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THE JURISPRUDENCE OF PROGRESS: ARTIFICIAL INTELLIGENCE AT THE INTERSECTION OF NATIONAL POLICY AND GLOBAL REGULATIONS

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ABSTRACT

The rapid ascent of Artificial Intelligence (AI) has fundamentally outpaced existing legal frameworks, precipitating a state of "*normative lag*" where technological capability exceeds judicial and legislative oversight. As AI systems transcend territorial boundaries, the legal community faces a pivotal crisis of jurisdiction: how to reconcile disparate national interests with the urgent need for a unified global governance model.

Central to this analysis is the widening rift between domestic policy priorities. In recent years several countries have adopted and implemented varied policies while releasing their AI roadmaps, such as United States prioritisation of market-led innovation compared to European Union's rights-centric approach emphasizing human dignity and safety. India is also not left behind as it stands at a crucial crossroad to become 'Garage' for developing and emerging economies by leveraging the power of AI. This research utilizes a comparative lens to argue that a fragmented, "Siloed" approach to regulation not only creates legal uncertainty but also risks stifling the very innovation it seeks to manage.

The research suggests the establishment of specialised international institutions tasked with developing a "variable geometry" of regulations, rather than enforcing a monolithic code and to oversee a suite of plurilateral, sector specific frameworks replacing the "one-size-fits-all" approach with a flexible, enforceable system by synthesizing current trends in international law and digital policy. Ultimately, the future of the rule of law in the digital age hinges on our ability to harmonize national sovereignty with the borderless reality of technological progress and protection of Fundamental Rights

Keywords: Artificial Intelligence, Global Governance, Variable Geometry Regulations, Jurisdictional Challenges, Digital Sovereignty, Legal Harmonisation.

1.INTRODUCTION

The emergence of AI has marked a profound and paradigmatic shift in the scope and scale of human potential. what Industrial Revolution did in 150 years, AI has done it in a decade. In a

fast, automated and with an unprecedented growth rate, and with such unprecedented growth the legal fraternity is facing a major challenge of what we call is "NORMATIVE LAG", described as the gap where rapid technoloical advancements outpace the development of corresponding legal, ethical, or regulatory norms (standards/rules).

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This paper tries to discuss the issues legal community is facing such as crisis of jurisprudence, jurisdiction, control, liability, and use-case and how policy formulations, regulations, frameworks to be made keeping in mind the global perspective. With challenges like economic disruption and inequality, privacy risk, surveillance, misinformation and manipulation, cyberattacks, loss of human agency (reducing critical thinking of humans and over-reliance). The problem is not just technical but also *Ontological* and how can a liability be fixed if the actor(AI) cannot be defined.

2. THE ONTOLOGICAL SHIFT: FROM TOOL TO AGENT

Since we all know traditionally the law view computer programs as software and under GOODS AND SERVICES ACT, it is treated as goods and under COPYRIGHT ACTS,1957 it is considered as a literary work in both case the human is the owner/master and software is the servant and obeys what human commands but Generative artificial intelligence, and Artificial intelligence defies this raising serious concern.

AI's transformative power makes it not just a technological issue, but a global governance challenge; similar to climate change or nuclear safety.

2.1 Crisis of jurisdiction and digital sovereignty

Since the notion of sovereignty is decided based on territory, people and government (Westphalian notion) but AI operations are borderless and operates in What we can say is "NO PLACE" and it is where the issue of jurisdiction arises.

Secondly, there is a very high chance for violation of digital sovereignty, as we have seen morphed pictures, videos, sound clips and what not…

3. NEED TO DO AWAY WITH MONOLITHIC CODES

A single unified AI treaty is a fantasy which can never be achieved. At the international level, organisations such as the United Nations, the World Bank, and UNESCO are undertaking efforts to create frameworks and guidelines for safe, responsible and trustworthy AI. In fact, based on its September 2024 "Governing AI for Humanity" report. Key initiatives include the High-Level Advisory Body on AI, a new Global Dialogue on AI Governance, and an Independent International Scientific Panel to ensure AI aligns with human rights and the Sustainable Development Goals (SDGs). And the High-level-advisory Body will advance recommendations for the international governance of AI. UN should focus on Sectoral plurilateralism and interoperable treaties. The need to move away with the monolithic codebases is not a trend but it's becoming a necessity as the system of artificial intelligence keeps on growing more complex on large scale.

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4. THE THREE SILOED APPROACH

a) The Brussels effect- Rights-Centric: -Leading with the risk-based Artificial Intelligence Act (AI Act), which classifies AI applications by risk level and imposes strict requirements on high-risk systems.

b) The Washington consensus- Market-Centric: - • Focuses on a sector-specific approach, emphasizing voluntary standards, ethical guidelines (e.g., AI Bill of Rights), and federal agency oversight (e.g., FTC).

c)New Delhi's Declaration -Development-centric -a global framework adopted in February

2026 by 88 countries, including the US, UK, China, and the EU, that shifts the focus of AI

development from "safety-first" anxiety to "impact-first" innovation and equitable access. Guided by the principle of *Sarvajan Hitaya, Sarvajan Sukhaya* (welfare and happiness

for all), this approach seeks to balance rapid AI innovation with responsible, human-centric

governance.

It includes Responsible AI (The 3 Sutras and 7 Chakras)

3 sutras-

1)People

2)Planet

3)Progress

7 Chakras are-

1) Democratizing AI,

2) Economic growth & social good,

3) Secure/trusted AI,

4) AI for science,

5) Access for empowerment,

6) Human capital development, and

7) Resilient, innovative systems.

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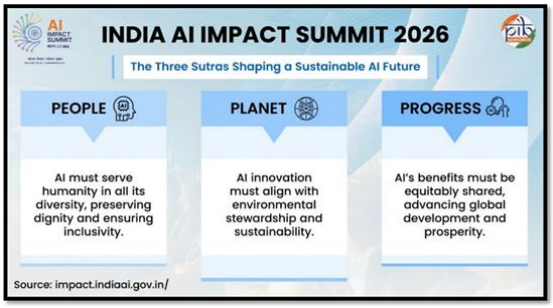

Figure-1.1

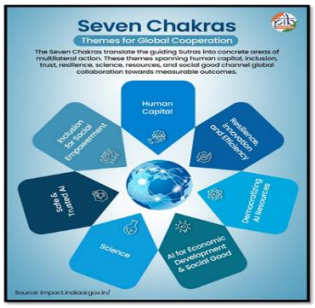

Figure-1.2

Source: PIB article on India-AI Impact Summit 2026, "Welfare for All, Happiness of All" 21 January 2026, available at: https://www.pib.gov.in/PressReleasePage.aspx?PRID=2216805&reg=3&lang=1 (last visited on March 30th, 2026).

The major criticism of "Three Siloed approach" is that it will create a "Digital Westphalia"—a fragmented global digital landscape where the terms, rules, and standards will be again set by the powerful countries and digital world will be governed by geopolitical powers rather than by universal ethics and moral standards

5. THE BLACK BOX AND DEATH OF DUE PROCESS

The biggest problem with artificial intelligence and the law is the Black Box. This is when we cannot understand how an Artificial Intelligence system works. A state of technical opacity where the reasoning is inaccessible to humans. The Artificial Intelligence system is like a box that we cannot see inside. The Artificial Intelligence system makes decisions. We do not know how it makes these decisions. In an important court case Maneka Gandhi v. Union of India[1] the Supreme Court of India changed how we think about Article 21. This happened in 1978.

The Supreme Court of India said that any rules made by the government must be fair and reasonable. The rules must not be arbitrary. The Black Box is a problem because it is not fair or reasonable. We need to be able to understand how the Artificial Intelligence system makes decisions. The Artificial Intelligence system must be just and fair, like the Supreme Court of India said. The Black Box is not just and fair because it is not transparent. We cannot see what is going on inside the Black Box. The deployment of AI in public decision-making —ranging from bail algorithms to welfare distribution—threatens to collapse this constitutional safeguard. If the State cannot explain why an individual was deprived of a right, the procedure is inherently "unreasonable."

6. JUDICIAL CONCERNS REGARDING GENAI

[1] *Maneka Gandhi v. Union of India,* 1978 AIR 597, 1978 SCR (2) 621

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A) Risk of AI 'Hallucinations': GenAI systems may generate fictitious judgments, precedents or legal reasoning, since there is no interaction and no internal control it is very much possible

B) Threat to Precedent-Based Adjudication: Judicial decision-making in India is anchored in stare decisis. AI-generated content may rely on probabilistic patterns rather than binding precedents. A generalised opinion to fit all the case will not serve the true ends of justice

C) Perpetuation of Bias: AI systems trained on biased or opaque datasets can reinforce structural prejudices.

7. AI: A DYNAMIC AUTONOMOUS AGENT (DAA)

It consists of 3 important traits: -

1.Dynamism: -unlike the traditional software AI can evolve itself, learn from the pattern and process output based on those patterns.

2.Autonomy: -when AI is given a task it focuses on executing it and not on following the line of code.

3.Master-agent interaction gap: - after feeding the command the AI completes the execution and there is a lack of interaction in between showing clear interactional gap

8. POLICY FORMULATION: BALANCING INNOVATION WITH INHIBITION

Policy formulation in the realm of Artificial Intelligence is not a singular legislative event but a continuous process. As established in the introduction, the "Normative Lag" necessitates a policy framework that is as dynamic as the technology it seeks to govern.

For a developing nation like India, AI policy formulation is not a luxury but a constitutional and economic necessity. To bridge the "Normative Lag," the State is caught in a complex "Trilemma" that is a three-way tug-of-war where prioritization of any one of them may compromise the other two.

Let's elaborate on the three dilemmas in more detail. We have:

8.1. Economic Growth vs. Regulatory Inhibition

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India's core policy concern is how AI can be harnessed to increase its GDP by $1 trillion by 2035. However, if it is highly regulated, like in the European Union's Brussels Effect, it may amount to a "tax on innovation."

* The Dilemma: If India were to highly regulate AI, it may suffer from "Regulatory Capture" where only Big Tech corporations could afford it, thereby dooming the Indian "Garage" start-up culture.

* The Policy Solution: Using Regulatory Sandboxes. This is where start-ups get to test AI models in a "sandbox" with relaxed regulations. The state then gets to observe in real time what is happening with AI development while at the same time fostering economic growth. The policy then moves from "Command and Control" to "Monitor and Mitigate."

8.2. National Security vs. Global Interoperability

AI is the new frontier in "Sovereign Power." From autonomous defence systems to protecting infrastructure from cyber threats, AI is inextricably linked with national security.

* The Dilemma: Data localization, or keeping all data in India, is good for national security but makes India lose access to the global "Data Commons." AI is all about data.

* The Policy Solution: Trusted Data Corridors. The formulation of the policy under the DPDP Act, 2023 also reflects the aforementioned in the sense that data is transferred to 'Trusted' geography, ensuring that India remains in the global supply chain while having the 'Sovereign Kill-Switch' against Adversarial Nations.

8.3. Fundamental Rights vs. Algorithmic Efficiency

While the Indian Constitution and the Golden Triangle of Articles 14, 19, and 21 of the Constitution of India mandate that the State's actions be fair and not arbitrary, the Dilemma is:

* The Dilemma: AI thrives on 'Efficiency' but often sacrifices 'Explainability' in the process. The State's use of an algorithm in welfare distribution or predictive policing is not protected by the Right to Due Process because of the 'Black Box' of AI and its arbitrary results. The citizen's right to be heard is denied by an algorithmic decision, and the only answer given is 'The Computer Said So, this is not valid in *Maneka Gandhi v. Union of India*.[2]

* The Policy Solution: Algorithmic Accountability. The formulation of the policy is such that 'Human-in-the-Loop' is mandated. No decision affecting the life and liberty of citizens is left to be made by machines alone. The 'Morality' of India is respected and not circumvented in the name of AI.

[2] *Maneka Gandhi v. Union of India,* 1978 AIR 597, 1978 SCR (2) 621

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9. THE "SANDBOXING" STRATEGY: A PROACTIVE POLICY TOOL

The Regulatory Sandbox is one of the most effective tool in modern digital policy. What it's what it does: a sandbox is a safe and controlled space where start-ups that use artificial intelligence can try out their Dynamic Autonomous Agents while people who make rules like MeitY or RBI watch over them. This way they do not have to follow all the strict legal compliances at once.

The reasoning behind it: this lets the government witness how the Black Box works before it

is available to the public. It changes the role of the people who make rules from being the ones who say yes or no to being the ones who work together with the start-ups. For India to really become a GARAGE where new ideas are born for the Global South our rules must include these sandboxes in areas, like Agri-Tech and Tele-medicine. These are areas where making mistakes can be very costly but coming up with ideas can change everything for the better.

This also gives an advantage to design a policy, software etc. according to the needs of the people, they also bring the true ground data that will make real impact all while working under the supervision of the policy makers, regulators and that will decrease the time taken in licence approval and reduces the chance of rejection, ban or failure.

10. OECD AI PRINCIPLES

The OECD AI Principles are the first intergovernmental standard on AI. They promote innovative, trustworthy AI that respects human rights and democratic values. Adopted in 2019 and updated in 2024, they are composed of five values-based principles and five recommendations that provide practical and flexible guidance for policymakers and AI actors.

The OECD AI Principles promote use of AI that is innovative and trustworthy and that respects human rights and democratic values. Adopted in May 2019, they set standards for AI that are practical and flexible enough to stand the test of time.

5value principles are: -

- Inclusive growth, sustainable development and well-being-At the policy level, countries have launched initiatives to ensure that stakeholders, including vulnerable groups, are involved in policy design and benefit from AI systems, including through initiatives to augment human capabilities and enhance creativity. Governments are also funding projects that use AI to address environmental challenges.
- Human rights and democratic values, including fairness and privacy-many governments have issued primarily non-binding guidelines and initiatives to reduce AI

biases and promote human rights and human-centred values. By contrast, only some have developed Human Rights Impact Assessments (HRIA) and quality seals.

- Transparency and explainability-Transparency provisions are already established in existing legislation in areas like data protection, privacy and consumer protection legislation. They are included in proposed AI-specific regulations with specific provisions for the workplace. In the public sector, governments are enhancing transparency around using AI for public services through initiatives such as AI registers.
- Robustness, security and Safety-Countries are drawing on guidelines, ethics frameworks, impact assessments, new legislation, amendments to existing legislation and other instruments to implement it
- Accountability-Countries have developed codes of ethical conduct for using or implementing AI in several sectors (public administration, health care, autonomous driving). It is important to note that the proposed AI-specific regulation requires documentation that explains the AI system's proper functioning throughout its lifecycle. Lastly, countries have established independent oversight bodies to audit algorithm use.

  -Recommendations for policy makers
  -Investing in AI research and development
  -Fostering an inclusive AI-enabling ecosystem
  -Shaping an enabling interoperable governance and policy environment for AI
  -Building human capacity and preparing for labour market transformation
  -International co-operation for trustworthy AI

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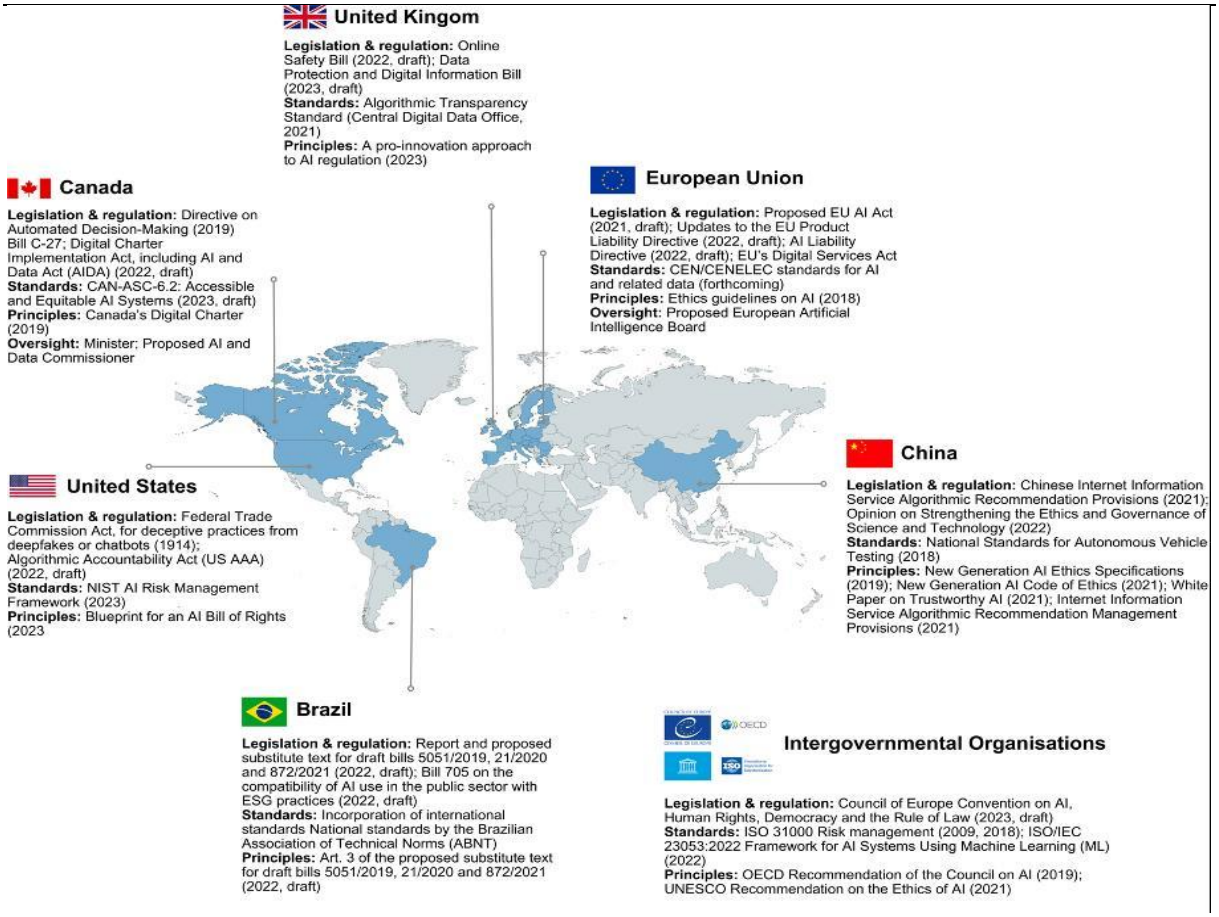

Examples of existing and emerging AI-specific regulatory approaches

Source: OECD article on 'how countries are implementing the OECD principles for trustworthy AI, available at: **How countries are implementing the OECD Principles for Trustworthy AI - OECD.AI (last visited on March 29th, 2026)**

11. NEW DELHI'S SYNTHESIS

The 2026 AI Impact Summit marks a significant change which transforms worldwide artificial intelligence governance. It serves as a regulatory bridge between the "Silicon Valley" innovation-first approach, the "Brussels" regulation-first approach, and the "Global South" development-first approach. The New Delhi Declaration introduces a new framework which establishes Democratic Diffusion and Inclusion as its primary operational model after the Bletchley Declaration (2023) which dedicated most of its focus on "existential risk" and safety.

The system establishes a regulatory framework which connects *three sutras* and *seven chakras*

to development protection and innovation.

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The Seven Pillars (The "Chakras") of the Model The declaration organizes global AI policy around seven core pillars which extend beyond safety to achieve complete development. The seven core pillars of AI policy from the declaration establish global AI security measures which extend beyond basic safety requirements.

A] Accessible AI Resources - Ensuring affordable access to compute and foundational models.

B] Economic Growth & Social welfare- Using AI for healthcare, agriculture, and public services.

C] Secure and Trusted AI -Shifting from "non-binding" promises to interoperable safety standards.

D] AI for Science -Establishing research institutions.

E] Social Empowerment - Bridging the digital divide for marginalized communities.

F] Development of human capital- Focus on re-skilling the human workforce and AI literacy.

G] Resilient & Innovative Systems-Prioritising energy-efficient and sustainable AI infrastructure.

While other countries face these three Dilemmas, India's solution is unique in the sense that it is neither 'Wild West' market-centricity of the US nor 'Bureaucratic Rigidity' of the European Union but 'Development Centric Governance.' India's formulation of the policy is 'inclusive' (Growth), 'secure' (Security), and 'rights-respecting' (Fundamental Rights), ensuring that AI is not only 'Triple Bottom Line' but also 'Sarvajan Hitaya, Sarvajan Sukhaya' (for the welfare and happiness of all).

12. A SHIFT IN GLOBAL PERSPECTIVE: FROM RISK TO RIGHTS

The New Delhi Declaration establishes a "model" because it established new boundaries which transformed the essential parts of the disagreement. The Bletchley 2023 and Seoul 2024 summits received public disapproval because they maintained an "elite-led" structure which treated artificial intelligence as a potential threat to human existence. INDIA'S model focuses on how AI can empower humanity, specifically highlighting the needs of low- and middle-income countries, how artificial intelligence can uplift humanity by helping individuals from underprivileged backgrounds. The declaration respects national sovereignty. It avoids a one-size-fits-all global authority.

13. HOW IT FORMS THE MODEL FOR FUTURE REGULATION

The New Delhi Declaration is now being used as a blueprint for "Development-Oriented Regulation." Its influence is seen in how it balances three competing interests:

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* *Innovation*: Encourages open-source and local innovation by preventing "regulatory capture" by a few big-tech firms.

* *Safety*: Recognizes "catastrophic harm" but treats it as a technical challenge to be solved through shared benchmarks rather than just a reason to halt progress.

* *Equity*: It introduces the Charter for the Democratic Diffusion of AI, which challenges the concentration of AI power and advocates for the global sharing of "AI dividends."

Comparison of Global AI Models

- Bletchley Model: Security-centric
- EU Model (AI Act): Rights-centric
- New Delhi Model: Development-centric

By building consensus among 89 countries—including the US and China—the New Delhi Declaration has become the "centre of gravity" for how the Global South interacts with AI, ensuring that the technology's benefits are not restricted to the nations that built the first models.

13.1. The Accountability Gap: Reimagining Tortious Liability in The AI Era

Indian Law of Torts experiences a fundamental structural void because AI technology has developed from its previous status as a "static tool" to its current operational state as a "Dynamic Autonomous Agent." The legal system establishes liability through the "Duty of Care" standard which requires assessment according to the "Reasonable Foreseeability" test that originated from Donoghue v. Stevenson. The traditional assessment methods become useless because AI systems possess "Dynamism" which enables them to develop new capabilities that exceed their initial design limits.

13.2. The Failure of the "Reasonable Man" Standard

The standard of negligence requires us to determine which results a normal "reasonable man" would have expected. The process of establishing causation becomes impossible when a neural network developer cannot anticipate which "hallucination" or unexpected behaviour patterns will occur. The legal system will fail to protect AI-driven harm victims from

autonomous vehicle crashes and medical AI misdiagnoses because developers can use "foreseeability" as their defence against negligence claims.

13.3. From Strict to Absolute Liability

The Indian legal system needs to implement the Supreme Court's Absolute Liability Doctrine which originated from M.C. Mehta v. Union of India (1987)[3] to protect citizens' rights. High-risk

[3] M.C. Mehta v. Union of India, AIR 1987 SC 965; 1987 SCR (1) 819.

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AI systems must be categorized as "inherently dangerous" or "hazardous" activities.

13.4. The Security Paradox: Location vs. Protection

The digital policy framework mistakenly assumes that physical proximity of data storage facilities lead to secure data protection. The situation exists as a technical and legal proof which demonstrates this particular assertion as a paradox.

13.5. The Threat of Domestic Surveillance

When data is stored strictly within national borders (Hard Localization), it is subject to the absolute jurisdiction of the domestic government. The system protects data from foreign intelligence threats which include the US National Security Agency. The system enables domestic agencies to access data without needing international treaties because it stores data in a domestic jurisdiction. Citizens face increased risks of government monitoring because local businesses must comply with requests for customer information from their national authorities.

13.6. The Concentration Risk (The "Honey Pot" Effect)

Storing all of a nation's sensitive data (financial, health, and biometric) within a few local data centres creates a "Honey Pot." A sophisticated cyber-aggressor finds it easier to attack a domestic centralized system than a cloud system which operates worldwide. Local storage systems block "Global Threat Intelligence" which enables cyber-attack data to be shared between different countries. The localized data system creates security issues because it prevents hackers from global systems while decreasing their protection to domestic networks.

13.7. Is Sovereignty Compromised if Data is Stored Outside?

The modern legal answer is "No," provided there is "Jurisdictional Reach." The storage of data in actual physical locations does not determine data sovereignty because organizations need to manage their data rights from these locations. Data sovereignty depends on whether the Indian Judiciary can enforce its orders against the company that owns the data.

14. THE DPDP ACT: AS A GLOBAL POLICY ANCHOR

The Digital Personal Data Protection (DPDP) Act of 2023 functions as the foundational "techno-legal" element of India's global strategy for artificial intelligence. While the EU's GDPR emphasizes defensive safeguards and the U.S. model is centred on market-oriented growth, the DPDP Act supports the "New Delhi Synthesis"—a policy framework that views data privacy as a foundational requirement for AI innovation rather than an obstacle. In contrast to the inflexible, precautionary approach of the GDPR, the DPDP Act incorporates Section 16, which establishes a more flexible framework for cross-border data transfers. Byallowing data exchanges with all countries except those explicitly "blacklisted," the Act sets forth a global policy based on "Data Flow with Trust." This fosters the creation of an interoperable governance environment where Indian AI start-ups can scale globally without the friction of

"adequacy decisions." It signals to the world that India is open for "Global Data Processing" while maintaining a sovereign "kill switch" for non-compliant jurisdictions.

14.1 Bridging the "Siloed" Landscape

The DPDP Act functions as a "Regulatory Bridge." It adopts the Brussels focus on individual rights (Section 5 and 6) but integrates the Washington focus on ease of doing business by avoiding compliance-heavy licensing for low-risk AI.

• Legitimate Use and Research (Section 7 & 17): By providing broad exemptions for research and state functions, the Act ensures that the "Black Box" of AI can be trained on public interest datasets. This is the ultimate "Variable Geometry" in action: a law that is strict on commercial misuse but flexible for national development and scientific progress. Ultimately, the DPDP Act proves that Digital Sovereignty is not about isolationism; it is about Informational Autonomy. As India moves toward the "India-AI Mission," the DPDP Act ensures that our global policy is anchored in Article 21—treating data not just as an economic asset, but as an extension of the human persona. In the global race for AI supremacy, the DPDP Act ensures that India does not just participate in the race, but sets the rules of the track.

15. CONCLUSION: TOWARDS A TRUSTWORTHY PROGRESS

The rapid ascent of Artificial Intelligence has presented the legal fraternity with a challenge that is as much philosophical as it is statutory. This research has clearly shown that the phenomenon of "Normative Lag" is not a temporary phenomenon but a fundamental change in the nature of the Rule of Law. We are witnessing a world of Static Software giving place to a world of Dynamic Autonomous Agency, where traditional concepts of jurisdiction based on Westphalian principles and classical elements of Mens Rea are now obsolete.

15.1. Synthesizing the Global Triad

The crisis of the Siloed Approach has posed a critical juncture in global governance. All three approaches attempt to concentrate and solve some of the issues, but it is the New Delhi Synthesis, buttressed by the 2026 Declaration, which provides a roadmap for a sustainable future for the Globe. The policy formulation based on AI as a Digital Public Good bridges the gap between rights and innovation. The Digital Personal Data Protection (DPDP) Act, 2023, provides a legislative foundation for this approach, ensuring that Data Sovereignty is interpreted as a proactive assertion of Informational Autonomy rather than a passive assertion of Data Isolationism.

15.2. The "Variable Geometry"

This paper concludes that the quest for a monolithic, 'one-size-fits-all,' global AI code is a

diplomatic vanity. Rather, the future of international digital policy is in a 'Variable Geometry' approach to regulation. This approach recognizes that the risks associated with medical AI or autonomous warfare requires a different 'Regulatory Velocity' than those associated with creative Large Language Models. By embracing 'Sectoral Plurilateralism' and 'Mutual Recognition Agreements,' the international community can establish 'Trusted Data Corridors' that enable the global 'Garage' of innovation to flourish without sacrificing national security or fundamental rights.

In simple terms, Variable Geometry allows for "Sectoral Plurilateralism." Instead of waiting for all 193 UN member states to agree on every detail, like-minded nations can form smaller groups to create "Trusted Data Corridors" for specific sectors. For instance, a group of nations might adopt a high-speed, strict "Regulatory Carriage" for high-risk AI in healthcare or autonomous weaponry, while another group—led by the New Delhi Declaration—prioritizes a more flexible "Developmental Carriage" for AI in agriculture and social empowerment. This model ensures Interoperability without sacrificing Digital Sovereignty. It allows the law to be as dynamic as the technology it governs, ensuring that the "Normative Lag" is addressed through proportional, context-specific oversight rather than a rigid, universal

mandate that might stifle innovation in developing economies. The research suggests the establishment of specialised international institutions tasked with developing a “variable geometry” of regulations, rather than enforcing a monolithic code and to oversee a suite of plurilateral, sector specific frameworks replacing the “one-size-fits-all” approach with a flexible, enforceable system by synthesizing current trends in international law and digital policy. Ultimately, the future of the rule of law in the digital age hinges on our ability to harmonize national sovereignty with the borderless reality of technological progress and protection of Fundamental Rights.

15.3. The Constitutional Sentinel

For the Indian legal system, the test remains the 'Golden Triangle' of Articles 14, 19, and 21.

The 'Black Box' cannot become a 'Black Hole' for due process. Whether through the application of Absolute Liability in torts or the necessity of Reasoned Orders in administrative law, the machine remains subservient to the Constitution. The 'Jurisprudence of Progress' requires that we do not stifle the machine’s ability to learn but also that we do not forget that it is we who teach it.

16. FINAL REFLECTION

The shift in paradigms from 'Rule of Law' to 'Rule of Trustworthy Code' requires a new generation of 'Techno-Legal' thinkers. As India stands at the crossroads of becoming a global AI powerhouse, its legal system must be as malleable, resilient, and inclusive as the technology it seeks to govern. The progress of a nation is no longer measured by its GDP but by the strength of its algorithms and commitment to its citizens' digital dignity.

The objective of the world should be to build a responsible and ethical AI policy which can be used by most of the nation and not to prove dominance of one over other. Digital world cannot

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have another Westphalian boundary, since digital world is not restricted like physical boundaries and it has no fixed territory data centre as it can keep switching places in the clouds.

The paper ends with what 'António Guterres' has rightly said –

"The future of AI cannot be decided by a handful of countries—or left to the whims of a few billionaires. We must ensure all voices are heard and AI solutions are a global public good."

— António Guterres, UN Secretary-General.