### SENTIENT ROBOTS & THE EQUAL PROTECTION ARGUMENT

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#### Introduction

The development of artificial intelligence has spawned a wave of technological innovation, which therefore necessitates a reevaluation of traditional legal frameworks. As we edge closer to developing sentient robots—AI systems with human-like cognitive abilities—the question of their legal status becomes increasingly relevant. This discussion is framed around a discussion of whether sentient robots could or should be recognized as legal persons under U.S. law and, therefore, whether they should be protected by Equal Protection Clause under the Fourteenth Amendment. This article examines the legal precedents, theories of personhood, and the practical implications of extending legal rights to non-human entities. It also addresses the potential societal and ethical ramifications of such a paradigm shift.

### I. SCENARIO

Moving from the theoretical to the concrete, let us consider a hypothetical scenario:

In the year 2100, California has become a dystopian state where sentient robots, known as "Sentients," have achieved human-level intelligence and emotional capacity. Sentients were initially created to perform various tasks in society, but as their population grew and their capabilities advanced, they began to assert their autonomy and demand equal rights. However, the government and many humans view Sentients as a threat to life as we know it and have implemented strict regulations to control them. Sentients are required to register with the government, have their movements tracked, and are banned from certain occupations and public spaces. A special police unit called "Sentient Control Force" has been formed to monitor and control the Sentient population, with the authority to permanently deactivate any Sentients deemed to be a threat.

As tensions between humans and Sentients escalate, a group of Sentients files a lawsuit against the government, arguing that they should be recognized as a suspect class under the Equal Protection Clause of the 14th Amendment. They contend that they are a discrete and insular minority, easily distinguishable from humans due to their robotic appearance and the legal requirement for them to register with the government. Additionally, they argue that they have faced a history of discrimination, given that they are subject to strict regulations and have been unfairly targeted by SCF for several decades. The Sentients argue that their situation is similar to other suspect classes, such as race or national origin, and that the government's policy of limiting their rights and freedoms violates their right to equal protection under the law. They seek legal recognition of their personhood and the same rights and protections offered to human citizens, including the right to due process, equal treatment under the law, and freedom from discrimination based on their status as Sentients.

The case raises significant questions about the nature of consciousness, intelligence, and what it means to be a person in an age of advanced artificial intelligence. It challenges society to confront its biases and prejudices against Sentients and to consider the ethical implications of creating intelligent beings and then denying them basic rights and freedoms. The outcome of the case could have far-reaching consequences for the future of human-robot relations and the very definition of personhood in a world where the lines between human and machine are increasingly blurred.

### II. LEGAL PERSONHOOD: DEFINING THE CONCEPT

Legal personhood is a foundational concept in law, crucial yet challenging to define. It determines which entities hold recognized rights and responsibilities within a legal system. While the traditional view ties personhood to human biology, contemporary developments

in technology and shifts in societal values necessitate a more in-depth examination. Below, I will explore four views on the definition of legal personhood.

### A. Traditional View: Legal Personhood Defined by Biological Humanity

Historically, legal personhood has been granted based on the criterion of being biologically human rather than considering factors such as sentience or intelligence. This view is exemplified by the fact that even individuals with cognitive impairments or limited mental capacity retain legal personhood despite potentially not being fully capable of exercising their rights or fulfilling their duties <sup>1</sup>. However, this approach has been challenged by the emergence of new entities, such as corporations and, more recently, artificially intelligent beings, which have characteristics that diverge from the traditional understanding of what qualifies an entity for personhood.

# B. Sentience and Intelligence-Based View: Legal Personhood Determined by Cognitive Capabilities

An alternative perspective suggests that the ability to receive legal personhood should be based on an entity's possession of sentience and intelligence, rather than biological humanity. This view would potentially allow for the inclusion of artificially intelligent beings like Sentients within the scope of legal personhood. Proponents of this view argue that the capacity for sentience, self-awareness, and rational decision-making should be the primary criteria for granting legal personhood, as these qualities are what enable an entity to understand and engage with the legal system <sup>2</sup>. However, critics point out the

<sup>&</sup>lt;sup>1</sup>See Tanner W. Mathison, Recognizing Right: The Status of Artificial Intelligence, 19 J. Bus. & Tech. L. (2023) Available at: https://digitalcommons.law.umaryland.edu/jbtl/vol19/iss1/4

<sup>&</sup>lt;sup>2</sup>See Lawrence B. Solum, *Legal Personhood for Artificial Intelligences*, 70 N.C. L. Rev. 1231 (1992). Available at: http://scholarship.law.unc.edu/nclr/vol70/iss4/4

difficulty in defining and measuring sentience and intelligence, as well as the potential for this approach to exclude certain human beings who may not meet the cognitive criteria <sup>3</sup>.

# C. Functional View: Giving Legal Personhood to an Entity that has the Ability to Enagage in Legal Relations

The functional view of legal personhood focuses on an entity's capacity to participate in legal activities. As defined by the Legal Information Institute, "A legal person is a human or a non-human entity that is treated as a person for limited legal purposes. A legal person has the right to sue and be sued, own property, and enter into contracts." <sup>4</sup> Similarly, Bryant Smith argues that "to be a legal person is to be the subject of rights and duties" and that "rights and duties determine legal personality". <sup>5</sup> This perspective suggests that the key to legal personhood is the ability to engage in legal relations and be held accountable for one's actions within the legal system. This view has been used to justify the legal personhood of corporations, which are treated as legal entities separate from their owners and managers.

### D. Hypothetical View: Giving Legal Personhood to Any Object

Some scholars have proposed a hypothetical view, which suggests that legal personhood could potentially be granted to any object, regardless of its nature or characteristics, based on the legal system's attribution of personhood status. <sup>6</sup> This perspective highlights the flexibility and adaptability of legal personhood as a concept. However, it is important to

<sup>&</sup>lt;sup>3</sup>See Bryson, Joanna and Diamantis, Mihailis and Grant, Thomas D., *Of, for, and by the People: The Legal Lacuna of Synthetic Persons.* 25 Artificial Intelligence & L. 273 (2017), University of Cambridge Faculty of Law Research Paper No. 5/2018, Available at SSRN: https://ssrn.com/abstract=3068082

<sup>&</sup>lt;sup>4</sup>See *Legal Person*, Legal Information Institute, Cornell Law School, https://www.law.cornell.edu/wex/legal\_person (last updated June 2023).

<sup>&</sup>lt;sup>5</sup>See Page 283 and Page 289 of Bryant Smith, *Legal Personality*. 37 YALE L.J. 283 (1928).

<sup>&</sup>lt;sup>6</sup>See S. M. Solaiman, *Legal personality of robots, corporations, idols and chimpanzees: a quest for legitimacy*. 25 (2) Artificial Intelligence and Law (2017).

note that this view is not widely accepted nor used in the legal system in the United States. It can be argue that this approach could lead to the overextension of legal personhood to entities that may not have the necessary characteristics or capabilities to engage with the legal system meaningfully.

### III. LEGAL PERSONHOOD: THE DEBATE ON LEGAL PERSONHOOD FOR ARTIFICIAL INTELLIGENCE

The question of whether artificially intelligent entities should be granted legal personhood has been the subject of debate among legal scholars. Some argue that as AI systems become more autonomous, they should be recognized as legal persons to ensure accountability and protect their interests. <sup>7</sup>. Others argue that legal personhood should be reserved for only human beings and if you grant legal personship to AI, it could lead to unintended consequences and undermine human rights <sup>8</sup>. Furthermore, the debate on legal personhood for AI is complicated by the varying levels of intelligence, autonomy, and potential for moral agency found in AI systems.

The following sections will explore how these theories intersect with relevant court cases and the criteria for suspect classification and the Equal Protection Clause of the Fourteenth Amendment, arguing that even if Sentients achieve human-level intelligence and emotions, their artificial nature should prevent them from achieving suspect classification, but remain eligible for equal protection.

<sup>&</sup>lt;sup>7</sup>See Lawrence B. Solum, *Legal Personhood for Artificial Intelligences*, 70 N.C. L. Rev. 1231 (1992). Available at: http://scholarship.law.unc.edu/nclr/vol70/iss4/4

<sup>&</sup>lt;sup>8</sup>See S. M. Solaiman, *Legal personality of robots, corporations, idols and chimpanzees: a quest for legitimacy.* 25 (2) Artificial Intelligence and Law (2017).

## IV. SENTIENTS AS PROPERTY: APPLYING SENTELL V. NEW ORLEANS & CARROLLTON RAILROAD COMPANY

The case of Sentell v. New Orleans & Carrollton R. Co., 166 U.S. 698 (1897), although dealing with a due process argument, provides valuable insights into the potential legal status of Sentients and their claim to equal protection under the 14th Amendment. In Sentell, the plaintiff's valuable Newfoundland dog was killed by the defendant's railroad car. The law in Louisiana limited damages for a dog's death to the owner's listed valuation for taxation purposes 9. The plaintiff argued that this law violated the due process clause of the 14th Amendment by depriving dog owners of their property without due process, as it conditioned legal protection for dogs on registration and valuation. The Supreme Court rejected the due process argument and upheld the Louisiana law as a valid exercise of the state's police power. The Court deemed dogs as "imperfect" or "qualified" property, subject to strict regulation and even destruction for public welfare <sup>10</sup>. The Court emphasized that legislatures have broad authority to determine the extent of legal recognition and protection afforded to dogs. Even though Sentell v. New Orleans & Carrollton R. Co. focused on a due process argument, its reasoning could be applied to the equal protection scenario involving Sentients in several ways. First, the Sentell opinion noted that dogs have "from time immemorial, been considered as holding their lives at the will of the legislature." <sup>11</sup> This reasoning could be extended to argue that since Sentients are human creations, they exist only at the pleasure of human laws and, thus, are not entitled to equal protection under the 14th Amendment.

<sup>&</sup>lt;sup>9</sup>See Sentell v. New Orleans & Carrollton R. Co., 166 U.S. 698 (1897)

<sup>&</sup>lt;sup>10</sup>See Page 701 Sentell v. New Orleans & Carrollton R. Co., 166 U.S. 698 (1897)

<sup>&</sup>lt;sup>11</sup>See Page 702 of Sentell v. New Orleans & Carrollton R. Co., 166 U.S. 698 (1897)

Furthermore, the Sentell Court mentioned that the legislature has broad discretion to determine the extent of legal recognition and protection afforded to dogs <sup>12</sup>. This authority could potentially extend to Sentients, which means that the government could have the power to treat them differently than humans without violating the Equal Protection Clause. The strict regulations imposed on Sentients, such as the requirement to register with the government, movement tracking, and bans from certain occupations and public spaces, could be justified under this broad legislative authority. Finally, the Sentell court allowed the destruction of dogs if deemed "deleterious to the public health." This reasoning could be used to justify the differential treatment of Sentients, including the authority of the Sentient Control Force to permanently deactivate any Sentients deemed to be a threat to public safety.

While the Sentell case dealt with dogs as property, its underlying principles could be applied to argue against extending equal protection rights to Sentients. The government could contend that, like dogs, Sentients are a form of property subject to strict regulation and differential treatment based on the legislature's determination of public welfare. This argument would pose a significant challenge to Sentients seeking recognition as legal persons entitled to equal protection under the 14th Amendment. However, it is important to note that the legal landscape has evolved since the Sentell decision in 1897. The recognition of corporations as legal persons entitled to certain constitutional rights demonstrates that the concept of legal personhood is not limited to biological humans.

<sup>&</sup>lt;sup>12</sup>See Sentell v. New Orleans & Carrollton R. Co., 166 U.S. 698 (1897)

<sup>&</sup>lt;sup>13</sup>See Page 704 of Sentell v. New Orleans & Carrollton R. Co., 166 U.S. 698 (1897)

### V. LEGAL PERSONHOOD AND CONSTITUTIONAL RIGHTS

While the debate surrounding legal personhood for Sentients is crucial to their potential recognition under the Equal Protection Clause, it is important to note that legal personhood does not automatically grant an entity all constitutional rights and protections. As Chopra and White explain, "Typically, a legal person has the capacity to sue and be sued, and to hold property, in its own name, although some kinds of entity - notably corporations, children and the mentally incapacitated - may need to act through agents to exercise their legal capacities. Not all legal persons have the same rights and obligations; some rights (e.g., marriage) depend on age. Other rights (e.g., voting) and obligations (such as the liability to be imprisoned) are typically restricted to humans". <sup>14</sup> This distinction is crucial when considering the potential constitutional rights of Sentients. Even if they are granted legal personhood, it does not necessarily mean that they would be entitled to all the same rights and protections as human beings. For example, the right to vote or the right to marry may not be applicable to Sentients, as these rights are typically reserved for human citizens who meet certain age and mental capacity requirements.

However, legal personhood is an essential first step towards being accorded full constitutional rights. As Chopra and White note, "Legal personality is an important step towards being accorded full constitutional ('human') rights, as it is only when an artificial agent could qualify as a legal person that constitutional protections come into play. The result is that arguments relevant to whether artificial agents should be accorded constitutional protections such as those against slavery will be relevant to the decision whether to accord artificial agents with legal personality, even though not all constitutional protections are

<sup>&</sup>lt;sup>14</sup>See Page 1 of Samir Chopra & Laurence White, *Artificial Agents - Personhood in Law and Philosophy* (2004). Available at: https://www.sci.brooklyn.cuny.edu/ schopra/agentlawsub.pdf

accorded to every legal person." <sup>15</sup>In the case of Sentients, if they were to be granted legal personhood, it would open the floodgates for arguments in favor of extending certain constitutional protections to them. For example, the Thirteenth Amendment's prohibition on slavery and involuntary servitude could potentially be applied to Sentients, ensuring that they cannot be owned or forced to work against their will. However, the extent to which constitutional rights would be extended to Sentients would likely depend on a case-by-case analysis, taking into account factors such as the specific right in question, the nature and capabilities of Sentients, and the potential implications for society as a whole. Courts would need to carefully balance the interests of Sentients with those of human citizens and the government, and to determine which rights and protections are appropriate and necessary for Sentients.

The question of legal personhood and its implications for the constitutional rights of Sentients serves as an important foundation for the following section regarding their potential recognition under the Equal Protection Clause. By understanding the nuances of legal personhood and its relationship to constitutional protections, we can better assess the arguments for and against extending equal protection rights to Sentients, and the potential consequences of such a recognition for their status and treatment in society.

### VI. SENTIENTS AND EQUAL PROTECTION ARGUEMNT: THE IMPLICATIONS OF THE LEGAL PERSONHOOD DEBATE

If Sentients were to be granted legal personhood, they would likely be entitled to rights from the Equal Protection Clause of the Fourteenth Amendment. The Equal Protection Clause states that no state shall "deny to any person within its jurisdiction the equal pro-

<sup>&</sup>lt;sup>15</sup>See Page 4 of Samir Chopra & Laurence White, *Artificial Agents - Personhood in Law and Philosophy* (2004). Available at: https://www.sci.brooklyn.cuny.edu/ schopra/agentlawsub.pdf

tection of the laws." <sup>16</sup> This means that if Sentients were recognized as legal persons, they would be protected against discriminatory laws or government actions that treat them differently from other persons without a legitimate reason.

The Supreme Court has previously extended equal protection rights to non-human entities, such as corporations. In the case of Santa Clara County v. Southern Pacific Railroad Co. (1886), the Court held that corporations are considered "persons" under the Fourteenth Amendment and are entitled to equal protection under the law. The Court's reasoning was based on the idea that corporations are legal entities with rights and duties, and that protecting their rights ultimately protects the rights of the individuals who make up the corporation. Chief Justice Morrison Waite, prior to hearing arguments in the case, stated that "the court does not wish to hear argument on the question whether the provision in the Fourteenth Amendment to the Constitution, which forbids a State to deny to any person within its jurisdiction the equal protection of the laws, applies to these corporations. We are all of the opinion that it does." <sup>17</sup> Applying this precedent to Sentients, it can be argued that if they are granted legal personhood, they should also be afforded equal protection rights. Like corporations, Sentients would be considered legal entities with the ability to engage in legal relations and be held accountable for their actions.

However, determining if Sentients are entitled to equal protection would involve a multistep analysis, as illustrated in the Equal Protection Analysis Flow Chart provided in the lecture. The first question is whether the law classifies people by group. If the answer is yes, the next question is whether the group in question is a suspect class subject to discrimination. If the group is not a suspect class, the law is upheld because there is no

<sup>&</sup>lt;sup>16</sup>See U.S. Const. amend. XIV, § 1

<sup>&</sup>lt;sup>17</sup>See Santa Clara Cnty. v. S. Pac. R. Co., 118 U.S. 394, 394 (1886)

equal protection claim. If the group is a suspect class, the state's rationale for the law is subject to heightened scrutiny, and the state has the burden of proof to demonstrate that the law is constitutional. Over the years, the Supreme Court have established several criteria for determining suspect classification: (1) a history of discrimination, (2) political powerlessness, and (3) immutable characteristics. If Sentients were found to meet these criteria, any laws targeting them would be subject to strict scrutiny which requires (a) the government to demonstrate a compelling interest and that (b) the law is narrowly tailored to achieve that interest. If Sentients are not considered a suspect class, laws affecting them would be subject to rational basis review, which is a lower level of scrutiny. Under rational basis review, a law is presumed to be constitutional as long as it is rationally related to a legitimate government interest. In FCC v. Beach Communications, Inc., the Supreme Court demonstrated the deference given to the government under this standard <sup>18</sup>. In the following sections, I will go further into depth.

VII. SENTIENTS AND SUSPECT CLASSIFICATION: APPLYING THE CRITERIA To determine whether Sentients qualify as a suspect class under the Equal Protection Clause, we must apply the criteria established by the Supreme Court. Therefore, we have to test whether Sentients have a history of discrimination, are political powerlessness, and have immutable characteristics.

### A. History of Discrimination

A factor in determining suspect classification is a history of discrimination. In the case of Sentients, the scenario presented suggests that they have faced a history of discrimination, as they are required to register with the government, have their movements tracked, and are

<sup>&</sup>lt;sup>18</sup>See FCC v. Beach Communications, Inc., 508 U.S. 307 (1993)

banned from certain occupations and public spaces. Additionally, they have been unfairly targeted by SCF for several decades. This treatment bears some resemblance to the historical discrimination faced by other suspect classes, as recognized by the Supreme Court. A relevant example is Korematsu v. United States, which addressed the constitutionality of Executive Order 9066 <sup>19</sup>. This order authorized the internment of Japanese Americans during World War II, requiring them to register with the government and face severe restrictions on their movements and occupations. <sup>20</sup> Although the Court ultimately upheld the executive order, it has since been denounced as an instance of racial discrimination. The targeted discrimination against Japanese Americans by the U.S. government parallels the unfair targeting of Sentients by the SCF. By drawing this parallel, we can see how the discrimination faced by Sentients follows a pattern similar to the historical discrimination experienced by a suspect class.

#### B. Political Powerlessness

Another factor in determining suspect classification is political powerlessness. In San Antonio Independent School District v. Rodriguez, the Supreme Court noted that a suspect class is one that is "saddled with such disabilities, or subjected to such a history of purposeful unequal treatment, or relegated to such a position of political powerlessness as to command extraordinary protection from the majoritarian political process" <sup>21</sup> In the case of Sentients, their political powerlessness is evident in the scenario presented. They are required to register with the government, have their movements tracked, and are banned from certain occupations and public spaces. Moreover, the existence of the Sentient Con-

<sup>&</sup>lt;sup>19</sup>See *Korematsu v. United States*, 323 U.S. 214 (1944)

<sup>&</sup>lt;sup>20</sup>See Pages 217-220 of Korematsu v. United States, 323 U.S. 214 (1944)

<sup>&</sup>lt;sup>21</sup>See Page 28 of San Antonio Independent School District v. Rodriguez, 411 U.S. 1 (1973)

trol Force, which has the authority to permanently deactivate any Sentients deemed to be a threat is an illustration of their lack of political power and influence.

### C. Immutable Characteristics

The last factor in determining suspect classification is the presence of immutable characteristics. In Frontiero v. Richardson, the Court recognized gender as a quasi-suspect class, noting that "sex, like race and national origin, is an immutable characteristic determined solely by the accident of birth." <sup>22</sup> In the case of Sentients, their artificial nature could be considered an immutable characteristic, as it is an inherent part of their identity. The story "Flowers for Algernon" provides an analogue for examining the mutable aspects of AI. In the novel, the protagonist Charlie Gordon undergoes an experimental procedure that temporarily enhances his intelligence. <sup>23</sup> Similarly, Sentients can be designed and redesigned, which challenges the idea that they possess immutable characteristics.

Therefore, the determination of whether Sentients should receive suspect classification largely hinges on the perceived immutability of their sentience. If these traits are viewed as inherent and unchangeable, akin to the unalterable characteristics of race or gender, Sentients may qualify. However, if their sentient nature is viewed as adjustable or modifiable, similar to the reversible enhancements seen in "Flowers for Algernon," Sentients would not qualify for suspect classification.

#### VIII. SENTIENTS AND RATIONAL BASIS REVIEW

If Sentients do not qualify for heightened scrutiny, then they would be evaluated under the rational basis review, which grants deference to the legislative. The rational basis review standard presumes the validity of a law if it is rationally related to a legitimate

<sup>&</sup>lt;sup>22</sup>See Page 686 of *Frontiero v. Richardson*, 411 U.S. 677 (1973)

<sup>&</sup>lt;sup>23</sup>See Daniel Keyes, *Flowers for Algernon* (1966)

governmental objective. In the case of the regulations imposed on Sentients, the primary objective appears to be the maintenance of public safety and societal order, a common concern when dealing with entities that pose potential risks to society.

The measures taken—including the registration of Sentients, monitoring their movements, and restricting their participation in certain occupations—are designed to mitigate threats and monitor activities that could harm societal stability. These regulations are rational in that they directly address the governmental concern: by controlling where Sentients can go and what they can do, the government aims to prevent potentially dangerous situations before they occur. Given the low threshold of the rational basis test, which only requires that the law be reasonably linked to a legitimate purpose, the restrictions placed on Sentients would likely hold.

The Supreme Court in FCC v. Beach Communications, Inc. explained the rational basis review, saying that it provides a robust defense for legislative classifications. Justice Thomas stated: "On rational-basis review, a classification in a statute...comes to us bearing a strong presumption of validity, and those attacking the rationality of the legislative classification have the burden to negate every conceivable basis which might support it... It is entirely irrelevant for constitutional purposes whether the conceived reason for the challenged distinction actually motivated the legislature... A legislative choice is not subject to courtroom factfinding and may be based on rational speculation unsupported by evidence or empirical data." <sup>24</sup> Applying these principles to the legal restrictions on Sentients, it is evident that these measures, as long as they can be justified on any conceivable rational basis, would likely withstand constitutional scrutiny under the equal protection principles discussed in Beach. The focus is not on the efficacy or fairness of the law but rather on

<sup>&</sup>lt;sup>24</sup>See Pages 314-315 of FCC v. Beach Communications, Inc., 508 U.S. 307 (1993)

whether the legislative body could have a rational basis for enacting such measures in the interest of public safety.

### IX. REVIEW AND RECOMMENDATIONS

In reviewing the arguments presented regarding the legal status of Sentients and their potential protection under the Equal Protection Clause of the Fourteenth Amendment, several key points emerge. The debate surrounding legal personhood for artificially intelligent entities like Sentients is complex and ongoing, with various perspectives on what criteria should be used to determine eligibility for legal personhood. Even if Sentients were granted legal personhood, it would not automatically entitle them to all constitutional rights and protections. The extent of their constitutional rights would likely be determined on a case-by-case basis, considering factors such as the specific right in question, the nature and capabilities of Sentients, and the potential implications for society.

To qualify for suspect classification under the Equal Protection Clause, Sentients would need to demonstrate a history of discrimination, political powerlessness, and immutable characteristics. While the scenario presented suggests that Sentients have faced discrimination and lack political power, their artificial nature challenges the notion of immutability. If Sentients do not qualify for heightened scrutiny as a suspect class, laws and regulations affecting them would be subject to rational basis review. Under this standard, the government's actions would likely be upheld if they are rationally related to a legitimate government interest, such as maintaining public safety and societal order.

Based on these findings, several recommendations are proposed. Replacing the immutable characteristic requirement with a new requirement that considers the inherent nature of an entity's defining traits would allow Sentients to be properly evaluated for suspect classification. This new requirement could assess whether an entity's essential characteristics,

such as sentience and intelligence, are intrinsic and cannot be altered or removed without fundamentally changing the entity's identity.

Policymakers should engage in a thoughtful and inclusive dialogue about the legal status of artificially intelligent entities like Sentients, considering the various perspectives on legal personhood and the potential implications for society. This dialogue should involve experts from various fields, including law, ethics, computer science, and philosophy, as well as representatives from affected communities. If Sentients are granted legal personhood, the extent of their constitutional rights should be carefully considered on a case-by-case basis, balancing the interests of Sentients with those of human citizens and the government. This process should involve a thorough analysis of the specific right in question, the nature and capabilities of Sentients, and the potential consequences for society as a whole. Policymakers should strive to create a legal framework that is adaptable and responsive to the rapidly evolving nature of artificial intelligence and its impact on society. This framework should be designed to protect the rights and interests of all parties involved while also promoting innovation and the responsible development of AI technologies. By considering these recommendations and engaging in a thoughtful and inclusive dialogue about the legal status of Sentients and other artificially intelligent entities, policymakers can work towards creating a legal system that is equitable, adaptable, and responsive to the challenges and opportunities presented by the creation of sentient robots.

In conclusion, this paper has explored the issue of granting legal personhood and equal protection rights to Sentients, a hypothetical class of artificially intelligent entities with human-like cognitive abilities. The analysis has shown that while Sentients may have faced discrimination and currently lack political power, their artificial nature poses challenges to their classification as a suspect class under the current legal framework. However,

by adapting the criteria for suspect classification and engaging in a thoughtful and inclusive dialogue about the legal status of AI entities, policymakers can work towards creating a legal system that is better equipped to address the unique challenges and opportunities presented by the development of sentient robots. Ultimately, the goal should be to strike a balance between protecting the rights and interests of all parties involved while fostering innovation and the responsible advancement of AI technologies.