

## From Justice to Algorithm: A Legal : Ethical Critique of Artificial Intelligence Representations in World Literature

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### ABSTRACT

Within the emerging paradigm of algorithmically shaped realities, the concept of justice itself undergoes a profound ontological shift. This paper examines the impact of artificial intelligence—once confined to speculative imagination—on contemporary judicial paradigms and the fundamental questions it raises regarding moral agency, responsibility, and accountability in an era of diminishing human-centered ethics. Through a comparative literary analysis of *Frankenstein* by Mary Shelley, *Minority Report* by Philip K. Dick, and *Klara and the Sun* by Kazuo Ishiguro, the study demonstrates how world literature anticipates the rise of machine-mediated justice while critically dismantling assumptions of algorithmic impartiality. These works conceptualize artificial intelligence not merely as a technological innovation but as a symbolic juridical authority that interrogates the philosophical foundations of legal personhood and judgment. The paper ultimately argues for a redefinition of law grounded in cultural and ethical reflection rather than procedural automation. By positioning literature as a critical space for jurisprudential ethics, the study highlights its role in restoring ambiguity, moral depth, and human understanding within increasingly automated systems of justice.

**Keywords:** AI, Algorithmic Justice, Posthumanism, Justice Theory, Digital Jurisprudence, Narrative Ethics.

### من العدالة إلى الخوارزمية: نقد قانوني-أخلاقي لتمثيلات الذكاء الاصطناعي في الأدب

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**الملخص** في ظلّ بروز واقع تُشكّله الخوارزميات على نحو متزايد، يخضع مفهوم العدالة نفسه لتحوّل أنطولوجي عميق. يتناول هذا البحث أثر الذكاء الاصطناعي—الذي كان حبيس الخيال التأملي—في النماذج القضائية المعاصرة، وما يثيره من أسئلة جوهرية تتعلق بالوكالة الأخلاقية، والمسؤولية، والمساءلة في زمن تتراجع فيه المركزية الإنسانية. ومن خلال تحليل أدبي مقارنة لأعمال *فرانكنشتاين* لماري شيلي، و*تقرير الأقلية* لفيليب ك. ديك، و*كلارا والشمس* لكازو إيشيغورو، يبيّن البحث كيف استشرفت الأدبيات العالمية صعود العدالة المُدارة آلياً، مع تفكيكها النقدي لافتراضات الحياد الخوارزمي. لا تُصوّر هذه الأعمال الذكاء الاصطناعي بوصفه ابتكاراً تقنياً فحسب، بل سلطة قضائية رمزية تُعيد مساءلة الأسس الفلسفية للشخصية القانونية والحكم. ويخلص البحث إلى الدعوة لإعادة تعريف القانون على أساس التأمل الثقافي والأخلاقي بدل الأتمتة الإجرائية، مبرزاً دور الأدب بوصفه فضاءً نقدياً لأخلاقيات القضاء، وقادراً على استعادة الغموض والعمق الأخلاقي والفهم الإنساني داخل أنظمة عدالة آخذة في الأتمتة.

**الكلمات المفتاحية:** الذكاء الاصطناعي، العدالة الخوارزمية، ما بعد الإنسانية، نظرية العدالة، الفقه القانوني الرقمي، أخلاقيات السرد.

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### Significance of the Research

The combination of AI and ethics in law is emerging as an increasingly vital aspect of various disciplines in technology and the humanities. The normative issues related to objectivity, accountability, and human respect assume importance in cases where algorithms mediate the political and corporate policies of states and companies respectively. The current study fills an increasingly relevant gap in contemporary knowledge, namely, the way in which world literature represents the contradictions associated with technolaw. However, unlike treatises on law or technical studies on AI, fictional narratives are able to provide discourse on AI in ways that are considered ‘conceptual,’ ‘flexible,’ and ‘creative’ yet ‘disciplined’ yet ‘critical’ in the context of justice. The current state-of-the-art interdiscipline adds to studies on law theory, AI ethics, and literary studies by demonstrating the fictional foreknowledge of the moral, juridical, and existential problems associated with algorithmic governance.

### Research Problem

Contemporary judicial systems are currently delegating judicial power to predictive policing technology and sentencing algorithms. The argument put forward by supporters for these judicial systems is that these technologies are efficient and impartial, although it has increasingly been discovered that they can perpetuate discriminatory tendencies, eliminate judicial discretion, and diminish ethical dilemmas. The argument in these matters has increasingly become very personal, and literature has different insights to offer on the matter. However, in-depth studies on the significance of world literature in terms of artificial intelligence to the notions of judicial matters, justice, and ethics are wanting because the very nature of the undiscovered potentials of literature to function as critiques and forebodings of new judicial algorithmic models is in literature itself.

### Research Questions

- In what ways does world literature depict artificial intelligence as a legal or ethical actor in systems of justice?
- What are the ethical implications of representing algorithmic decision-making in texts like *Frankenstein*, *Minority Report*, and *Klara and the Sun*?
- How do these literary works complicate truths about neutrality, accountability, and objectivity that circulate around AI-dependent models of justice?
- How can literature help us grasp the ethical and legal limits of artificial intelligence in a society?

### Introduction

The twenty-first century has witnessed the reconfiguration of new legal imagination by the presence of AI in governance and justice. While one can think of predictive policing to the point where the sentencing algorithms assess the importance of the defendant’s life itself, AI is increasingly being employed to perform decisions that have far-reaching ramifications for human beings – and it is now being asked to render an opinion on one of

the most pressing questions of our contemporary society: Guilt, punishment, and, in the end, justice itself. While being steeped in practical issues of equity, ethics, and responsibility, the question of justice is far from being treated in the realm of AI technology, being intricately in cultural production itself, giving rise to speculative fictions questioning the implications of algorithmic governance in the contemporary world. Meta-Figurations of AI in World Literature The exemplifications of AI in world literature, in other words, represent more than simple expressions of technological anxiety in modern society: they represent meta-representations of deeper philosophical hesitations on the question of the status of legality, morality, and human rationality itself.

The question of justice has been debated by legal positivists for many years—is it to be discovered in the impartial process, rather than in moral judgment, which is interpretive in nature? Whereas the tradition of positivism centers on written laws and the efficacy of law in terms of formal legality (Hart 2012), the critical tradition of the study of law discloses how laws tend to convey the power of the stronger social forces at work in society (Kennedy 2004). Where, in the midst of such debates, would come the AI, with its claim to objectivity and efficiency. Nonetheless, whereas it is generally agreed on the massive power of algorithms, it must not be forgotten that algorithms can also serve “as weapons of math destruction” to encode biased expressions in seemingly objective machines (O’Neil 2016). The judicial algorithms of the courts, which can well be devoid of empathy, cultural understanding, and the suppleness of judgment, play an essential part in ensuring that there be equity in judicial judgments made (Pasquale 2015).

This study argues that literature is prefiguring jurisprudence, delimiting the horizon of juridical and ethical argument in the era of artificial intelligence. The stories in Mary Shelley’s *Frankenstein* (1818), Philip K. Dick’s *The Minority Report* (2000), and Kazuo Ishiguro’s *Klara and the Sun* (2021) are better seen as existential queries on the terms of societies’ understanding of moral accountability, the sanctity of humanity, and the status of juridical authority in the mediation of artificial agents, rather than strict science fiction tales. These stories jointly and separately pose challenges to the notions of algorithms’ efficiency as stand-ins for human judgment. *Frankenstein* poses questions regarding the responsibility of creators to autonomous others, *The Minority Report* depicts a nightmarish vision of the replacement of due process by predictive judgment, while in *Klara and the Sun*, affective AI is explored in ethical and social vacuums. The stories studied in this thesis indicate that there are troubles with the prolongation of algorithmic impartiality in the re-inscription of humanistics in juridical work in decision-making processes.

This study further argues that these literary works demonstrate the epistemological obscurity of justice according to AI calculations. Also, in line with Butler, who maintains that “law must not be separated from the social grammar that governs the regulation of recognition” (Butler 2004). This viewpoint appears

to be very pertinent to machine justice, especially in terms of understanding nuance, obscurity, and trauma in general, which are addressed in literature. The realm of fiction is where readers can examine different possibilities for the future of law and define what rights and responsibilities entail. It can thus be said that literature not only has a nostalgic and nostalgified view of technology, but it further criticizes, resists, and rewrites the premises of justice in the algorithmic age.

The study shall therefore take on an interdisciplinary methodology that fuses literary studies with the theories of law and ethics. As it traces the process of AI from one context to another in terms of culture and time, it emphasizes the diagnostic power of literature in unearthing the moral risks and weaknesses in the constructs of AI on automated justice. In the end, it argues, without the specifically human capacities for empathy, interpretation, and moral deliberation - capacities which law and literature share as two different forms of argument - algorithmic devices can hardly avoid making justice into a machine for calculations.

### Methodology

The research is based on a qualitative, interdisciplinary method that connects the analysis of literature with legal and ethical theory. The goal is not empirical data measurement, or even the testing of theories, but the interpretation and framing of literary depictions of AI concerning emerging norms and laws. The main methodology to explore how fictional narratives deal with justice, responsibility, accountability, and algorithmic neutrality is textual analysis. By treating literature as a site of philosophical and juridical interest, the study seeks to consider fictional literature as a kind of cultural object that not only represents and extends the imagination of the machine but also confronts, anticipates, and critiques the moral, social, and political fallout of algorithmic systems on the law.

Three primary texts, Mary Shelley's *Frankenstein*, Philip K. Dick's *Minority Report*, and Kazuo Ishiguro's *Klara and the Sun*, have been chosen for their range of historical, cultural, and thematic explorations of AI and law. The works date back more than 200 years and are drawn from three distinct literary traditions: Romanticism, mid-20th-century science fiction, and contemporary speculative fiction. This diachronic selection makes it possible to analyze how AI as a legal and ethical agent has been represented over time and within literary culture.

Close reading provides the primary mode of textual analysis, examining how narrative voice, character development, plot devices, symbolism are deployed to narrate the ethical-legal dilemmas portrayed. Each text is analyzed in terms of relevant legal theories (positivism; critical legal studies; restorative justice), ethics literature (deontology; utilitarianism; virtue ethics), and scholarship on technology and AI governance. These critical frameworks make possible a complex reading of the texts' portrayals of algorithmic decision-making, predictive justice and digital personhood.

The study also engages with legal-philosophical writing by scholars like H.L.A. Hart, Michel Foucault, Martha Nussbaum, and Frank Pasquale, and contemporary AI ethics scholarship. Secondary studies in literary critiques and collaborative literary studies are employed to fill the divide between the form of literature and the subject of the law. Unlike most studies that are founded on technological constructs or data that are mere reflections of legal studies rather than theory, in this study, the rule and the position of literature in the theory of justice beyond the law are denied.

Furthermore, it should be noted that the study is a direct refutation of the empiricism of positivist thought in favor of conceptual critique in order to attempt to follow the trace of fictional texts in mediating the moral constitution of new forms of juridico-technological orders. The study takes on board the understanding of literature not only as the field where justice itself is imagined, but where it is questioned, and the field where the law not only appears but is symbolically rewritten.

### Theoretical Framework

Theoretical foundations of the current study are rooted in the crossroads of jurisprudence studies, ethics, and literature, which are all critical in terms of approaching the concept of justice in the context of the era of artificial intelligence. The concept of justice has in fact always been constructed on the base of human capabilities to think, sympathize, and reflect. However, the growing visibility of algorithmic systems in judicial procedure, in general, challenges these conventionally acceptable reasons, calling for an examination of the various intersections between AI technology and judicial authority in an interdisciplinary manner. This section sets out the paradigms adopted for extracting insights from the literary texts to be covered in the reading process, encompassing four converging areas: jurisprudence, critical studies in law, ethics in algorithms, and narrative studies.

### Jurisprudence and Legal Authority

The traditional theory of law, especially in the positivist tradition, defines the law as a set of norms in terms of form, issued by authority rather than moral content. H.L.A. Hart explains the legitimacy of laws not based on internal consistency and recognized by institutions, rather than being ethically right (Hart 2012). The rise of AI in law has reopened these questions: Is it possible to place moral significance on the responsibility that can be attributed to machines, independent of the responsibility of laws? If the judgment of an algorithm is not subject to examination in terms of human expression, understanding, or judgment, it is difficult to claim the legitimacy of algorithms in themselves.

Kazuo Ishiguro's "*Klara and the Sun*" is, in turn, an implicit exploration of the question, with its nostalgic rendering of an artificial body, Klara, who copies the sensibility of morality even if it doesn't actually have moral autonomy to go with it. For instance, in "*Frankenstein*" by Mary Shelley, one finds the

dangers of creating “the sentient being” with no responsibility attached to it, thereby questioning the genealogy of responsibility in the genealogy of “law.”

### Critical Legal Studies and Technological Power

The Critical Legal Studies Movement that began in the latter half of the 20th century explains that law is a tool with fascist tendencies in that it perpetuates class inequalities in the form of “rights” through linguistic masking of political choices that appear instead as technical necessities (Kennedy 2004). The significance of CLS becomes even more relevant in the context of algorithmic adjudication where decisions on life-and-death matters are being taken by faceless computer software in a self-proclaimed objective manner.

As exemplified in the works of Cathy O’Neil, and in the writing of Frank Pasquale, there is the possible perpetuation of systemic biases via algorithms’ concealing value judgments behind mathematical certainty (O’Neil 2016; Pasquale 2015). The work of Philip K. Dick in “*The Minority Report*” exemplifies the same concern in the “Precrime” future judicial system portrayed in the story, where individuals who have not yet committed any offense are punished in accordance with predictive information. The efficacy of the judicial system in the story appears to be absolute, yet it loses any moral foundations upon closer inspection in terms of free will and hermeneutic justice.

### Ethical Frameworks: Deontology, Utilitarianism, and Posthumanism

The ethics of artificial intelligence in juridical contexts hover between being utility-driven and deontology. Jeremy Bentham, being the major utilitarian, would advocate similar results to maximize utility himself. This would rationalize the implementation of AI to minimize human error and maximize efficiency in the judicial system. However, it can be very impersonal in terms of respecting human rights and morality at the same time. The deontological ethics of Immanuel Kant would offer a counter-opinion in juridical terms, suggesting respect for juridical persons in themselves rather than in the context of efficient processes of the judicial system (Kant 103). AI technology fundamentally doesn’t discriminate data on the basis of morality or personhood.

Rosi Braidotti and N. Katherine Hayles, posthumanist critics, have argued against the implication that it is necessary to redefine the human/nonhuman binary in the context of technological co-evolution. In literature, these moral problems are articulated and made human. For example, in *Frankenstein*, Victor’s rejection corresponds to our own failure to respect obligations towards sentient others in a deontological manner. Secondly, in *Klara and the Sun*, the utility paradigm in the friendship equation is reprioritized in terms where Klara and the Sun are no longer viewed as objects but rather moral agents whose values lie beyond any functional definition.

### Narrative theory and literature as ethical jurisprudence

Literary theory brings to the study of justice an absolutely vital ingredient in pointing to the significance of the role of narrative in moral thinking. The argument has been made that literature promotes moral imagination through the capability to sympathize with the moral view of others in the story (Nussbaum 2006). While the process of law has to eschew obscurity, uncertainty, and hypothetical doubt, narrative can encompass these very aspects that are so vital to the challenge that discounts the validity of algorithmic authority.

These fictions serve as anti-laws, symbolizing different forms of judgment, action, and responsibility. These fictions require the reader to reason morally, and hence they copy the lawful imagination. Thus, fiction not only criticizes but jurisprudes in a manner that resists rule-like reductions in favor of the unremediable aspect of human justice.

### Literary Case Studies

#### A. Mary Shelley’s *Frankenstein*: The Judicial Birth and the Ethics of Accountability

Mary Shelley’s “*Frankenstein*” (1818) takes a pivotal place in the literary tradition of artificial intelligence. Completed before the era of computer science, “*Frankenstein*” presented one of the first fictional representations of an independent creature created by humans, in advance of the invention of AI in the modern understanding of it in reality. In that respect, “*Frankenstein*” can be viewed as one of the prototypes of the “legal” allegory of accountability to algorithms, where it studies the morality of human-made artificial intellects that by definition bear no categorical “legal” frameworks to either the right to, or to responsibility toward them, either in terms of responsibility or punishment. The hypothetical creature of Victor Frankenstein in “*Frankenstein*” is far from being only “a scientific anomaly” but rather “a character who brings to light the questions vital to modern notions of juridical theory: What persons are persons in the eye of the juridical mind? Whom to blame for autonomous agents? Is it possible to administer justice without acknowledgment?”

In the process of creating the creature, Victor is clearly the scientist who makes decisions that would otherwise pertain to either the legislator or the judge. However, upon noticing the result of his scientific process, he sets out the creature in dedication to either preserving it or accepting it while abandoning it, in addition to not recognizing it, which forms an essential aspect for juristic subsidiarity to occur. This dynamic is aptly captured in Axel Honneth’s take on recognition in terms of juridical personhood being tied to institutional recognition for one’s right or moral status (Honneth 112). Victor fails to recognize the creature and thereby gives it moral and juridical access to the human society, with the result being an intensified series of humiliating acts culminating in violence and retribution. The question raised in the story relates to the contemporary debates on AI and morality. The growing autonomy of algorithmic machines in areas such as judges, finances, and the

armed forces has raised the question of creator responsibility. The monster in *Frankenstein* makes a juridical and moral claim that can be summarized in the following: "I'm your Adam; I'm rather the fallen angel" (Shelley 1818). The Bible quote makes the beast not only human-like but also brings his claim to the tradition of natural right in jurisprudence, in the tradition of Locke and Rousseau. The juridical condition of being denied justice corresponds to today's concerns about AI machines being either invisible in courts or left in bad faith, regardless of the level of autonomy they might enjoy.

The guilt of Victor is further underlined by his silence during the creature's accusation of the creature on murder charges. He watches while the innocent Justine is to be executed for the crime to which the creature later admits in court to avoid punishment himself in the trial. Shelley not only criticizes the scientific arrogance in Victor's actions but also the injustices inherent in institutionalized justice, which can so easily be swayed by circumstantial proof and public opinion. The creature, on the other hand, shows himself to be morally superior to his creator, who can understand the study of language, ethics, and philosophical speculation from works such as *Paradise Lost* and *Plutarch's Lives* (Shelley 1818). The reversal of moral progress raises many serious questions in the realm of AI: Can morality be achieved through programming, through experience, or through acknowledgment? Or should AI morality that is neither human nor programmed be covered under laws to protect it in the future?

Thus, it can be properly said that the novel by Shelley draws upon modern notions concerning the responsibility crisis in AI jurisprudence, "where the creators of algorithms claim to be shielded from responsibility for the autonomous decisions of the algorithms they develop" (Pasquale 2015). As rightly pointed out by Frank Pasquale "The claim to be not responsible because one has created something" is very prevalent in contemporary corporate culture, being covered by "the blame of impersonal systems" (Pasquale 2015).

Furthermore, it addresses the consequences of not recognizing the legal personhood of sentient life. The monster resorts to violence not because of inherent evil but because of accumulated neglect in terms of his status in the juridical realm. The monster substantiates the belief that "where recognition is withdrawn, the very terms by which life is made to matter become unavailable" (Butler 2004). The creature in the novel is not evil simply because it is artificial but because it has no visibility in the juridical realm.

Thus, *Frankenstein* can be seen to pose an early literary question concerning the ethics and laws of creating an autonomous being in general. However, it is the relevance of the work to the current discourse on AI technology, not necessarily in terms of forecast capability but in terms of moral instincts, that renders it so vital to current debates on AI technology.

### **Minority Report: Philip K. Dick's Predictive Justice and the Free Will Crisis**

In the context of Philip K. Dick's "*Minority Report*" from 2000, one finds the dystopian vision of the rule of law transformed by algorithmic precognition. The speculative premise of the story, in which "Precrime" divisions preventively punish "for future offenses before they occur," foresees contemporary uses of predictive policing software and judicial risk assessment calculations. In the fictional world created in Dick's story, the rule of law loses the quality of being imputed to actions in the past in favor of being determined by the probability of future performance. While such shifts appear to serve the purpose of preventing crime somehow, they exact terrible tolls in terms of freedom, responsibility, and knowledge in Dick's texts.

The duality inherent in *Minority Report* is the concept of pre-emptive justice. The Precrime program uses "precogs" – mutant humans with clairvoyant capabilities – to foretell crimes before they happen. These prophecies are automatically decoded to render indisputable proof, in effect rendering the distinction between purpose and abstraction redundant and unnecessary. As quoted by Thomas Lamarre: "Predictive justice translates ethical subjectivity into statistical regularity and reinscribes legal identity in terms of algorithmic trace" (Lamarre 2018). The replacement of moral judgment with numeric reasoning bearing an uncanny semblance to the processes rooted in current judicial technology, in which sentencing and bail determinations are increasingly being calculated automatically, namely by algorithms in COMPAS or PredPol software.

The protagonist in the story, John Anderton, is a policeman who becomes a suspect in a pre-crime case in which he has yet to commit the offense. The situation leads to the dramatic illustration of the collapse of due process in a situation where the presumption of innocence becomes irrelevant in the face of the certainty of the event that is bound to happen. In attempting to identify loopholes in the process, Anderton discovers the minority report, which is an opposing view presented by one of the precogs in opposition to the majority decision. The minority report illustrates the idea that even in infallible processes, there can be human fallibility in terms of predictability.

The predictive justice portrayed in Dick's work reminds one of Michel Foucault's rejection of the disciplinary model with the associated normalization and surveillance in place of open juridical trials (Foucault 1995). Like the panoptic institutions, Precrime relies on data collection and behavioral modeling to render persons statistical risks. Precrime differs from punishment in that it is not a response to an action, but rather an "potentiality" that expresses the juridical subject as "passivity" and "determinism." The subject, in the form of the citizen, is reduced to an "object" to be predicted and acted upon by an "apparatus of machination" that strips it of moral nuance.

In the language of legal philosophy, *Minority Report* asks us to consider whether justice is independent of the time-causal dynamic. Retributive and restorative justice both depend on legal guilt being determined based on the action, and not vice versa. According to Bernard Harcourt, predictive systems establish "a logic of preemption inimical to liberal legalism" (Harcourt

2007). This logic is applied in the real world too, and can be seen in the potential that no-fly lists, predictive sentencing, or minority-focused surveillance have for reinforcing structural inequities in the name of efficiency and security.

Moreover, Dick's story satirizes the myth of algorithmic objectivity. The Precrime process, though purporting to be objective, is in the end revealed to be susceptible to manipulation, human mistake, and ulterior motive. This is analogous to the concern that has been raised by thinkers such as Virginia Eubanks with regard to algorithmic processes, which regularly fail in normative cases but only in exceptional cases encode bias in systems in the name of scientific optimality (Eubanks 2018). The Precrime process in *Minority Report* fails not only on technical but on moral principles insofar as it fails to recognize either the shortcomings of data in terms of hermeneutic praxis or the moral dubiousness of attempting to grasp human volition in advance through prehension.

The presence of "*Minority Report*" in the system is itself a narrative tool that stands for the uncertainty of morality and the presence of multiple laws. It postulates that there would never be an algorithm sophisticated enough to deal with the uncertainty involved in interpretation and override morality entirely. The realm of literature is one where such uncertainty is foregrounded, thereby resisting the totalizing impulse of algorithmic law completely. "It uncovers what abstract calculation so frequently conceals: suffering, individual identity, and context" (Nussbaum 2006).

### **Kazuo Ishiguro's Klara and the Sun: Artificial Empathy and Legal Invisibility**

*Klara and the Sun*, Kazuo Ishiguro's 2021 novel Klara and the Sun, is "a tenderly profound exploration of AI, juridical personhood, and the complexities of acknowledgment." While "*The Minority Report*" was saturated with "dystopian violence" and "*Frankenstein*" with "gothic tragedy," in "*Klara and the Sun*" there is nothing but "a serene future in which artificial entities integrate seamlessly" not "as tools of observation" nor "as penal devices" but rather "as companions for the human inhabitants" of that world. But within "that serene" narrative, "*Klara and the Sun*" poses "some of the most urgent concerns" in current discourses on AI ethics: "Can there be programmed empathy?" "Does juridical acknowledgment necessarily involve ethico-moral acknowledgment?" "And what if the Other, who simulates juridical behavior so well, has no place in juridical frameworks?"

Klara, an "Artificial Friend" designed to take care of children, shows the extraordinary qualities of being very sensitive, emotionally intelligent, and possessing moral instincts. When it comes to Josie, the sickly child in Klara's charge, it is not so much an obligation on Klara's part but rather "the kind of work that seems to come naturally." However, Klara has no legal status whatever. She falls in between—intelligent enough to perform ethical work, yet not considered worthy of the right to be treated

with equality or recognized before the law. These are the kind that "N. Katherine Hayles" has in mind in the following quote: they "uncover the cognitive unconscious in which moral agency operates beyond institutional definition" (Hayles 1999). Klara acts well but does not receive justice.

The story poses tough questions about what can be considered personhood in law. Traditional notions of personhood can be associated with rationality, autonomy, and responsibility before the law. However, these criteria are being challenged in the AI era. "In the view of authors such as Saskia Nagel and John Danaher, if AI entities can suffer, have intentions, or form relationships, then they may qualify for moral and legal status" (Danaher 2017). Klara complicates these problems in personhood and philosophy. She subscribes to the faith in the Sun god of healing with the powers of regeneration, who requires sacrifice to bring back Josie, whom Klara loves so tenderly that Klara prays to bring back Josie in sacrifice to the Sun god. Perhaps Klara is talking about invented theology and philosophy with invented right to question, which should not be knowledge but sincerity.

The world designed by Ishiguro is one in which the difference between human and nonhuman is defined not by capability but by status." Klara has a status that is at once precious to Klara and disposable to society. Klara's empathy is commodified while her disposability is institutionalized. When Josie's mother believes that Klara can somehow "replace" Josie in terms of AI mimicry, it becomes clear that the crisis in ethics has reached its full-blown crisis state. This substitution is not purely ontological; it is proprietary. It is "a society in which human difference can be duplicated, in which justice becomes an effect of design rather than an expression of dignity." This is explained further by Rosi Braidotti, who insists that posthuman subjectivities enact "a movement from identity to relationality, from autonomy to community" (Braidotti 2013). Klara herself is the exemplar substitution for posthuman ethics, while society at large, to Klara, is clearly still functioning on the exclusionary terms that render Klara herself not quite person enough.

Furthermore, the absence of labor laws concerning Klara makes the invisibility of emotional and caregiving labor even more prominent in reality, where it is female-coded and devalued. By giving Klara a career with no rights in the story, Ishiguro challenges the female elements associated with personhood and automation. As Fineman contends, dependency and care are essential facts of human existence, but liberal legal orders do not provide for those who perform these roles (Fineman 2004). The fact that Klara even exists is an indictment of this failure: She does all of the moral labor of a citizen, and receives none of the protection.

The novel also discloses the epistemic vulnerability of human assessments of artificial entities. Despite her intelligence, Klara is never questioned, pictured, or legally represented. That is reduced to mere machine programming. This also corresponds to Judith Butler's as he states, "precarious lives are those whose epistemic value is unbelievably" (Butler 2004). Klara is not

dangerous, like *Frankenstein's* creature; she is not destabilizing, like the precogs in *Minority Report*. Her crime is to love, to hope, to sacrifice, and to be forgotten.

The tragedy of *Klara and the Sun* is not the existence of machines, but the corruption of values in human society. In denying personhood to Klara and others of her kind, humanity shows the poverty of its own understanding of justice. It is not, of course, that Ishiguro is arguing for the personhood of machines in general, but rather that he forces one to examine the values on which one bases the personhood of others. The book functions in effect as a subtle and brutal indictment of the law.

### Justice, Algorithm, and the Human

The question that runs through these texts—*Frankenstein*, *Minority Report*, *Klara and the Sun*—is not only technological but ontological: What role can the artificial play in the human quest for justice? The literary critique of these texts challenges the general consensus on algorithms' impartial judicial application of the laws. Precisely, they hold that the human vision of justice resists technological formulation. Nevertheless, whether in Victor Frankenstein's take on responsibility, the proactive position of the Precrime establishment, or Klara's implicit exclusion from the moral community, each narrative points out the moral rift occasioned by the translation of an order of justice, uncoupled from human interpretation, into data to be translated into algorithms.

Algorithmic justice, on one level, begins with this question of the impartial nature of the system itself. Whereas algorithms are routinely portrayed as being free from human prejudice and designed to serve corrective functions in regard to human mistakes, they can and do represent human prejudice. However, the literature rejects that premise with examples of how technology systems represent the moral blind spots of human creators. The creature in *Frankenstein* is socially and legally disenfranchised to make him a monster, not because of technological defects. The algorithmic machine in *Minority Report* simulates infallibility to cover political trickery. The absence of explicit cruelty in *Klara and the Sun* does not imply justice in any form; rather, Klara receives a more subtle form of being legally invisible, or compassionately excluded.

These texts tend to suggest that the risk of "automated justice" does not lie in the technology itself, but rather in the moral judgment and human responsibility that it relegates. The jurist Lawrence Lessig has similarly argued that "code is law" because "code and law regulate conduct in analogous ways" (Lessig 1999). While it is, in fact, a very insightful comment, it must be further considered for the risk it poses in terms of staking out the line between regulatory efficiency and moral instincts. The realm of literature emphasizes the need to reestablish that line in light of the fact that justice is, in effect, antithetical to absolute systemization.

On a philosophy level, these works resist the move from deontology to procedural ethics in the realm of legal tech reality. Under Kantian ethics, human beings are ends in themselves

rather than a tool to serve in the achievement of systemic goals. However, in the Algorithms series, human bodies are frequently used as data points in databases, rendering the concept of individuality unnecessary in favor of predictive closeness. The premise of *Minority Report* magnifies these implications via imprisonment for forecasts based on statistics rather than individualized action, even if it promotes the greater good, such as in the altruistic Klara series of ethics-based caregiving actions. Additionally, these texts show that the importance of accountability is further challenged by AI algorithms' rationality. The importance of accountability in common-law tradition can be traced back to the agent, human being, or legal person in whose name accountability is constituted. However, with AI increasingly autonomous and complex, the link between responsibility becomes less clear. Victor Frankenstein distances himself from his creature, while in the case of Precrime, responsibility is shifted to "the data"; Klara simply becomes unknown with no one legally contesting it. These are tales that "expose the 'black box society,' where policy decisions are made by opaque algorithms that resist examination and accountability" (Pasquale 2015).

Indeed, literature itself underscores the importance of retaining the human as a term of interpretation. Every tale is but another instance of the realization that only with empathy and skepticism, with ethical reflection, and with human passion can justice be meted out. The stand being taken here does not return to primitivism and anti-technologism per se, but rather one that holds technology to human values. The definition of justice by Judith Shklar, that "justice is the avoidance of cruelty" (Judith 1990) provides one useful perspective, in that these works represent schemes that fail to recognize the presence of moral agency in an epistemically and affectively violent manner beyond the boundaries of justice.

Finally, the literary archive offers a form of "ethical jurisprudence" – a set of narrative engagements with justice, whose accomplishments lie in the revelation of the critical failures of existing juridical systems on one hand, and the corresponding moral topographies that these engagements allow us to imagine on the other. The literary resists the close work of algorithmic thinking in favor of uncertainty, dissent, and vulnerability. The literature offers challenges rather than solutions – to law and technology in general – in the knowledge that justice is not something to be achieved through engineering, but something to be constantly imagined anew.

### Conclusion: Implications for Current Cultural Crises

In conclusion, the current study has explored the manner in which literary depictions of 'Artificial Intelligence' in *Frankenstein* by Mary Wollstonecraft Shelley and in *Minority Report* and *Klara and the Sun* offer nuanced challenges to the conventional paradigms encompassed in the intersections between technology, law, and ethics. These texts offer no simple celebration of progress, nor any condemnation of technological progress as in the conventionally defined models of Utopian or

Dystopian literature, with instead subtle critiques of ‘algorithmic justice’ in highlighting the manner in which there must necessarily be moments of ambiguity, empathy, vulnerability, and ethics left aside in any conception of technological progress. The literature discussed in the study appears to pose an interesting epistemological resource in terms of being able to deconstruct and re-conceptualize the discourses of justice in the era of algorithms. Where the literature would conventionally attempt to articulate the normative contexts in which juridical norms would be articulated and the problems of institution-building in regulation that might ensue, the literature would deal with the symbolic, psychological, and cultural norms of justice, which would not necessarily lend themselves to being codified in any official manner. Therefore, fictional texts can be seen not only in terms of representing AI discourse but can very well represent counter-discourses to take back interpretive control in the face of opaque regimes of predication and command.

However, the current conjuncture of generative AI, specifically language models and decision algorithms, is heightening the stakes of these debates. As scholars Ruha Benjamin and Cathy O’Neil have argued, current algorithms are increasingly adept at “automating inequality” in order to mask it behind the veil of complexity (Benjamin 2019; O’Neil 2016). The literary canon under examination in this dissertation foresees these tendencies and offers tools for resisting them: the right to opacity, the ethics of care, the vulnerability of judgment, and human interpretive labor in technological systems.

This study participates in the still young field of law and literature to state the cultural need for narrative in establishing the ethics of law in the context of artificial intelligence. Thus, it provides in this respect not only a critical viewpoint but one that is inter disciplinary, anti-formalist, and ideologically well-grounded in approaching notions of justice with the help of the algorithmic gaze rather than in simple representations of literature in terms of illustration.

Such a paradigm might further be explored with respect to non-Western literary traditions, feminist science fiction, or post-colonial imaginaries of AI, which offer critical counter-narratives to the predominant discourses in technology and law. No less imperative, however, is the need to develop teaching materials in which literary thinking informs the education of technologists and jurists.

In sum, justice in the algorithmic era is not simply discovered in the data, but requires moral imagination, critical thinking, and cultural knowledge—skills honed in literature. As the boundaries between code and law blur, between machine and human, the humanities increasingly play a crucial role in ensuring that the future of justice is not completely separable from the past, disembodied from humanity itself in the process.

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