

Tim Shaker  
CST 300  
10/18/2025

## **The Ethics of Lethal Autonomous Weapon Systems (LAWS)**

### **Introduction**

Lethal Autonomous Weapon Systems (LAWS) are a growing trend in modern warfare. The U.S. Department of Defense defines LAWS as weapons systems that “once activated, can select and engage targets without further human intervention” (DoD, 2023). LAWS represent a shift from human-controlled to machine-driven combat, raising consequential ethical, legal, and humanitarian questions. The issue is significant because it challenges traditional conceptions of human accountability. LAWS can reduce or entirely remove human judgement from the decision to use lethal force, which can make it unclear who is responsible for deaths resulting from their deployment. Understandably, humanitarian organizations like the International Committee of the Red Cross have urged world leaders to regulate LAWS (ICRC, 2021). The United Nations will be instrumental to any international regulation of LAWS, and there is widespread support for action on the issue, but the details of how any regulation should be implemented are debated (Perrin, 2025). UN Secretary-General António Guterres has called for a total ban on LAWS, calling them “morally repugnant” (UN News, 2025), while the United States has maintained its position of taking “practical steps” in the design and development of LAWS to ensure “appropriate levels of human judgment over the use of force” (United Nations, 2024). US policy also asserts that there is “no agreed definition” of LAWS currently used in international fora (Sayler, 2025), which makes implementing any potential regulation difficult.

There are, however, three commonly used categories based on levels of human involvement that can be used to distinguish between different types of weapons: a “human-in-

the-loop” system describes a weapon that can select targets but only deliver lethal force with a human command, i.e., automated but not autonomous; a “human-on-the-loop” system describes a weapon that that can select and lethally engage targets only under human supervision, i.e., a semi-autonomous weapon; and a “human-out-of-the-loop” system describes a weapon that can select and lethally engage targets without any human input, i.e., a fully-autonomous weapon (Docherty, 2012). Weapons can have different features that vary in their level of autonomy, however, so it is helpful to conceptualize LAWS in terms of a “spectrum of autonomy” (Watts & Bode, 2021), with automated and semi-autonomous features representing complex modes of human-machine interaction, while fully-autonomous features do not require any human involvement after the weapon’s fully-autonomous mode has been activated.

Despite their varying levels of involvement, operators of LAWS are still subject to international humanitarian law (IHL), as legal obligations cannot be transferred to machines (Davison, 2018). The Martens Clause provides a safety net in IHL, arguing that the principles of humanity and the dictates of the public conscience should regulate the ethics of armed conflict in the absence of any relevant treaty, as is the case with the growing public concern over LAWS. Accordingly, LAWS must be used with respect to three fundamental obligations in humanitarian law: distinction, proportionality, and precautions in attack. Distinction is the ability to distinguish between legitimate military targets and non-combatants, as well as other illegal targets, like civilian infrastructure. Proportionality is the ability to determine whether collateral damage and harm to non-combatants would be excessive compared to any expected military advantage. Precautions in attack includes the ability to abort a military objective, if doing so would prevent excessive harm or any other violation of humanitarian law.

## **Stakeholder Analysis**

This essay will examine two stakeholders who are particularly concerned with the future of LAWS: a soldier represents the side arguing for LAWS, and a protestor represents the side against LAWS. The soldier may benefit from LAWS by their ability to remove them from harm, or may be killed by LAWS, e.g., if they malfunction, or if their enemy has superior weapons. The protestor on the other side of the issue is rightfully concerned about the effect of LAWS on human accountability, as well as the dangers presented by these new kinds of weapons.

### **For LAWS: a soldier**

The soldier embodies traditional military values: loyalty to their nation and its laws, faithfully fulfilling their duty in the service of their mission, and protecting the people they care about, including their fellow service members, their family, their nation, and their allies. While the soldier values courage and selfless service, they would also like maintain their personal safety, to successfully complete their mission and return home. The soldier respects the laws of war and would like to minimize harm, but is pragmatic and cares mostly about the realities they must deal with to do their job, which includes following the orders of their superiors.

The soldier's position is in favor of LAWS, insofar as these weapons help them fulfill their duty and achieve the goals of their mission. The soldier would like to avoid any excessive collateral damage, especially considering that any wrongdoing on their part may result in legal consequences, but they must also obey the lawful orders of their superiors. The soldier's life depends on their warfighting ability, as does the safety of those they are called to protect, and they will gladly accept any technological advantage that is available to them.

There are many claims that the soldier can use to support their position. For example, there is the factual claim that LAWS are already in use and have been for many years (Perrin,

2025). There is also the claim that there is “no agreed definition” of LAWS (Sayler, 2025).

Another claim is one of value, that LAWS are morally superior to traditional weapons because they can minimize harm by making weapons “smarter” and more precise.

### **Against LAWS: a protestor**

The protestor who opposes LAWS values accountability for those in power, social justice, and political action to protect human rights. They are concerned that LAWS will lead to decreased accountability for those who are responsible for the use of lethal force. The protestor also values human judgement and believes that it cannot be replaced by artificial intelligence. Human rights are important to the protestor, and they believe that granting LAWS the ability to make life-or-death decisions is dehumanizing because it reduces a human life to data points, which can reinforce biases, making marginalized groups of people more vulnerable.

The protestor’s position on the issue is that LAWS should be banned, or at least heavily regulated. They assert that LAWS are dangerous and reduce human accountability. Restricting LAWS is important to the protestor because they do not want these weapons to be used against them or the people they care about. The protestor is in favor of an international agreement restricting LAWS, which they argue would make the world safer and more fair to everyone.

The protestor can make several claims in support of their position. For example, they can use an analogy, comparing LAWS to other weapons that have been banned, like landmines and chemical weapons. Their primary claim is one of policy, that LAWS should be banned or restricted, which is based on a claim of value, i.e., that LAWS are immoral. The protestor’s moral claim is based on beliefs about the value of human judgement compared to machine intelligence, as well as a causal claim that LAWS will reduce human accountability.

### **Argument Question**

The question that is central to the debate is this: should LAWS be allowed to kill without human intervention? There are many different situations where this question must be asked, as there are many distinctions between different types of weapons, their features, the context of their usage, and the goals of those who deploy these weapons. For example, a missile defense system may be fully autonomous, or only allow human operators to exercise limited control, due to the speed at which these systems must operate (Watts & Bode, 2021). The issue concerning LAWS is inherently complex and technical, but for the purpose of this essay, the central question will be asked in a general sense, rather than referring to any particular implementation of LAWS.

### **Stakeholder Argument**

#### **For LAWS: a soldier**

The soldier can argue their position from a utilitarian framework, as well as a Hobbesian social contract theory. Utilitarianism is an ethical theory developed by Jeremy Bentham and later expanded by John Stuart Mill. The core idea is summarized in the Greatest Happiness Principle, which states that actions are right insofar as they tend to promote happiness, and wrong insofar as they tend to produce suffering. Act utilitarianism judges an individual act based on its tendency to promote happiness and decrease suffering; rule utilitarianism judges acts based on their conformance to general rules that tend to promote happiness and decrease suffering. The principle of equal consideration explains that the interests of all parties affected by an action must be weighed equally. The social contract theory put forward by Thomas Hobbes describes self-defense as a right of nature and explains that individuals in society surrender certain rights in the interest of security. Hobbes attributes absolute authority to the sovereign, who is responsible for maintaining peace and order.

Utilitarianism supports LAWS insofar as they produce more happiness than suffering; Hobbes supports LAWS as an instrument of the sovereign to maintain peace. Utilitarianism, as a consequentialist ethical theory, is concerned about the actual effects these weapons have in the world. Act utilitarianism supports LAWS if they are used to prevent unnecessary harm and minimize suffering, for example, with improved targeting abilities and decreased casualties. Rule utilitarianism supports LAWS if they are used in conformance with general rules that promote the greater good, for example, regulating how and where they may be deployed, how long they may be active, and what safety features they must include. Hobbes would argue that LAWS are necessary to maintain global security, and they may only be used as authorized by the appropriate authorities. Both Hobbes and utilitarianism would not support LAWS if they produced unreasonably negative outcomes, like an increased likelihood of war or unmitigated harm through widespread malfunctioning.

From the perspective of the soldier, using LAWS would be the correct course of action if doing so would help them achieve the goals of their mission while minimizing unnecessary harm. The most important thing for them is following orders and completing their mission, and as they are responsible for any violation of humanitarian law resulting from the weapons they use, they have a keen interest in using LAWS ethically. The soldier makes subjective decisions about the use of force in combat, which includes how to use LAWS and the likely effects of their deployment, which must be considered justified and necessary given the situation. Banning LAWS would mean that the soldier could not use these weapons, and they would not receive the military advantages these weapons offer. If their enemy does not abide by an international ban on LAWS, this could put them at a disadvantage on the battlefield, which would expose them to additional harm.

## **Against LAWS: a protestor**

The protestor can argue their position from a deontological ethical framework, influenced by the ideas of Immanuel Kant and John Rawls. Kant's ethics are based on the categorical imperative, put forth in his *Groundwork of the Metaphysics of Morals*. The categorical imperative is presented in several formulations, the first two of which are especially relevant to this issue. The first formulation states that one should only act in such a way that they can will it to become a universal law. The second formulation, known as the principle of humanity, demands that we treat others as ends in themselves and never as a mere means to an end. The ethics of John Rawls are illustrated by a thought experiment, where we are asked to imagine ourselves in an "original position" behind a "veil of ignorance" before we are born, where we do not know where or to whom we will be born. The point of the thought experiment is to design the world in such a way that it is fair to everyone, regardless of their position in society.

Both Kantian ethics and Rawlsian justice do not permit the unrestricted deployment of LAWS. Kant's categorical imperative would not allow the widespread use of LAWS without restriction, since this would normalize killing without accountability, where the humanity of individuals would be routinely disregarded by autonomous killing machines. Rawls would also not allow the unrestricted use of LAWS, since this would put people in less militarily advanced nations at a greater risk of being killed, which violates the principle of fairness.

Accordingly, the correct course of action from the protestor's perspective is to ban or heavily restrict LAWS, so that they can't kill without human intervention. This would ensure that there is always someone who can be held accountable for deaths caused by these weapons. Ideally, this would also preserve an ethical concern for humanity, since a human would be required to make any decision about the use of lethal force. Regulating LAWS would also

prevent military superpowers from dominating the peoples of other nations, who may not have access to these advanced weapons. Humanity would have a lot to lose if these weapons were ever used against them on a widescale, and opponents of LAWS argue that these weapons increase the likelihood of war, putting humans everywhere at risk.

### **My Position**

My position on the issue is focused on accountability and progress. Human operators of LAWS are accountable under IHL, and keeping humans accountable should be a priority for any regulation of LAWS, even as weapons continue their trend of increasing autonomy. Accordingly, autonomous weapons should be required to record and report who authorized any use of lethal force, ensuring accountability for their operators, even if the machine makes the final decision. These records should be accessible to the authorities who are responsible for enforcing humanitarian law, and strict compliance should be mandated. Additionally, technical safeguards in LAWS should be required to prevent the loss of human control, and autonomous features of LAWS should be limited, for example, prohibiting them from targeting humans.

My position is aligned with the soldier, since it does not prohibit autonomy in weapons, insofar as LAWS can comply with IHL, and it also respects the concerns of the protestor, since it is focused on maintaining accountability. A total ban on LAWS does not seem practical, since autonomous weapons have been used responsibly for many years, and a widespread ban could prevent the development of new “smart” weapons, that could improve humanitarian outcomes through advanced intelligence features and targeting capabilities. My recommendation is that LAWS should continue their development, while also considering the need for an international agreement on LAWS, to ensure that these weapons continue to preserve human accountability, while also serving their purpose to protect peace and promote the greater good.

## References

- Davison, N. (2018). *A legal perspective: Autonomous weapon systems under international humanitarian law*. United Nations Office of Disarmament Affairs (UNODA) Occasional Papers, 30. <https://doi.org/10.18356/29a571ba-en>
- Docherty, B. (2012, November 19). *Losing humanity: The case against killer robots*. Human Rights Watch. <https://www.hrw.org/report/2012/11/19/losing-humanity/case-against-killer-robots>
- DoD. (2023). *DoD Directive 3000.09, "Autonomy in weapon systems"*. Office of the Under Secretary of Defense for Policy. <https://www.esd.whs.mil/portals/54/documents/dd/issuances/dodd/300009p.pdf>
- ICRC. (2021). *ICRC position on autonomous weapon systems*. International Committee of the Red Cross. [https://www.icrc.org/sites/default/files/document\\_new/file\\_list/icrc\\_position\\_on\\_aws\\_and\\_background\\_paper.pdf](https://www.icrc.org/sites/default/files/document_new/file_list/icrc_position_on_aws_and_background_paper.pdf)
- Perrin, B. (2025, January 24). *Lethal autonomous weapons systems & international law: Growing momentum towards a new international treaty*. American Society of International Law. <https://www.asil.org/insights/volume/29/issue/1>
- Sayler, K. M. (2025, January 2). *Defense primer: U.S. policy on lethal autonomous weapon systems*. <https://www.congress.gov/crs-product/IF11150>
- UN News. (2025, May 14). *'Politically unacceptable, morally repugnant': UN chief calls for global ban on 'killer robots'*. United Nations. <https://news.un.org/en/story/2025/05/1163256>

United Nations. (2024, July 1). Report of the Secretary General: Lethal autonomous weapons systems. United Nations. <https://docs.un.org/en/A/79/88>

Watts, T. F., & Bode, I. (2021, February). *Meaning-less human control: Lessons from air defence systems on meaningful human control for the debate on AWS*. Centre for War Studies, University of Southern Denmark.

[https://www.researchgate.net/publication/349494662\\_Meaning-less\\_Human\\_Control\\_Lessons\\_from\\_Air\\_Defence\\_Systems\\_on\\_Meaningful\\_Human\\_Control\\_for\\_the\\_Debate\\_on\\_AWS](https://www.researchgate.net/publication/349494662_Meaning-less_Human_Control_Lessons_from_Air_Defence_Systems_on_Meaningful_Human_Control_for_the_Debate_on_AWS)