

Artificial Intelligence and the Law: Regulatory Challenges, Ethical Concerns and the Future of Legal Governance

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Abstract: Artificial Intelligence has transitioned from a peripheral technological innovation to a central mechanism of governance, shaping decisions in finance, healthcare, criminal justice, and public administration. As algorithmic systems increasingly influence rights, liberties, and access to essential services, traditional legal frameworks premised on human intention, transparency, and accountability face structural disruption. This article examines the regulatory, constitutional, and ethical challenges posed by artificial intelligence within democratic legal systems. It argues that AI governance is not merely a technical regulatory issue but a constitutional concern involving the preservation of equality, procedural fairness, privacy, and democratic legitimacy. Through doctrinal analysis of Indian constitutional jurisprudence, comparative evaluation of regulatory approaches in the European Union and the United States, and critical engagement with issues of algorithmic bias, opacity, and liability, the article demonstrates that existing legal doctrines require recalibration to address autonomous and adaptive systems. Particular attention is given to criminal justice applications, where predictive tools raise fundamental concerns regarding proportionality and due process. The article rejects proposals for electronic personhood and instead advocates for human-centered accountability frameworks, risk-based regulation, algorithmic impact assessments, and strengthened democratic oversight. Ultimately, it contends that the future of legal governance in the age of artificial intelligence depends not on technological capability alone, but on the ability of legal systems to reaffirm constitutional values while adapting to algorithmic decision-making. AI must remain an instrument of human governance, not a substitute for it.

Keywords: Artificial Intelligence, Algorithmic Governance, Constitutional Law, Procedural Fairness, Algorithmic Bias, Criminal Justice Technology, Democratic Accountability, Risk-based Regulation, Liability Frameworks, Digital Constitutionalism

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