

Thursday February 14, 2013

2:53



**Amy Davidson:**

Welcome to our live chat on the ethics of drone warfare. I'm very excited to be joined by Michael Walzer, professor emeritus at the Institute for Advanced Study in Princeton; Jeff McMahan, a professor of philosophy at Rutgers; and The New Yorker's own Jane Mayer, who has written extensively about drones. I'll be moderating. Please ask lots of questions!

2:54



**Amy Davidson:**

Our subject is the ethical problem of drone warfare—in particular, in the way drones have become a greater and greater part of the Obama Administration's counter-terrorism strategy. This includes the targeted killing of Americans, and the legal and constitutional questions that raises, as well as issues of transparency and accountability.

2:56



**Jane Mayer:**

hi

2:56



**Jeff McMahan:**

Hi

2:58



**Amy Davidson:**

Hello all, and welcome! We'll get started in just a minute.

2:58



**Michael Walzer:**

I'm here, too.

2:59



**Amy Davidson:**

Welcome! To start with, I wonder if we could talk about both words in that phrase, "drone warfare": does it make sense to ask questions about "drones" in particular? Could the same questions be asked of any means of waging war, or are drones ethically distinct?

And to turn that on its head, is the program we're talking about properly "warfare," since the strikes are often far from anything resembling a battlefield?

2:59



**Jeff McMahan:**

Hello Michael, nice to be collaborating with you on this. Hello as well to Jane.

2:59



**Amy Davidson:**

Michael, maybe you could start. Does it make a difference that these are drones?

2:59



**Jane Mayer:**

Thanks, and welcome to both of you - pretty amazing to have your thoughts.

3:00



**Michael Walzer:**

I think we have to talk first about targeted killing--and then ask whether drones make a difference. do they?

3:01



**Jeff McMahan:**

Drones can be used in regular warfare or they can be used for targeted killing, which some think is a form of warfare but others think is extrajudicial execution - or, perhaps, a permissible form of police action in rare circumstances/

3:02



**Jane Mayer:**

I think one difference between drones and most other conventional forms of warfare is that there is so little risk physically to those who launch them, and such lethal action on the other end. There's no valor, in an old fashioned sense.

3:02



**Michael Walzer:**

In asymmetric warfare, without a front, without soldiers in uniforms, targeted killing seems a necessary form of warfare--and justified if we get the targets right. Why does risk make a difference?

3:03



**Jane Mayer:**

I think the lack of risk makes it easier for the US to kill, and at the same time, invites more of a backlash on the other side.

3:03



**Amy Davidson:**

What about off the battlefield? Both of you have written about Just War Theory. Is there what one might call a Just Targeted-Killing Theory? Is it different?

3:03



**Jeff McMahan:**

I should add that drones could in principle be used for the immediate defense of the innocent. If a terrorist strapped with explosives is about to detonate them in a crowded area and the best way to prevent him from doing so is to use a drone to kill him, that would be an instance of justified third party defense of the innocent. The fact that the means was a drone is irrelevant. What makes targeted killing different from immediate defense is that targeted killing is preventive.

3:04



**Michael Walzer:**

easier is the problem--it should make us uneasy, the technology is so tempting, it invites overuse. But first, what is the proper use?

3:05



**Jane Mayer:**

I think we're talking on two different planes here- you two understandably are discussing the moral and ethical implications. I'm looking at the politics of using drones. Am I wrong in thinking more generally that the issue isn't so much drones per se as it is whether terrorists are properly called combatants, subject to the laws of war?

3:05



**Jeff McMahan:**

I agree with Jane on both points. Drones make it easier for to go to war. In some cases this can be good - for example, in justified humanitarian intervention. In other cases it's of course bad: if the aims are bad.

3:05



**Amy Davidson:**

One point that has come up is that there are two kinds of targeted-killing strikes: those directed at a particular person, known to be in a particular place; and "signature" strikes, which are based on assumptions about, say, a group of men meeting in an isolated place.

When moving from one to another, do we cross into different ethical territory?

3:05



**Michael Walzer:**

Shouldn't we formulate rules that we would want our enemies to adopt? Would they be different from the rules of proportionality, and all that?

3:06



**Amy Davidson:**

Michael, what rules would we want our enemies to adopt?

3:06



**Jane Mayer:**

I agree that reciprocity seems like a place to begin.

3:07



**Michael Walzer:**

I would think that the signature strikes, against people that we don't know, who might be enemies and might not, should be ruled out. We should stick to targets about whom we have clearcut knowledge.

3:07

**Comment From MBPETERSON01**

How should we view the Obama administration's use of a standard of "broader imminence" for conducting drone strikes as set out in the recently leaked White Paper? Objections have focused on the distortion of the plain meaning of "imminence"—the administration claims it doesn't need to have evidence an attack is in the works in the near future. But the paper makes a case that an alternative standard of danger is needed: We know attacks are coming, but we cannot know when; hence a new standard is required. Is there any merit to this approach? Can we apply the same notion intended for state-based threats (the Egyptian air force massing on the tarmac) to contemporary nonstate threats?

3:07



**Jeff McMahan:**

Again I think Jane's question is right on the mark. My own view is that it's a mistake to think that terrorists can be regarded as combatants in a war. Anti-terrorism isn't war, despite the Bush administration's fatuous phrase, "the war on terror." Bin Laden wasn't a combatant in a war: he was a particularly nasty and dangerous criminal. Anti-terrorist action is law enforcement, and should be governed by the norms of law enforcement, until we can devise better norms that are intermediate between those for war and those for police action.

3:09



**Michael Walzer:**

I agree that the "war" on terror is mostly police work and that we need to think about the rules of engagement for police and about how they differ from the rules for soldiers, but...

3:09



**Jane Mayer:**

But then, if the only way to reach some terrorists before they kill, is by drone, does that mean we can stop them but we shouldn't, because only the laws of war allow for targeted killing?

3:09



**Jeff McMahan:**

Imminence in defense has to be a proxy for two other considerations: necessity and probability. In itself, time makes no difference. This is why preventive defense can in principle be permissible.

3:09

**Comment From Jahnabi**

The White House justifies use of drones using just war theory (Augustine, Aquinas). Do you think that the usage of drones falls under just war?

3:10



**Amy Davidson:**

Jeff, to follow up on Jahnabi's question, if this isn't war, can we still think about in terms of the principles of war?

3:10



**Michael Walzer:**

As I said, but... Sometimes the war on terror is more like a war. Police work in a civil society, a zone of peace. But we sometimes have to go after terrorists outside that zone.

3:10

**Comment From Zeke @ Amnesty International**

Question for all: why has the national discourse largely ignored the

fact that the "rule book" for the use of lethal force--by drone or otherwise--already exists: international human rights law and, in the exceptional circumstances it applies, the law of armed conflict?

3:11



**Amy Davidson:**

Great question. We hear, so often, talk about a "new kind of war." Has every age told itself that?

3:12



**Jeff McMahan:**

Here's an attempt at an answer to Jane's good question. There are times in police work when the requirement of arrest has to be suspended: eg, when a murderer is on a rampage and resists arrest. In those conditions, it can be permissible for the police to shoot to kill. When a terrorist is outside or the potential victim's legal jurisdiction and is sheltered and protected by a host government, he is analogous to a murderer resisting arrest. In this kind of case, the terrorist can be morally liable to be killed in defense of the innocent and targeted killing with a drone may be the only feasible way of carrying out the defense. But as Jane rightly notes, this option comes with vast scope for mistake and abuse.

3:12



**Jane Mayer:**

Under international human rights law, what would be the justification for using lethal force against an ununiformed combatant outside of a declared war zone?

3:13



**Michael Walzer:**

Jeff's account sounds right--it is a way of saying that sometimes police can act like soldiers.

3:13



**Jeff McMahan:**

To Zeke and Jane: no body of law, even human rights law, perfectly captures the constraints and requirements of morality. Sometimes it is morally permissible, and even morally required, to violate the law - even the best law that we have.

3:13



**Jane Mayer:**

You may have just answered this, Jeff- must the target then be about to kill innocents? Is this the imminence standard? And if so, does it matter if he is stopped by military or police or cia?

3:14



**Michael Walzer:**

I don't think it matters, and in those circumstances the rules seem to be the same for all these.

3:14



**Amy Davidson:**

Great question about imminence. To add to Jane's: were both of you comfortable with the definition in the DoJ white paper?

3:15

**Comment From Sami H.**

"Terrorist" is a subjective term. The drones wreaking destruction on innocent Pakistani and Yemeni civilians are the "terrorists" from their point of view.

3:15



**Jeff McMahan:**

I don't think it's necessary that he be "about" to kill innocent people. He may not be able to do it for weeks or months. But if we know he's trying to do it and acting now gives us the best probability of preventing him from doing it, he can be liable to preventive action BY ANYONE. There are practical reasons for strongly preferring that the action be done only by those properly authorized to do it, who're subject to tight procedural constraints.

3:15



**Jane Mayer:**

a problem of drone strikes though is that they are based on locally available intelligence, which is often wrong. So identity of the target, his intentions, etc., can be a real evidentiary problem, no? Is there a way around that?

3:15



**Michael Walzer:**

No, and I wouldn't make imminence the sole standard. Someone engaged in planning future terrorist attacks, who can't be arrested, seems to me a legitimate target.

3:16

**Comment From Zack**

Isn't there a difference between conducting strikes against alleged terrorists and strikes against American citizens, even if they're also alleged terrorists planning an imminent attack? Such strikes are essentially depriving U.S. citizens of "life" without due process, no?

3:16



**Jeff McMahan:**

There are always problems of making sure one is targeting the right person, etc. There have to be stringent procedural constraints on targeted killing for this and other reasons. We don't now have anything like the necessary constraints.

3:17



**Jane Mayer:**

what would the necessary constraints look like?

3:17



**Michael Walzer:**

A kind of jury is what we want, operating in secret, but according to criteria that we have publicly debated.

3:18



**Jeff McMahan:**

Michael and I agree about imminence. Something of the sort is a reasonable standard but it doesn't have to do with time but with how likely it is that a person will otherwise kill innocent people and whether it's necessary to act now or whether there will be other equally good opportunities in the future.

3:18



**Jane Mayer:**

I spoke with a judge about the idea of there being a FISA-like court. He said he thought the evidence would be a really difficult issue, and many judges would be loathe to issue death warrants on the kind of evidence available in drone strikes. So is this really a likely bet?

3:19



**Jeff McMahan:**

There should be ex ante constraints and, ideally, ex post sanctions as well. There should be standards of evidence about a potential target's dangerousness and there should be penalties for mistakes.

3:19



**Amy Davidson:**

Michael, I wonder about that "operating in secret." Isn't transparency a necessary constraint? Protecting classified information, yes, but the entire quasi-judicial procedure in secret seems hazardous.

3:19

**Comment From Guest**

'A kind of jury, operating in secret'? Dear Heaven, what has America become?

3:20



**Michael Walzer:**

Maybe not a jury, but a committee of....philosophers?  
They might be easier about issuing death warrants.

3:20



**Jeff McMahan:**

I think ex post accountability is important. That can  
function as a form of transparency even when ex ante  
deliberations can't be public.

3:20



**Michael Walzer:**

I agree: accountability comes later.

3:20



**Jane Mayer:**

I think the idea of there being some sort of penalties for  
mistakes, as Michael suggests, is a very good one, as a  
potential brake forcing decisions to be really careful. Isn't  
that what the military has, in a way?

3:20



**Amy Davidson:**

Is it desirable that we hand this to people who would find  
it easier? The opposite might be true.

3:21

**Comment From mary**

Wow. This is not [ethics](#). [Who](#) decides the criteria? When innocent  
people are killed, what do you say? Oops?

3:21

**Comment From Zack**

It sounds like the principle of covert execution of American citizens is  
not being questioned, then.

3:21



**Jeff McMahan:**

In cases of self-defense, there can be no judge and jury.  
Sometimes emergencies have to be handled without the  
kind of constraints that we would ideally like.

3:22



**Amy Davidson:**

Michael, Jeff, we have a lot of questions from readers about the distinction between Americans and non-Americans. Could you speak to that?

3:22



**Michael Walzer:**

Yes, we have to worry about innocent people. The problem usually isn't the target, but the target's neighbors and family. That is where we need tough constraints.

3:22



**Jane Mayer:**

I think where people - readers and others - get upset is in talking about drone strikes differently from say bombing raids, or shooting wars. Instead, they see this as a completely different enterprise. Are they right to be so troubled?

3:23



**Jeff McMahan:**

I think Michael was joking. The issue is not so much what kind of people are involved but how they are procedurally constrained. We have all sorts of people on juries and acting as lawyers and judges but their actions are constrained by procedural rules that are designed to yield the best outcomes even given the fallibilities of those involved.

3:23

**Comment From Marcus**

Is there a political struggle at the heart of the drone question? It seems to me that the use of drones in counter-terror operations in a way sets two conventions against one another, that of the rule of law and the nation-state, which I think, up until this point have been awful cozy in liberal democracies.

3:23



**Michael Walzer:**

If the evidence is clear, and checked by our committee/jury, if the guy is planning a terrorist attack or moving to carry one out, does his citizenship really matter?

3:24



**Amy Davidson:**

Here is a question we got via Twitter, from Susan Thistlethwaite:

Will we ever declare the "war on terror" over or do drones make war permanent? See 2001 joint resolution per 9/11.

3:24



**Jane Mayer:**

Interestingly, Desmond Tutu just issued a statement condemning the idea that the US would have a double standard for drone strikes, one that treats American targets with more deference than the rest of the world. Does he have a point?

3:25



**Jeff McMahan:**

I think the American-non-American distinction is largely irrelevant. If an American is sheltering in a foreign country plotting to kill me and the only way I can prevent him from killing me is to use my drone to do so, I think he's liable to be killed whatever his citizenship. If there are going to be innocent people harmed as a side effect of a drone strike, it makes no difference morally whether they are American or not.

3:26



**Michael Walzer:**

We have to hope that the war on terror has an end. At some point, it becomes entirely police work.

3:26



**Jane Mayer:**

This question- whether fighting international terrorism is a war - seems to me to be the hardest and best question - but no one is debating it at this point, are they? Why is that?

3:26



**Jeff McMahan:**

Yes, I think Tutu was exactly right. The difference between American and a non-American can have some legal significance, and in some instances it can make a kind of moral difference, but not in the way that people who think that using drones against Americans is somehow worse than using them against non-Americans.

3:26



**Amy Davidson:**

Another question via Twitter, from Matt Steinglass:

How does it compare with, say, the secret bombing of Cambodia?

3:27

Does it matter if the target of a drone strike is an American citizen?

Yes.

( 38% )

No.

( 62% )

3:28



**Michael Walzer:**

I don't think that the bombing of Cambodia was aimed at particular people. The adjective in targeted killing is critically important. That's why signature strikes seem to me wrong.

3:28

**Comment From cs27**

What about someone who is not planning a terror attack, but is simply working with Taliban/AlQeada in the region?

3:29



**Jeff McMahan:**

I have written a bit about whether anti-terrorism is war or law enforcement and there is some other literature, both legal and philosophical, on the issue. I think this is primarily a legal issue rather than a moral issue. And MORALLY I think it's a bit of a distraction. But legally it is quite important. Ideally bin Laden ought to have been captured and tried at the ICC rather than being killed. Then Obama would have been justified in saying that "justice has been done." That's what you say when someone has received a just punishment, not when a combatant has been killed in war.

3:29



**Michael Walzer:**

An al Qaeda secretary or food supplier or pack carrier is not a legitimate target.

3:30



**Jane Mayer:**

if it's not a war, though, isn't due process a concern? shouldn't there be a serious effort at capture, either way? and, shouldn't there be an opportunity for surrender either way?

3:30



**Jeff McMahan:**

To cs27: It all depends on what the supporter of terrorists is doing. Basically I agree with the point Michael has just made. If this person is helping manufacture the explosives, he's a legitimate target.

3:31



**Amy Davidson:**

Could it be that the reason the Americans vs. non-Americans distinction matters is a matter of political, rather than ethical theory? One fear, I think, is that a particular Administration will see "danger" and "enemies" in terms of what is a political threat. If campaigners against a war could be seen as endangering troops, for example.

3:31

**Comment From Sami H.**

Who gets to decide at what point the chain of affiliation justifies targeting?

3:31



**Jane Mayer:**

I'd like Michael and Jeff's opinions about whether it is a good thing or not that the president himself is in essence, pulling the trigger?

3:32



**Michael Walzer:**

When the terrorist have a territorial base, where they are training militants, and the base is far away, in a country whose police can't act or won't act, it seems to me that we can act as if we are at war.

3:32



**Jeff McMahan:**

To Jane, Yes, emphatically. Whenever possible, terrorist suspects should be captured (arrested) and tried, not killed. Killing is a last resort in law enforcement. But in anti-terrorism, the last resort often comes earlier than it does in routine police work - primarily because terrorists operate outside the legal jurisdiction of the people they intend to kill.

3:33

**Comment From Carlos**

The problem you're not mentioning is that the Obama Administration has provided no evidence of the operational involvement of the American citizens killed by drones. Abdulrahman al-Awlaki was a 16 year old boy. That's when citizenship matters.

3:33



**Jeff McMahan:**

To Jane: it depends a lot on who the president is, unless he (or she) is tightly constrained legally. I'm glad that Obama is closely involved in the decision making, but it would have been no comfort at all if Bush had been as closely involved.

3:33



**Michael Walzer:**

Should the president pull the trigger? Not by himself, not without the advice and consent of some group of people independent of his office and of the CIA

3:34



**Jeff McMahan:**

I ought to have qualified what I said by saying what Michael says: no president should be making these decisions alone. He should have a veto power but not the sole authority to conduct a killing.

3:35



**Jane Mayer:**

politically though, in the past, it's been considered a really slippery slope for presidents to get too operationally involved - think of LBJ and Vietnam - they carry a terrible burden personally, and it can become obsessive, and of course, they get personally blamed...should it weigh on them this way? Can they delegate it, or is that immoral?

3:36



**Amy Davidson:**

We have talked a lot about constraints and rules; Michael, that notion of "the advice and consent of some group of people independent of his office and of the CIA"; Jeff, the idea of "veto power"—give us a picture of what this process could look like. And in particular, how would it be different from what we have now?

3:36



**Jeff McMahan:**

To Carlos: Yes, a justification has to be offered after the fact and if the decision was wrong, those responsible must be accountable in certain ways. This is a serious business and those who're involved have to know that they'll be held responsible for mistakes or abuse.

3:36

**Comment From Guest**

Jeff, how is it that 40 years ago, Carlos the Jackal, the Red Brigade, etc were arrested and were tried, in a civilised way, but today suspects - 'legitimate targets', in the terminology of the IRA - are killed by drones

3:38



**Jane Mayer:**

doesn't there seem to be something fundamentally wrong with the idea of there being a council, or court, that issues death warrants for individuals who don't know they're about to be killed, and who have no process in which to contest it?

3:38



**Michael Walzer:**

What we have now is a presidential team making the decisions. We need something different, not a team but a committee of ???, independents. Still, the president does have veto power, as in the recent case of a Syrian intervention.

3:38



**Jeff McMahan:**

To Guest: part of the problem is the legacy of the Bush administration. Capture and detention became so awful under Bush that American public opinion became more tolerant of killing as an alternative to arrest, detention, and trial. That's a mistake. We should try to capture terrorist

suspects whenever reasonably possible.

3:38



**Amy Davidson:**

Great point from Jane. Why are we talking as if the US doesn't already have a court system?

3:39

**Comment From Pardiss @CCR**

16 year old Abdulrahman has a lawsuit pending in federal court. At the very least, US citizens should be entitled to judicial review of their due process claims in US courts.

3:41

**Comment From BC**

Shouldn't there be a figure within the council or court that defends the potential target?

3:41



**Michael Walzer:**

But this can't be a judicial decision. We don't give our enemies, say in WW2, a chance to defend themselves in court--not until they have been defeated. Jeff says criminals, not enemies, but I think that the two concepts are linked in this case: enemies who have committed or are engaged in crimes.

3:41



**Jeff McMahan:**

Defense is not punishment. As I noted earlier, terrorists pose serious threats and the question is whether we can defend innocent people from them. Capture and trial is a clumsy form of defense, but it has safeguards. That's why we should use it when we can. But sometimes arrest is nearly impossible or too dangerous. Then we have to engage in a different form of defense that involves violence in the absence of proof of guilt, etc. We permit self-defense in domestic cases. We have to permit some instances of self- and other-defense in other cases as well.

3:43



**Jane Mayer:**

and does that apply then reciprocally, so that say when China wants to kill a dissident who is hiding in San Francisco, they can use drones if they think that dissident perhaps is planning to attack the Chinese government?

3:43



**Amy Davidson:**

It seems to me that both of those answers suggest that a very high standard for "threat" and "engaged in crimes" is necessary.

3:43



**Jeff McMahan:**

I think Michael and I agree here. We're trying to balance avoiding harming innocent people (by mistake, as a side effect...) with protection of innocent people. Terrorists make it very difficult for us to achieve both those aims. We have to trade off these aims against one another.

3:45



**Jeff McMahan:**

To Jane: there's objective morality and there's law. The problem about law is that it has to be neutral: it has to speak equally to China and to the the US. But objective morality recognizes a difference between killing bin Laden and killing a Chinese political dissident.

3:45



**Michael Walzer:**

The Chinese example is interesting. What if he was actually planning a terrorist attack, from SF? Then, we should arrest him, and if we refuse to do that, a Chinese attack would seem to be justified. But Amy is right about the high standard.

3:46



**Amy Davidson:**

To follow up on Jane's question about the Chinese dissident, doesn't a journalist working abroad who is about to release classified information about a war crime—thus committing a crime—that will provoke retribution or a break with allies—endangering Americans—fit this definition of a target?

3:46



**Jane Mayer:**

Those are such good insights! I wish I had had professors like you two in college!

3:46



**Jeff McMahan:**

Again I agree with Michael. And if a drone could kill the Chinese terrorist in SF with greater certainty and precision than another means could, the Chinese ought to use a drone. Drones have these advantages: they can hover and monitor their targets, they can be recalled, they can wait till there are no innocent bystanders, etc.

3:47



**Jeff McMahan:**

Thanks, Jane, that's very kind.

3:48



**Michael Walzer:**

Amy, no, it doesn't fit. We need a lot more about the dangers ahead--and they have to come directly not indirectly from the target before he can be a target.

3:48



**Jeff McMahan:**

If the release of classified information really would seriously endanger the lives of innocent people and the only way to prevent the release of the information was to kill the journalist, then the journalist would be liable to attack. But the evidential standards in such a case would be very high and would be unlikely to be satisfiable in practice.

3:49



**Jane Mayer:**

do you think that Obama needs, or is getting, the kind of guidance necessary from moral/political philosophers? Does he ever consult any, that you know of, on these issues? Do any heads of state have philosophers on staff? Should they?

3:49



**Michael Walzer:**

OK, that sounds right.

3:49



**Amy Davidson:**

So Michael wouldn't kill the journalist but Jeff just might...

3:50



**Amy Davidson:**

Great question from Jane. How are these policies being thought through? And is it more important to do it with philosophers than Constitutional/legal experts?

3:50



**Jeff McMahan:**

To Jane: as far as I know, Obama doesn't get advice from philosophers. He does get advice from some good lawyers, some of whom have a bit of knowledge of moral philosophy. But it would be cheering to know that he was consulting with moral philosophers as well. Cass Sunstein is about as close as we philosophers have got to the president.

3:51

**Comment From Guest**

I find the newspeak of 'innocent bystanders', 'legitimate targets', 'targets', 'terrorists' quite chilling; we are all humans, and \*all\* conflicts (that I know of) have been solved by human negotiation and not by killing

3:51



**Michael Walzer:**

I would not want to be a staff philosopher, too close to power, not good for philosophy. .

3:51



**Amy Davidson:**

But good for power?

3:51



**Jeff McMahan:**

I find it very puzzling and disturbing that when decisions are being made about the resort to war or the conduct of war, just war theorists seem never to be consulted.

3:52



**Amy Davidson:**

That's where live chats come in!

3:52



**Michael Walzer:**

But Jeff and I lecture at all the military academies.

3:52



**Jeff McMahan:**

Yes, Amy, I think it would be good for power. I wish Michael were being consulted daily by the White House. I wish he had Netanyahu's ear.

3:52



**Jane Mayer:**

one more question - then we should let you go - at the moment the drone program is shrouded in secrecy- what really must be kept secret, and how much should the public know?

3:53



**Michael Walzer:**

We citizens should know the criteria that are being used, the kind of evidence that is required, and we should know how the decisions are being made.

3:54



**Jeff McMahan:**

Before people act, the targeted killing program must be secret. But after the fact it should become public. Those in charge have to be accountable. That's the only real way to constrain them. In a democracy, we have to have this.

3:55



**Jane Mayer:**

but we don't have that accountability - how do we make that happen? will it take some awful mistake?

3:55



**Jeff McMahan:**

Yes, Michael is right: the criteria should be public and should be debated in public. And, again, it would be good if people who spend their lives thinking hard about these issues were consulted. They should be talking to Michael and many others.

3:55



**Amy Davidson:**

A quick follow-up. You both seem to assume that the entire pre-hit process needs to be secret. Shouldn't as much of it as can be public be made public, and only what really, really needs to be classified be hidden?

3:56



**Jeff McMahan:**

The need for secrecy arises from the fact that the potential targets can't be alerted to do even better at hiding than they're already doing.

3:57



**Michael Walzer:**

It is hard to imagine what could be public about the decision process in regard to a particular person.

3:58



**Jeff McMahan:**

To Jane: I wish I knew how we could achieve greater accountability. The kind of discussion we're having now can help. And your access to a wide readership can help. People don't read the work of moral philosophers but your articles and books can have a significant influence - a

tricke-up effect, perhaps.

3:58



**Amy Davidson:**

Michael, quite a bit, perhaps. And wouldn't it also give notice to civilians? But I know that we are near the end of our time!

3:58



**Michael Walzer:**

Jane asks what will bring the changes we want-- a terrible mistake? Pressure from people like us and magazines like this one. There is little more that we can do, but perhaps we are not doing what we can in a strong enough way.

3:59



**Jane Mayer:**

Well, the input of really thoughtful people like you is what makes the New Yorker stories matter - so thank you so much for your time.

3:59



**Amy Davidson:**

I think that the conclusion here is that we need to talk and read about this quite a bit more. And that we need to hear more from philosophers!

3:59



**Jeff McMahan:**

Yes, I should sign off. I'm at Colgate University and have to give a public talk in 15 minutes. Thanks so much for allowing me this opportunity. It has been a great pleasure to discuss these issues with such good people.

4:00



**Amy Davidson:**

Thank you, Jeff!

4:00



**Michael Walzer:**

I will sign off too, Jeff and I have often disagreed, but it has been good to agree here.

4:00

**Comment From Guest**

Thank you for your thoughts, Jeff

4:01



**Amy Davidson:**

Many, many thanks to Michael, Jane, and Jeff, and to all our readers for their great questions.