



# Civil Rights for Robots

## Beep

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Living Breathing Machines Retreat



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## Approach and Outline

- **First: PSYCHE! There is no definitive answer.**
- **Theories behind liberty**
- **Legal sources of liberty**
- **Muddy water**
  - Rights in non-humans
  - Humans with restricted rights
  - Other flotsam and jetsam

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## Theories behind rights: Nozick

- **Robert Nozick\*: Self-ownership**
  - » (John Locke probably originated the idea, but without detail)
  - “Ownership” began during feudal times with titles to land
  - The “common factor that binds the human condition” is birth
  - **Each person owns himself in the same way one owns property**
  - » ... Nozick would probably disagree with the notion of machine rights, since they are not a part of the “human condition”

<sup>2</sup> \*Anarchy, State, Utopia. Robert Nozick. Basic Books, 1977.

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## Theories behind rights: Friedman

- **Milton Friedman\*: Goals**
  - **The capacity for self-government is derived from three abilities**
    1. The power to set ends for ourselves in light of our judgments of what is valuable;
    2. The power to regulate our conduct in pursuit of those ends;
    3. The power to revise that understanding on reflection
  - » **Friedman would have much less (perhaps too much less) trouble with the concept of robot rights**
  - » **“It is generally agreed that machines can have goals.” – Rod Brooks, Artificial Humanity, Fall, 1997.**
- <sup>2</sup> **\*Capitalism and Freedom, Milton Friedman. University of Chicago Press, 1963.**

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## Current source of legal rights

- **“People”**
  - **Constitution**
    - » **“We the people ...”**
    - » **“... unto ourselves and our posterity ...”**
  - **Bill of rights**
    - » **1, 2, 3, 4, 5, 9, 10 all use the term “person” or “people”**
- **“Citizen”**
  - **14<sup>th</sup> amendment**
    - » **“All persons born or *naturalized* in the United States are citizens of the United States. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any *person* of life, liberty or property without due process of law nor deny to any *person* equal protection of the law” (emphasis added).**

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## Models of non-human rights

- **Service animals**
  - Rehabilitation act of 1973, Sections 501, 503, 504
  - **American Disabilities Act**
    - » Prohibit the exclusion of service animals from public areas or private areas that serve the public
    - » There are behavioral restrictions (no barking or peeing)
    - » Can be excluded if “animal’s presence fundamentally changes the natures of the service provided”
- **Historic Monuments and protected lands**
  - » (Typically only protected because of their relationship with humans or with nature)
- ... these rights are typically only bestowed on non-humans because of their special relationship with humans

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## Humans with restricted rights

- **Minors**
  - Restricted from driving, “adult” activities, drinking ... presumably because of maturity
- **Power of attorney**
  - Typically applied if a person is or expects to be unable to make decisions in his own best interest
- **Mental patients**
  - Likely to make decisions that will cause harm to one’s self
- ... supports Friedman’s goal-centric ideas of liberty

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## Flotsam, jetsam

- **Cloned humans**
  - Embryos are associated with an “owner”
- **“Flesh and machines”-type human improvements**
  - Cochlear implants
  - Prostheses
  - ?Memory device
  - ?Help with reasoning

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