# What if we are taking the legal principles seriously – Rape of humanoid sex robots – is it desirable to criminalize? If so, why criminalization, what should be blamed and who should be punished?

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This paper deals with the issue if, and if so, why criminalize, what should be blamed and who should be punished regarding rape of sex robots? Applied method (by asking the given material, what, who and how) was developed in the dissertation of Svedberg (2013). In recent years the method has been further developed (eg. the additions of: why, when, and levels of legislation), and adapted to the subject of this paper. The advancement within the technological field, such as AI research and production of AI-based systems/devices/products raises social, legal and ethical questions. One of these questions concern the productions, sale and consumption of AI-based robots deliberately designed and used to replicate acts of rape and child sexual abuses.

While it is obvious that these sexual acts do not immediately hurt any human being, questions regarding their criminalization have nonetheless been raised by some scholars. Kathleen Richardson argues, for instance, that these robots are "inspired by inherently non-empathetic human practices" (2016). Richardson attaches the genesis of sex robots to the ancient Greek view of slaves. Such slaves were subjected to a citizen male who used his power coercively. According to Richardson there is an unbreakable chain between pornography, prostitution, and the view of women as sexual objects. Richardson argues that these phenomena cannot be disentangled from each other and stresses that the objectification of women is made possible through a system that enables people to relate to others as objects, as things, as commodities, as animated tools that lack legal subjectivity. Depicting people in vulnerable and degrading situations leads to a dehumanization of people in general and women and children in particular. This in turn creates the prerequisites for slavery and the exploitation of the female body through technology. In contrast to this perspective other scholars argue that the use as well as the creation of the above-mentioned robots should not be criminalized because no person is harmed by the acts.

The world as we know it will change profoundly if we are to believe contemporary thoughts of future visons and scenarios. These thoughts are based on more or less well-founded studies but yet they have affected politicians at different levels. AI challenges basic assumptions, concepts, principles and beliefs surrounding the law, which are often taken for granted. Irrespective of what AI-based systems/devices/products we are facing or will face in the future we need to ask ourselves: What society do we want, and how do we get there? Can we promote a technological development that does not conflict with or counteract the basic principles expressed on various legal levels[1] as well as established principles of criminal law?

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[1] On national level as The Instrument of Government (Ch. 1) and the fundamental human rights and freedoms (Ch. 2), and on European level as the Convention for the Protection of Human Rights and Fundamental Freedoms, and on international level as The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) Declaration on the Elimination of Violence against Women et al.