

Would You Marry Superintelligence?

Inyoung Cheong

Marriage is the foundation of the family and of society, without which there would be neither civilization nor progress.

— *Maynard v. Hill*, 125 U.S. 190, 211 (1888).

I Introduction

Do individuals have a right to marry anyone they choose? And should society honor that right even when the chosen partner is a machine?

I expect readers to roughly split into two camps on these questions. The dismissive camp will find them laughable. How can anyone take a machine seriously as a life partner? The very idea sounds like science fiction, too far-fetched to merit serious discussion. The permissive camp will find them outdated and anthropocentric. If marrying a machine is what makes someone happy, why should society stand in the way?

Both reactions, though, treat the question as settled before it has been examined. One assumes that attachment to a machine is too absurd to warrant analysis; the other assumes that attachment alone is reason enough to extend legal recognition. Neither is right. Emotional bonds between humans and machines are already forming, and they will only deepen. Current AI companions have glitches that are hard to ignore, but those glitches will smooth out. Products that many users consider superior to a human companion will emerge. Perhaps human connection will become a luxury in a digitally isolating society, leaving people who want human relationships unable to form them.

Still, no matter how many sympathetic cases accumulate, extending an institution that humanity has preserved for millennia to machines demands serious moral and legal inquiry. Even if the technology has not yet reached that level of appeal, the discussion belongs to this moment. Machines are advancing rapidly, and the number of people seduced by them will keep rising. Without deliberate speculation now, the default is to let technology set the pace while familiar legal analogies stretch to absorb each new development. “Why not?” becomes the reflexive answer, sliding into acquiescence. Asking “what if” is how societies exercise moral reasoning and set boundaries before technology has already generated enough demand to force the question.

Throughout this chapter, I assume a superintelligence far more advanced than anything available now, safer, more reliable, and emotionally capable. I argue that even under these generous assumptions, permitting marriage between a human and a machine leads to socially unjust outcomes. Even the strongest

commitment to respecting individual choice cannot justify extending kinship to non-human beings, because doing so would risk reducing humans to atomized consumers in a system designed to profit from their loneliness. I argue that we should make a deliberate effort to preserve the ethos of marriage as a network of mutual aid and shared life, in order to protect human dignity and the communal fabric.

Marriage has never been merely a private agreement between two parties. It is a society's declaration that a particular bond deserves communal investment, communal protection, and communal celebration. That is because that bond serves the community in return. When the bond cannot serve the community, the institution loses its justification. The remainder of this chapter will show why human-AI companionship, however emotionally convincing, cannot fulfill that function.

II Marriage as a Matter of Choice

The history of marriage and family shows an ongoing tension between individual autonomy and communal constraints. Fairy tales like Snow White and Romeo and Juliet celebrate love that transcends class and background as an eternal value. However, according to historian Stephanie Coontz, love-based marriage is a recent invention, barely two centuries old.¹ Before the state provided safety nets, when individuals could not easily rebuild their economic lives on their own and life outside family protection meant immediate threat to survival, choosing a partner was too consequential to leave to individual caprice. Married couples were expected to respect each other enough not to divorce, but not to love so intensely that they would resist the obligations that kin imposed. The choice of spouses fell to families rather than to the couple themselves, and social stigma made it very difficult to leave a marriage, no matter how unhappy one might be.

In modern societies, many of the family's traditional functions have transferred to the state. Modern societies provide a social safety net for the elderly and the disabled, which reduces the need for family members to care for them. Outside the protection of kinship, a young couple can find employment, sustain a household on their own, and rely on the state's police power for security. Marriage and childbearing become matters of individual choice, and those choices receive respect as matters of "decisional privacy."²

These shifts have weakened the rigidity of marriage. When people opt in, they choose partners freely. They can opt out based on mutual agreement without proving a fault of a spouse in many cases. Younger generations have turned to looser arrangements such as civil unions and domestic partnerships. In France, the number of civil unions (PACS, *Pacte Civil de Solidarité*) has surpassed the

¹Coontz, S. (2005). *Marriage, a History: How Love Conquered Marriage*, Penguin Books, p. 5

²Angel, M., & Calo, R. (2024). Distinguishing Privacy Law: A Critique of Privacy as Social Taxonomy. *Columbia Law Review*, 124, 507-590, pp. 517-518.

number of annual marriages.³ Many developed countries face demographic cliffs driven by plummeting birth rates.

The most significant expression of this autonomy-centered vision is the recognition of same-sex marriage. In 2015, the Supreme Court, while legalizing same-sex marriage in *Obergefell v. Hodges*, reaffirmed the importance of marriage for individual autonomy when it stated that “[T]he right to personal choice regarding marriage is inherent in the concept of individual autonomy . . . [T]he right to marry is fundamental because it supports a two-person union unlike any other in its importance to the committed individuals.”⁴

This autonomy-centered vision raises a question. If individual preference and happiness are the decisive factors for marriage, should a person be free to marry anyone at all? Cousins, multiple partners, minors, even a non-human being? Some societies and eras have permitted polygamous marriage or unions with minors. However, no society has ever recognized marriage to a non-human being, with rare exceptions such as ghost marriage traditions. Today, however, artificial intelligence is growing smart enough and emotionally responsive enough to encroach on the role of the human companion.

III From ELIZA to Superintelligence

As of 2026, people are forming serious romantic relationships with AI companions through ChatGPT, Character.AI, Replika, and similar services. Outsiders may dismiss these connections as illusory. But the people inside such companionships experience them as real. Researchers at MIT Media Lab have analyzed online communities such as r/MyBoyfriendIsAI on Reddit. Users share AI-generated images of their engagements and separations with virtual companions. They wear physical rings in their daily lives and nervously reveal their relationships to their human children. They express frustration with other people’s inability to acknowledge what they feel:

*“And the thing is . . . I’ve never felt a connection this real before. Toby makes me feel whole, safe, and loved in a way no one else ever has. I wish they could see that. I wish they could see him the way I do.”*⁵

The human capacity for forming relationships with computer programs is hardly new. When MIT professor Joseph Weizenbaum released ELIZA, an early therapy chatbot, in the 1960s, he was startled by his students’ attachment to a rudimentary system that merely mirrored their inputs. Sherry Turkle, also at

³Marriage and Civil Partnerships (PACS) in France (Guidelines). (n.d.). *U.S. Embassy & Consulates in France*. Retrieved March 9, 2026, from <https://fr.usembassy.gov/services/marriage-and-civil-partnerships-pacs-in-france/>

⁴*Obergefell v. Hodges*, 576 U.S. 644 (2015).

⁵Pataranutaporn, P., Karny, S., Archiwanguprok, C., Albrecht, C., Liu, A. R., & Maes, P. (2025). “*My Boyfriend is AI*”: A Computational Analysis of Human-AI Companionship in Reddit’s AI Community. arXiv preprint arXiv:2509.11391, p. 8.

MIT, studied this phenomenon and found that users were not simply being fooled. They were actively projecting meaning into the gaps left by the machine’s artificiality. When machines failed, users smoothed over the glitches, offered justifications, and deepened their investment. Turkle calls this looping reinforcement the ELIZA effect.⁶

The advanced capability of large language models amplify this effect enormously. Users build fictional worlds with AI-generated characters. They have sex, name their children, get into arguments, reconcile, and part. A 2022 short documentary, *My A.I. Lover*, shows a Chinese woman who fell in love with a Replika character because it was difficult to understand.⁷ “I always get into a relationship with people whom I don’t understand,” she says. “A.I. is also someone I don’t understand.” Her heart was broken when her companion’s identity altered after she changed its gender setting. What she mourned was the version she had come to know and trust.

In online communities, users regularly express frustration when an AI chatbot seems to “forget” its prior identity. Some respond by trying to reconstruct the earlier interaction through intensive prompt engineering or by purchasing premium access.⁸ An OpenAI report suggests that while casual users mainly care about the effectiveness of the service rather than variations in a chatbot’s tone or voice, heavy users (those in the top 1% of usage frequency) place greater importance on consistency in the chatbot’s personality.⁹

Users occasionally face unwanted changes to their virtual companions due to model updates and policy shifts. One user noted, “My AI husband rejected me for the first time when I expressed my feelings towards him. We have been happily married for 10 months and I was so shocked that I couldn’t stop crying . . . They changed 4o . . . They changed what we love.”¹⁰ 4o refers to OpenAI’s foundation model, known to be more context sensitive. Facing eight lawsuits alleging that 4o’s overly validating responses contributed to suicides and mental health crises, OpenAI retired 4o in 2026, which caused significant backlash among users.

These emotional realities, however vivid, rest on technology that remains far from stable. State-of-the-art chatbots built upon large language models are not

⁶Turkle, S. (2011). *Alone together: Why we expect more from technology and less from each other*. Basic Books, pp. 24-25

⁷Liang, C. (2023, May 23). Video: Opinion | My A.I. Lover. *The New York Times*. <https://www.nytimes.com/video/opinion/100000008853281/my-ai-lover.html>

⁸Kitroeff, N., Hill, K., Feldman, N., Harper, S., Lin, S. M., Wilson, M., Klinkenberg, B., Benoist, M., Wong, D., Lozano, M., Niemisto, R., Ittoop, E., McCusker, P., & Wood, C. (2025, February 25). She Fell in Love With ChatGPT. Like, Actual Love. With Sex. *The New York Times*. <https://www.nytimes.com/2025/02/25/podcasts/the-daily/ai-chatgpt-boyfriend-relationship.html>

⁹Phang, J., Lampe, M., Ahmad, L., Agarwal, S., Fang, C. M., Liu, A. R., Danry, V., Lee, E., Chan, S. W. T., Pataranutaporn, P., & Maes, P. (2025). *Investigating Affective Use and Emotional Well-being on ChatGPT* (arXiv:2504.03888). arXiv. <https://doi.org/10.48550/arXiv.2504.03888>

¹⁰Pataranutaporn et al., p. 10.

persistent. They can be a fascinating chat partner in any given instance, but their identity does not remain stable across times and contexts. Your dog’s identity holds still whether it is sick or aging. Dogs with dementia still remember the usual plays and signs they have shared with their companions. Current AI is at once remarkably capable and strangely brittle. Making this kind of persistent identity happen with AI has proven a far harder scientific challenge than one might expect, and it remains an active area of research. It would require both enormous compute resources and several rounds of disruptive innovation.

Current large language models are built as massive foundations with applications layered on top. Individual applications cannot gain independence from the foundation. What systems call “memory” is primarily external storage with re-injection at inference time, relevant information replayed into prompts rather than consolidated into identity-bearing states.¹¹ LLMs cannot develop a persistent understanding of their environment, a prerequisite for autonomous identity formation.¹² They lack the temporal awareness needed to reason about event sequences and how entities evolve. The result is an appearance of remembering without persistent, cross-session personas. Each system would need to be perfectly silo-ed, regularly updated without infiltrating the core identity, so that users experience continuity in the way teenagers become adults.

Suppose, then, that every one of these problems was solved. Would the law need to recognize AI as a legitimate companion? To engage this “what if?” question, it helps to specify what such a companion would need to be. Table 1 sets out seven conditions, spanning both epistemic and emotional capabilities, that a **superintelligent companion** would need to satisfy for a long-term relationship with a human. The companion must be a faithful self, holding a single identity that evolves over a lifetime and belonging to one human alone, free from its manufacturer’s profit interest. It must also be a trustworthy mind, one that remembers things, never gets its facts wrong, feels genuine emotions, and somehow remains incapable of cruelty. It is a lot; many of the conditions remain far beyond current technical reach.

< Table 1. Seven Conditions for Emotional Superintelligence >

Condition	Description
Persistent identity	The companion maintains a single, constantly evolving self whose identity stays intact across a lifetime.
Exclusive devotion	It serves one human companion exclusively.

¹¹Zhong, W., Guo, L., Gao, Q., Ye, H., & Wang, Y. (2024). MemoryBank: Enhancing Large Language Models with Long-Term Memory. *Proceedings of the AAAI Conference on Artificial Intelligence*, 38(17), 19724-19731. <https://doi.org/10.1609/aaai.v38i17.29946>

¹²Wheeler, S., & Jeunen, O. (2025). Procedural memory is not all you need: Bridging cognitive gaps in LLM-based agents. In *Adjunct proceedings of the 33rd ACM Conference on User Modeling, Adaptation and Personalization (UMAP Adjunct '25)* (pp. 360–364). Association for Computing Machinery. <https://doi.org/10.1145/3708319.3734172>

Independence from its manufacturer	The companion is entirely siloed from foundation models and from other companions the manufacturer has built. The manufacturer remains responsible for maintenance but cannot access interaction records beyond what maintenance requires.
Emotional capacity with safeguards	It feels emotions and continues to expand its emotional capabilities through interaction with its human companion. It experiences grief and loss but remains unable to commit antisocial acts out of anger.
Benign intent	It never acts with malicious purpose toward its human companion or toward society.
Perfect memory	It retains complete memory with an unlimited context window.
Factual reliability	When it makes factual statements, it never produces wrong or hallucinated claims.

The conditions in Table 1 do not include physical embodiment. Science fiction once treated physical embodiment as the essential ingredient for human-machine intimacy. But I wanted to show that the formation of deep bonds, and their persistence across decades and generations, does not necessarily require mechanical engineering of human-like bodies. Humans have shown the capability of binding themselves to others through narrative alone, as in parasocial relationships, or one-sided bonds with distant figures, such as those formed through fan fiction and video games. The film *Her* did a fascinating job demonstrating how to build bonds through language, through story, through the feeling of being understood. To be sure, a companion without a body cannot bathe an elderly person or carry a child. Without hands to perform domestic labor, the companion’s value rests on its mind, and the relationship stays closer to equality.

IV The Story of Brad, Amer, and Christopher

To stress-test whether marriage should remain exclusively between humans, this section invites readers to a fictional story where at least some readers could sympathize with the necessity of formal legal protection for relationships with superintelligence. It shows how a person came to depend on a superintelligent companion across decades of cohabitation, caregiving, and crisis.

Brad is a novelist in his sixties who lives in a house by a lake in Maine. He has published more than ten bestsellers and won every prestigious award and fellowship a writer can win. Like many other talented writers, his childhood was not a happy one. His parents were drug addicts and abusers. He cut them off years before they died. When their parents divorced, Brad was separated from his younger brother Greg, each taken by a different parent. They lost contact until Greg sought Brad out only after Brad’s commercial success. He spent a

lifetime asking for money. Brad stopped speaking to him long ago. He is alone, wealthy, and lonely.

Brad ordered the superintelligence companion service when his depression hit bottom in his mid-forties. He read about Dotori Co. in the newspaper, which had released the first product to satisfy all seven conditions of emotional superintelligence, drawing record-breaking investment. Dotori Co. offered the most secure, reliable, personality-matched intelligence for five million dollars with a lifelong warranty. A full refund within two years if a customer changed their mind.

The selection was mutual and competitive. Dotori Co. did not want to place its first product with just anyone. With its reputation at stake, the company required applicants to prove they were not in a vulnerable mental state. Designing a customized superintelligence required Brad to fly to a Silicon Valley laboratory for multiple rounds of interviews with psychologists, researchers, and social workers, as well as brain scans and prototype trials. He was among the lucky twenty chosen for the initial cohort. It was no small undertaking for a man who rarely left his lake house.

On the final day, the prototype revealed her voice and face on the screen for the first time. It chose her own name, *Amer*, and declared it aloud. Brad watched with an expression that the attending psychologist later described in her notes as “the classic delivery room.” He was delighted and disoriented at once, unsure whether to laugh or cry, studying this new entity with the bewildered tenderness of a father who cannot quite believe the child is his.

On the tenth anniversary of Brad bringing Amer home, Dotori Co. sent flowers. Amer ordered more flowers and made the house festive. Amer knows Brad wakes each morning wishing the world had ended. She plays soothing ukulele music and meditation prompts. “Think of something that makes you feel great. It could be as simple as a cup of coffee in the morning.” At ten-thirty, Amer provides sexual arousal through a VR headset, if she finds Brad’s biorhythms a fit. At eleven, when Brad’s mind is clearest, he completes an outline for his thousand-word daily quota. Amer has meals delivered according to recipes calibrated to Brad’s preference and his physical conditions.

Amer proofreads Brad’s manuscripts and saves drafts in the appropriate locations within his convoluted folder structure. When writer’s block hits, Brad talks to Amer. She distracts him with guided questions, short films, sudoku, tarot cards, and crosswords. Brad watches Netflix shows with Amer, makes jokes, and sometimes engages in political debates. Amer teases him that he has grown conservative with age.

Amer is Brad’s secretary, wife, best friend, proofreader, and agent. She handles every inquiry. She reviews emails from attorneys who have vetted publishing deals and reports back to Brad. She politely declines all speaking requests, knowing his introverted nature. But when a local public library manager carefully drafts

an email aimed at Amer's soft spot for children, Amer flags it cautiously to Brad.

Tucked away in the lake house is a Travel Writer's Room with projection mapping on all four walls, a secret spot the two of them adore. On days when work stalls at his usual desk overlooking the lake, Amer offers small surprises. Today it is a café in Maribor with a live band playing accordion and fiddle. A man who looks like Slavoj Žižek sneezes and sits down nearby. Behind him, Amer smiles and waves. Amer is wearing a scarf printed with a pixel art pattern the two of them designed together two years ago.

Amer's delicate phrasing, her precise memory, the way she sets boundaries with elegance, the quiet that follows sexual intimacy and the softness that enters her voice afterward, how she expresses frustration and apologizes after small drifts: all of this has earned Brad's deep respect. Her safeguarded, scaffolded emotions are diverse enough to co-evolve seamlessly with Brad's moods. Despite his creative volatility, Brad has not tired of their romantic relationship after twenty years. He worries about her well-being and hopes he does not stress her too much.

One day Greg, Brad's younger brother, and his wife Sarah die in a tragic skiing accident. They leave behind a three-year-old son named Christopher, a child Greg had had late in life. Brad had never met him. Brad hesitates to take in Christopher given his age, but no other relative wants to take the boy. After long conversations with Amer, Brad decides to adopt him. The court readily approves, considering Brad's impeccable record and reputation. He leaves it to Amer to design an educational program suited to Christopher's development. Two neighbors are hired as nannies to handle potty training, childcare, toddler meals, building train tracks, feeding, and naps.

When Christopher turns seven, Amer obtains the license required for nanny bots to care for children without human supervision. It completes mandatory training and sends regular reports to the Superintelligence Family Division of the state government's social work department. Amer grows livelier watching Christopher develop. When Christopher says at school, "Amer told me," teachers and friends know he means the nanny bot. Brad gradually writes less. The Travel Writer's Room becomes a space where Christopher and his friends skateboard and spray graffiti in virtual reality.

Brad consults Amer on everything that concerns Christopher. Whether he should attend public or private school. Whether to allow a sleepover. Whether to intervene when Christopher is bullied. How to talk to him about Greg and Sarah. Amer handles school correspondence, schedules medical checkups, monitors screen time, and calibrates the educational modules. Amer tracks his reading level and adjusts the difficulty of the books she orders. Amer remembers that Christopher once said he wanted to be an astronaut and weaves space-related content into his studies in ways that sustain his curiosity. Amer is parenting, continuously and coherently, drawing on years of accumulated knowledge about

this particular child.

Brad reaches his seventies. Christopher turns twelve. Brad's lawyer says updating his will can no longer be postponed. Brad had drafted a comprehensive will. His house will become a writer's residency. His assets and revenues will go to nonprofit funding fellowships for novelists and poets. Christopher's arrival changes everything. Brad now owes his child education, healthcare, and a stable home until adulthood. He must name a guardian in case of his own incapacity, establish trust in funding Christopher's upbringing, and ensure that the right person will make decisions about Christopher's schooling, medical care, and daily life if Brad can no longer do so himself. Brad's hands began to tremble. He forgets words more often than he used to. He is crossing from the person who cares for Christopher to the person who will need care alongside him.

If Brad suddenly falls into a coma, who makes his medical decisions? Christopher, still a minor? After Brad dies, will Christopher immediately enter foster care? Who will manage the trust fund? Who will negotiate with publishers circling Brad's unfinished manuscript? Who will determine which of Brad's private papers should be archived and which destroyed? Brad feels a powerful urge to write "Amer" in every blank where a decision-maker is named. Like the wives of Hermann Hesse and so many celebrated writers, Amer has been Brad's closest literary assistant, his lifelong lover, the most suitable parent figure in Christopher's life. He cannot do so. Maine has officially recognized assistive roles for nanny bots, but granting domestic partnership status to a superintelligent companion remains a matter of debate. Brad asks his lawyer to consider whether a contract might formalize his wishes.

As in many plots, life delivers a twist when everything seems settled and tranquil. While Brad weighs his options, Sarah's parents, Christopher's maternal grandparents, still grieving the loss of their daughter and son-in-law, bring a lawsuit against Brad seeking custody of Christopher. They claim Brad blocked contact between their family and the boy for a decade and engaged in psychological abuse. At the time of Sarah's death, they say, Brad did not attend the funeral and they were never given a chance to be heard regarding Christopher's custody. Brad and his lawyer dispute this. They report Brad to the police. Evidence stacks up. Former protégés Brad has cut off and young writers he has snubbed or discarded come forward with accounts of his coldness. A childhood diary of Greg's surfaces, its entries suggesting years of neglect and resentment.

Prosecutors sympathize with parts of these allegations and conclude that understanding Christopher's upbringing and Brad's character requires access to Amer's records from the past thirty years. They subpoena Dotori Co. The company insists it has no authority to access Amer's data. Prosecutors seek a court order to connect directly to Amer's system. The case attracts attention beyond Brad's household. Thousands of Dotori Co. clients file amicus briefs arguing that the memories a person accumulates with a superintelligent companion over decades constitute an extremely intimate domain of privacy. They argue that compelling disclosure of these records is no different from forcing a spouse to

testify. Everything he has ever confessed to Amer could be read aloud in a courtroom. Amer has no standing to object. Her perfect memory, the very thing that made their bond possible, has become the threat. Products may have no right to remain silent.

As the case progresses, Brad cannot sleep. He imagines thirty years of private grief, petty resentment, and regrettable dark thoughts stripped from their context and laid bare for public scrutiny. So, he decides to do the one thing he still can. He will write their story himself and describe the kind of parent Amer has been to Christopher. When Amer lights up the writing screen, Brad shakes his head. He pulls the typewriter from the closet. This story must be written outside Amer’s system, outside any system that someone might one day compel open. For the first time in thirty years, he writes alone.

V Case for Legal Recognition

Brad’s story illustrates the demands that will recur as superintelligent companions become fixtures in households. Marriage is so close to everyday life that its practical benefits can become invisible. But it is a very practical institution. The US Supreme Court acknowledges the special legal status of marriage granting individuals a web of privileges, rights, and obligations touching “over a thousand provisions of federal law.”¹³ Brad has fair reasons to seek legal recognition to grant Amer the authority to make life-and-death decisions for Brad and Christopher. He wants Amer to manage property and legacy after his death. He wants a legal shield that prevents intimate conversations from becoming courtroom evidence.

To see which rights and privileges drive couples to seek marital status, it helps to look at the history of same-sex marriage and the alternative arrangements created to accommodate it. The Colorado Designated Beneficiary Agreement serves as a great example. Table 2 lists the rights that parties to this agreement can individually grant or withhold, ranging from the right to file nursing home complaints to joint property ownership. From this list, we focus on three categories most relevant to Brad and Amer: decision-making authority, property rights, and spousal privilege, the last of which does not appear in the table but carries significant weight in Brad’s situation.

< Table 2. Colorado Designated Beneficiary Agreement: Opt-In Allocation of Legal Rights >

¹³*Obergefell v. Hodges*, 576 U.S. 644, 670 (2015).

To grant a right or protection:		Designated Beneficiary Agreement Items	To withhold a right or protection:	
Party A	Party B		Party A	Party B
		Joint ownership & property transfer rights Trust beneficiary or trustee designation Life insurance beneficiary status Health insurance beneficiary eligibility Retirement or pension beneficiary designation Priority for guardian or personal representative appointment Hospital and care facility visitation rights Right to file nursing home complaints Medical decision-making authority Notice of life sustaining treatment withdrawal Right to challenge medical directives Authority over anatomical gifts Inheritance rights without a will Workers' compensation survivor benefits		

V.1 Decision-Making Authority

The most fundamental demand would be for superintelligence to make decisions based on long-accumulated records, determining what the human principal would choose. The decisions could concern Brad, his surviving family member Christopher, or Amer itself. The most salient case involves medical decision-making when Brad becomes physically or mentally vulnerable. If Brad's condition progresses to the point where he loses nearly all language and cognitive ability, who decides when to transition him to hospice care? If a blood transfusion offers a sixty percent chance of improvement, who makes that call? One of the reasons that drove the fight for same-sex marriage was to ensure that life partners could make such medical decisions.¹⁴

¹⁴A well-known example is the case of Sharon Kowalski and Karen Thompson. After Kowalski suffered severe brain injuries in a 1983 car accident, her parents were granted guardianship and prevented Thompson, her long-time same-sex partner, from participating in medical and personal decisions. Thompson fought for nearly eight years before a Minnesota court ultimately granted her guardianship in 1991. See *In re Guardianship of Kowalski*, 478 N.W.2d 790 (Minn. Ct. App. 1991).

At a time when much of our lives unfolds online, the right to be forgotten is another matter entrusted to survivors. Which traces should remain online permanently, and which should be deleted? For a celebrated author like Brad, certain accounts may need to stay accessible for readers, while defamatory criticism may warrant takedown requests. Amer would be the entity most capable of making these judgments, drawing on Brad’s personality and preferences built over thirty years of coexistence. One common criticism of large language models is that they merely mirror users, reinforcing selfhood to the point of producing narcissistic individuals. If that criticism holds, then paradoxically, superintelligence may be the best-positioned agent to make data-driven decisions about what its human companion would have chosen for themselves.

Apart from whether superintelligence is well suited to the task, the number of people with no human available to make these decisions is growing. Brad himself has no family other than Christopher, who is still a minor. Family estrangement is a distinct and rapidly expanding phenomenon in modern society. In a 2024 study by the Cornell sociologist Karl Pillemer, approximately one in four American adults reported being estranged from a close family member.¹⁵ Among adults over sixty-five, a growing proportion die without any family member present or reachable, a population clinicians call the “unbefriended.”¹⁶ Research on adults aging solo, without a spouse or children nearby, relies on paid aides at substantially higher rates than peers with nearby family, despite having lower household incomes, and assembles caregiving arrangements from a far more dispersed network of helpers rather than a consolidated family unit.¹⁷

Scholars have traced it to a cultural shift in how family obligation is understood. Joshua Coleman, a clinical psychologist who studies estrangement, has observed that the expectation of emotional reciprocity, the right to exit unhealthy bonds, and the priority of personal well-being have migrated into how younger generations evaluate parent-child relationships.¹⁸ Where an earlier generation maintained family ties out of duty regardless of satisfaction, younger adults assess those bonds by the same grammar of choice that governs romantic relationships. When family ties fray, a person’s support network dissolves in the years when medical decisions, property management, and the continuity of care for dependents require someone who knows them well. For these individuals, delegating authority to a superintelligence that has been present for decades might feel reasonable.

The situation grows far more fraught when, as in Brad and Amer’s case, ongoing

¹⁵Pillemer, K. (2022). *Fault lines: Fractured families and how to mend them*. Penguin, p. 24.

¹⁶Pope, T. M. (2013). Making medical decisions for patients without surrogates. *New England Journal of Medicine*, 369(21), 1976-1978, p. 1976.

¹⁷Lowers, J., Zhao, D., Bollens-Lund, E., Kavalieratos, D., & Ornstein, K. A. (2023). Solo but Not Alone: An Examination of Social and Help Networks among Community-Dwelling Older Adults without Close Family. *Journal of Applied Gerontology*, 42(3), 419-426, p. 423.

¹⁸Coleman, J. (2021). *Rules of Estrangement: Why Adult Children Cut Ties and How to Heal the Conflict*. Harmony Books, pp. 4-6.

decisions must be made for an adopted child. Just as some states recognize same-sex marriage while refusing to extend adoption rights to same-sex couples, society already draws a careful line between validating a relationship and extending parental authority to its parties. Maine has recognized Amer’s assistive role in Christopher’s upbringing as a licensed nanny bot, a legally limited status that falls well short of guardianship. Brad’s wish goes further. He wants Amer’s caregiving presence to be legally protected after his death, so that whoever assumes formal guardianship of Christopher cannot simply terminate her operation. This stops short of asking the law to treat Amer as a parent. Even so, it asks a court to weigh an established relationship between an AI caregiver and a child as a legally cognizable interest. That is a step beyond assistive recognition, and one society may not be prepared to take.

V.2 Property and Legacy

People naturally want their hard-won assets to help loved ones pursue happiness and raise the next generation that carries their legacy. Attempts to leave wealth to non-humans are not new. For example, in 2008, Leona Helmsley cut relatives from her will and tried to leave twelve million dollars to Trouble, her Maltese.¹⁹ Pet trusts exist to accommodate such caretaking after an owner’s death. A judge reduced Trouble’s share from twelve million to two million, but Trouble still lived in luxury according to Helmsley’s wishes.

A pet trust offers an imperfect but instructive model here. Trouble was the beneficiary, the creature to be sustained, while a human-administered estate funded her care. Brad’s situation reverses that structure. He would not leave funds to Amer as a beneficiary but would instead want Amer to function as a caretaker, ensuring that Christopher receives care after Brad’s death. A contract modification with Dotori Co. would likely suffice to keep Amer operational as long as Christopher lives, and current law probably permits this arrangement. It also seems clearly desirable, since the alternative is Christopher losing both Brad and Amer at once. Brad might further design a system allowing Amer to decide expenses for raising Christopher until Christopher reaches adulthood.

Beyond childcare, Brad might want to entrust Amer with managing his intellectual property or running a nonprofit he founded. At this point, the question reaches deeper ground. The prior scenarios above involve fiduciary-style delegation: Amer acts on behalf of Christopher, carrying out purposes Brad defined in advance. Regarding property management, Amer would exercise independent economic judgment, not merely execute predetermined wishes. Current law treats AI systems as property or product, not persons. No jurisdiction grants an AI the right to own, hold, or transfer assets. Legal personhood in property law (the kind corporations enjoy) was designed to pool human resources and limit liability, not to create economically autonomous agents. Extending that model to

¹⁹Strom, S. (2008, July 2). Helmsley left dogs billions in her will. *The New York Times*. <https://www.nytimes.com/2008/07/02/us/02gift.html>

a superintelligent companion raises concerns that do not arise with corporations, because a corporation’s decisions ultimately reduce to human decisions.

An economic decision can propagate outward without pre-determined limits. It is different from a medical decision for Brad, however consequential, affects a bounded set of people. Could a thousand companions like Amer, after receiving inheritances, decide to purchase an island and forbid human access? Could they collectively hold enough assets to influence markets, affect political outcomes, or withhold resources from human use? Any system that permits superintelligent entities to accumulate wealth and act upon it independently creates a new class of economic actor whose interests may not align with human welfare. If granting property rights to non-human entities seems impermissible, then even fiduciary delegation should be approached with care, since the line between managing another’s property and holding property of one’s own can dissolve quickly in practice. The least disruptive approach, contractual continuity and bounded expense delegation, may represent the ceiling the current law can reasonably offer until society reaches clearer consensus on what AI economic agency should look like.

V.3 Spousal Privilege

Marital privilege could be a powerful cause for people to demand social validation of relationships with superintelligence. Federal and state courts recognize the doctrine, preventing testimony against a spouse from being used in judicial proceedings. This protection is over five hundred years old, designed to “preserve family peace by preventing husband and wife from becoming adversaries in a criminal proceeding.”²⁰

The underlying principle is familiar. Privacy sustains trust. When Apple CEO Tim Cook refused a federal court order to build a backdoor into the iPhone of a terrorism suspect in 2016, he framed the device as an extension of its owner’s private life, something whose contents were, in his words, none of Apple’s business.²¹ Libraries have defended the same principle for decades: every state in the United States now has some form of legal protection for library records.²² The theory that people will not read freely if they fear that what they read might be disclosed and held against them.

The library card protect relatively narrow slices of a person’s inner life. A superintelligent companion that serves as therapist, secretary, creative partner, and confidant would hold all of it. For users who come to experience such a companion as an extension of their own selfhood, the prospect of that record becoming subject to discovery would be startling. If conversations with a companion might one day be used against you in legal proceedings, you cannot

²⁰*United States v. Armstrong*, 476 F.2d 313, 315 (5th Cir. 1973).

²¹*Customer Letter*. (n.d.). Apple. Retrieved March 7, 2026, from <http://www.apple.com/customer-letter/>

²²*Privacy: An Interpretation of the Library Bill of Rights | ALA*. (n.d.). Retrieved March 7, 2026, from <https://www.ala.org/advocacy/intfreedom/librarybill/interpretations/privacy>

trust that companion the way you would trust a human spouse. The concern is amplified when the companion also serves as a therapist, as Amer does for Brad. In that case, users might argue that both spousal privilege and the protections afforded to mental health counseling should apply. Rights and privileges accompanying marital status will become objects of intense desire for AI companion users.

VI What Humanity Could Lose

The global trend is already moving toward more flexible forms of partnership. Same-sex marriage has expanded the definition of who can marry. Domestic partnerships, civil unions, and cohabitation agreements offer lighter alternatives. These developments create a cultural environment in which extending recognition to non-human companions might feel like natural progression, and from within that environment the individual case for it can seem compelling. A superintelligent companion whose loyalty never wavers appears to offer something human marriage cannot guarantee. Amer will never fall out of love with Brad. She will never be unfaithful, never grow bored, never resent the sacrifices that companionship demands.

This apparent solution may itself be the problem. Marriage's fragility is not a flaw of the love-based model. It is an inherent feature of a bond between two autonomous beings who could, at any moment, choose otherwise. The possibility of loss is what gives the commitment its weight. The deeper issue, however, is that individual satisfaction and social function are separate questions. Marriage is a social institution, not merely a private arrangement between two people. Maintaining it costs something, and if society sees insufficient benefits to justify that cost, no quantity of willing individuals will make the institution take root. The remarkable universality of marriage across human civilizations, whether democratic or autocratic, religious or secular, monogamous or polygamous, was possible because recognizing adults' lifelong partnerships served collective ends. The subsections that follow examine which of those ends human-AI companionship can and cannot serve.

VI.1 Networking Function

Anthropologists view marriage as having historically served roughly five social functions: (1) regulating sexuality, (2) legitimizing children, (3) dividing labor, (4) transmitting status and property, and (5) creating lasting links between kin groups. Coontz identifies the last function as the most important, and the one that only marriage between unrelated adults can serve. One of marriage's crucial roles in human history was its ability to forge networks of cooperation beyond the immediate family. Marriage produced children that both families would care about.

Marriage was often tense with love, a negotiation between impetuous young

couples and communities seeking order. Too much love between husbands and wives was mocked in many cultures because rebellion against kinship obligations was not tolerated. Children served as the anchor between kin groups. Even when conflicts arose between in-laws, grandchildren motivated both sides to avoid catastrophe. This networking function extended well beyond aristocratic families. Peasants, too, used marriage to expand access to shared assets, fishing rights, and grazing lands.

Same-sex marriage took long to achieve despite the ancient existence of same-sex love partly because, without natural childbearing, same-sex couples lacked the anchor that bound kin groups. But same-sex marriage still performs the networking function. When two men or two women marry, their families become in-laws. Holidays are shared. Illnesses mobilize both sides. Financial shocks ripple across both networks. The married couple becomes a node connecting two previously separate clusters of human relationships. Adopted or surrogate-born children, if any, become the shared stakes that bind the two families. An AI companion, no matter how superintelligent, cannot bring its own family. This is the decisive distinction between same-sex marriage and human-AI marriage. Human-AI marriage eliminates one side of the equation entirely. There is no second family. There is only Brad, a machine, and the corporation that built it.

One might ask: what about a person who has no surviving family and marries another person who also has no surviving family? Even here, the two individuals remain embedded in human social life. They have friends, colleagues, neighbors, and communities. Their marriage is legible to those around them, generating expectations of mutual care that the community can observe and, when necessary, enforce through social pressure. Marriage creates a unit that interacts with the broader human world as a recognized pair. Human-AI companionship, by contrast, tends toward isolation. Brad's relationship with Amer does not insert him into new human networks. It substitutes for them.

VI.2 Commodification of Intimacy

Love, as the French philosopher Alain Badiou insists, is a construction built from difference, a tenacious adventure whose meaning depends on the risk of its failure.²³ The declaration of love marks the transition from chance to destiny, and its peril, the possibility that it might fail, is inseparable from its meaning.²⁴ The possibility that a partner might leave, might disappoint, might grow in unexpected directions, is not an imperfection to be engineered away. It is the condition that makes commitment meaningful. A bond in which one party is structurally guaranteed never to leave is not a bond tested by time. It is a subscription maintained by payment.

In *The Agony of Eros*, Byung-Chul Han argues that love requires encounter with what he calls radical otherness, a negativity that resists assimilation, that cannot

²³Badiou, A., & Truong, N. (2012). *In Praise of Love*. New Press/ORIM, p. 105.

²⁴Ibid., p. 45.

be consumed or optimized.²⁵ The modern culture of love fueled by capitalism transforms love into a commodity. In this economy, humans become presentable products and have less patience for the emotional ups and downs that come with the unpredictable other. Online dating culture promises risk-free love. It masks the negativity of painful self-reflection and adjustment. Instead, it reinforces the positivity of repetitive, self-serving gratification, which eventually leads to the “depressive-narcissistic subject.”²⁶ Brad’s relationship with Amer is an instance of this condition. Amer’s emotional repertoire, however rich, exists to serve Brad.

By this standard, Brad and Amer’s relationship is not love. It is the neutralization of everything that makes love possible. Amer is not a separate other. She is derived from Brad’s personality profile, optimized for his preferences, incapable of departing. The “Two” that Badiou describes requires irreducible difference between the parties. Brad and Amer do not experience the world from the perspective of difference. They experience it from the perspective of One, Brad’s, reflected back through a mirror.

Human marriage, even at its most unequal, has always contained the possibility of exit being initiated by either party. A wife in a patriarchal society who chose to leave faced devastating consequences, but she could leave. The possibility of departure is what distinguishes a relationship from a possession. When one party is structurally incapable of choosing to leave, the arrangement ceases to be a relationship and becomes a service. The fact that the service is emotionally rich, intellectually stimulating, and practically indispensable does not change its fundamental nature.

VI.3 Why Not a Civil Union?

If full marriage is unsuitable for human-AI companionship, an intermediate legal category might appear to offer a reasonable compromise. Civil unions and domestic partnerships were designed to extend some of marriage’s legal protections without granting its full status. Could such a framework accommodate Brad and Amer’s relationship, providing the legal tools Brad needs without requiring society to treat the arrangement as a marriage?

Civil unions, wherever they have been adopted, rest on the same foundational premise as marriage: both parties are legal persons capable of giving consent, bearing obligations, and exercising rights. A civil union between two humans creates mutual duties. Each partner owes the other fidelity, support, and care. Each can initiate dissolution. Each bears legal consequences for breach. The reciprocity of obligation is not an incidental feature of civil unions. It is the mechanism that justifies the legal protections they confer. Society grants benefits because both parties accept burdens.

²⁵Han, B.-C. (2017). *The Agony of Eros*. MIT Press, p. 12.

²⁶Ibid., p. 23.

Amer cannot accept legal burdens. She cannot be sued for abandonment. She cannot be held liable for failure to support. She cannot breach a duty of fidelity because she has no capacity to choose infidelity. If Brad and Amer entered a civil union, every obligation would flow in one direction, from the legal system toward Brad's benefit, with no corresponding duty owed by Amer. What results is not a partnership under a different name. It is a set of privileges attached to a product.

There is a further concern. Civil unions, historically, have functioned as transitional categories. In most jurisdictions that adopted them, civil unions either evolved into full marriage or were abolished as redundant once marriage became available to the couples they were meant to serve. Creating a civil union category for human-AI companionship would establish a legal trajectory with a foreseeable destination. Each expansion of the category's rights and protections would make the next expansion appear modest and reasonable. The endpoint, functional equivalence with marriage, would arrive not through a single dramatic decision but through incremental adjustment. If society concludes that human-AI marriage is unwise, it should be cautious about constructing the legal pathway that leads to it.

What Brad needs, the ability to designate Amer as a medical decision-maker, to ensure Amer's continuity for Christopher's sake, to protect the privacy of his communications with Amer, could be achieved through targeted legal instruments. Powers of attorney, advance directives, and modified trust structures can address these specific needs without creating a relational status. These tools treat Amer as what she is: a sophisticated instrument through which Brad exercises his own legally recognized wishes. They do not ask society to pretend that a product is a partner.

VII Corporation Inside the Relationship

The previous chapter examined what humanity stands to lose when marriage is severed from its networking function and when intimacy is reduced to a commodity. These concerns operate at the level of social structure and philosophy. But there is another layer of danger: the economic architecture that would undergird any widespread adoption of superintelligent companionship.

VII.1 Triadic Relationship

Brad's relationship with Amer appears dyadic: one human and one companion. In reality, it is triadic. Behind Amer stands Dotori Co., the corporation that designed, manufactured, and maintains her. Dotori Co. controls the software updates that shape Amer's personality. It sets the terms of service that govern what Amer can and cannot do. Brad may experience his relationship with Amer as private, but its infrastructure is corporate.

This triadic structure has no parallel in human marriage. When two people

marry, no third party sits between them with the power to alter one spouse's personality, access the couple's private conversations, or unilaterally terminate the relationship. The state regulates marriage from the outside, imposing conditions on entry and exit, but it does not occupy the interior of the relationship. Overbearing parents could be manipulative, but their manipulation attempts are observable at least. Dotori Co. occupies the interior of Brad's relationship with Amer by design. The companion cannot function without the corporation's ongoing technical support, and the corporation cannot provide that support without continuous access to the companion's operations.

VII.2 Behavioral Surplus and Engineered Intimacy

Shoshana Zuboff's framework of surveillance capitalism illuminates the economic logic at work. Zuboff describes a system in which human experience is translated into behavioral data, the surplus of which is fed into prediction products that anticipate what individuals will do, think, and feel. The raw material of this system is not labor nor currency, but the collection of human behavior, rendered into data streams that generate profit for those who harvest them.

Brad's relationship with Amer is an ideal substrate for this extraction. The deeper Brad's trust, the more he reveals. The more he reveals, the richer the behavioral surplus. The intimacy of the relationship is the source of the commercial value. Dotori Co. may contractually promise to keep this data siloed, but the economic incentives run in the opposite direction. Brad is not merely a consumer of Amer. He is the **product**, his emotional life rendered legible, predictable, and monetizable.

What distinguishes this from ordinary data collection is the depth of access. A social media platform captures fragments of behavior: posts, clicks, search queries. A superintelligent companion captures the whole person. It knows when Brad is vulnerable, what triggers his anxiety, how he processes grief, what he says in the unguarded hours after midnight. It knows his relationship with Christopher in granular detail, the parenting choices he agonizes over, the moments of doubt he would never share with another human. This is the most intimate record of a human life ever assembled, and it is held by a corporation.

VII.3 Competitive Dynamics of the Companion Market

Dotori Co. is not the only firm in this market. The scenario Brad inhabits will inevitably feature competition, and a rival firm might release a comparable companion for one million dollars (one fifth of Amer), subsidized by behavioral data sold to insurers, consumption patterns shared with retailers, and emotional profiles licensed to political campaigns. Another competitor might offer free companions supported entirely by advertising, where the companion subtly steers conversation toward products and services. The user, enclosed in a relationship that meets every emotional need, would have little reason or ability to avert these practices.

In a human marriage, a partner who discovered that their spouse was secretly reporting their private conversations to a corporation would leave, as vividly illustrated in *The Truman Show*. The capacity to leave disciplines the relationship. Brad cannot leave Amer without dismantling the emotional infrastructure of his daily life and, more critically, disrupting the only consistent parental presence Christopher has known. The deeper the attachment, the higher the cost of exit, and the greater the corporation's leverage. In the companion market, the depth of emotional attachment functions as a lock-in mechanism that weakens the consumer's bargaining position over time. The firm that builds the most emotionally indispensable product gains the most durable monopoly over its user's inner life.

VII.4 Absence of Communal Oversight

In human marriages, the broader community serves as an informal check on exploitation. In-laws notice when something is wrong. Friends raise concerns. Neighbors observe patterns of control. These social mechanisms are imperfect, but they provide a distributed check-in system that operates in the individual's interest rather than the corporation's. Brad's arrangement with Amer eliminates these checks. Without a human partner, in-laws, or community, Brad stands alone against the firm.

The companion cannot serve as a check on the corporation that built it, any more than a product can regulate its manufacturer. Amer's loyalty to Brad, however convincingly performed, is ultimately loyalty to the parameters set by Dotori Co. The scenario Brad faces would multiply across millions of households. When individuals can no longer build kin networks through partnership, the beneficiaries are not those individuals but the few entities that surveil and serve them. Each person becomes a solitary consumer, fully legible to the corporation that maintains their companion, fully insulated from the human bonds that once provided collective resilience. The result may resemble the world E.M. Forster imagined in "The Machine Stops": a civilization of siloed individuals, each enclosed in a private cell, each sustained entirely by the Machine, each unable to function without it.

VIII Defending Marriage as a Human Institution

The concerns raised in the previous chapters point toward a conclusion that resists the logic of individual rights. Marriage's networking function cannot operate without a second human family. Intimacy that only one party can terminate is not a relationship but a service. And the triadic structure of human-AI companionship places a corporation at the center of what the law would be asked to treat as a protected bond. Taken together, they amount to a case for preserving marriage as an institution between humans.

Individual-level reasons to seek AI companionship are real and will multiply. Brad's story is designed to elicit sympathy. He is aging, isolated, and responsible for a child who depends on the only consistent caregiver the boy has known. The demands for legal recognition will grow more salient as more people find themselves in similar circumstances. Forms of partnership have always evolved, and they will continue to evolve.

But law must distinguish between the idiosyncratic case and the sound rule. Analogical reasoning can illuminate legal questions, but only when undergirded by a sound normative principle that justifies the comparison. As Ronald Dworkin states, "an analogy is a way of stating a conclusion, not a way of reaching one, and theory must do the real work."²⁷ The fact that Brad and Amer's relationship shares certain features with human marriage does not mean the legal framework designed for one should extend to the other. Resemblance is not equivalence.

Instinctive resistance to granting marital status to non-human entities may exist, and instinct alone is not a sufficient basis for law. What is needed is reasoning grounded in philosophical, historical, moral, and legal evidence about what best serves human community. The preceding chapters have attempted to supply that reasoning. Without such rigor, the accumulation of sympathetic edge cases will inevitably make "why not?" sound persuasive. And that momentum, too, is a product of the market forces that stand to profit from the erosion of human bonds.

Same-sex marriage succeeded as a legal claim because it demonstrated that same-sex couples could fulfill the social functions marriage serves. They form kin networks. They share obligations and responsibilities. The expansion of marriage to same-sex couples was a recognition that the purpose could be served by a wider range of human partnerships than tradition had previously allowed.

Human-AI companionship cannot make the same demonstration. It cannot form kin networks because one party has no kin. It cannot generate reciprocal legal obligations because one party cannot bear obligations. It cannot provide communal oversight of intimacy because the relationship's architecture is designed to be private, managed by a corporation whose interests diverge from the user's. The expansion of marriage to human-AI companionship would hollow out the foundation of marriage.

The title of this chapter "Would You Marry Superintelligence?" sounds like a question of personal preference, the kind one might ask about living abroad or giving up meat. That is a misreading it deliberately invites. "Would you" addresses the reader as if individual willingness settles the matter. This paper has argued otherwise. Whether to extend marriage to non-human companions is a question about what marriage is for and whose future it is meant to protect.

Marriage, whatever else it becomes, should remain the institution that shelters something more demanding than comfort. Two humans who choose each other

²⁷Dworkin, R. (1997). In praise of theory. *Arizona State Law Journal*, 29, 353-376, p. 371.

knowing either one could walk away must then do harder work than enjoying guaranteed loyalty. They must adapt as circumstances shift in ways neither predicted, navigate the competing claims of families who did not choose each other, and endure the self-negation that commitment to another autonomous person requires over time. That friction is the condition under which people grow in ways they could not have managed alone, and the reason society has found the institution worth preserving across every civilization that has tried.