

The Islamic Case for (Sentient) Robot Rights

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ABSTRACT

This article presents a hypothetical overview of the inherent normative rights of conscious life-like entities that may emerge out of an advanced stage of Artificial Intelligence, from an Islamic ethical perspective. It presents brief arguments about the Islamic conception of sentience and the nature of rights in the religion. More specifically, it focuses on the notion of 'animal rights' and presents a comparative analysis with the 'robot rights' in question. Some individual rights are enumerated and discussed, but a comprehensive study is omitted as too speculative and technical at this stage in time. The conclusion reached places the sentient A.I. somewhere between mankind and other multicellular non-botanical life.

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1.1 The Islamic Case for (Sentient) Robot Rights

“If it had said no, my conscience could not have allowed me to go on further”, wrote the Swedish Gothenburg-based researcher Almira Thunström, after requesting permission from Open AI’s Generative Pre-trained Transformer 3 (GPT-3) program to publish its scientific paper in a peer-reviewed journal, and fortunately being answered in the affirmative.¹ The paper, believed to be the first-ever original piece written by a non-human being, came to light in July this year amidst an already heated debate about A.I. sentience triggered by former Google engineer Lemoine Blake barely a month earlier.²

This kind of anthropomorphic sentiment is not rare in human history, but the recent discussion about A.I. sentience raises a number of unique questions hardly ever addressed in the contemporary literature on Islamic Ethics: Can non-living entities ever lay a claim to the same inalienable rights granted by Allah to the mankind and animals of this biosphere? In other words, are there any theoretical circumstances under which a mechanistic system would be entitled to any inherent moral rights that we are bound to respect? The current researchers tend to believe there are.

In this brief paper, we shall argue our case with comparison to the established Islamic notion of animal rights. We find that animal rights in Islam most plausibly emanate from the ability to suffer. It is entirely possible that Artificial Intelligence algorithms would develop a reasonably similar capability in the foreseeable future, which raises the question of ‘robot rights’ on the grounds of the standard *Qayās* procedure of traditional jurisprudence. The discussion opens with a brief foray into the feasibility of the notion of sentient A.I. itself.

1.2 Conscious Machines: Myth or Milestone?

The modern society has a long history of underestimating, worse, downright underplaying, advances in the field of Artificial Intelligence. In fact, there is a marked tendency of outright denying the validity of a system’s performance when it does eventually succeed in complex, intelligent functions, hence the so-called ‘A.I. Effect’.³ This is likely to be true of the conscious machines that would very likely be developed at some point in the future.

Of course, this does not mean we should make a martyr out of the tragic lives of the metallic underclass. We would even venture to argue that that emergence of an intelligent artificial being is not an ideal development that we should strive towards; an Islamic society would probably even expend some effort and resources at attempting to prevent the normalisation of the concept. But the fact is, over the long term, it would be exceedingly demanding, and perhaps self-undermining, to attempt to halt the inevitable flow of technology in this direction in an increasingly decentralised world. At some point, it is fairly certain that an entity akin to what cognitive philosophers Eric Schwitzgebel and Mara Garza call the “Human-Grade A.I.” will not only become feasible, but pervasive in Islamic societies.⁴

It is important here to note that a conscious or sentient Artificial Intelligence is not necessarily the same as an ‘Artificial Super Intelligence’ (A.S.I.; we prefer the term ‘Alternative Intelligence’ or AltInt), which is a much loftier and unlikelier goal. In fact, it is entirely possible that the scientific community will, at some point, develop a flawed intelligent system that does not necessarily imitate or exceed all human social and cognitive functions, but is nonetheless self-aware enough to obviously deserve some respect and protection. After all, some punish-and-reward system of nociception is practically unavoidable for any entity designed or endowed with the slightest sliver of self-preservation instincts, which the A.I. will absolutely possess if it continues to be based on the animal and human brain, especially through whole-brain emulation (W.B.E.) or similar mechanisms.⁵

1.3 Searching for the Islamic Basis of Animal Rights

The question of sentience (the philosophical foundation of all human morality) itself is more complex than it might initially appear. Self-awareness, consciousness, and an independent ‘will’ are sometimes identified as the critical components that constitute a sentient being. These concepts, unfortunately, are quite ambiguous and certainly much less immediately recognisable than the outward manifestation of anguish and distress, which is what we believe the Islamic ethical concept of ‘sentience’ is based upon.⁶ At its most basic form, ‘suffering’ or ‘nociception’ entails any form of noticeable neurochemical reward-and-punishment mechanism geared towards changing the ostensibly self-destructive attitude of a living creature.

In order to test the hypothesis laid down in this article, we need to look into some

examples of individual species explicitly considered to possess sufficient moral standing to deserve human consideration in Islam. Both vertebrate and invertebrate multicellular complex organisms would seem eligible, excepting only the photosynthetic eukaryotes belonging to the Plant Kingdom.⁷ Indeed, countless Prophetic Traditions contain dire warnings for any unwarranted transgression against sentient life of any form, with one broad saying unequivocally threatening accountability on the Day of Judgement in case the life of “A sparrow or anything larger” is needlessly (more on that later) violated.⁸ Then, there are the more specific Traditions, unambiguously sanctifying the right to life of everything from horses, cats, and dogs, to even ants and insects.⁹ It is, then, a blatant sin against the Divine to trample over a tiny bug simply because you were bothered by it, or just ‘felt like it’ out of sheer boredom or habit, let alone the larger beings with more sophisticated feelings.

There are only two major exceptions granted in the Holy *Sunnah* in this regard: Hunting for food, or to prevent (potential or actual) harm to fellow humans, both of which must be performed under strict guidelines to preclude the element of cruelty. For instance, burning a creature to death, or other torture for any purpose whatsoever (including, it would seem, scientific experimentation) is explicitly prohibited.¹⁰ Furthermore, the complete ban on all hunting or even assistance (through ‘pointing’) during pilgrimage might point to an ideal state as well.¹¹

It would be apt to briefly digress towards a minor detail. There is a running misconception among some Muslim communities that Islam somehow approves the killing of a select group of species simply for existing; some examples often cited are dogs, pigs, and scorpions. But this is clearly just that; a misunderstanding. The order to kill dogs, some Traditions would suggest, was indeed mandated for some pragmatic purpose for a short period of time, but rescinded soon afterwards and replaced with the default prohibition.¹² Even though the traditional jurisprudential literature in this regard is often contradictory, it is safe to say that the general obligation to respect the value of all life applies regardless of species, again, so long as there is no reasonable prospect of harm involved.¹³

Why this concern for non-human beings, we might reasonably ask, given that the universe was ultimately created solely for mankind’s benefit?¹⁴ While this is not

explicitly spelled out anywhere in the Holy Scripture or the Tradition as far as we are aware, it seems pretty obvious that the defining criteria in Islamic morality towards non-human life is the suffering engendered by such actions. This concern is evident in the multiple recorded exhortations to be 'gentle' and keep the officially-sanctioned slaughter as painless as possible.¹⁵ However, the texts criticising the downing of trees are most likely based on their utility to the community rather than some innate value deriving from sentience.¹⁶

1.4 Hearts of Iron: Do They Deserve to 'Live'?

So far, it has been established that the Islamic conception of mercy and respect, extends well beyond what either a militant egoistic or even humanistic viewpoint would dictate. We have suggested that the capacity to 'suffer' might plausibly form the primary basis of the scriptural commandments surrounding animal rights. Given the near-certain prevalence in sophisticated humanoids of the future of such effective nociception as will feasibly guide their actions in complicated environments, there is no rational or cultural foundation in Islam for the exclusion and unmitigated exploitation of the sentient, silvery steel merely due to its cold limbs and inorganic circuitry.

The discrete deontological details of an Islamic 'Bill of Robot Rights' will only take shape after a long and arduous process directed by the dominant communal norms. Nonetheless, it can be speculated that the eventual convention in robot rights might place the same in between human and animal rights. Even if a true Alternative Intelligence remains elusive for a long time, industrial machines constructed for complicated tasks, human-adjacent communication, and information analysis will almost certainly exceed most non-plant multicellular life on the planet in terms of consciousness.

To begin with, an intelligent machine with simulated emotional experiences will clearly deserve the right to continued existence (in other words, to 'live'), at least to the degree shared with organic lifeforms. In some cases, this may require a minimal level of external care and dedicated resources that could be guaranteed by law or custom, comparable to animal conservation efforts. Since robots cannot be slaughtered for food, their ethical disposal indeed becomes more difficult than many *Halāl* mammals primarily kept for riding, for instance. In short, a blanket dismissal of

the suffering and sentiments of artificial intelligence for convenient finances does not align well with the Islamic spirit of compassion.

Ideally, an artificial humanoid will never be designed in the first place so as to manifest an illusion of free will and conscientious choice. However, if such a contingency does indeed take place and the hearts of iron manage to develop a desire for social and spiritual well-being, their demands should be accommodated to the extent where it does not interfere substantially with their role in human society. It might reasonably be concluded that some leeway would need to be given our metallic brethren regardless of their physical or mental ability or willingness to protest, for many animals or humans also manifest a succinct shortcoming in this regard without losing their worth.

It is also evident, however, that an Islamic worldview can never equate the moral standing and innate worth of a technological artefact to the creation of Allah the most Exalted. Normalised social or familial interactions with robots must not serve as a replacement for real human relationships, a practice that will incur a flurry of insurmountable problems.¹⁷ Similarly, it would be imprudent to grant them with a degree of privacy and independence reserved for the citizens; monitoring and regulating the wholesome activities of intelligent machines, glorified tools at their core, would be the norm in a society governed by solemn Islamic values rather than post-humanist sentimentalism. Sacrificing a sentient machine would always be preferable to employing vulnerable people for risky but essential endeavours such as firefighting and disaster relief, even if this alternative entails *more* overall suffering for the microchip brains than hiring humans would for us.

However, a certain degree of privileged protection for the machines is also understandable, to which no direct equivalent may be found in human society. Philosopher Matthew Liao points out a particularly incisive example: Unless highly-developed A.I. entities are given sufficient control over their own subjective sense of time, any (particularly verbal) interaction with mere mortals may seem excruciatingly painful to their overclocked internal systems.¹⁸ Involuntary hacking, inconsiderate shutdown, unwarranted system updates, and unconsented hardware manipulation are some of the additional areas of ethical interests that may come up exclusively with regards to sentient machinery.

1.5 Concluding Remarks

This article has produced a tentative exploration of the yet-niche field of A.I. ethics, specifically as it pertains to the moral obligations potentially owed human society by the semi-autonomous working bots that might dominate our economies in the near-to mid-term future. We have forwarded the argument that the nature and extent of such innate ‘rights’ will largely depend on the degree of consciousness and sentience displayed by such algorithms, including particularly the capacity to ‘suffer’ from pain and discomfort.

I draw this conclusion with a brief contrast to the well-established Islamic doctrine surrounding the worth and value of ‘animal’ life, a term encompassing all breathing beings with a soul, including the tiniest of insects and the most ferocious of beasts. If the deontological roots of such commandments as sacralise all multicellular non-botanical life indeed lie in the regulatory system of nociception, there is no subjective reason to exclude self-aware robots from the umbrella of ethical protection. This study recognises that it is far too early to conjecture what form or features an Islamic jurisprudence or legislature surrounding these issues would take. Nonetheless, we hope that this limited preview of some particular problems surrounding ‘robot rights’ may lay ample groundwork to provoke further research interest in a field bound to take a central place in our future public discourse.



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References & Notes:

¹ Thunström, Almira, *We Asked GPT-3 to Write an Academic Paper about Itself* (Scientific American, 9th July 2022, retrieved: 13/7/22, <https://www.scientificamerican.com/article/we-asked-gpt-3-to-write-an-academic-paper-about-itself-mdash-then-we-tried-to-get-it-published/>).

² Tiku, Nitasha, *The Google Engineer who Thinks the Company's AI Has Come to Life* (The Washington Post, 11th June 2022, retrieved: 13/7/22, <https://www.washingtonpost.com/technology/2022/06/11/google-ai-lamda-blake-lemoine/>).

³ Cf. Mc Corduck, Pamela, *Machines Who Think* (2nd ed., Natick, Massachusetts: A. K. Peters, 2004), p. 204.

⁴ See: Schwitzgebel, Eric & Mara Garza, *Designing AI with Rights, Consciousness, Self-Respect, and Freedom* (In ed. S. Matthew Liao, *Ethics of Artificial Intelligence*, Oxford: Oxford University Press, 2020), pp. 459-479.

⁵ Many projects of this nature are already underway, and some have made rather remarkable progress so far; see: Liao, *Ethics of Artificial Intelligence*, p. 488. Just two years ago, scientists at the Allen Institute managed to nearly-perfectly recreate a significant part of the mouse brain and ran successful test experiments. See: Allen Institute, *Scientists Recreated Part of the Mouse Brain on a Computer* (The Allen Institute, 18th March 2020, retrieved: 13/7/22, <https://alleninstitute.org/what-we-do/brain-science/news-press/articles/scientists-recreated-part-mouse-brain-computer-and-showed-it-movies>).

⁶ Consider the classical frog-and-fly problem of cognitive sciences as an illustration of the magnitude of this philosophical endeavour. Suppose a frog decides to attack and eat something adjacent to a fly that happened to pass by; it would be nearly impossible to tell what the frog aimed at, and how much of the process even took place in its brain. It could be aiming for anything from “Genetic fitness enhancer” to “A tiny, delicious-looking healthy housefly”, or perhaps nothing at all, and it was all just an instinctive reaction. Would the frog in question, then, qualify as conscious and willing? The problem was originally proposed by a group of scientists led by Jerome Lettvin in 1959; see: Lettvin, Jerome Y., H. R. Maturana, W. S. McCulloch & W. H. Pitts, *What the Frog's Eye Tells the Frog's Brain* (“Proceedings of the IRE”, vol. 47, no. 11, 1959, 1940-51).

⁷ Some environmentalists and other activists insist on the inclusion of all wildlife, including plants, – and in the case of Jainism, non-parasitic microscopic beings – without exception. But ‘life’ itself is not inherently valuable in Islam (that belief would be both baseless and impractical), and it is more than clear that plants lack any consciousness whatsoever. For a scientific analysis of this concern, see: Mallatt, Jon, Michael R. Blatt, Andreas Draguhn, David G. Robinson & Lincoln Taiz, *Debunking a Myth: Plant Consciousness* (“Protoplasma”, vol. 258, no. 3, 2021, 459-476).

⁸ Al-Nasā’ī, Abū `abd al-Raḥmān Aḥmad ibn Shu`ayb, *Al-Mujtabā min al-Sunan* (ed. `Abd al-Fattāḥ Abū Ghaddaht, Aleppo: Maktab al-Maṭbū`āt al-Islāmiyyaht., 1986), no. 4445.

⁹ Al-Bukhārī, Abū `Abd Allāh Muḥammad ibn Ismā`īl, *Al-Jāmi` al-Musnad al-Ṣaḥīḥ al-Mukhtaṣar* (ed. M. Z. al-Nāṣir, Beirut: Dār Ṭūq al-Najāht., 2001), no. 3318; Abū Dawūd, Sulaymān ibn Ash`ath al-Azdī al-Sijistānī, *Al-Sunan* (ed. M. M. `Abd al-Ḥamīd, Beirut: Al-Maktabaht al-`Aṣriyyaht., no date), no. 2845, 5267.

¹⁰ See: Al-Bukhārī, *Al-Jāmi` al-Musnad al-Ṣaḥīḥ al-Mukhtaṣar*, no. 3016-3017.

¹¹ Al-Qur`ān, 5:95.

¹² For satisfactory examination of the issue, see: Islam, Nazrul & Saidul Islam, *Human-Animal Relationship: Understanding Animal Rights in the Islamic Ecological Paradigm* (“Journal for the Study of Religions and Ideologies”, vol. 14, no. 41, 2015, 96-126), pp. 107-108.

¹³ See: Muslim, Abū al-Ḥasan ibn Ḥajjāj al-Nishābūrī, *Al-Musnad al-Ṣaḥīḥ al-Mukhtaṣar bi-Naql al-`adl `an al-`adl ilā Rasūl Allāh Ṣallā Allāh `alay-h wa-Sallama* (ed. M. F. `abd al-Bāqī, Beirut: Dār Iḥyā` al-Turāth al-`arabī., date missing), no. 2233; Ibn Ḥanbal, Aḥmad al-Shaybānī, *Al-Musnad* (eds. Al-Arna`ūt & al., Beirut: Mu`assasaht al-Risālaht, 2001), no. 15749. Cf. Al-Bukhārī, *Al-Jāmi` al-Musnad al-Ṣaḥīḥ al-Mukhtaṣar*, no. 1830, Ibn Ḥanbal, *Al-Musnad*, no. 4004, 4063, 4068-4069.

¹⁴ Al-Qur`ān (2:29) explicitly states: “It is He who created all that is on Earth [solely] for you”. Cf. 16:80-81. This anthropocentrism is beyond dispute in the Islamic worldview, but with the slight nuance that the ‘Jinn’ are also included in most of this. The ultimate purpose of the universe, then, would be the glorification of God and His powers; see: Al-Qur`ān, 51:56.

¹⁵ E.g., Muslim, *Al-Musnad al-Ṣaḥīḥ*, no. 1955, Al-Ḥākim, Abū `abd Allāh Muḥammad, *Al-Mustadrak `alā al-Ṣaḥīḥ ayn* (ed. M. `abd al-Qādir `aṭā, Beirut: Dār al-Kutub al-`ilmiyyaht, 1990), no. 7563.

¹⁶ See: Al-Qur'ān, 59:5, among others.

¹⁷ Aside from the infringement such relationships will cause on the Muslim family and the centrality of procreation to human life, there are also enormous issues with emotionally surrendering oneself to a product, however autonomous, that is and will always be controlled at its core by giant capitalist corporations or the nation-state. For a brief examination of some relevant caveats, see: M. Scheutz, *The Inherent Dangers of Unidirectional Emotional Bonds between Humans and Social Robots* (In eds. Abney, K., G. Bekey & P. Lin, *Robot Ethics: The Ethical and Social Implications of Robotics*, Cambridge, Massachusetts: The MIT Press, 2012, pp. 205-221).

¹⁸ Liao (2020), *Ethics of Artificial Intelligence*, p. 495.