

## Targeted Killing in Morality and Law

*Jeff McMahan*

Should anti-terrorist actions should be governed by the norms of police action or the norms of war? I argue that in basic morality there is no distinction between police action and just war: both are governed by the same principles. Just war is, in effect, a form of police action. But in law we have distinct sets of norms for these two forms of action. I have argued elsewhere that if we have to choose which set of norms will govern anti-terrorist action, it should be the norms of police action, though I also suggested that because terrorism is in some respects intermediate between ordinary crime and war, it would be best to attempt to create a new and distinct set of legal norms for anti-terrorism. Since targeted killing is primarily a form of anti-terrorist action, I will argue that terrorists can make themselves morally liable to targeted killing, so that at least in some cases targeted killing does not violate the rights of its victims. But, as in the case of torture or, perhaps, the intentional killing of civilians in war, there are reasons why what may be morally permissible in certain circumstances ought not to be legally permitted in any circumstances. I am not sure whether targeted killing is like this. Perhaps it ought to be legally permitted when certain conditions are satisfied. That is one of the issues I will address in my contribution.