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Overview

- What is Moral Reasoning?
- Law & Ethics
- Morality of Autonomous Killing
 - Martens Clause
 - Basis of New Law
 - *Mal en se*

What is Moral Reasoning?

- Deliberation & Dilemmas
- Ideals & Norms
- Respect & Consideration
- Responsibility
- Development & Growth

Ethical Approaches

- Sentimentalism
- Utilitarianism
- Rights & Duties
- Virtue & Dignity
- Legalism

Moral Sentiment

- Disgust: “Ugh” Feeling
 - *Mal en se*
- Use in Moral Judgment
 - Proportionality (Hard Cases)
- Try to Formulate as Rules
 - Superfluous Injury
- Dictates of Public Conscience

Utilitarianism

- Machines might be better, make less mistakes
- Value x Probability = Expected Utility
- Most Likely (Not “Best Case Scenario”)
- Killing vs. Letting Die
 - Consequences
 - Acts

Rights

- Human Rights

- UN Declaration of Human Rights

- Right to Life

- Self-Defense
- High-Standard (Human Judgment)

- Dignity

- Respect
- Recognition

States & Duties

- The human rights to life and due process, and the limited conditions under which they can be overridden, imply a specific duty with respect to a broad range of automated and autonomous technologies. In particular there is a duty upon individuals and states in peacetime, as well as combatants, military organizations, and states in armed conflict situations, not to delegate to a machine or automated process the authority or capability to initiate the use of lethal force independently of human determinations of its moral and legal legitimacy in each and every case.
- Asaro (2012) “On Banning Autonomous Lethal Systems: Human Rights, Automation and the Dehumanizing of Lethal Decision-making.” *International Review of the Red Cross*, Summer 2012.

Virtues & Dignity

- What do we lose in dehumanizing warfare?
 - Responsibility & Accountability
 - Strategic & Political Control
 - Justice
- Allowing automatic processes to decide to actively take human lives diminishes the value of human life.

Is IHL Sufficient?

Now

Possible Future



What Lawful AWS will we see?

- Boundary Conditions
 - How will we know (testing & verification)
- Meet Art. 36 reviews
 - Will they be used according to IHL?
- Better than Human
 - What will drive this development?
- What other Implications will they bring?

Martens Clause & the Limits of the Law

● Art 1(2) of AP I

In cases not covered by this Protocol or by other international agreements, civilians and combatants remain under the protection and authority of the principles of international law derived from established custom, from the **principles of humanity** and from the **dictates of public conscience**.

Lawful ≠ Moral

Can ≠ Should

(Im)Morality of Autonomous Killing

- IHL & HRL require specifically Human decision-making
- Martens Clause & Public Conscience
- Bad Consequences
- Human Right to Life (in each and every case)
- Human Dignity & Virtue

Why is a Ban Good?

- Existing International Law Does Not Explicitly Prohibit Fully Autonomous Lethal Systems
- A Pre-emptive Ban (But not the first)
- A Comprehensive Ban is the Best Option
- We Need to Establish A Norm
 - Meaningful Human Control