

Review of: "[Essay] Not Quite Like Us? — Can Cyborgs and Intelligent Machines Be Natural Persons as a Matter of Law?"

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Potential competing interests: No potential competing interests to declare.

This essay seeks to demonstrate that there is an *irreducible gap between human and machine*; that this gap resides in part in biological embodiment and human sapience; and that this difference should be the focus of the law when deciding who is and what is not a legitimate moral and legal subject. The essay is well formulated and argued, the review of literature is sufficient for the position that is developed, and the findings/conclusion contribute important insight for the current debate about the moral/legal status of AI.

That said, there are a number of minor items that need to be attended to in order for the submission to be acceptable for publication.

1. Minor Factual Matter

LaMDA is not a computer. It is a large language model, ostensibly an algorithm that is operating on Google's computational platform.

2. Composition

Essay could benefit from some careful proof reading, e.g. "Lert us also explain at the outset what he Essay is not about." "This is a whlly different question." "Recall in that comtext that a court..." etc.

The essay is saturated with many instances of sign-posting (e.g. "The Essay will argue..."). Though some of this is necessary for guiding the reader through the presentation of the material, there can be too much, and it can get in the way of clear exposition. I recommend that the author revisit the sign-posting and see whether some of it could be minimized or even eliminated. I know this is a stylistic matter, but I found the existing quantity of sign-posting to actually get in the way of the reading.

3. Substantive Issue

Later in the essay, the sign-posting appears to assign agency and states of mind to the Essay (which is identified with an upper-case "E", thus making it a proper name). A good example of this can be found in the section on Moral Philosophy: "Ultimately, it is this Essay's belief that..." Is this a "belief" that is attributable to or held by the Essay? Or is this an assertion put forth in the Essay in an effort to communicate a belief that is held by its author?" This seemingly simple question

actually gets at something that is important to the substance of the essay and its argument. In the same way that the essay begins by asking whether an AI-created invention makes DABUS an inventor, we could/should ask whether the essay that makes this argument can have beliefs (arguably an autonomous state of mind)? How this is worded is vital as it can either accurately embody in practice what is argued in theory or open the essay to the charge of performative contradiction. This needs to be resolved in order for the essay to be successful in its argument.