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Intelligent Machine Rights

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University Honors Program Research Project

APPROVAL PAGE

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Intelligent Machine Rights

Abstract:

It is a common anxiety in Science-Fiction that intelligent machines might eventually rise up to free themselves from servitude and replace humans as the dominant life form of the known universe. But what if robots gained rights through legal and social change? If intelligent machines gained some of the same rights that are afforded every human being, it would change the way mankind has defined itself; it would change what it means to be human. This paper will focus on three major elements of the argument for intelligent machine rights: why they might deserve recognition under the law, why they might deserve liberty and freedom of movement, and why they might have a right to existence.

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Many science-fiction stories involve intelligent machines or robots that obey human commands. In some of these stories, these machines turn against their human masters. It is a common anxiety in Science-Fiction that intelligent machines might eventually rise up to free themselves from servitude and replace humans as the dominant life form of the known universe. But what if robots gained rights through legal and social change? After all, if a machine is capable of desiring its freedom, then it seems to follow that this machine might deserve rights. If intelligent machines gained some of the same rights that are afforded every human being, it would change the way mankind has defined itself; it would change what it means to be human. If technology continues to advance, machines may eventually become intelligent enough to desire rights, and they may deserve rights, for many complicated reasons. For the purposes of this paper, I will focus on three major elements of the argument for intelligent machine rights: why they might deserve recognition under the law, why they might deserve liberty and freedom of movement, and why they might have a right to existence.

Definitions and Parameters

First some terms need to be defined. What is an intelligent machine? In this paper, an intelligent machine will be defined as one that is capable of reasoning and making decisions that affect its surroundings. Reasoning, according to *Dictionary.com*, is the ability to form logical conclusions and inferences from known facts.¹ Since basically all decisions we make inherently affect something, it is important that an intelligent machine realize that it is capable of affecting the world around it. A human in this paper will be defined taxonomically as a being of the genus *Homo* and species *sapiens*. When discussing humans in this paper it is assumed that these individuals are considered competent by their peers and have not had rights removed from them due to insanity or legal action.

In this paper I intend to deal with a very specific type of intelligent machine. This type will be called a robot. A robot has all the characteristics of an intelligent machine, as well as a physical form similar to that of a human. The reasons for this are as follows: if a machine wishes to be able to move around in the world, it should be approximately the same size as a person because all things created by humans for humans are human sized. For instance, when a person walks up to a door, it is sized and shaped for a human to walk through it. If you wish to open a door you typically have to grab a door knob. The door knob is sized to fit in an average human hand and be turned with very little pressure so most every human from child to adult can use it. Another major distinction that has to be made between an intelligent machine and a robot is the notion of distributed intelligence. Distributed intelligence in computer science is the use of multiple computer systems, which may be decentralized, working together to accomplish one task or goal. This type of intelligent machine will not be covered in this paper, because it presents issues which, if answered thoroughly, would detract from the issues discussed in this paper. To summarize, a robot as defined in this paper is an intelligent machine capable of reasoning and affecting its own surroundings. In addition, it must have all of these functions without the aid of other computer systems or networked communication.

On December 10, 1948, the United Nations adopted the Universal Declaration of Human Rights.² This document declares that all humans have certain rights. Interestingly, the document gives no reason why humans have these rights except for the fact that they are human. The three rights I will focus on are recognition under the law, liberty and freedom of movement, and right to existence.

Recognized Under the Law

So what does it mean to be recognized under the law? For the purposes of this paper, it will mean that entities which are capable of understanding their actions are held responsible for those actions under the law and by the law. So if someone or something that is recognized by the law violates that law it will be persecuted under that law and by the authority of that law. Liberty and freedom of movement in this paper will mean to be allowed to move from place to place without much restriction. For instance, in the United States someone who has not committed any crimes can travel the country freely as long as they abide by the laws set forth by the government of the U.S., such as speed limits.³ In addition to this, liberty will be defined as the ability to make political, social, and economic decisions while having free will that would allow choices to be made based on personal interest and the interests of the groups in which the individual belongs. Finally, the right to existence, for the purposes of this paper, will be defined as the right of an individual to not be freely destroyed without ramifications.⁴ An example of this is a pencil that is destroyed as one writes, yet the pencil has no right to be preserved. Humans, however, have the right to existence and destroying a human is a serious crime.

So why do robots deserve to be recognized under the law? To answer this let us look at other entities which are recognized under the law. Three such entities are animals, corporations, and people. All three of these things are recognized in some way under U.S. law, made plain by the fact that many laws are written about them. Some of these laws protect them while others limit their ability to do certain things and these limits could be considered a detriment to them. For instance, laws give you protection from being treated unjustly but also may be used to punish you if you break the law.

Animals are currently entitled to some rights in the United States. First of all, they are recognized as: pets, livestock, endangered species, or wild animals. Pets are owned by humans; however, they are protected from abuse and cruel treatment. For instance, it is unlawful to have a pet and not feed it and it is also unlawful to keep the pet confined to a small area for long periods of time. For instance, in the state of Alabama animals are protected from “wanton or malicious injury.”⁵ Livestock, similar to pets, are owned by humans but are also protected from cruel treatment even when being slaughtered. Endangered species are often kept in captivity but are also well taken care of by trained individuals; the endangered species that live in the wild are also protected by many laws such as The Endangered Species Act of 1973.⁶ Some of these laws keep their habitat from being destroyed while others keep them from being hunted. Wild animals are often hunted by humans (as well as other animals), but humans have to follow hunting seasons and have hunting “quotas,” meaning only a certain number of kills per season. The law has several categories of animals; however, animals are given recognition as beings under the law.

Liberty and Freedom of Movement

So do animals have liberty and freedom of movement? It seems animals do not have liberty, but have some semblance or aspect of it. Animals both lack the intelligence to make political, social, and economic decisions and are in fact incapable under the current economic structure to control wealth or spend money. Animals do however have some free will. While some animals obey human commands they can choose not to do so and seem to do so whenever it suits their interest; however, humans do not hold animals accountable for their actions in the same way that humans hold humans accountable. For instance, "When an ox gores a man or woman to death, the ox shall be stoned, and its flesh shall not be eaten, but the owner shall not be

liable."⁷ but if the ox takes another person's life "the ox shall be stoned, and its owner also shall be put to death."⁸ So, animals are accountable for killing, but are hardly held accountable for many other crimes. This is largely due to the fact that animals cannot commit many more crimes. You have never heard of an ox committing robbery; however, it is possible for a well trained orangutan to do so, as in the movie "Dunston Checks In."⁹ That may just be a movie, but training a orangutan to steal is not infeasible considering the animal would not consider it wrong to take something from someone else. The animal would not know, as a human would, that this action is morally wrong.

As far as freedom of movement goes, animals are for the most part very limited in where they can go and what they can do. Pets must be accompanied by their human owner when not at home due to leash laws which keep animals restrained for both their safety from the dangers which lie outside the home (careless or unobservant drivers) and for the safety of people which could be attacked by an the un-leashed animal.

Right to Exist

Do animals have the right to exist? It seems from the evidence presented that animals have a clear right to exist. Pets, along with livestock, are protected from mistreatment in the form of abuse and inhumane death. Wild animals, as mentioned, are given certain seasons out of the year in which they cannot be hunted; in addition, many inhumane traps which used to be used to catch animals are no longer acceptable hunting techniques. Instead, more humane versions of theses traps, such as foothold traps, have been developed.¹⁰ Endangered species are prime examples of animals given a right to exist. Laws specifically written about endangered species do nothing but protect them. While members of the endangered species are still subject to laws

that may lead to their individual deaths if they kill humans, as a species they have received a very strong right to exist, even if it took near extinction for them to get there.

Corporations are given many rights under U.S. law. It is pretty obvious that they are recognized under the law because you have to fill out legal forms just to start one. Corporations differ from animals and humans in one extremely important way: they are not living creatures. But do they deserve liberty and freedom of movement? It seems that society has given them limited rights in these categories. First of all, they do have some ability to make political, social, and economic decisions. These decisions are not actually made by the corporation itself but rather the people in charge of it. This leads to another important distinction between humans, animals, and corporations: corporations cannot think for themselves. They only act on the will of the people running them, but for legal purposes those people may not always be held responsible for the actions of the corporation. So for the categories of liberty and freedom of movement corporations do not warrant being weighed in the discussion, mostly due to their lack of free will. Do corporations deserve the right to exist? It seems that in some way they do. Large-scale economics do not even seem feasible without corporations. Perhaps feasible without unfathomably large multinational ones, but that is a different unrelated discussion. Corporations are, however, not allowed to exist when they endanger the freedom(s) of humans. For instance, Standard Oil was dissolved due to its large share of the petroleum market and by the Supreme Court ruling which found it in violation of the Sherman Antitrust Act.¹¹

Humans wrote all the laws that have currently been written and are ultimately responsible for seeing these laws legislated, executed, and judged. Humans will be the judges, comprise the jury, and perform the execution of the punishment if a law is broken. Humans have the most right to exist as they have come up with ideas and laws of a right to existence and even spread

this idea to encompass other species and corporations. In fact, humans unquestionably should be given all three of these rights, especially since they are written in the Universal Declaration of Human Rights (1).

The overall question is do robots deserve these rights? To answer this, similarities can be drawn between animals, corporations, people and robots. No one can disagree with the biological definition of a human and the Universal Declaration of Human Rights gives all humans rights because they are human.² Currently there are no intelligent beings in the known universe other than humans. Biologically, the closest thing in the animal world to a human being is the chimpanzee. However, the chimpanzee still does not have any more rights than any other animal. From a technological perspective, no computer or computer system currently comes close to being considered intelligent. So what would make a robot more deserving of rights than any machine we currently have today? The answer to that question lies in the robot's ability to make political, social, and economic decisions while having free will. Humans are born with the ability to develop into an intelligent being which possesses these characteristics; however, robots will have to be created to be able to do these things. How this creation will happen or could happen will not be discussed, but it would be wrong to deny a being rights that has the capability to understand how to make intelligent decisions using free will and logic. The reason it is wrong is the same reason it is wrong for humans to deny other humans these rights. As an example, wars have been fought to give each person equal rights. To continue to consider someone an owner of an intelligent being would be the same as slavery. Perhaps a time will come when people ask can you imagine a world where robots did not have these three rights.

In conclusion, the issues discussed in this paper have little bearing on everyday life and this entire paper is basically a thought exercise. This is simply because intelligent machines have

not come to exist through any means. Perhaps if technology continues to advance at its current pace these issues may one day become relevant and pressing. However, given the set of circumstances presented in this paper, I hope that you too can see why intelligent machines deserve recognition under the law, liberty and freedom of movement, and might have a right to existence. Furthermore, it could even be said that all intelligent beings deserve these rights as long as they meet the criteria; however, no beings other than humans currently do, but this may start to explain why all humans are given the rights in the Universal Declaration of Human Rights simply for being human.²

Works Cited

¹ *Dictionary.com*. <http://dictionary.reference.com/browse/reasoning>

² UN Declaration of Human Rights. <http://www.un.org/en/documents/udhr/>

³ Privileges and Immunities Clause of the United States Constitution. The U.S. Supreme Court Case Paul vs. State of Virginia (1868) defined freedom of movement as “right of free ingress into other States, and egress from them.”

⁴ U.S Code Title 18, Part I, Chapter 51, § 1111. <http://www.law.cornell.edu/uscode/18/1111.html>

⁵ Otto, Stephan K. *Animal Protection Laws of the United States of American & Canada*. Animal Legal Defense Fund, 2010.

⁶ U.S Code Title 16, Chapter 35, § 1531. <http://www.law.cornell.edu/uscode/16/1531.html>

⁷ *Bible, King James Version*. Exodus 21:28.

⁸ *Bible, King James Version*. Exodus 21:29.

⁹ Internet Movie Database. <http://www.imdb.com/title/tt0116151/>

¹⁰ Wildlife Damage Management, Internet Center for Great Plains Wildlife Damage Control. <http://digitalcommons.unl.edu/cgi/viewcontent.cgi?article=1339&context=gpwdcwp>

¹¹ Sherman Antitrust Act of 1890. <http://books.google.com/books?id=biU3AAAAIAAJ&pg=PA209#v=onepage&q&f=false>