RESEARCH PROJECT

Beyond persons and things: the legal status of artificial intelligence

The emergence of technologies based on artificial intelligence (AI) is leading to the automation of an ever-increasing number of activities and decisions. Behind their virtuous functionalities, the highly original characteristics of these technologies are disrupting the traditional legal and ethical categories that allowed conceptualizing as well as organizing the relationships between humans and things. AI technologies’ anthropomorphic characteristics – such as autonomous, adaptive and self-learning abilities entailing a certain degree of behavioral unpredictability – arguably emancipate them from their status of inanimate things to become somehow akin to humans.

The complexity of these technologies prompted the European Parliament (EP) to propose in a Resolution adopted on 16 February 2017 the creation of a specific legal personhood for intelligent robots. The EP considers it necessary to create robotic personhood “[…] so that at least the most sophisticated autonomous robots could be established as having the status of electronic persons responsible for making good any damage they may cause. […]”. For the EP, “[…] ultimately, the autonomy of robots raises the question of their nature in the light of the existing legal categories or whether a new category should be created, with its own specific features and implications”.

This proposition of the EP has provoked strong criticism from both institutional and scientific actors. In particular, it makes legal practitioners and scholars uncomfortable, as it appears to be a very radical solution. On the one hand, it calls into question the indisputable immobility of the law in this area. In the course of modern and contemporary history, the forms of legal personhood have remained relatively static, the law having recognized full personhood only to humans and so-called moral persons, such as companies or nations. On the other hand, this proposition is surprising because it touches upon a very delicate notion to handle, since it entails deciding whether an artificial entity should be endowed with the same set of rights and duties than a legal subject. In this respect, the debates on the legal personhood of AIs become the scene of a tension between two apparently irreconcilable positions, situated at the crossroads of legal theory and practice.

For some, this solution is problematic because it requires undertaking a delicate conceptual investigation about the nature of beings. It questions the ontological specificity of “homo juridicus” and its possible similarities/differences with other entities, whether artificial or animal. If legal personhood is something attributable to humans simply by virtue of their nature, its attribution to other entities is far from obvious, as illustrated by the debates on the legal personhood of great apes.
For others, the operation of legal personification always stems from purely technical logic, which is intrinsic to the practical function of law: in order to organize and, if needed, pacify the relationships between beings, the law distorts its categories and creates fictions the effects of which are very real. If the premise that current legislation is not sufficient to deal with the problems of responsibility raised by AI is correct, it is important to note that the idea of creating an electronic personhood does not mean giving human rights to robots or granting them the capacity to marry. Legal personhood is rather to be considered a pragmatic tool that would help to guarantee that a robot is and will remain a machine behind which there is always a human. Such a status would, inter alia, allow robots to be individually insured and held liable for damage to property and persons.

The objective of this research project is to investigate the issue of the recognition of legal personhood for robots and other entities based on AI systems. To this end, it intends to re-examine the “ancestral” division that Western morality and law have posited between people and things, exploring both its conceptual and pragmatic dimensions.

Further information may be obtained by contacting Prof. Christophe Lazaro

ELIGIBILITY CRITERIA
Candidates will have:

- a completed Master degree in law;
- excellent critical thinking and academic writing skills;
- imagination beyond analytical skills;
- proficiency in written and spoken English;
- organizational and communications skills, and cooperative attitude;
- a willingness to engage with researchers from humanities as well as computer science and engineering;
- willingness to compete to attract external funding for research projects.

A (big) plus will be:
- interest in socio-legal research methodology;
- interdisciplinary background (i.e. a minor or another master in philosophy, anthropology and/or science and technology studies);
- proficiency in French.

The official administrative language used at UCLouvain is French. If you do not speak French (or do not speak it well) at the start of employment, UCLouvain will provide language training to enable you to take part in administrative meetings.

CONDITIONS OF EMPLOYMENT
We offer a fulltime employment in an intellectually stimulating environment (for 2 + 2 years).

The successful candidate will carry out research in the Centre for Philosophy of Law (CPDR) at Law Faculty of the University of Louvain (UCLouvain, Belgium), under the guidance of Prof. Christophe Lazaro. [Visit the CPDR website](https://uclouvain.be/fr/instituts-recherche/juri/cpdr)
The Centre for Philosophy of Law (CPDR) is part of the Institute for Interdisciplinary Research in Legal Sciences (JUR-I), https://uclouvain.be/fr/instituts-recherche/juri. It is a renowned center, uniting 30 scholars specialized in 4 research fields: (i) Governance and norms theory; (ii) Common goods and biodiversity; (iii) Fundamental rights; (iv) Law, science and technology studies. Researchers at the CPDR conduct fundamental research, policy-oriented research, and applied legal research. The Centre for Philosophy of Law is dedicated to building a strong research community and creating an environment that facilitates critical and constructive reflection.

The Faculty of Law and Criminology of the Université Catholique de Louvain (UCL), in Louvain-la-Neuve (Belgium) has developed a long-standing tradition of excellence since its foundation in 1425. Today, the Faculty is the most important French-speaking Faculties in Belgium. With more than 270 members of academic and scientific staff, the Faculty of Law and Criminology focuses on interdisciplinarity, openness to other legal cultures and the use of interactive teaching.

APPLICATION

Job description

As an early-career researcher, you are expected to:
- initiate, develop and execute high-level research projects independently;
- publish in national and international journals;
- participate in national and international seminars and conferences;
- develop and execute research projects in collaboration with other CPDR researchers;
- contribute to CPDR’s knowledge dissemination activities;
- strengthen relevant research networks within UCLouvain and internationally.

Candidates will be selected on the basis of the quality and relevance of their application, and interaction during an eventual interview.

Requirements

Please submit:

1. a curriculum vitae, including degrees (and grade list), scientific publications, work experience, and language skills;
2. a cover letter, explaining why you are interested in the project, and what makes you a suitable candidate;
3. a research proposal in line with the aforementioned research focus (< 1500 words, not including selected bibliography)
4. two reference letters sent directly to Prof. Lazaro.

Applications must be submitted before 10 April 2020. The interviews with selected candidates will take place in the week of 25 May 2020. The candidates will start at UCLouvain from 1 September 2020.

Your application must be submitted in English or in French (in one pdf file) to Prof. Christophe Lazaro via the following address: christophe.lazaro@uclouvain.be.