

Se l'agente è non necessariamente un essere umano. Alcune riflessioni giuridiche

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If the Agent is not necessarily a Human Being. Some Legal Thoughts

Abstract: The Author firstly explores the evolution of the general concept of agent as an entity able to process information. Then the legal question is formulated as follows: where does the law draw the line of a legal agent? Is or should such a line be coincident with that between things and persons? Theoretical background is outlined along Isaiah Berlin's idea that our conceptions about liberty strictly depend on the conceptions we have about what is a 'person', a 'man' and how it is manipulated. Historical examples of such manipulations are presented (even Article 1 of the Universal Declaration Of Human Rights, all human beings "are endowed with reason and conscience"). Nowadays our societies and the legal systems have to face a completely new reality, where full technical artifacts are endowed with some cognitive capacities and a certain degree of reason and conscience.

Keywords: Agent (for the law), Robots, Reason and conscience in machines, Legal personality.

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