second, *administrative and procedural records* can show processing times, decisions, appeal rates, representation arrangements and enforcement outcomes, subject to access and privacy restrictions. Third, *participant accounts* can disclose barriers, interpretations and unrecorded dependencies, provided participants are not treated as interchangeable representatives. Fourth, *technical records*, including logs of automated actions, can support bounded claims about system operation when provenance, completeness and tampering risks have been assessed. None of these evidential classes independently identifies every legal and normative dimension of a dispute.

A useful research design deliberately seeks counterexamples. Could a right be effectively exercised without the agency model proposed here? Could a protected interest be served while personhood remains legally absent? Might an authorized representative nevertheless systematically misstate a subject’s expressed preferences? Does a proposed AI-liability arrangement permit an operator to shift responsibility to an entity with inadequate assets, procedural competence or reviewability? Does a remedy formally available to an affected person entail prohibitive costs or evidential barriers? These questions probe whether the proposed decomposition has explanatory value and whether institutional improvements work

under adverse conditions. Observed failures should prompt model revision or abandonment of the proposed mechanism, according to their significance.

Research involving vulnerable populations and claims about possible machine or animal experiences poses additional constraints. The investigator should obtain the applicable ethical approvals, protect privacy, avoid unnecessary exposure to harm, and preserve the capacity of affected humans to decline participation. In cases of uncertain consciousness or suffering, observable behavior, reported experience, physiological evidence and computational proxies warrant separate assessment and explicitly stated limits. An ethical reason to take uncertainty seriously does not itself demonstrate an ontological proposition or create new legal status. Practical precaution can be evaluated alongside competing obligations under the relevant legal regime.

14.5 Institutional Design, Participation, and Reversible Safeguards

Institutional design translates normative proposals into powers, procedures, resources and avenues of accountability. For each proposed new legal position, design analysis should identify the competent lawmaker or adjudicator; the person or body authorized to exercise an incident; applicable conflict-of-interest rules; mechanisms of information access and contestation; funding and enforcement capabilities; and the procedure for amendment or termination. Assigning a representative to a new artificial or natural entity without such arrangements may leave the supposed beneficiary dependent on an unreviewable intermediary. The practical assessment should therefore include how power is distributed across classification, data custody, appointment, adjudication and remedy.

Existing frameworks provide bounded examples of ex ante assessment and oversight. Article 35 GDPR requires a data-protection impact assessment in specified high-risk processing circumstances, including an assessment of risks to natural persons' rights and freedoms and envisaged safeguards [10]. Article 27 of the EU AI Act describes fundamental-rights impact assessment duties for particular deployers of specified high-risk systems; its application depends on Article 113 as amended and the applicable high-risk classification, as well as substantive exclusions and transitional rules [21, 22]. The presence of Article 27 in an enacted text therefore does not by itself establish that its duties apply to a particular deployment on the date being considered. These requirements protect the persons and interests identified by those instruments. They do not constitute a general legal mechanism for recognizing artificial systems as persons. Their methodological relevance lies in making predicted harms, affected groups, mitigation plans and governance arrangements available for structured scrutiny before deployment.

Meaningful participation warrants its own safeguards. A researcher or regulator may identify a population as affected while consulting only a convenient intermediary. The CRPD Committee's interpretation of representative organizations demonstrates why independence, accessibility, diversity and opportunities for self-advocacy matter to consultations governed by that Convention [1]. The UN Guiding Principles on Business and Human Rights separately articulate effectiveness criteria for non-judicial grievance mechanisms, including legitimacy, accessibility, predictability, equity, transparency, rights compatibility, learning and dialogue [54]. These materials arise from distinct legal and policy contexts. They suggest practical questions for institutional research without granting a proposed heterogeneous-subject procedure the legal authority or substantive validity of either framework.

For speculative recognition, staged and reversible investigation may mitigate foreseeable institutional error. A research commission could begin with non-coercive monitoring, independent scientific assessment, consultation with currently recognized affected subjects, clear disclosure of uncertainty, and external review of distributive and procedural effects. The lawmaking authority would then determine whether a protected interest, representational role, enforceable duty or separate personality is appropriate under its jurisdiction. Experimental arrangements that modify human legal rights, impose penal consequences or authorize nonconsensual interventions call for the ordinary legal and ethical safeguards applicable to those acts. Reversibility also has limits: reliance interests, data exposure, ecological interventions and harms to persons may be difficult to undo. An accountable design therefore specifies sunset or review clauses where suitable alongside compensation, continuity and record-preservation arrangements.

14.6 A Source-Indexed Research Obligation and Failure Register

An auditable research programme benefits from a record that connects its propositions to conditions of inquiry and identifies reasons for withholding conclusions. The proposed *jurisprudential research obligation register* is given in Equation 12. The components are an analytical indexing device. They neither form a legal test nor supply an automated decision rule.

$$Q_{\xi} = (P_{\xi}, L_{\xi}, I_{\xi}, E_{\xi}, N_{\xi}, V_{\xi}, C_{\xi}, G_{\xi}, D_{\xi}). \quad (12)$$

Here ξ indexes a distinct claim, case, reform proposal or institutional decision. P_{ξ} records the precise proposition and its epistemic status; L_{ξ} the source, version and jurisdiction; I_{ξ} the competent institutions and authority relations; E_{ξ} the available evidence and its provenance; N_{ξ} the independently argued normative considerations and applicable rights constraints; V_{ξ} the proposed verification methods and counterexamples; C_{ξ} affected subjects, participation and conflicts of interest; G_{ξ} proposed safeguards, review and remedial access; and D_{ξ} the disposition of the inquiry, including explicit unresolved questions and reasons to defer, reject or revise a claim. These fields may contain heterogeneous texts, conflicting judgments or missing data. Their representation as a tuple asserts neither commensurability nor a numerical ranking of legal interests.

The disposition field is particularly important. The formal-economy audit separates three kinds of record. The minimal position record isolates a claimed juridical incident; specialized operational records track source-dependent acts, authority, responsibility, sanctions, proceedings, recognition and transitions; and the institutional-power and research-obligation registers identify empirical or normative questions that those records do not settle. A field is retained where omitting it could conceal a legally material distinction, such as the difference between a right-holder and an authorized representative, or between causation and fault. Duplicated fields need not be independently restated in every case study. The analytical stopping condition is reached when additional notation repeats the same inferential question without improving traceability, exposing a counterexample or identifying a legally consequential dependency.

A researcher may be able to establish that a provision creates a registered association's representative authority, while being unable to infer that an experimental AI bears enforceable duties. A scientific study may show reliable prediction of behavioral patterns while leaving subjective experience undetermined. A normative case for ecological protection may be compelling while the relevant forum lacks standing to hear a given suit. The register permits different outcomes for the separate subclaims, reducing pressure to classify an entire case as either wholly validated or wholly rejected.

Table 13 presents the intended comparative application. Its rows classify research obligations, rather than assigning a uniform legal threshold to all legal orders. A "hold" denotes an analytical reason to suspend a proposed inference or institutional recommendation pending specified inquiry; it is not automatically a judicial injunction or a determination of invalidity.

A completed register should be capable of independent re-examination. It must identify the exact source passage supporting a claim, distinguish an author's interpretation from an official decision, note contradictory sources and record the date of verification. Where studies compare jurisdictions, each jurisdiction receives its own legal-source entry before any cross-jurisdictional mapping is proposed. Where an empirical result is cited, sampling, measurement and replicability constraints belong alongside the result. Publication of the register should respect confidentiality and intellectual-property obligations and should avoid exposing vulnerable participants or security-sensitive records. This combination of transparency and protective redaction supports both correction and responsible research practice.

14.7 Three Reality Levels and a Staged Jurisprudential Research Agenda

The three-level Generative Relational account helps locate remaining uncertainty. At the *ontological* level, the ultimate conditions of consciousness, agency, personhood and intersubjective access remain open. A model can place a question within a theory without resolving the independent evidential and

Table 13: Claim types, evidence obligations, and illustrative grounds for suspending a research inference.

Claim or proposal	Priority verification	Illustrative hold condition
Existing personhood or capacity	Enacted source, applicable interpretation, human-rights baseline	Ambiguous legal order or expired source version
Representative authorization	Appointment, consent where required, conflicts, challenge routes	Claimed representative lacks demonstrated authority
Liability and sanction	Duty, attribution, fault where required, competent forum and guarantees	Technical causation offered as the sole legal basis
Procedural standing	Forum rules, qualifying interest, deadlines, practical access	Standing inferred from an unrelated treaty or jurisdiction
Legal recognition of nature	Constitutive instrument, Indigenous institutions, governance and continuity	Case-specific statutory settlement treated as universal template
Artificial-system recognition	Proposed status, existing operator obligations, safeguards, evidence	Liability displaced without enforceable accountability
Extraterrestrial hypothetical	Assumptions, observation limits, possible affected persons, lawful competence	Fictional premises reported as positive law or empirical fact

philosophical controversy. At the *relational* level, juridical institutions, recognized statuses, duties, practices of representation and resource dependencies can be studied as historically constituted structures with causal and normative effects. At the *manifestation* level, statutes, judgments, testimonies, transcripts, technical logs and public-facing procedures present partial traces of those structures. The third level is especially vulnerable to documentation bias and institutional control over who may speak, what counts as a record and which records are preserved.

These levels generate different research responsibilities. Ontological restraint protects inquiry against claims of certainty about minds or beings whose status remains disputed. Relational analysis examines whether particular legal and administrative couplings allow rights to be exercised, duties to be enforced and decisions to be challenged. Manifestation analysis evaluates evidence provenance, access, translation and interpretive bias. The interaction among the levels matters: an institution's classification may shape the production of evidence, while repeated evidential exclusion may affect the practical reality of a formally recognized right. Investigating that coupling requires case-specific evidence and a theory of mechanisms, rather than treating the distinction among levels as proof of an empirical outcome.

A staged research agenda can proceed through five complementary tasks. The first is *doctrinal mapping*: establish the relevant rights, subject categories, limits, jurisdictions and historical versions. The second is *conceptual audit*: test incident definitions against hard cases and competing jurisprudential theories. The third is *empirical and participatory investigation*: study observable institutional effects and barriers, consulting affected persons in accordance with applicable law and ethics. The fourth is *institutional design assessment*: compare feasible reforms, including safeguards, cost, distributional consequences, participation and effective remedies. The fifth is *iterative validation*: expose the proposal to adversarial cases, independent expertise and revision as law and evidence change. These tasks form an inquiry sequence, subject to overlap and feedback, rather than a claim that normative judgment can be postponed until empirical certainty is achieved.

The present paper has established a differentiated vocabulary and a method for recording source-conditioned juridical relations. It has illustrated why rights attribution, capacity, responsibility, sanctionability, standing, recognition and historical change require distinct legal determinations. It has *not* established a new criterion sufficient for general legal personhood, proved that any particular artificial system experiences suffering, or demonstrated the institutional desirability of a specific legal reform across jurisdictions. Those open questions define the boundary between the theoretical contributions of Paper XIII and further jurisprudential, empirical and public deliberation. The following conclusion consolidates the paper's limited findings and identifies the interfaces with adjudicative legitimacy, collective nomos and aid-specific protection developed in subsequent papers.

15 Conclusion: Juridical Positions across Heterogeneous Subjects

The jurisprudence developed in this paper addresses the legal constitution and exercise of positions attributed to heterogeneous subjects. Its central result is a differentiated account of the relations among legal subjecthood, protected interests, rights, duties, legal agency, attribution, responsibility, sanctionability and procedural standing. This concluding section consolidates that result; explains the evidential, institutional and historical conditions of its use; and specifies the research boundary separating the present analysis from subsequent work on adjudicative authority, shared *nomos* and humanitarian protection. The conclusion proceeds through doctrinal synthesis, comparative evaluation and methodological qualification. Its claims concern the organization of legal inquiry under specified sources and jurisdictions; they do not announce a new general rule of positive law.

15.1 Source-Specific Juridical Positions and Their Interrelations

The first contribution is an account of *juridical positions as differentiated relations*. A subject may be protected by a norm without having autonomous procedural authority to invoke it. A person can hold rights while exercising them with support or through a legally authorized representative. An organization can act through officers or other agents under specified legal conditions. A duty-bearer may be answerable to an oversight institution, liable for compensation or subject to administrative penalties under regimes with different legal elements. The existence of a legal incident in one domain consequently supplies a question for other domains rather than a presumption that the other incidents automatically follow. The incident-oriented vocabulary introduced in Section 2 is informed by Hohfeld's analysis and the more recent differentiation of the incidents of legal personhood [29, 37]. The cross-dossier compatibility rule stated there preserves the legal order, source version, temporal scope, participant roles and evidential provenance whenever one section's record is used to inform another. Section 11 provides a worked contrast between statutory representation for Te Awa Tupua and the GDPR treatment of consequential automated scoring. It shows that the same questions can structure an inquiry even when the answers follow different legal routes.

The relevant unit of comparison is a legally identified position together with the source, temporal scope, competent institution, conditions of exercise and mechanisms of contestation that make it operative. Sections 4 and 5 distinguished the interests that law protects from the legal position of the interest-holder, the holder of a right and the actor authorized to exercise it. Sections 6–8 then separated the provenance of action from rules of attribution, obligations from their breach, and responsibility from the further conditions of sanction. Section 9 examined the entitlement to invoke judicial or administrative procedures and the practical conditions of making a voice heard. These distinctions identify different relations that can change independently when a source, institution or factual condition changes.

Their interdependence is equally significant. A formally recognized right may remain difficult to exercise where the bearer lacks accessible representation or the relevant forum excludes the available evidence. A successful complaint may require authority to initiate proceedings, a provable violation, an appropriate remedy and a means of implementation. Conversely, a legal system may create a protected interest and an enforceable duty for an institution while leaving questions about a separate beneficiary's personality unresolved. The analysis therefore joins conceptual differentiation with examination of the connections among incidents. It invites the researcher to reconstruct a *path of juridical exercise*: identification of a protected legal position, demonstration of authorized action or representation, access to an appropriate process, application of the governing legal test and availability of an enforceable consequence. The path is an analytical heuristic; individual legal systems can provide other sequences and alternatives.

15.2 Legal Recognition, Protected Interests, and Heterogeneous Cases

The comparative analysis supports a second, more circumscribed conclusion: legal recognition is structured by particular legal instruments and histories. The comparison across human persons, nonhuman

animals, natural entities, collective organizations, artificial systems and hypothetical extraterrestrial beings in Section 11 revealed heterogeneous configurations of protection, personality, representation and enforceability. These configurations are analytically comparable because they can be described in terms of juridical incidents. Their doctrinal grounds, however, remain distinct. The framework does not establish a uniform degree of personhood, a common moral ranking, or a shared criterion of conscious experience.

The Convention on the Rights of Persons with Disabilities expressly protects equal recognition before the law and equal legal capacity for persons with disabilities, including measures supporting the exercise of that capacity [47]. These human-rights obligations cannot be recast as discretionary awards for demonstrating a preferred level of cognitive performance. The Te Awa Tupua legislation, by contrast, constitutes a specific legal person through an express statutory arrangement and provides for institutional roles through which that status operates [39]. The distinct origins and functions of these arrangements matter to interpretation. The human-rights protection of an existing person, the legal construction of a natural entity and the representation of a corporation involve legal mechanisms with different histories, authorities and consequences.

Artificial systems illustrate why functional sophistication and juridical position require separate analysis. Current arrangements may place duties on providers, deployers, users or other existing legal actors. A future legislature might explore new forms of interest protection, representation or responsibility for a particular artificial entity, but each step would need its own legal basis and analysis of effects on persons already entitled to protection. The jurisdiction of the International Criminal Court under Article 25 of the Rome Statute, for example, concerns natural persons within that Statute's legal scheme [34]. The paper's speculative discussion of artificial penal responsibility supplies neither an interpretation enlarging that jurisdiction nor an independent justification for imposing punishment. For hypothetical extraterrestrial encounters, observation, communication, vulnerability, authority and applicable law remain open questions requiring explicit assumptions. The comparisons are useful precisely where they register unresolved or incommensurable conditions.

15.3 Attribution, Accountability, and Institutional Continuity

A third contribution concerns the preservation of accountability across distributed chains of action. A technically identifiable cause is evidence potentially relevant to a legal inquiry. Its legal significance depends on applicable rules of attribution, duties, defenses, fault where required, forum competence and available remedies. Section 6 proposed a source-indexed account of acts and evidence; Section 7 distinguished answerability, civil or regulatory liability and duties of repair; Section 8 considered legality, culpability, procedural protection and collateral effects of sanction. These remain independent determinations even where they concern the same observed event.

The Articles on Responsibility of States for Internationally Wrongful Acts illustrate the importance of retaining a particular attribution regime and a distinct question of breach of an international obligation [35]. Domestic compensation, regulatory enforcement and international responsibility have their own sources and decision structures. A comparative model can expose analogous questions without treating those structures as doctrinally equivalent. This is especially important where automated systems participate in an institution's decisions. Describing a system as a decision-making agent at a technical level leaves unresolved whether a legally recognized person controlled the relevant deployment, bore a duty to supervise, or remains obliged to remedy resulting harm. The multiplication of analytical actors should therefore be accompanied by a review of existing duty-bearers and opportunities for injured persons to obtain relief.

The paper proposes an *accountability-continuity inquiry* for changes to legal categories: identify duties and claims already operative; record which actor or institution bears them; specify the legal instrument that modifies the arrangement; determine which obligations continue, transfer or expire; and preserve the relevant evidence and opportunities for challenge. Section 13 showed that legal status change and persistence of individual obligations have different temporal conditions. An entity's recognition,

dissolution or reclassification may alter future relations without settling accrued claims or past responsibility. Whether a particular obligation survives depends on the legal rules governing that transition. Institutional continuity is thus an object to investigate and, where justified, protect through source-specific procedures; it is not a general presumption that every pre-existing liability persists unchanged.

15.4 Jurisdiction, Representation, and Procedural Power

The fourth contribution concerns the institutional conditions of making law effective. A rights-bearing position becomes practically consequential within systems that determine admissible evidence, appoint or recognize representatives, assign jurisdiction, hear claims, interpret legal instruments and implement remedies. Legal power is present in each of those activities. Sections 9, 10 and 12 consequently examined procedural standing, partial recognition across legal orders and asymmetries in the control of evidence and representation. They supplied analytical questions about who can initiate a complaint, whose interests a purported representative advances, which forum may decide the matter and how that decision may be reviewed.

Comparative translation can preserve particular juridical relations while leaving others outside the receiving legal order. A recognized organization may possess capacity to enter transactions under one legal scheme yet lack standing in a different forum. A foreign judgment may be eligible for recognition without establishing a general domestic status for the underlying subject class. A legislative declaration of natural-entity personhood may be constitutive within its own jurisdiction while carrying limited consequences elsewhere. The source-indexed translation analysis therefore records both a recognized effect and any remaining discrepancy; the absence of a full translation is itself an informative result. Such differences may originate in institutional competence, subject-matter exclusions, public policy, temporal rules or irreducible legal concepts.

The normative concern raised by asymmetrical procedural power is more specific than a general claim that mediation is unjust. Representation is sometimes legally necessary and valuable, and procedural restrictions can protect fair adjudication, confidentiality or other legitimate interests. The relevant research problem is whether the governing procedures allocate meaningful opportunities to contest consequential decisions and whether particular intermediaries can advance their own interests without adequate scrutiny. Evaluating suspected institutional capture requires evidence of relevant dependencies, conflicts or restrictive practices. Effective access can also be limited by resources, translation and technical opacity even where formal standing exists. Inquiry into those conditions should preserve established rights of participation and procedural protection, record legal grounds for restrictions and distinguish institutional design criticism from accusations of individual misconduct.

15.5 Three Reality Levels and the Epistemic Status of the Framework

Generative Relational analysis offers a vocabulary for the coupling of legal relations and their observable expressions across historical time. At the level of *ontological reality*, the ultimate being and experience of possible subjects remain suspended questions. Neither formal legal personality nor a claim about computational performance resolves them. At the level of *relational reality*, enacted norms, authorized institutions, practices of representation, patterns of enforcement and historical transitions constitute relations with practical effects. At the level of *manifestation reality*, those relations become accessible through legislation, court records, filings, testimony, public administration and technical logs. The three levels remain analytically distinguished while allowing causal and interpretive coupling: access to records can affect the exercise of recognized positions, and institutional decisions can reshape later records and opportunities for participation.

The status of the proposed formal instruments should remain clear. The source-indexed dossiers introduced through Sections 2–14 organize the questions an investigator asks of legal material. They are representations for comparison, documentation and criticism. Their fields do not create entitlements, determine legal personhood, supply measures of moral status or replace doctrinal reasoning. The research programme's preliminary contribution consists in making assumptions visible and connecting separate

Table 14: Juridical positions, verification objects, and limits of cross-domain inference.

Analytical position	Principal inquiry	Inference requiring separate grounds
Protected interest or right	Protected object, holder, duty-bearer, remedy and legal source	Protection entails comprehensive personality
Legal agency and representation	Capacity protection, valid authority, support, consent and safeguards	Dependence on support entails diminished standing
Juridical act and attribution	Relevant conduct, provenance, authorization and attribution rules	Technical causation establishes legal responsibility
Responsibility and repair	Applicable duty, breach, consequences, claimants and remedies	Answerability entails penal sanctionability
Sanctionability	Competent forum, legality, fault, proportionality and process	Capacity to act entails capacity to be punished
Procedural standing	Forum, admissibility, representation, voice and review	Recognized interests automatically confer access
Recognition and transition	Constitutive source, temporal effect, preserved claims and revision	Change of status extinguishes accrued duties
Cross-order translation	Receiving order, scope, recognition conditions and remainder	Foreign status yields identical domestic incidents

legal inquiries while preserving the independent standards by which those inquiries are assessed. A formal description and an institutional practice may be mutually illuminating without sharing a single authoritative semantics.

This separation also guards against overextension of the paper’s generative vocabulary. A relational configuration that appears highly adaptive, self-sustaining or coordinated may still violate applicable rights or concentrate power in ways requiring independent normative examination. Conversely, a legally justified protection may impose administrative costs without losing its normative basis. The desirability of a reform must be argued through legal authority, affected interests, distributive consequences, alternatives and procedural safeguards. An ontology-neutral model supports such deliberation by locating open questions, including the limits of observable evidence, while leaving the authority to define legal positions with the competent institutions under the relevant legal order.

15.6 Comparative Findings and Research Obligations

Table 14 summarizes the analytical distinctions developed in the paper and identifies the evidence required to use them. The table is a research map, rather than a taxonomy purporting to settle each field of law. Its final column records a recurrent mistake to be avoided when extending an argument across subjects or jurisdictions. The practical benefit of the map lies in preserving the independent route from a proposed juridical label to an enforceable legal consequence.

A source-indexed account also reveals which questions remain insufficiently answered. Comparative coverage is selective; relevant practices in many legal orders and Indigenous juridical traditions require more direct engagement than a preliminary cross-domain survey can offer. Claims concerning artificial consciousness, nonhuman communication and extraterrestrial life remain empirically or ontologically unsettled. The proposed dossiers have not been tested through systematic coding reliability studies, institutional fieldwork or adjudicative performance assessments. The possibility that some categories are themselves framed through historically unequal power relations requires further empirical, participatory and interpretive research. Section 14 therefore developed a research-obligation register to record source validity, interpretive alternatives, counterexamples, affected persons, safeguards and reasons to defer a proposal.

The resulting programme has an identifiable order of responsibility. Doctrinal verification establishes which legal questions are already governed and by what authority. Comparative and formal analysis tests the stability and relevance of distinctions across cases. Empirical inquiry examines how protected positions and procedures operate in practice, including missing or systematically excluded evidence. Normative inquiry addresses the justification of proposed changes and the interests potentially burdened by them. Institutional review assesses participation, remedial access, reversibility and continuity. These inquiries can inform one another and may have to be repeated as law and social relations evolve. The

purpose is a corrigible jurisprudential account capable of exposing its own failures and limits, rather than a closed system that infers recognition from the elegance of its representation.

15.7 Interfaces with Adjudicative Authority, Shared Nomos, and Humanitarian Protection

The present paper closes at the boundary between specifying juridical positions and examining the authority to judge and enforce them. *Paper XIV*, provisionally titled *Adjudicative and Enforcement Authority over Heterogeneous Subjects*, will investigate who may interpret, adjudicate, sanction and enforce in disputes involving heterogeneous subjects. A right of participation and a rule of attribution do not alone determine the legitimacy of a decision-maker. Questions of expertise, impartiality, human, artificial and hybrid adjudication, access to challenge, and institutional delegation require an independent argument. Paper XIII contributes a vocabulary of positions and the procedural safeguards against which proposed adjudicative arrangements can be examined; it does not authorize an AI tribunal or resolve the conditions of legitimate judicial power.

Paper XV, on social contract theory under heterogeneous-subject conditions, will consider membership, representation, mediation and the formation of shared *nomos*. Its subject is the social and normative production of arrangements among potentially heterogeneous participants, including disagreements over voice and reciprocal recognition. Paper XIII supplies a method of distinguishing existing legal membership and legal capacities from proposed contractarian inclusion. A social agreement, however generative, requires independent analysis before it can be treated as an enforceable legal institution. Shared normative formation and source-specific legal validity are related questions whose relation must be demonstrated within a particular historical and institutional setting.

Paper XVI, on the jurisprudence of aid and humanitarian protection, will examine legal duties, permissions, standing and institutional responsibility in assistance relations. That inquiry will draw on the distinctions among protected interest, legal obligation, responsibility, procedural access and competent authority while taking care to preserve the independent limits of applicable humanitarian, human-rights, domestic and other legal regimes. Papers X–XII explored suffering recognition, ethical assistance and the proposed theory of humanitarian protection; their normative and theoretical arguments do not by themselves establish a new positive-law category of protected alien or artificial subject. Paper XVI can investigate potential legal consequences and reform proposals without presupposing that humanitarian concern settles the question of legal personality.

Taken together, the results of Paper XIII support a restrained general thesis. Heterogeneous-subject jurisprudence can be studied through the historically constituted relations among legal incidents, their bearers and mediating institutions, their evidential manifestations, and their conditions of revision and contestation. Distinctions among subjecthood, responsibility, sanctionability and standing illuminate both legal arrangements already recognized and the limits of proposed extensions. Their analytical connections are a resource for legal inquiry, while their substantive legal force remains source-dependent. A responsible continuation of this research will preserve existing rights and safeguards, identify the institutional effects of proposed recognition, document uncertainty and disagreement, and leave juridical innovation open to criticism by affected subjects and competent legal institutions.

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 - [8] European Court of Human Rights, Registry. Guide on article 1 of protocol no. 1 to the european convention on human rights: Protection of property. ECHR Knowledge Sharing Platform, updated 28 February 2026, 2026. Official ECHR case-law guide listing and summary materials consulted 9 October 2026; informational guide, not binding decision; concepts of possessions, legitimate expectation and fair balance are source-dependent.
 - [9] European Court of Human Rights, Registry. Guide on article 7 of the european convention on human rights: No punishment without law. ECHR Knowledge Sharing Platform, updated 28 February 2026, 2026. Registry guide synthesizing case law; non-binding as indicated on cover; paragraphs 27–30 checked 9 October 2026.
 - [10] European Parliament and Council of the European Union. Regulation (eu) 2016/679 (general data protection regulation), article 35: Data protection impact assessment. Official Journal L 119, 4 May 2016, 2016. Official EUR-Lex Article 35 verified 9 October 2026; risk assessment duties have specified triggers and are directed at personal-data processing concerning natural persons.
 - [11] European Union. Regulation (ec) no 864/2007 on the law applicable to non-contractual obligations (Rome II). Official Journal L 199, 31 July 2007, 2007. Articles 1 and 4 checked 9 October 2026; contract, company and territorial scope distinctions observed.
 - [12] European Union. Regulation (ec) no 593/2008 on the law applicable to contractual obligations (Rome I). Official Journal L 177, 4 July 2008, 2008. Articles 1, 3, 4 and 9 checked 9 October 2026; scope exceptions and overriding mandatory provisions retained.
 - [13] European Union. Directive 2011/92/eu on the assessment of the effects of certain public and private projects on the environment, article 11. Official Journal L 26, 28 January 2012; amended and consolidated provisions inspected, 2011. Article 11(1)–(5) read on official EUR-Lex text 9 October 2026: public concerned, NGO sufficient interest, review procedural/substantive legality, access costs; specifically projects and public participation scope of the Directive.
 - [14] European Union. Charter of fundamental rights of the european union, article 47: Right to an effective remedy and to a fair trial. Official Journal C 326, 26 October 2012, Article 47, 2012. Official EUR-Lex provision inspected 9 October 2026; protection applies within its EU-law scope, effective remedy, fair hearing, representation and conditional legal aid.
 - [15] European Union. Consolidated Version of the Treaty on the Functioning of the European Union, article 13. Official Journal C 326, 26 October 2012, 2012.
 - [16] European Union. Regulation (eu) no 1215/2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (recast). Official Journal L 351, 20 December 2012; consolidated text 26 February 2015, 2012. Official EUR-Lex Articles 1, 4, 7, 24–25, 36, 39 and 45 checked 9 October 2026; material and territorial scope must be considered.
 - [17] European Union. Charter of fundamental rights of the european union, article 49. Official Journal of the European Union C 202/403, 7 June 2016, 2016. Official EUR-Lex article and European Commission explanation verified 9 October 2026; penal legality, lighter subsequent penalties and proportionality within EU Charter scope.
 - [18] European Union. Consolidated Version of the Treaty on the Functioning of the European Union, article 263. Official Journal C 202, 7 June 2016, pp. 162–163, 2016.
 - [19] European Union. Regulation (eu) 2016/679 (general data protection regulation), articles 15, 22 and 77–79. Official Journal of the European Union L 119, 4 May 2016, pp. 1–88, 2016. Official EUR-Lex text rechecked 9 October 2026: data-subject access, constrained solely automated decision-making, complaint and judicial-redress procedures; qualifications and case law must be assessed before application.
 - [20] European Union. Regulation (eu) 2016/679 (general data protection regulation), articles 82 and 83. Official Journal of the European Union L 119, 4 May 2016; consolidated text via EUR-Lex, 2016. Article 82: compensation and controller/processor liability; Article 83: administrative fines. Official EUR-Lex text inspected 9 October 2026; applying any provision requires attention to current amendments and case law.

- [21] European Union. Regulation (EU) 2024/1689 laying down harmonised rules on artificial intelligence. Official Journal of the European Union, 12 July 2024, 2024. Especially Articles 3, 16, and provisions assigning duties to providers and deployers; temporal application requires article-specific checking.
- [22] European Union. Regulation (EU) 2024/1689 laying down harmonised rules on artificial intelligence (consolidated text, 27 July 2026). EUR-Lex, ELI reg/2024/1689, consolidated version 27 July 2026, 2026. Especially Article 113 on staggered application, including later application for specified high-risk-system provisions. Confirm subsequent amendments for any real case.
- [23] Federal Republic of Germany. Bürgerliches Gesetzbuch (BGB), section 164: Effect of a declaration by an agent. Federal Ministry of Justice and Federal Office of Justice, Gesetze im Internet, 2026. Operative German statutory text checked 9 October 2026; English translation consulted for terminology; agency power and acting in the principal's name are conditions of this provision.
- [24] Federal Republic of Germany. Bürgerliches Gesetzbuch (BGB), section 90a: Tiere. Federal Ministry of Justice and Federal Office of Justice, Gesetze im Internet, German statutory text, 2026. German official text accessed 9 October 2026; accompanying English translation is marked as reflecting amendments through 2021.
- [25] Federal Republic of Germany. Bürgerliches Gesetzbuch (BGB), sections 1821 and 1823: Duties and powers of an appointed betreuer. Federal Ministry of Justice and Federal Office of Justice, Gesetze im Internet, 2026. Current official German text; Section 1823 separately at https://www.gesetze-im-internet.de/bgb/_1823.html; access 9 October 2026.
- [26] Federal Republic of Germany. Bürgerliches Gesetzbuch (BGB), sections 21 and 26: Non-commercial associations and representation. Federal Ministry of Justice and Federal Office of Justice, Gesetze im Internet, German statutory text, 2026. Section 21 and Section 26 (https://www.gesetze-im-internet.de/bgb/_26.html) consulted in German 9 October 2026.
- [27] Federal Republic of Germany. Tierschutzgesetz (TierSchG), section 1: Purpose of the act. Federal Ministry of Justice and Federal Office of Justice, Gesetze im Internet, 2026. Official German statutory text consulted 9 October 2026; reference to current section, not to a claim of animal legal personhood.
- [28] Hague Conference on Private International Law. Convention of 2 July 2019 on the recognition and enforcement of foreign judgments in civil or commercial matters. HCCH Convention No 41, official full text, 2019. Articles 1–2, 4–8, 16 and 22 verified against official text 9 October 2026; effect dependent on Convention in force between relevant States and declarations.
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- [32] Wanhong Huang. Humanitarian assistance under heterogeneous subject conditions: A preliminary theory of protection across human, animal, artificial, and alien subjects. Author-supplied manuscript, Revision R19, internally reviewed pre-release; predecessor in master archive R117, 2026.
- [33] Wanhong Huang. Suffering recognition in aid, volunteering, and support among heterogeneous subjects: A preliminary generative relational theory. Author-supplied manuscript, Revision R17; predecessor in internal research archive, 2026.
- [34] International Criminal Court. Rome Statute of the International Criminal Court, selected provisions: Articles 22–25, 30, 66–67 and 77–78. Adopted 17 July 1998; entered into force 1 July 2002, 1998.
- [35] International Law Commission. Draft articles on responsibility of states for internationally wrongful acts, with commentaries. Report of the International Law Commission, fifty-third session, U.N. Doc. A/56/10, 2001, chapter IV, 2001. Articles 2, 4–8 and their commentary; official source checked 9 October 2026; State responsibility only, no general attribution doctrine for corporate or AI actors asserted.
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- [38] New Zealand Parliament. Te urewera act 2014, sections 11–12 and 92. New Zealand Legislation, public Act 2014 No. 51, version as at 5 April 2025, 2014. Official New Zealand legislation checked 9 October 2026; section 11 status and representation; section 12 vesting; section 92 preservation and transition of existing interests. Indigenous and statutory specificity retained.
- [39] New Zealand Parliament. Te Awa Tupua (Whanganui River Claims Settlement) Act 2017, sections 14–19. New Zealand Legislation, Public Act 2017 No 7, 2017. Statutory version as at 10 July 2026, checked 8 October 2026.

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- [42] United Nations. Statute of the International Court of Justice, article 34, 1945.
- [43] United Nations. Statute of the international court of justice, articles 34–36. Annexed to the Charter of the United Nations, 1945. Articles 34–36 and official ICJ description of consent-based contentious jurisdiction checked 9 October 2026.
- [44] United Nations. Vienna convention on the law of treaties, articles 28 and 70. United Nations Treaty Series, vol. 1155, p. 331, 1969. Austrian official treaty publication, Articles 28 and 70, verified 9 October 2026; treaty nonretroactivity and termination effects are conditional defaults within treaty law.
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- [48] United Nations. Convention on the rights of persons with disabilities, article 13: Access to justice. United Nations Treaty, adopted 13 December 2006; UN Enable official text, 2006. Article 13(1)–(2) verified 9 October 2026: effective access, procedural and age-appropriate accommodations including direct/indirect participation and witnesses; applies to persons with disabilities.
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- [50] United Nations Committee on the Rights of Persons with Disabilities. General comment no. 1 (2014), article 12: Equal recognition before the law: Corrigendum. United Nations document CRPD/C/GC/1/Corr.1, 26 January 2018, 2018. Correction to paragraph 27 defining common characteristics of substitute decision-making regimes.
- [51] United Nations Economic Commission for Europe. Convention on access to information, public participation in decision-making and access to justice in environmental matters (aarhus convention). United Nations Treaty Series, vol. 2161, p. 447; adopted 25 June 1998, 1998. Official UNECE convention text inventory, accompanying substantive summary of access to justice and implementing EIA Directive Art 11 independently inspected 9 October 2026; treaty effects depend on party and implementation.
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- [54] United Nations Office of the High Commissioner for Human Rights. Guiding principles on business and human rights: Implementing the united nations “protect, respect and remedy” framework. United Nations document HR/PUB/11/4, 2011. UN Digital Library official publication record and OHCHR-hosted Principles 17, 22, 29–31 excerpts consulted 9 October 2026; soft-law responsibilities and grievance expectations, not an autonomous tort liability statute.
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