

## Legal Personhood and Moral Agency: A Philosophical Analysis of Rights, Duties, and Identity

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### ABSTRACT

Legal personhood has long been pegged on the idea of human rationality and moral agency. But over the past decades, it has been applied to corporations, artificial intelligence, and even aspects of nature, provoking essential philosophical and ethical dilemmas. The given research paper presents the thorough philosophical examination of the issue of legal personhood through its inherent relation to moral agency, identity, rights, and responsibilities. Using conceptual analysis, comparative legal analysis, and normative ethical analysis, the paper explores the question of whether the entities which are incapable of self-awareness, conscience, or moral reasoning can coherently have a legal status and be responsible. The study finds that there are huge disparities even in the existing legal practices wherein instrumental legal nomenclatures tend to overlook the underlying ethical premises. It contends that legal personhood should be redefined on principled basis; that which is consistent with coherent moral agency and a fixed sense of identity. The paper also captures the concerns of the impact of the emerging technologies and artificial entities on the future law. Finally, the paper will be of contribution to the interdisciplinary discourse that is increasing between law, philosophy, and ethics and will suggest a more ethics-based approach to allocating legal rights and duties.

## **INTRODUCTION**

Legal personhood has long held a central place in legal and philosophical debate. The concept is traditionally based in human agency and identity, but has over time grown significantly to encompass corporations, artificial intelligences, and environmental entities, and even rivers. This growth has generated a heated argument amongst legal theorists, ethicists and philosophers about the nature of personhood, its philosophical validity and the standards by which it should be extended legally. The problem at the center of these controversies is a problem of basic tension between the practical aims of law and the normative demands of philosophy, a tension that is most readily seen in the links between legal personhood and moral agency.

Legal personhood is the quality of being a subject of law, who may enjoy rights and have responsibilities, and may be a party to a legal process. Although the law system often grants this status on institutional or functional requirements, moral philosophy requires further investigations on whether the holder of such rights and duties has the required feature of autonomy, rationality, and accountability. This philosophical approach revolves around the concept of moral agency, which is the ability to make moral choices, appreciate normative ramifications and take actions deliberately. Absent moral agency, the legal personhood of the assignment of moral legitimacy is dubious. With the personhood boundaries extended by the technological breakthroughs and sociopolitical changes, the legal construct has been unable to retain conceptual coherence. Giving non-human objects, including artificial intelligence systems, multinational corporations, and parts of nature, the status of legal persons is conjuring up important philosophical and ethical issues: Is it possible to allocate rights without responsibilities? Does the law require identity? What is the appropriate relationship between legal systems and symbolic gestures or normative consistency? It is these questions that get to the heart of the modern crisis in the definition of legal personhood.

The purpose of the research paper is to develop a stringent philosophical examination of the legal personhood in the context of moral agency, rights, obligations, and identity. It is aimed at exploring the normative foundations of legal status, criticizing the current legal practice, and suggesting a more ethically consistent way of conceiving personhood in contemporary jurisprudence. Its thesis is that in order to have its moral and conceptual coherence, legal personhood should be based on a solid conception of moral agency and persistent identity. This argument is opposed to instrumental legal theories which emphasize more on functionality rather than philosophical justification. This research has taken a conceptual and normative methodology. It entails analytical study of legal principles, philosophical and ethical theories of past and present origin. Philosophers like Immanuel Kant, John Locke, Christine Korsgaard, and Hans Kelsen act as an intellectual anchor in this analysis, and contemporary trends, including environmental personhood and AI rights, are assessed in their relation to the fundamental thought. The varying and frequently conflicting treatments of personhood in other jurisdictions are demonstrated by comparative legal example.

This question is not and purely theoretical one. The implications of legal personhood definition venture into the problem of justice, responsibility, and even the ethical basis of law as such. Legal fictions, where law is used to evade accountability, where rights are separated from duties and where such misapplications of the concept erode normative web of human dignity must be avoided. The exigency of a philosophically derived view of personhood is increasingly becoming clear as the society faces the challenges of an ever-changing climate, digital automation of formerly human tasks, and biotechnological revolution. Therefore, the study is part of a developing cross-disciplinary discourse, bordering legal theory, ethics, political philosophy, and social justice. It attempts to retrieve the moral depth of legal personhood by insisting on its seamlessness with agency and identity, and it provides a critical model to negotiate the challenges of personhood in the 21st century.

In short, this study attempts to conduct a philosophical inquiry into the construction and justifications of legal personhood and the necessity of the entity recognized as a legal person to have moral agency. It also doubts the unity and integrity of attributing rights and responsibility when there is no identity, consciousness or moral rationality.

#### **Limitations of Research**

It is mainly a philosophical and conceptual research. It is not characterized by empirical data gathering and experimental proofs. Because of that, its results cannot be readily translated into the practice of law without additional contextualization. Furthermore, there are Legal definitions of personhood which vary greatly by jurisdiction. Although this study is informed by comparative jurisprudence, it is not in a position to appreciate the richness and the complexity of legal systems of the whole world. The conclusions are, thus, more applicable to the western tradition of law than to the pluralistic or customary legal systems. Moreover, Central terms like those of a moral agency, identity, and personhood are extremely abstract and disputable in philosophy and law. This abstraction might construe the possibility of creating universally acceptable definitions or conclusions, which may lead to ambiguity or definition by turns. Besides, the debate concerning AI and legal personhood is quickly developing. Valid legal and philosophical interpretations today might be obsolete or inadequate given an artificial intelligence or bio-technological breakthrough in the future. Also, the study borders on identity and consciousness, it lacks the specifics of empirical knowledge in psychology or neuroscience which can add value to the discussion of agency and identity, especially in the human and non-human condition. The paper also is limited predominantly to western philosophical traditions and secular legal cultures. It fails to substantially address religious or indigenous conceptualizations of the person that can potentially assume different and culturally important forms.

### **Significance of Research**

The study is quite important in philosophical discussion as well as in legal theory, especially amid the changing social, technological and ethical issues of the 21st century.

The research supplies a rigorous philosophical investigation of the principles of person, rights, and responsibilities. It is through questioning the moral and metaphysical premises of legal personhood that it allows legal scholars and policymakers to appreciate what it really entails to ascribe rights and obligations to different entities. Additionally, in modern jurisdictions, legal personhood is being granted to increasing numbers of entities such as corporations and artificially intelligent systems, and even to natural objects (e.g. rivers or forests). This study doubts the ethical consistency of these practices and provides a conceptual framework to process whether these kinds of designations are ethically warranted and philosophically viable. More so, the emergence of artificial intelligence, robotics, and digital agents, this research becomes particularly relevant. It raises the question of the role in the current argument concerning legal and moral standing of non-human intelligences and the question whether they should be capable of bearing responsibilities and protections that have long been the preserve of human agents. Besides, By providing a rigorous conceptual examination of moral agency and identity as it pertains to legal standing, the study can be useful to law makers and jurist in developing clearer, more equitable, and more ethically justifiable legal constructs by which personhood, rights, and responsibility are attribution. Moreover, it is an interdisciplinary study that allows linking the fields of jurisprudence, moral philosophy, metaphysics, and political theory. It promotes additional interdisciplinary interactions, which leads to a more comprehensive vision of justice, identity, and responsibility issues in contemporary society. Besides, in an era where human and non-human agency are becoming more and more difficult to delineate, this study assists in protecting ethical norms. It cautions against random, or commercially driven expansions of personhood that threaten to diminish the meaning of human dignity, moral agency and legal integrity. Not only that, but the study also applies to the international and global legal field, particularly the discussion of human rights, animal rights, corporate regulation, and environmental protection, by providing philosophical insight into what or who qualifies as a right and duty holder.

### **Research Problem**

The modern legal regime is full of instances in which personhood is attributed to non-humans, but the philosophical underpinning of those attributions is disputed. Assuming that the rights and duties are essential attributes of moral agency, how could either corporations or AI, which lack a moral conscience, be considered legal persons? Besides, should legal personhood involve a coherent sense of identity or can it be strictly instrumental? The ambiguity leads to ethical and jurisprudential confusion in the areas of justice, accountability and autonomy.

### **Research Questions**

1. What is the philosophy of legal personhood concerning moral agency?

2. Is it possible to have a being or entity that has legal rights and duties but lacks moral agency and ascertained identity?
3. In what ways do modern law systems justify the attribution of personhood to non-human or artificial agents?
4. What does this entail on moral and legal responsibility particularly within the realms of emergent technologies?

### **Research Objectives**

- To septically analyze both historical and current theories on the legal personhood.
- To examine the idea of moral agency and how this idea can be applied in rights and responsibilities.
- To pursue the philosophical conflicts between legal identity and metaphysical identity.
- To give a normative structure to the attribution of personhood in ethically consistent manners.

### **LITERATURE REVIEW**

Legal personhood has a long history as a central category of legal and moral philosophy, but one choosing sides in the ongoing debates over the meaning of the term. Historically, the concept of legal personhood was restricted to human beings, the ones who are able to think rationally, to be self-conscious and morally responsible (Kant, 1785/1997). According to deontological framework by Kant, moral agency which is based on autonomy and reason is required in assigning duties and rights and so human being is the default bearer of legal and moral status. This opinion was further strengthened by John Locke (1690/1996) who traced personal identity with memory and consciousness, thus providing a metaphysical basis of moral responsibility. Locke opined that the persistence of consciousness is the foundation of moral responsibility, which also warrants the legal personhood recognition. By contrast, other legal theorists including Hans Kelsen (1945) are more positivist and instrumental. Kelsen held that Legal personhood is an artificial status granted by the legal order, and it does not rely on metaphysical or moral attributes. To Kelsen, corporations and other artificial persons may be legal persons not by virtue of having consciousness or moral agency, but because the law considers them to be, in order to achieve functional purposes. The conflict between moral philosophy and legal pragmatism can be seen in admitting non-human entities as legal persons. Indicatively, Stone (1972) notoriously inquired whether the natural objects, such as trees, deserve standing in the court, and thus expanding the understanding of legal personhood beyond the conventions of human-centric understanding. His efforts created a movement in the environmental legal theory, which questions the presumption that moral agency is a prerequisite of legal rights. On the same note, other scholars like Naffine (2009) have also explored critically the selective personhood recognized by the legal system particularly under gender, animals and artificial agents. According to Naffine, legal personhood has many features that are determined by sociopolitical power structures as opposed to consistent ethical thinking. She argues that the present system is rather uneven in its

application of the notion of agency, and that in many cases rights have been granted without any accompanying duties and responsibility. As artificial intelligence and sophisticated algorithms are being introduced to the world, philosophers, such as Gunkel (2018), raise the question of whether machines, capable of decision-making but not consciousness, can be or should be held accountable in the court of law or morality. The emergence of AI blurs the conventional understanding of personhood and forces us to reevaluate our criteria of adequate agency to bear rights and responsibilities. Regardless of these trends, a philosophical unease about legal personhood as a category deprived of moral agency is the loss of its ethical mooring. Korsgaard (1996) objects to the instrumentalization of personhood and says that the idea of regarding entities as an end-in-itself is central to the moral law. It illustrates the importance of legal definitions to be in line with moral reasoning, at least within the context of emerging entities, such as AI or corporations.

## **METHODOLOGY**

The current research paper employs philosophical conceptual analysis that breaks down crucial terminologies such as personhood, moral agency, and legal identity. Comparative jurisprudence are also done in this paper in order to find out how other legal systems assign and define personhood. The article makes use of case study approach to the landmark cases (e.g., *Citizens United v. FEC*, AI as legal agents, Non-human rights project). Another strategy employed in the study is the Interdisciplinary Synthesis from which the study draws on philosophy, law, and cognitive science to evaluate moral capacity and identity. In addition, the philosophical approach taken by this research paper in regard to analysing moral agency and moral duties and also social ontology to analyse the construction of identity and legal status is a normative approach based on deontological Ethics (Kantian tradition). When artificial intelligences are making their own decisions and multinational corporations are establishing international norms, there is an immediate danger of needing to reevaluate what it means to be a person in legal terms. The work has implications in fields of legal and moral philosophy in the sense that it provides a consistent account on how legal responsibility and rights distribution as well as identity acknowledgments should be like in the future pluralistic societies.

## **RESEARCH RESULT**

This study was done to critically analyze the philosophical underpinnings and legal definitions of personhood as they relate to the concepts of moral agency, identity, rights and responsibilities. Through a conceptual and normative approach to philosophizing, this analysis will be based on reasoned argumentation and the deconstruction of critical legal-philosophical concepts and worked out with the help of illustrative examples in law to explore the inconsistencies, implications, and future directions of attributing legal personhood.

### **Conceptual Un clarity of Legal Personhood**

The concept of legal personhood is sometimes said to be the ability to possess rights and responsibilities in a legal system. Nonetheless, more philosophical examination shows that such definition is not internally consistent and universal. The legal person has become a highly elastic term, doing much pragmatic work, but little to declare coherent moral or metaphysical commitments. Kant (1997) and Locke (1996) among other philosophers insisted that personhood had to be based on autonomy, rationality and consciousness. Nevertheless, the law system habitually attributes personhood to things that do not possess those characteristics. As an example, corporations are given the status of legal persons not due to their endowment with moral agency but because it has economic and regulatory purposes. Such discrepancy shows a lack of coordination between the convenience of the law and philosophical justification. Conceptually, it can weigh down the moral gravity of personhood by making it elastic. When everything can become a legal person, the term becomes empty of normativity. This critique implies that the legal personhood cannot be merely instrumental but must instead be established upon a consistent set of philosophical standards, particularly when moral rights and moral responsibilities are to be distributed.

### **Moral Agency as Ground of Legal Personhood**

The ability to act deliberately, make moral judgements and be responsible, known as moral agency, is sometimes taken as a required condition of personhood in law and ethics. Moral agency is considered in the Kantian tradition as the key to human dignity and legal standing. Without the ability to interpret or act on moral norms, it is dubious that one could have the ability to hold legal obligations or enjoy rights that entail responsible agency. The law system makes it complicated though by granting personhood to things such as corporations that lack the self-awareness or ability to reason morally. These artificial persons are collective actors, yet they have no moral consciousness within them. That poses the question: is it possible to sever legal persons and moral agency without moral impunity? This discussion claims that, although useful arguments can support the attribution of some rights to non-human objects, these assignments cannot be mistaken to be the same as moral personhood. A legal framework that offers personhood without agency is in danger of removing the moral authority of that framework. One answer would be to move to a layered or tiered model of personhood, such as natural persons, moral agents and juridical constructs, to avoid both conceptual and ethical conflation.

### **Right Without Duties: Ethical Disproportionate**

The other important observation is the growing trend of attributing rights to non-human or non-agent things without attaching any responsibilities. This is especially clear in the environmental law and AI discourse. There are some rivers, forests, and intelligent machines that are now considered to have legal rights, but cannot understand or perform legal duties. This imposes an imbalance of ethics. In more classical conceptions of legal and moral philosophy, rights and

responsibilities are mutual; the right to autonomy, to take a familiar example, is accompanied by the duty to acknowledge the autonomy of others. When a being cannot perform obligations, then the ascription of rights turns into a symbolic form of expression instead of a normative justification. As an illustration, in the groundbreaking case of Whanganui River in New Zealand, the river was accorded the status of a legal person to safeguard the native cultural and spiritual values. Even though this step was revolutionary in a symbolic sense, it is based on legal guardianship, not agency. The river is not able to act, to decide and to be responsible. Consequently, its personhood is figurative and handled by proxies. This study indicates that although these symbolic acts are good in social and environmental awareness, they ought not to overshadow the main connection between rights and duty. And should we decouple legal personhood and agency, we run the risk of establishing legal subjects that cannot be held to account, openly undermining the normative order of law.

### **Personhood and the Survival of Legal Personhood**

The assumption of legal identity has been thought to be continuous and stable especially when human rights and individual responsibility are being considered. The advent of the AI and biotechnological beings, however, puts the philosophical foundations of identity into question. When identity is fractured, transitory, or otherwise artificial as with the case of AI systems, can that entity be a person in any useful legal sense? Philosophers such as Locke (1996) had associated personhood to memory and self-reflective consciousness, whereas the legal systems had traditionally relied on birth, records and continuity as the basis of identity. But things such as AI do not have a consistent personal identity or a narrative sense of self. They can develop, revise, or divide, and this causes attribution issues with long-standing legal status. This discussion indicates that legal personhood cannot be reduced to moral agency only but must involve a consistent sense of identity as well. In the absence of continuity, the legal responsibility and the ascription of rights is philosophically incoherent. The law of the future must thus confront philosophical theories of identity in order to not extend personhood to things that cannot bear it.

### **Artificial Intelligence at the brink of legal responsibility**

Should artificial intelligence be or can it be given legal personhood? This question is one of the most urgent topics of contemporary jurisprudence. The contemporary AI is capable of making decisions, communicating with people, and even learning by experience. But they are without self-awareness, intentionality and understanding of moral consequences, qualities that define moral agency. According to Gunkel (2018) and others, AI might be considered as legal agents or tools but not persons. Other legal theorists propose the intermediate category of "electronic personhood". Yet, this begs the following essential question: Do we grant legal personhood on a functional basis or on a philosophical basis? The analysis used believes that even though AI might require regulation frameworks or accountability frameworks, giving them complete personhood status under the law defeats the moral integrity of

personhood as a concept. Such extension of personhood should be heavily balanced with philosophical criteria of responsibility, intentionality and identity.

### **Corporate Personhood and Moral Agency Collective**

The most well-settled form of artificial legal persons is perhaps the corporate entity. They are capable of owning property, engaging in contracts, suing and being sued. But the problem is that their moral agency is spread over individuals and thus collective responsibility becomes a problem. In the interest of convenience, legal theories tend to discuss corporations as though they are real persons, however this analysis brings into question the moral validity of these statements. Companies may be unethical, may take the advantage of the law or may escape moral accountability by spreading the responsibility across the stakeholders. This discussion argues that any legal personhood approach to corporations must be strongly instrumental and must not be conflated with moral agency. An alternative, more heavily-armed model could consist in considering corporations as moral proxies, not agents, so they can be regulated and punished but not granted the complete moral status of individual persons. The legal reforms must look into disabilities (right to free speech, political contributions, or the like) on account of lack of moral agency.

### **Symbolic Ethics and Environmental Personhood**

Current trends in environmental law proposed the legal personhood of elements of nature. Symbolically strong and ethically advanced, such moves nonetheless tend to depend on legal guardianship and social acknowledgment more than on some inner agency or identity. This discussion recognizes the usefulness of these efforts in defending the rights of nature and ecological justice. But it is also cautious in relation to the uncritical application of the personhood terms. The extension of personhood metaphorically when it is not keenly philosophically-grounded threatens to collapse the distinction between ethical recognition and legal fiction. Alternatively better suited model could be the acknowledgment of environmental "interests" guarded by human legal representatives, instead of personhood as such. This would retain the symbolic significance and at the same time be philosophically consistent.

### **Why a Tiered Model of Personhood is Required**

As per the findings above, the present analysis suggests a layered model of legal personhood:

- Tier 1: Natural Moral Persons -Humans that have the ability to reason morally and that can be held individually responsible under a law.
- Tier 2: Proxy Persons- These are persons or entities such as children, mentally incompetent individuals or objects of nature who have legal guardians to represent them.
- Tier 3: Functional Legal Constructs- Corporations, AIs, and other non-sentient agents that are regarded as legal fictions in order to achieve an instrumental end.

A model of this nature would enable the legal system to reconcile ethical integrity and functional necessity without conceptual overreach and yet meet social, regulatory demands.

### **Ethical Dangers of extending Personhood**

Thoughtless extension of legal personhood threatens to empty the concept of moral responsibility of its content and to undermine the wholeness of law. When all is made a person, the term becomes den individual loses its normative force. The study warns against this tendency and encourages law systems to formulate more specific, ethics-driven rules of attributing legal standing. Besides, in case of granting rights without responsibilities, the situation when the subject has legal force, but not the obligation to be answerable is possible, which is morally and legally hazardous. The accountable legal design should guarantee that rights and responsibilities stay coupled, and that identity and agency become the approximations of personhood.

### **Final Reflections**

In this analysis, it has been shown that legal personhood cannot be considered as a legal utility tool; it has to be approached with philosophical seriousness. The linkage between moral agency and identity to the legal responsibility is one that cannot be ignored. Legal frameworks should develop with transparency, care and philosophical robustness as we move forward into the twists and turns of our artificial intelligence-filled, multinational, climate-disaster driven, morally relativistic new world. The legislation should not turn into a platform of symbolic actions at the expense of conceptual purity. Rather, it should be grounded in consistent ethical values that do not override the special status of moral agents but instead bend to the requirements of contemporary governance. This study is part of that process since it provides a framework of critical reflection, law reform and future research.

## **DISCUSSION**

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## **CONCLUSIONS AND RECOMMENDATIONS**

The changing face of both legal and moral philosophy demands a re-evaluation of what it actually means to be a person in the eye of the law. This study has examined philosophical foundations of legal personhood with regards to moral agency, rights, obligations and identity. Upon critical examination, it has been revealed that including non-humans, namely corporations and artificial intelligences, in the legal personhood practice, is in many cases neither morally nor philosophically consistent. The analysis shows that legal personhood is an helpful fiction, but it is ethically vulnerable to the degree that it is divided off moral agency and coherent identity. The attribution of rights and responsibilities

to beings that have no capacity to engage in moral agencies or self-conscious awareness might be practical purposes, yet it jeopardizes grave concern regarding justice, accountability, and the honesty of the judicial system. Furthermore, this analysis indicates the necessity to differentiate between the legal convenience and ethical legitimacy. Although law can treat many kinds of things as persons, functionally speaking, it should not merge legal personhood and moral worth without subjecting it to proper philosophical analysis. The results recommend a more principled system, one that makes the legal definitions meet the moral logic particularly as the society challenges new dimensions of AI, biotechnology, and international corporate authority. Finally, this study adds to the emerging scholarship on the future of law and ethics by requesting a reconceptualization of personhood that is philosophically consistent, ethically warranted and socially answerable. By doing this, it prepares the ground to future research and the possible legislation meant to secure that the assignment of rights, responsibilities, and legal personality continues to be based on concerns of justice, reasonability, and human dignity.

### **Future Research Recommendations**

- Further research needs to take an empirical turn by examining the decisions of courts in different jurisdictions with regard to how the concept of a legal person has been construed and operationalized, especially in challenging cases involving corporations, artificial intelligence, or non-human animals. This can assist in closing the divide involving philosophical theory and judicial reality.
- Future studies ought to examine the way other cultures, religions, and indigenous traditions think about personhood and moral agency. These comparative studies might expand the philosophical debate and provide other frameworks that might criticize powerful western paradigms of law.
- Future researchers have been urged to work together with neuroscientists and psychologists in order to explore the nature of identity, consciousness and agency in a cognitive and biological point of view. These interdisciplinary insights might be useful to base legal personhood on scientifically informed conceptions of human and non-human minds.
- The ethical and political conditions of corporate personhood require additional investigation. Studies can evaluate if current legal systems morally responsibility of corporations and how philosophical theories of collective agency can back up or oppose that position.
- Future Scholars ought to think about suggesting specific legal changes based on the philosophical criteria of personhood. This may mean coming up with normative legal principles or model laws that lead to more rational attribution of rights and responsibilities founded on unambiguous moral principles.

It is hoped that these suggestions will widen the scope of enquiry beyond theoretical abstraction and help towards a much fuller and more realistic

conception of what a legal person is and does in an ethically challenging and swiftly evolving world.

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