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Unveiling Accountability in Artificial Intelligence Failures: A Thematic Analysis of Judicial Responses

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Abstract: The codes and laws governing social, economic and governance issues have been undergoing rapid transformation due to the incorporation of AI and are now facing fresh challenges to the traditional concept of legal accountability and a greater doctrinal deficiency in the laws. This research adopts a qualitative thematic analysis approach to the judicial rulings obtained from the Database of AI Litigation (DAIL), created by the Ethical Tech Initiative and George Washington University's Center for Law and Technology, which systematically tracks jurisprudential developments in AI litigation around the world, in order to examine the complexity of accountability in AI failures. Twenty-four cases of judicial accountability for AI use were chosen, all concerning questions of accountability stemming from the use of AI. A doctrinal and qualitative legal methodology was used to code cases on four analytical variables: (1) the type of AI system (2) the nature of the accountability (civil, criminal, administrative) (3) the legal principle applied and (4) the judicial outcome. Thematic analysis reveals that courts are mainly operating under the traditional legal paradigm, such as civil liability and product liability, and applying negligence, vicarious liability and product liability principles to AI-related matters. Comparative trends across jurisdictions indicate that an ad-hoc and inconsistent strategy is being pursued, with little agreement on the foreseeability and control standards. But the deeper issue is that judicial thinking remains focused on human-centric models of liability, which were not designed for any autonomous or semi-autonomous decision-making systems. This doctrinal disconnect is where the difficulty lies and it requires more than incremental judicial adjustments - it requires flexible legal frameworks and coordinated policy responses.

Keywords: Artificial Intelligence, Accountability, Thematic Legal Method, DAIL Database, Liability, Judicial Reasoning

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