



The Normative Structure of Adjudication Rules for Generative Artificial Intelligence

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Abstract



This paper analyzes the impact of **generative artificial intelligence (AI)** on the legal framework using Hart's rule of law theory, identifying gaps in existing rules. It discusses **judicial challenges** from rule dilemmas and explores how multidimensional jurisprudence can help reconstruct these rules. **The goal** is to develop a robust framework for adjudicating AI cases and to propose methods for standardizing rules in cyber information law, ultimately creating a legitimate and practical generative AI adjudication framework.

Introduction

The current applications of generative artificial intelligence (AIGC) are giving rise to a series of new legal disputes and adjudication challenges, **typical situations including:**

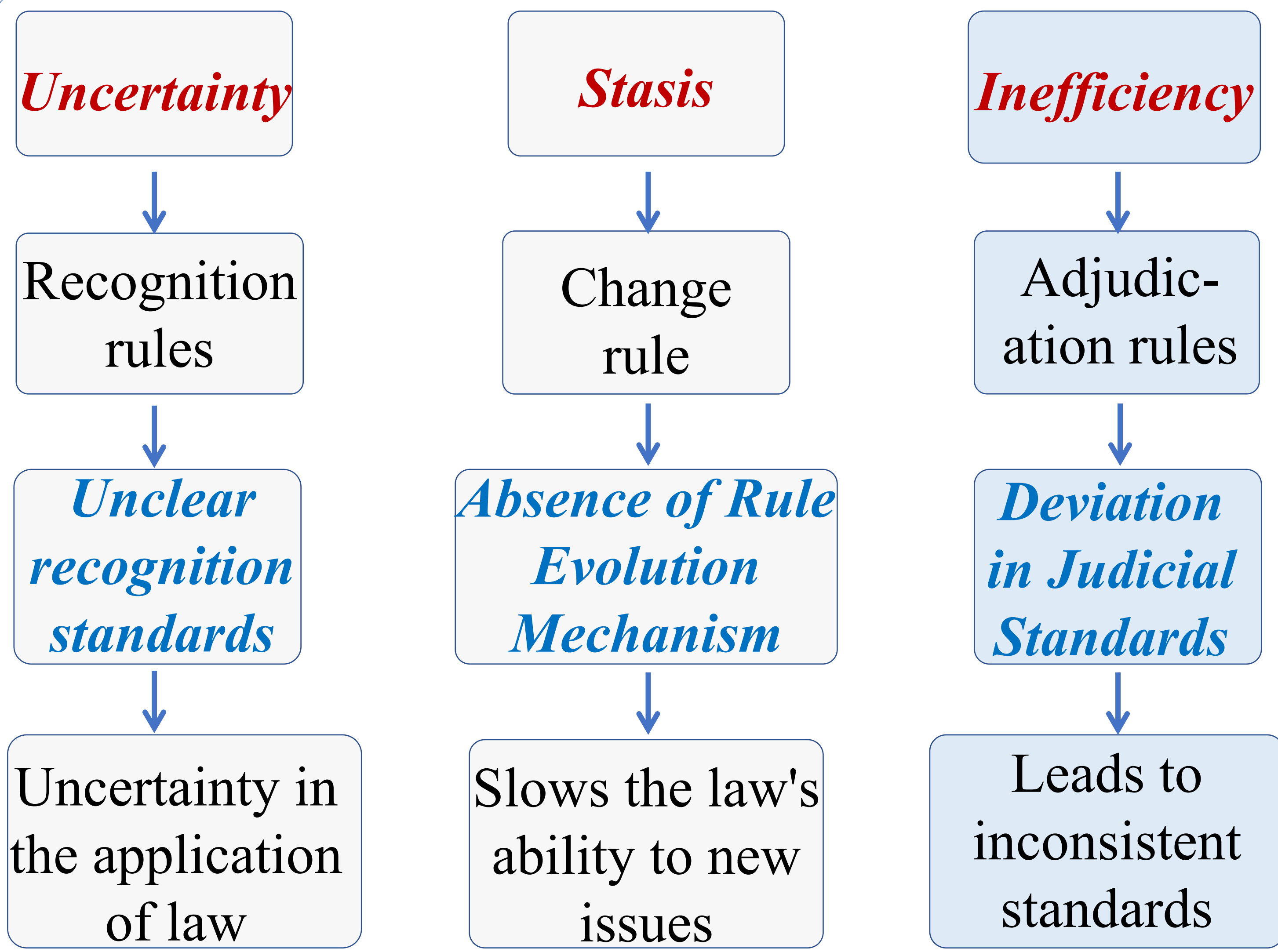
- the legal recognition of intellectual achievements;
- new forms of infringement on personal rights;
- disputes over the legality and legitimacy of algorithmic decisions.

The Normative Logic

In summary, AI adjudication rules must legitimate, practice-oriented, and value-driven.

- The Principle of Adaptability in Regulatory Systems
- Standardization and Systematization of Judicial Rules
- Human Rights-Oriented Principles in Judicial Rule Construction

The Dilemma of Judicial Rules



Reconstructing Judicial Adjudication Rules

Legally Recognized Mechanism
Establish clear recognition criteria to address uncertainty. (scope: **Copyright and authorship, Personality rights, Liability**)

Efficient Rule Update Mechanism
Apply MacCormick's dynamic view of law to counter stasis: **Administrative Authority, Judicial Precedents, Judicial Interpretations.**

Standardization, Rationality, and Acceptability
Reconstruct the adjudication process to meet Raz's legitimacy criteria and Stone's integration requirements: **technical rationality, acceptability, platform accountability.**

Authority, Rule Discourse, and Moral Context

Rule Authority and Service Function (Raz)
AI adjudication must enhance reasoned decision-making; opaque algorithms weaken legal authority.

Rule Structure of Legal Practice (MacCormick)
Law requires justification; effective AI needs legislative, judicial, and professional support.

Moral Background of Legal Principles (Dworkin)
AI must incorporate moral principles like dignity and justice, moving beyond mere rule application.

Comprehensive Normative View (Julius Stone)
Law combines logic, social facts, and moral justice, rejecting separations of form, fact, and value.

Conclusion

This paper concludes that AI challenges existing legal frameworks and judicial decision-making. It **proposes reconstructing adjudication rules** using Hart's theory, Raz's authority theory, and McCormick's institutional rationality, while emphasizing human rights. The framework for AI adjudication highlights adaptability, standardization, and human rights, **advocating for** proactive legal modernization that aligns technological development.



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