Chapter 8

Responsibility and War Machines: Toward a Forward-Looking and Functional Account

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ABSTRACT

The purpose of this chapter is to demonstrate that while unmanned systems certainly exacerbate some problems and cause us to rethink who we ought to hold morally responsible for military war crimes, traditional notions of responsibility are capable of dealing with the supposed ‘responsibility gap’ in unmanned warfare and that more moderate regulation will perhaps prove more important than an outright ban. It begins by exploring the conditions under which responsibility is typically delegated to humans and how these responsibility requirements are challenged in technological warfare. Following this is an examination of Robert Sparrow’s notion of a ‘responsibility gap’ as it pertains to the deployment of fully autonomous weapons systems. It is argued that we can reach a solution by shifting to a forward-looking and functional sense of responsibility incorporating institutional agents and ensuring that the human role in engineering and unleashing these systems is never overlooked.

INTRODUCTION

Central to the ethical concerns raised about the development of increasingly intelligent unmanned systems are issues of responsibility and accountability. Robot arms control groups have popularised this element of the debate as part of their call for a moratorium on the use of autonomous drones. The purpose of this chapter is to demonstrate that, while unmanned systems certainly exacerbate some traditional problems and may in some cases cause us to rethink who we ought to hold morally responsible for military war crimes, our standard conceptions of responsibility are capable of dealing with the supposed ‘responsibility gap’ – namely the inability to identify an appropriate locus of responsibility – in unmanned warfare and that in the absence of a gap, there is no reason for an outright ban. This chapter begins by exploring
Responsibility and War Machines

the conditions under which responsibility is typically attributed to humans and how these responsibility requirements are challenged in technologically mediated warfare. Following this is an examination of Sparrow’s notion of the ‘responsibility gap’ as it pertains to the potential deployment of fully autonomous weapons systems. It is argued that we can reach a solution by shifting to a forward-looking and functional sense of responsibility, which incorporates institutional agents and ensures that the human role in both engineering and releasing these systems is never overlooked.

BACKGROUND: CHALLENGES TO RESPONSIBILITY IN HI-TECH WARFARE

Moral responsibility in war is about actions, omissions and their consequences. When we read stories in military ethics readers, those worthy of blame include agents failing to adhere to just war principles, or to otherwise do the ‘right thing’ as determined by platoon leaders, government or country. It is also about the conditions under which they did the right or wrong thing. To be held responsible, in accord with Fischer and Ravizza’s (1998) landmark account – the mechanism that issues the relevant behaviour must be the agent’s own and be responsive to reasons – actors must not be ‘deceived or ignorant’ about what they are doing and ought to have control over their behaviour in a ‘suitable sense’ (Fischer & Ravizza 1998). Put more specifically, this means that an agent should only be considered morally responsible if they intentionally make a free and informed causal contribution to any act in question, meaning that they must be aware of the relevant facts and consequences of their actions, having arrived at the decision to act independently of coercion and were able to take alternative actions based on their knowledge of the facts. If these conditions are met, we can usually establish a link between the responsible subject and person or object affected, either retrospectively or prospectively (the latter will be the focus of the final section). However, technologically enabled warfare of the unmanned type presents various challenges for these standard accounts of moral responsibility. For the sake of a complete exposition and refutation of Sparrow’s claim that the responsibility gap presents an insurmountable threat, it is necessary to take a closer look at how semi-autonomous military technologies, generally defined, can complicate responsibility attribution in warfare.

There are many barriers to responsibility attribution in the military domain and many are so closely interrelated that it makes providing a clear and lucid discussion quite problematic. The most important for present purposes is associated with the subject’s causal contribution to the action in question. According to the above referenced account, for an agent to be held responsible, they must have exerted due influence on the resulting event. What is ‘due’ will be subject to further reflection in the remaining sections, but there is little to be gained from blaming someone or something for an unfortunate event about which they/it legitimately had no other choice or over which they/it had no control. That acknowledged, the employment of modern warfighting technologies based on complex computing and information technologies can lead us to lose our grasp of who is responsible, because it obscures the causal connections between an agent’s actions and the eventual consequences. When utilizing complex technologies, tracing the sequence of events that led to a particular event usually leads in a great number of directions (Norman 2012). The great majority of technological mishaps are the product of multifaceted mistakes commonly involving a wide range of persons, not limited to end users, engineers and technicians. For those looking from the outside in, it can be very difficult – and some (like Sparrow) might say impossible – to identify contributing agents. This difficulty in identifying contributing agents is Dennis Thompson’s (1987) so-called ‘problem of many hands’. This problem should not be confused with the