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Philosophical Profiles

Jeff McMahan

Sekyra and White's Professor of Moral Philosophy, Oxford University

IN BRIEF

Jeff McMahan is Sekyra and White's Professor of Moral Philosophy and Professorial Fellow, Corpus Christi College, Oxford, where they work him entirely too hard. He is a self-professed former Good Ol' Boy from one of the more retrograde corners of the Deep South, who discovered vegetarianism and consequently was forced to relocate to England. Initially drawn to the work of Jonathan Glover (on whose work he co-edited *Ethics and Humanity* (Oxford, 2010)) because of Glover's accessible and vital work on life and death, he went on to work with both Bernard Williams and Derek Parfit, on the way to becoming a leading contemporary authority on killing in all its forms. His *The Ethics of Killing: Problems at the Margins of Life* (Oxford, 2002) contains absolutely definitive discussions of identity, death and the ethics of killing at the beginnings and endings of life. *Killing in War* (Oxford, 2009) is the most radical and important work on just war theory since Michael Walzer's. He has so many further works under contract that he cannot remember them all, but they include access to Derek Parfit's previously unpublished works and developments of his own views on population ethics from his doctoral dissertation, along with a third volume in the *Killing* series. Meanwhile he has published innumerable papers on normative issues, from nationalism to animal rights, all of which display his signature style, packed with ingenious examples and evincing a laser-like focus. Really, he didn't have time to talk to me, but it's not just Corpus Christi who can take advantage of his inability to say "no."

DETAILS

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Jeff McMahan

a philosophical profile

SC: Welcome Jeff McMahan. Thank you for agreeing to this interview. I'm going to plunge right in and ask you some questions, and the one that I always ask is, what first drew you to philosophy? What was your first experience, or first philosopher? What made you think that this was something you could do, or that interested you?

JM: I think even in high school I was ever-so-slightly drawn to thinking that I was a philosophical type. I was an aspiring hippie in junior high school. But I never read any philosophy. I think I knew the title of Sartre's *Being and Nothingness*, but that was about it. When I went to university, I thought I was going to be a studio artist, a practicing artist, but I was lured very early on into English literature, and I majored in English literature. I found I was always particularly drawn to writers who discussed moral and political issues, which is what were of real interest to me. For example, Samuel Johnson, Jonathan Swift, Tolstoy, Orwell and others. I was dissatisfied with reading about moral ideas in literature, because I wanted to see the arguments for the claims being made. I wasn't satisfied with just seeing nicely dressed-up moral claims in poems and what not, I wanted to see the arguments, and somehow - actually I do know how I did it - I had a concern about nuclear weapons and nuclear war when I was at university. This was back in the early-to-mid seventies. Through that, I discovered Bertrand Russell because he had a couple of books – *Has Man a Future?* and I think one was called *Common Sense and Nuclear Warfare*. Once I discovered Bertrand Russell, I knew that I wanted to do philosophy. It was really Russell who converted me to philosophy.

I notice that you were an undergraduate at the University of the South, so where are you originally from?

Well, I'm a bit embarrassed to admit it, but I was born in Georgia, because my parents lived in South Carolina in a dinky little town where there was no hospital, so they had to take me across the border into Georgia where there was the nearest hospital. So, I grew up in South Carolina.

I read somewhere that you were a hunter and you were out in the woods living a good Southern existence.

That's right. I was a good ole boy.

Russell spoiled all that.

Well, I think I pretty decisively turned away from all of the Southern heritage pretty early on, actually. I was kind of raised as a hunter. I did grow up much of my early life out in the country, and when I would get home from school, I would pick up my shotgun and go wandering around in the woods and see if I could shoot something for dinner. That

kind of thing. I didn't often succeed, but I enjoyed tramping around, but as I say, this was in the sixties and… I wasn't really on the tail end of the counter-culture, but I was at the back end of the counter culture and in South Carolina that's saying something, because it really didn't exist there. That helped to get me out of South Carolina culture. I still actually have in my possession a placard that I took off a telephone pole at the end of the dirt road on which my house was located, and it was a recruitment placard for the KKK. It has a picture of one half of a sort of businessman looking type and the print at the bottom says, "Don't be half a man, join the Klan." So, that's my background.

You've certainly come away from that! So, you were an undergraduate in English literature and you took another undergraduate at Oxford at the college that you have returned to. You've come full circle. You were at Corpus Christi as an undergraduate in the seventies, and now you're back there. They've dragged you back.

"I still actually have in my possession a placard that I took off a telephone pole at the end of the dirt road on which my house was located, and it was a recruitment placard for the KKK. It has a picture of one half of a sort of businessman looking type and the print at the bottom says, "Don't be half a man, join the Klan."

Yeah. I was pleased about that. I liked Corpus when I studied there. What I did was because I had a BA degree already, but hadn't studied philosophy, I couldn't go into the BPhil program or the DPhil program here because I simply didn't have the background. So, what I did was, I took the second two years of Philosophy, Politics and Economics, PPE, so I did some philosophy and a little bit of politics. And then I started the DPhil after that.

I believe this is true, they won't let you study philosophy by itself at Oxford because they think it will mess you up too much. You have to take it in combination with other things and most famously PPE but also there's PPP, isn't there? Philosophy, something and psychology. I knew someone who was taking philosophy and maths.

Yeah. Philosophy and Maths. Philosophy and Physics. Philosophy maybe and Modern Languages, I'm not sure.

Pure, uncut philosophy is too dangerous!

Well, that's worked to the benefit of philosophy at Oxford. Hugely to the benefit because given that philosophy is paired here with so many other subjects, people who want to study psychology and physiology, will have to do some philosophy. That means every college has to have a couple of philosophers. What that has meant for many years is that Oxford has had a larger philosophy faculty than probably any other university. Certainly any other university that I know of and for that reason it has had a very distinguished philosophy faculty for a great many years.

When I was there Roger Crisp was just moving from graduate. He'd been an undergraduate and was a graduate when I interviewed and he became a lecturer when I was there and he taught me political philosophy… He's another one who never left. You at least got away for a while. He was sucked in at age eighteen and has remained ever since. Kind of *The Magic Mountain*.

Well, I wouldn't have minded that. I recall, I was at Oxford for three years, but ran out of money and I was offered a research studentship at a wealthy college in Cambridge, St. John's and I spent the next seven years there. At the end of that time, Cambridge had a junior position opening up and I and a friend of mine there both put in for this job in the philosophy faculty and this friend was Paul Russell, who's now at UBC, and we were both on the short list of something like five for this junior position at Cambridge. I would've loved to have stayed in Cambridge, but Cambridge was, I'm a little guilty about saying this because I owe a lot to Cambridge, but they were so arrogant there because they decided to make their appointment in a way that was not synchronized with the hiring in the United States or Canada. So, they decided they were going to make their decisions a month later or something like that than the American universities. I had offers from American universities and so did Paul Russell, so we both had to withdraw from Cambridge simply because we couldn't decline offers that we had on a twenty-percent probability of getting a position in Cambridge.

See, this was the test. The test was to see how much you truly loved Cambridge and you failed! Obviously you weren't prepared to risk it all!

Well, that was only the first part of the test. The second part of the test is whether you'd be willing to accept a position with twice as much work and half the salary, which is what I did when I moved back to Oxford about eight years ago. I took a close to fifty-percent reduction in salary and an enormous increase in the amount of work that I have to do.

But you have got the NHS, at least for the time being.

That is a wonderful thing. It's not what it used to be now that the Tories have kind of mauled and savaged it, but when I was here as a student in Cambridge, my first child was born with a congenital condition that required four surgeries at Great Ormond Street Hospital in London during the first year. And I will be forever deeply grateful to the British nation and to the NHS for all that they did for my son and my family. And, we never paid a penny. I had a National Insurance number and so on, and I was receiving a stipend, but I never filled out a tax return form or anything like that. They may have deducted a little bit from my stipend. I really don't know. I just got this sort of stipend. But, I thought it was absolutely wonderful and to go back to the United States with this wretched health care system, which is good if you've got money, and insurance.

You did your dissertation under the aegis of Bernard Williams, I see. What was that like?

Well, let me start at the beginning. I did one year of DPhil at Oxford. So, I did one term with Jonathan Glover, and that was wonderful. Jonathan was just the nicest person and very devoted to his students and so on, but he saw that my work was heading in a direction that made Parfit a more suitable supervisor for me, so I switched over to having Derek as a supervisor for my second and third terms that one year that I was doing the DPhil. So, I started working with Derek on population ethics type issues.

That's when I ran out of money and had to go to Cambridge. I remember what Derek said was, "That's good. You need the money. Take Cambridge's money, but continue to live here in Oxford and work with me." But, the problem there was that Cambridge was incredibly generous, St. John's was. They gave my wife and me a house in the best part of Cambridge right next to the college, right beside a big open area, Jesus Green, and then they gave me Bernard Williams as a supervisor. So, I count myself as being extraordinarily fortunate in that I did continue to work with Derek. He arranged for me and my wife at the time, my ex-wife, to live in the top floor flat of his parent's house in North Oxford for that first year and we could have continued to do that, but Cambridge gave us this wonderful house there. So, basically, for seven years, I worked both with Bernard Williams and with Derek Parfit. In equal measure. I would meet with Bernard quite frequently and whenever I'd come back to Oxford, which was frequently, especially the first year when I was living in his parents' house, [I met with Derek] all the time.

So, you got the two great warring titans of late twentieth-century British philosophy.

Yeah I did. What I say about Bernard was that he was extraordinarily generous and kind to me in that he tried really hard to give me good comments on my work in population ethics. At the same time that he was writing a book, *Ethics and The Limits of Philosophy*, in which he was ripping the shreds out of the process I was engaged in; namely systematic ethical theory. So, he completely disapproved of what I was doing, but he didn't attack what I was doing. He tried to help me along with it.

“For seven years, I worked both with Bernard Williams and with Derek Parfit”

Your most famous work is on killing – *The Ethics of Killing* (Oxford, 2003). You drew the picture on the cover, I understand? This is the art career that you failed to pursue. At least you're still keeping your hand in.

Well, I had decided I had the opportunity to do something. I hadn't done any artwork in years, but I thought I'd have a go. When I had the opportunity.

And the picture on the cover of *Killing in War* (Oxford, 2011), is by your son, I understand?

Yeah. Both my son and daughter are artists. If I can just get my next book written maybe my daughter will do the cover for that one. We'll see.

Only a philosopher would encourage their children to go into art, because the alternative is too terrible.

That's right. Keep them well away from philosophy.

What drew you to this, some might say, morbid topic that has taken up your professional career?

Well, I was, as I mentioned earlier, I was always really interested in issues of morality and politics. I was part of the counter-culture. I came to consciousness really during the era of the Vietnam War. I was too young to be deeply involved in the anti-war protests, but even though I was there in the backwaters of South Carolina, I was intensely aware of the Civil Rights movement and the anti-Vietnam War protests. So, I had these moral and political interests early on and when I got to Oxford and was reading PPE, I found that a lot of what I was having to do pretty sterile and desiccated. But, really Jonathan Glover's book, *Causing Death and Saving Lives*, was a real revelation to me. And, that and my general interest in issues about war and non-human animals, because even though I grew up as a hunter, I gave it up in high school and decided I would become a vegetarian when I went to university, which I did. I wrote my undergraduate thesis at Oxford on the moral status of animals and the killing of animals for food, and I had the interest in war and nuclear weapons, but Jonathan's book opened me up to a range of other issues. All life and death issues, which seemed to me terribly important. And they're politically very visible at the time, and really I asked my tutor at Corpus if he would get in touch with Jonathan to see if Jonathan would supervise me if I stayed on for the DPhil. That was because I had read *Causing Death and Saving Lives* and thought, this is what I want to do. It was a lot the influence of Glover really.

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So, you say Jonathan Glover steered you toward Parfit. Were you familiar with Parfit's work before then, or was that the moment? Because I see that you have not one, not two, but three, forthcoming books on Derek Parfit.

They are co-edited volumes, not single. They're collections of essays and so on.

But even so. He looms large.

Yeah. I was a bit familiar with Derek before I began to work with him because I remember attending a seminar that he gave, but I can't remember exactly when that was to be honest and what the sequence was. But, I remember that I did see him and go to his seminar before I started working with him. But not much before. I don't think I had actually read his work. Maybe I had read his personal identity paper ("Personal Identity," *The Philosophical Review*, Vol. 80, No. 1 (1971)), but I'm not sure.

Yes, because *Reasons and Persons* wasn't out yet, was it?

No. It was quite a bit in the future. I started working with Derek in 1978, which was six years before *Reasons and Persons*.

When you're at All Souls College, which he was, basically all you have to do is think and write. You have no students. But, didn't they sort of say after a while, "Well come on, we want to see something!" and he said "OK" and just produced *Reasons and Persons*. He'd written articles obviously, but I heard this story that they sort of chivvied him and, "Well, you asked for it and here's *Reasons and Persons*."

They did. The story is told by Dave Edmonds in a forthcoming biography that Dave is still writing, but yeah, basically, the story is that Derek made some enemies at the college because he was not deferential to all the college traditions. He wanted to be in his room doing philosophy and they wanted him to be coming to dessert and, not talking with other philosophers but being companionable and such. It was touch and go there whether he would get the senior research fellowship, which was basically an appointment for life. I don't think they have those anymore, or an appointment until he reached retirement age, which he did in 2010. The condition of even, I think having the vote on whether he would get the senior research fellowship was that he submit his book manuscript to Oxford University Press by a certain date. I forget exactly when that date was, but I and my ex-wife were living in Cambridge at the time and he asked us to come over and live in All Souls for that last week to help him meet the deadline. And, so, we were there while he was frenziedly trying to get everything over to OUP by the deadline. Which he did do.

I heard this story from Jacob Ross that he wanted to put his own photography on the cover because he's very fond of his photography. And, actually inserted a bit to make it relevant to the book.

Well, I'll tell you the story that Derek told me. I think Dave Edmonds has discovered something a bit different, but I'm quite sure that what Derek told me, I remember very clearly what Derek told me, which was, he wanted to put that particular picture of the ship in the harbor at Venice on the cover, so he thought, "how can I get this on the cover?" And he knew of this quotation from Nietzsche about "our horizons are open and we can set sail," and all this kind of thing, so he thought well, I'll use that quotation as an epigram, but then he thought well why would I have that quotation as an epigram, so he thought I'll write a last chapter that says, "moral philosophy is in its early days. Everything is open to us now as a result of the shift away from the dominance of religion in moral thinking." And, so that's what he said to me. Now, I think Dave has a different story, but basically, what Derek told me was, he wanted to get the photograph on the cover, for that he needed the Nietzsche quotation, and to rationalize the Nietzsche quotation, he had to write this last chapter.

You divide *The Ethics of Killing* into sections. For example, you go Identity, Death, Killing, Beginnings, Endings. Is there a reason why you have that structure? Do you think that you have to approach in that order? For example, suppose someone fairly new to philosophy says I'm just interested in the killing. I'm going to leap in here and start browsing the killing. What would you say to someone who thought they could do that?

Well, they wouldn't know what some of the terms refer to and that would be a problem. And they also wouldn't know what the arguments are because the terms refer to claims that I've argued for earlier that are essential premises, or building-blocks of the arguments about killing in certain contexts. The particular issues and practical ethics involving killing like abortion, and euthanasia, and infanticide and that kind of thing. So, the order in the book was really, I think, entirely necessary. Because I was going to

discuss abortion - the chapter on beginnings has a lot about abortion and prenatal injury and a little bit about infanticide maybe - but I thought to understand the problem of abortion, one has to have a view about when we begin to exist. That depends on what kind of thing we are. When we begin to exist is a question that can only be answered by a theory of personal identity. And, so that's why I had to have the initial chapter on identity in which I developed a view about what conditions of our continuing to exist are, what the conditions of our ceasing to exist are. And those imply also a view about when we begin to exist. A controversial view. And I also had to explore the question of what the conditions of our ceasing to exist are if I was going to discuss euthanasia, termination of life support, the concept of brain death or the analysis of the clinical diagnosis of death, which is something that comes in the final chapter on Endings. So, the initial material on the metaphysics of identity was absolutely crucial for the discussion of abortion and euthanasia and so on. Because a lot of people, I think, think of certain kinds of termination of life support as euthanasia, when in fact it's not. Nobody's there anymore. It's too late. And, then the second chapter on Death, since it's a book about killing, it would be difficult to understand the ethics of killing unless you had some understanding of why death was bad for those to whom it happened and whether death is a greater misfortune at certain times in life rather than other times in life, and so on. The third chapter, on Killing, was really about issues of moral status and issues in normative ethics, so all of that was really foundational for the final two chapters in practical ethics.

“I thought to understand the problem of abortion, one has to have a view about when we begin to exist. That depends on what kind of thing we are. When we begin to exist is a question that can only be answered by a theory of personal identity”

So, did you find (I think this often happens in philosophy), that there's a topic that you want to focus on and you start unraveling it and you realize "I can't talk about this before I talk about this other thing." So, you move back to this, which you hadn't really thought about before and you start unraveling, so you sort of do things backwards and then you have to set it out the right way around. So, actually your interest arrives at personal identity last, but you have to do that first before you can settle the issues.

I can't remember the precise chronology, but it had to be like that. I mean, once I started working with Derek, I was working on population ethics, which was my thesis topic and not on personal identity, but he was writing *Reasons and Persons* the whole time that I worked with him as a graduate student. And, so I was having discussions with him of these issues and of course, I was working with Bernard Williams as well, who did profoundly important work on personal identity. It wasn't something I was writing about however, but I was familiar with it through working with these two people who produced seminal work on personal identity. But, my interest was really in the practical ethics issues that I was influenced to pursue in considerable measure by Jonathan's book, *Causing Death and Saving Lives*. But, then I did realize, well I have to do this stuff on personal identity. I have to think about the material on the issues about death and so on before I can really say anything of interest about the other issues, particularly the practical issues.

In this series of interviews, I've interviewed a few people who work in personal identity, Maria Schechtman for example. One of them was Eric Olson, who's up there

in Sheffield and of course his view is animalism. But, he wants to separate the topic of what we are from the moral issues. So, in some sense although he disagrees with Derek Parfit, in great respect, he seems to agree that you can sever these normative issues from metaphysical issues. So, he's perfectly ok with saying, "if I get a brain bleed and my cortex is destroyed, but I'm kept alive on a ventilator, it's perfectly ok for me not to care what happens to it." And, he sees nothing wrong with me not caring if it lives or dies because it doesn't necessarily matter to me, despite that being me on his view that I'm an organism. But, you clearly think that you cannot sever the issues.

One of the views is that we begin to exist at conception. And I think, one can of course say, yeah, there is absolutely no reason not to kill me for a number of months after I begin to exist. But, I think you do need an explanation for why that would make any sense. I provided what I think would be an explanation for why it would've been permissible to kill me right after I began to exist in the book *The Ethics of Killing*. But, if my account of personal identity is right, I don't need to make that argument because if somebody had killed the zygote or embryo that eventually gave rise to my existence, that would've been preventing me from existing. It wouldn't have been killing me or depriving me of anything. And, I think that's easier to understand and if it's true - which I think it is - then why not say that instead?

> "If somebody had killed the zygote or embryo that eventually gave rise to my existence, that would've been preventing me from existing. It wouldn't have been killing me or depriving me of anything"

One thing I do appreciate about this is that you take seriously viewpoints that I think are held by a majority of people that wouldn't necessarily get the time of day in philosophical literature. For example, you talk about souls and why you don't believe that there are souls. Now, there's this odd Balkanization in philosophy when talking about souls. There's a school of philosophy, philosophy of religion predominantly, where certain views are taken as read and perfectly acceptable and in fact sort of the default position such as libertarianism about free will and that we are souls and things like that. But, then if you're publishing something in ethics, that would not be the default position. In fact, you would have to really give a strong case for that view, if you were going to hold that view. It's odd when you move between different literatures: you're reading Alvin Plantinga and it's "what's wrong with the idea of libertarian free will, it makes perfect sense to me." And then you move over to someone like Harry Frankfurt and of course that wouldn't wash. But you're trying to speak to all sides I take it. At least in this book. Was that a conscious thing or something that just came naturally to you?

Probably a bit of both. I knew the book was going to be long and a bit dense so I didn't expect it to become a best seller. It doesn't have the catchiest of titles, but anyway, accurate. I was also, in addition to being influenced by Jonathan Glover and Derek Parfit and Bernard, influenced by Peter Singer. And, I admired the way that Jonathan and Peter in particular wrote in ways that made their work accessible to people who weren't professional philosophers. So, I tried to write clearly and tried to provide as well as I could fairly comprehensive argumentation and not leave out views that many people hold. The view for example that we are souls. I wanted to say something about that. I didn't want to just omit it that would seem a mistake.

This is asking a lot, but, suppose I had you on the clock and I said, "OK, give me your knock down cases or arguments against your main rivals: souls, animalism and the psychological theory that Parfit in some sense defends, and also Parfit's real view that identity doesn't matter. Go!"

Well, I'm not sure where to start here, but let me begin with Parfit's view by saying that I'm completely persuaded by Derek's arguments that identity is not what matters. I presuppose that in the arguments that I give in *The Ethics of Killing*, the account of interests that I develop, which I call the time-relative account of interests, I'm presupposing Derek's view that identity is not what matters. I disagreed with Derek's view about identity. He clearly thought that it was of some interest and importance to have a good theory of personal identity even though, right from the beginning, he thought that identity is not what matters. He spent a lot of time arguing about personal identity both in his paper and *Reasons and Persons*. I thought what was wrong with his theory of identity was that it has implications that we just don't have any good reason to accept. So, his view is that the criterion of identity is psychological continuity, which is all or nothing. It consists of chains of psychological connectedness. Psychological connections for Derek are simply relations of qualitative similarity between earlier mental states and later mental states. They don't have to have any kind of causal connection. Actually, he says in the book that the later states have to be caused by the earlier states, but I discussed that with him later and he gave that up. That may not be widely known. I persuaded him that psychological continuity and connectedness didn't require any causation whatsoever. Any causal connection.

"Psychological connections for Derek are simply relations of qualitative similarity between earlier mental states and later mental states. They don't have to have any kind of causal connection. Actually, he says in the book that the later states have to be caused by the earlier states, but I discussed that with him later and he gave that up. That may not be widely known. I persuaded him that psychological continuity and connectedness didn't require any causation whatsoever. Any causal connection."

So, coincidence - the miraculous duplicate - would still count?

Yeah. I think the argument is fairly simple. This is what I said to Derek. You think that if I get into the scanning booth on Earth and the scanning booth maps every molecule in body and disintegrates my body at the same time and then sends the data to Mars and the replicating machine then produces a perfect replica of me, that person on Mars will be me, and everything that matters will be preserved. There is causation. We see how the scanning and the sending of the data are essential to the production of the replica. I said, well just imagine this: here I am on Earth. A bomb falls on my head. I'm blown to bits. At that very instant, the replicating booth on Mars randomly produces a molecule by molecule replica of me. What's different? The psychological connections are all there. They're the same. For him, the psychological connection didn't require any kind of material continuity. So, in fact, those different cells didn't make any difference, so I thought "Why should causation make any difference there?" and he agreed, yeah, it can't. If it's me if that data is transmitted, it should be me even if it's a completely fortuitous, just a random programming of the replicator. I wouldn't be any intrinsically different. For Derek at any rate, psychological connections don't require any kind of material continuity. They don't actually require any kind of causal continuity, but his criterion for psychological continuity is that there have to be overlapping chains of strong psychological connectedness, which means something like fifty percent of the number of the connections that hold over the course of a the day of a life of an ordinary person. Which is all fairly arbitrary. Basically, a lot of psychological connections from day

to day. What that implies is that I did not exist as a baby. I came into existence only when there were enough psychological connections from day to day for there to be a person present rather than just a conscious individual. So, what Derek's view about personal identity implies is that I was preceded in the occupancy of my body by some conscious individual who wasn't me. If I get progressive dementia, I will cease to exist when the number of psychological connections from day to day drops below his threshold. And, I will be succeeded in my body by some conscious individual who's not me, and that just seemed to me implausible. And this also, this other counterintuitive implication of the theory is that he doesn't distinguish between teletransportation, which is the creation of a replica through the transmission of data in the example I gave a moment ago, and his other example of hemispheric separation and double transplantation.

Which he got from Wiggins, right?

Yes. What I thought was, if my hemispheres are transplanted in that way, if it's non-branching, that's definitely me. But, if it's just teletransportation, nothing of me survives. I'm disintegrated. I've never known of any way to kind of settle this difference between Derek and me. It's just a matter of intuition really. I remember what he said to me when I discussed this with him: he said, "Well, you're just not reductionist enough." He's probably right about that. My intuitions are not reductionist enough to allow me to accept that something that has no material connection to my brain at all, could be me. He has that passage in *Reasons and Persons* that I think articulates very nicely my reservation in this respect about his theory. It is the case in which I get into the scanning booth on the Earth, I'm expecting my body to be disintegrated and the replica to be created on Mars, but what happens is, there's a humming noise and there I am still in the scanning booth and I step out and say, "Did it not work?" They say, "Oh yeah, it worked fine, the replica is there [on Mars], but we've had a bit of a glitch and you're still here and you're going to die in a day or two because it's caused cardiac problems" or whatever. "But, don't worry the replica is there so everything is as normal." In that case I think, no. Here I am and I'm going to die in a couple of days and there's somebody else somewhere in the universe who's going to have my memories and character and everything.

"What Derek's view about personal identity implies is that I was preceded in the occupancy of my body by some conscious individual who wasn't me. If I get progressive dementia, I will cease to exist when the number of psychological connections from day to day drops below his threshold. And, I will be succeeded in my body by some conscious individual who's not me, and that just seemed to me implausible"

That example is the thing I remember most from Jonathan Glover's lectures. The lectures were on philosophy of mind and that's the one example that stuck, lodged in my brain. I didn't know that it came from Parfit. He just described this case. I think the way he described it is the booth locks and it says the disintegration function was temporarily offline and coming back online in 10, 9, 8, and it's like you're banging on the thing trying to escape.

That's a nice variant of the example. Yeah.

So, that's Parfit. Now what about animalism?

Well, again, I think animalism in the first instance doesn't track our sense of egoistic concern, which I think is a guide, you know the best guide to the question "Will it be

me?" And, so the animalist view implies that if my cerebral hemispheres are extracted from my skull, transplanted into another body, remaining continuously conscious… You can imagine this, that I'm not anesthetized, my hemispheres remain functional, the surgeons saw off the top of my head, disconnect my cerebral hemispheres and hook them up to the wires in somebody else's decerebrate skull. So, I'm continuously conscious and suddenly the lights go back on and everything and I'm able to see and hear again, but I've got a different body and a different brain stem. And here's my former living organism and brain stem still ticking away over on another table. When I think about that, it just seems to be monumentally implausible to suppose that I've survived in the permanently and irreversibly non-conscious body with no cerebral hemispheres, and this is somebody else who's got my hemispheres in the other body. Either that or you have to say my organism is essentially my cerebral hemispheres and I don't know anybody who would make that claim. But, that's what the core of an organism is. I think van Inwagen says my brain or my brain stem, but that doesn't meet the counterexample.

A couple of other things that I think are implausible about animalism: as I pointed out in the book, I think animalism implies that in the case of dicephalic conjoined twins, there's only one person there, because there's only one animal organism. But, there are two heads, and in the cases that we know of, we all think there are two people. And certainly the two heads think that they are different people. There have been some responses to that challenge in the literature. A former, student colleague of mine, Tim Campbell and I wrote a paper on animalism and the varieties of conjoined twining ["Animalism and the varieties of conjoined twinning," *Theoretical Medicine and Bioethics* 31 (2010), 285–301] in which we tried to show that if you look at all the variations of conjoined twinning, you'll find that what the animalists say in response to the counterexample of dicephalus when applied to other forms of conjoined twinning has highly implausible implications. I'll mention one other example: I saw a reference recently that made me think that possibly some earlier version of this example may have been given by a philosopher, I think named Roland Puccetti, ["Brain Bisection and Personal Identity", *The British Journal for the Philosophy of Science*, 24(4), 1973: 339–355]. But, this example was thought of independently and published in a short paper in a book on animalism, and gives the following example which seems to me really very powerful. And that was this: suppose you're an ordinary person as an infant, and separate the two hemispheres by severing the corpus collosum so you have these two distinct centers of consciousness in the same head, and what you to is anesthetize one hemisphere for 24 hours. Then, anesthetize the other waking up the one that has been anesthetized, so that neither hemisphere is conscious when the other is conscious. But, there is consciousness in this head at all times except while asleep. If you do that over the years, you'll wind up with basically one person in one hemisphere and another person in the other hemisphere. They're never co-conscious.

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It's like Locke's night man and day man example.

Yeah, it is actually. But, I think this is actually possible. You could do this. You could sever the hemispheres and completely anesthetize one hemisphere while the other is conscious.

It's a good thing philosophers have no surgical skills. Think of the havoc we could wreak if we actually were practical people.

Yeah. But that, too, seemed to me to be a pretty decisive objection to animalism, because in that case it seems to be clear you would end up with two persons, but, even if you thought somehow or other dicephalic twins were two organisms because there is some duplication, I think in the cases that exist, it might be two hearts or something like that, here there's no duplication or organs at all. It's just one person in each hemisphere. I don't see any reply the animalists can make to that. It's clear there are two people. One human organism.

A distinction you press, and of course, Parfit has to make, is between egoistic concern and identity. And these don't necessarily track. What would you say to someone who said, "I don't understand how you can distinguish between the two because look at what ego means. How can I have egoistic concern for something that is not me?"

Well, that just seems to me to be a point about words really. Ego means something like self. It seemed a better choice of term than self-interested or whatever. What I meant what I used the term egoistic concern is basically the kind of concern that one has in thinking about oneself in the future. Anticipating pain from the inside. There's going to be that pain and I have reason to fear it even though, as a matter of logic, the person who experiences it won't be me. That would be the case in the hemispheric separation and double transplantation case, the case from Wiggins that Parfit discusses. You can imagine that's going to happen to me. My hemispheres are going to be separated; transplanted into two bodies. What Derek says is it can't be true that both of these people will be me because that implies that they are identical with one another, which they don't seem to be. But, imagine one of them is going to experience great pleasure and the other is going to experience great pain before the procedure is done. I can have a certain kind of concern for these people. Because each one of them is going to… each person's consciousness is going to be being generated by one of my hemispheres. So, there's a linguistic problem. How can I describe that form of concern? I can fear the pain and anticipate the pleasure with relish, but these are going to be experiences of people who are not me. So, I chose that linguistic device.

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I'm trying to suggest that somebody might just belligerently say, "look, the only kind of egoistic concern I can have is about myself and so, if I have egoistic concern for both of these and that they cannot both be me, I am just mistaken in having this concern. It's just a mistake." And egoistic concern is contingent on a lot of factors. Obviously it would be nice if we could have egoistic concern for total strangers. Wouldn't it be nice if we treated each other a lot better if we could train everyone to have that kind of concern for others? So, the idea is that, you shouldn't use that to make an argument about identity because either it's tracked to identity in which

you can't have egoistic concern about people who aren't you, or it's something that's kind of contingent and it's more or less based on our powers of imagination.

Let me say two things. First of all, it would be dreadful if we all had egoistic concern for everybody because I would then be anticipating the suffering of everybody in the world. By the same token, I would be anticipating the pleasures… It bears thinking about.

You might say that's what empathy is supposed to be. Empathy is supposed to be internalizing the sufferings and feelings of others. Of course, empathy itself is a very knotty topic, but…

Yeah. I've always thought that empathy has to be limited in this way. I remember when I first read Shelly Kagan's book *The Limits of Morality* and in the later parts of which he says, if only we could more vividly imagine other people's experience and so on, we'd find utilitarianism more persuasive. And I thought, gosh, if we could really empathize very vividly with everybody, it would be really, in a way, overwhelming. We simply couldn't have a life.

Yeah. Douglas Adams in *The Hitchhiker's Guide to the Galaxy* talked about telepaths and they had to basically talk all the time because it was the only way they could drown out these other voices in their heads.

I read the book, but I had forgotten that bit.

So, I think you have to distinguish in empathy between having the sensation and having the care about it. Because you could have the sensation, but not care about it, in which case we'd still be in the state we're in. And, empathy is a good way of turning masochists into sadists, I say.

Or, vice-versa.

Could you explain the practical effects of your "time-relative interests" view on various issues to do with killing? Again, I'm asking a lot of you, but just anything you could say.

Well, the most important thing I think is that it helps to explain the very widespread view that whenever it is that we begin to exist - whether it is conception or the onset of consciousness in a particular brain - it is not a terrible misfortune for an individual to die immediately after beginning to exist. The most common, the orthodox understanding of the misfortune or the badness of death ever since [Thomas] Nagel wrote in 1970 in his very seminal work on this issue, is what's called the deprivation account of death. It says that death is bad because of what it deprives us of. That naturally makes one think that the measure of the misfortune of death is just how good the life would have been of which one is deprived by dying. Now if that's the right way to understand the misfortune of death, then it should be the case that the worst possible death an individual can suffer is immediately after beginning to exist. Yet, that's not what we think. We don't

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feel terrible anguish for the sake of an embryo or a fetus that dies particularly one that hasn't even experienced consciousness yet.

Haven't we discovered this happens a lot more than we thought? That a lot of zygotes just die.

Yeah. I forget what the figures are, but the rate of failure of implantation of zygotes is very high. My recollection, I think I say something about this in the book and I can't remember the exact figure, so this may be wrong, but my vague recollection is that of entities produced by human conception, roughly 63% die prior to birth, and most of them very early on, so pre-implantation, within the first two weeks after fertilization. So, the rate of death among embryos and fetuses is extraordinarily high and that's one indication of our intuitions about this. Many people have a sense that there are a lot of spontaneous abortions (or failures of implantation or whatever), and yet that's not upsetting to people. People don't think, "God, there's this holocaust going on! All these people like ourselves dying and it's terrible because these are the worst possible deaths." Nobody, I think has that view. Or, at least, I've never met anybody who's willing to defend that view.

❝ Many people have a sense that there are a lot of spontaneous abortions (or failures of implantation or whatever), and yet that's not upsetting to people. People don't think, "God, there's this holocaust going on! All these people like ourselves dying and it's terrible because these are the worst possible deaths." And so, we need an explanation for why that's the case. My time-relative interest account provides that explanation ❞

An ex-student of mine wrote to a student newspaper, and I remember being quite impressed - I hope he didn't just get the example from somewhere - but, he said, imagine there's a fire in the fertility clinic and there's one person over there and there's all these trays of fertilized eggs and you can save either of them. Nobody would save the trays of embryos. Now, of course they're not implanted, but similar point.

Yeah, I'm afraid your student did get that from I believe Bonnie Steinbock or somebody. I forget who. It's called something like the embryo rescue case or something like that.

I think possibly it occurred to them independently. I'm going to give them the credit of not being well read enough to have plagiarized it... Sorry, I interrupted you. We don't mourn the holocaust of aborted zygotes.

Right. And so, we need an explanation for why that's the case. My time-relative interest account provides that explanation. That is, the misfortune of death is a function of two variables: one is the amount of good life one loses through dying and the other is the degree to which one would've been psychologically related to oneself in one's later life. And since a non-conscious embryo or a barely conscious fetus would have no psychological connections to itself in the future, it has either no interest or a very weak interest in continuing to live and having the goods of its future life. That future life is relevantly like the future life of somebody else. And then if, of course, death is not a grave misfortune for a fetus, that paves the way for an argument for a permissive approach to abortion. Insofar as one thinks that the harm one suffers through dying is some part of the explanation of why killing the individual would be wrong.

I myself find Epicurus very persuasive. Epicurus is making an obvious point that it won't actually matter to me because I won't be around. I don't fear my death because I won't be there. That's the Epicurean point. So it's from a sort of subjective point of view. Whereas the deprivation account says, yes, but look, here is the life that you could have led. And, the Epicureans say, but why should I care? Because I'm not there. I'm not there to make that comparison. So my death doesn't matter to me because I don't exist. And then you get into the puzzles of, if my death is a harm to me, when is it a harm? It's obviously not a harm to me when I don't exist, but it's not a harm to me while I'm alive, so what does that leave? What do you think the limits of the Epicurean argument are?

Well, it's hard for me to understand how I could think it will be good for me if over the next few years, I can have good experiences, achieve certain things, but can't possibly be bad for me or worse for me if I don't get these things that would be good for me. In an earlier paper ["Death and the value of life," *Ethics* 99(1), 1988, 32-61] I gave what I thought was an interesting reply to the Epicurean argument. And it was this: suppose I devote my life to some particular project. Trying to achieve some goal. And I work very, very hard and it looks like I'm succeeding and it looks like maybe I have succeeded. So, I go off on holiday to a distant island and that's such a nice place, let's imagine that I've decided to sort of stay there. But I don't get much news from the home country. While I'm there, what happens is this grand project that I've built my whole life around, I've invested everything in this grand project, completely collapses. My whole life's work lies in ruins. And that has provided all the meaning in my life, and I think my life has been a good one because I've achieved something here, but it turns out I haven't. The whole thing collapses. Now, I think if I'm there on St. Lucia listening to the steel drum band, and having a good time, I've suffered a grave misfortune. You know. I have at least a partly objectivist understanding of well-being. I think that achievement is part of well-being. I thought I had this great achievement, but I haven't. And, let's suppose I never learn about it. Has something bad happened to me? I think yes. Now, imagine that what happens is that just moments before the collapse of my life's work, I'm eaten by a shark there in St. Lucia. So, in both cases I never know about it. I never have the experience of realizing that I haven't achieved what I thought I had achieved earlier. Epicurus has to say that in the first case, I have… well maybe Epicurus doesn't. Maybe he does. It depends on whether the hedonism is an important part of the view. But there is the subject of the misfortune. There is somebody to whom the misfortune of the collapse of the ambition, befalls when I go to live on the island. I don't die, but I never learn about it. You should concede that there is a subject of the misfortune in that case, so there really is a misfortune in that case. But in the second case where I get eaten by a shark just moments before the whole thing collapses, there's no misfortune. That seems to be utterly arbitrary.

Well, but then think about many, many, many years into the future. Like, think a thousand years from now. You're still dead. Your life's work has collapsed because sadly civilization has collapsed and all the libraries that contained your work have burned to the ground. When has the misfortune happened? I mean presumably between the time when you died and then. Let's say that your life did not collapse

before you died. You died successful, famous, lauded and continued to be famous and successful until sadly we managed to destroy civilization because… pick one of the many apocalypses that are inevitably coming toward us. So, a thousand years from now, you've suffered this massive misfortune. That's going to happen to us all. But we shouldn't care about that should we? I mean if we cared about that, that would just ruin our lives forever because that's unavoidable.

A coherent view is that possible benefits are not infinite. But, it has been good for Hume to be remembered and read and thought well of and have his views influence people's thinking for as long as they have, and this may go on indefinitely. And I think a lot of people do aspire to this. People want to be remembered. They want their achievements to have effects in the future, and so on. Now, we can think well that's just irrational. Or, we can think, no there's something to that, but there's a limit to it. If that's right, then it is a misfortune for all of us when the human species goes extinct. It really is. That is actually what I think. I think one of the many reasons to avoid human extinction is that this will be bad for people in the past.

We can't have humanity expire! My work will be forgotten!

That reminds me of one of my deep intuitive objection to cognitive enhancement of our progeny is that when we are able to create people who are much smarter than we are, my books will all be laughed at. The work of a kindergartener.

I hope you tell Julian Savulescu that you think so.

I'm sure I must have done at some point.

Of course, at this point, you have to give the Woody Allen line, although he's been cancelled, you know: "Some people want to achieve immortality through their works, I want to achieve it through not dying. I don't want to live on in my books. I want to live on in my apartment."

Right. "Not in people's memories, but yeah, in my apartment." Right.

So, you've sort of covered part of this question. I was going to ask you, in what ways has Parfit influenced you? Not just in terms of his views, which of course, you've rejected in some cases because of your failure to be reductionist enough, but in terms of his methodology? Because some people read Reasons and Persons and absolutely hate it because of the way that he does philosophy.

Really?

I know. I can't imagine it myself. Well, that's good. But, it's a special kind of way of doing philosophy. Well, I imagine Bernard Williams didn't much like it.

Bernard had a lot of respect for it.

"It is a misfortune for all of us when the human species goes extinct. It really is. That is actually what I think. I think one of the many reasons to avoid human extinction is that this will be bad for people in the past"

I would rather read Parfit than Bernard Williams, I must say. I will not deny the greatness of Bernard Williams, but there are certain philosophers whose philosophy is not just dense, it's difficult. With Bernard Williams and some people like that (G.E Moore and some contemporary philosophers), it's almost as if, if you can understand it too easily, it's not deep enough. And I hate that because it defeats me and I go away feeling frustrated. Whereas Parfit, I love of course, his use of many examples - that I think is wonderful. That was one of my frustrations in reading Rawls. But, I think some people look askance at Derek Parfit because it seems like he's almost too down in the nitty gritty and everything is sort of teasing apart these points. Do you think that his is the very model of doing philosophy or do you have some complaints?

No, actually I always thought that Derek was the model of doing philosophy. As you noted, he strove for simplicity of exposition and clarity. There's never any ambiguity, you know. Sentences are short. They're clear. He doesn't use jargon. Or, if he does, he's defined the technical terms early on. Everything is absolutely lucid and clear and perfectly ordered. It's just incredibly complicated. The logic of what's going on in the arguments is complicated. Now, I do know a number of people, and Bernard is one of them… Bernard told me at one point, he wished that Derek had published a much earlier draft of *Reasons and Persons*, he thought it was much better in the earlier versions. Derek's very good friend Larry Temkin actually thought the same. What they thought was that Derek was too obsessive and perfectionist about trying to anticipate every possible objection and reply to it. I don't agree that that's a vice rather than a virtue. Maybe you don't have to put it all in, but I think that *Reasons and Persons* is the model of philosophy for me. I'll never match it. I'll never come close. It's not just because of the way that it's written, there's also, in addition to the incredible rigor and comprehensiveness of argument. The unbelievable imaginativeness of what he's doing. I do think a couple of his discoveries, as I would describe them, are just great moments in 20th century philosophy.

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Such as?

The idea that identity is not what matters, as he puts it. That's really revolutionary and opens up all kinds of new ways of thinking about things. Also, the non-identity problem, I think, has unbelievably revolutionary implications, and what has come to surprise me is that, as I've thought about it, I've realized that really anybody could have understood the non-identity problem from the time of ancient Greek philosophy onwards. As long as you understand that if you have sexual relations with a different person, you'll have a different child from the child you would have if you had sexual relations with somebody else, as long as you have enough knowledge to understand that… And you could figure that out just by transitivity of reasoning really. I can't be destined to have one child whoever I have sex with if that's true of this woman and that woman because we can't all have the same child. Maybe I'm wrong.

At the basic level, it's a matter of which sperm is the fastest swimmer.

Yeah. We understand that now, of course, the Greeks couldn't, so what I'm claiming is anybody with the knowledge of biology in the 20th century or even the 19th century could have arrived at the non-identity problem, but nobody did. But I think Socrates could have come up with the non-identity problem if he'd turned his mind to it and thought carefully enough, but it took Derek to see the implications and to understand how vast those implications are. So, it's the originality and creativity of the book as well as the incredible density and rigor of the argument that make it such a model for me.

I remembered another of the writers who I would put in the Bernard Williams camp and it's Thomas Nagel. That essay on death. Actually, if you give it to undergraduates, it's a hard read. I mean, everybody would've loved to have written *Mortal Questions*, because it's like an album full of hit singles. Almost evert essay in it is revolutionary. But, reading them, it's just… he doesn't lay things out as nicely. There are some ellipses.

I agree with you about *Mortal Questions*. Like you said, it's sort of greatest hits. Every paper is brilliant. And new insights. Of course, both Nagel and Williams had the advantage of entering moral and political philosophy at a time when philosophy was changing and it was suddenly possible to do substantive moral philosophy again. And so, there were all these issues: death, moral luck, and so on, that nobody had thought about in a very long time because of the influence of the linguistic philosophy and so on. And, I think we owe a lot to Rawls and others from that era in reversing those trends and making it possible for people to write about stuff that really matters again. And, so Nagel and Williams had the opportunity to be the first to enter this territory, but they did just brilliant work. I think probably Nagel even more than Williams, in my view. I think Nagel is really spectacularly inventive.

“Nagel and Williams had the opportunity to be the first to enter this territory, but they did just brilliant work. I think probably Nagel even more than Williams, in my view. I think Nagel is really spectacularly inventive”

But the trouble is when your first album is full of hits, you know, everybody expects that from all your others and it's…

Yeah, it's a hard act to follow, but *View from Nowhere* is. Actually a lot of Nagel's subsequent work is not disappointing. He's magnificent I think. The difference – this is particularly true of the relation between Parfit and Bernard Williams - is that Derek was really obsessive. He wanted to make sure he got what he was working on right. Whereas Williams would think creatively and powerfully about an issue for a little bit. Write an essay and then move on. And never return to it.

Like Nozick.

Yeah. Again, what I admire about Parfit is this obsession with getting at the truth and this perfectionism about the work. I think that's a better way to do philosophy even though we owe a lot to thinkers like Williams who opened up questions that nobody had thought about for a long time, produced brilliant ideas and then moved on.

I am now very intrigued by this early draft of *Reasons and Persons* that Temkin and Williams praised. I want to see this. Does it exist somewhere?

Yes and no. There are many, many, many drafts of the different parts. He worked on part 1 and then he'd work on part 2 and he would send off photocopies of a draft of part 1 or part 2 or whatever and he'd get comments on it and he'd revise in the light of the comments. I have a friend, Johann Gustafson, who may produce a kind of *variorum* edition of *Reasons and Persons* with notes explaining how Parfit's views evolved over the different drafts and that kind of thing.

That would be wonderful.

Yeah, Johann and I are… I've got Derek's papers. There are not many, but there are lots of drafts of the different parts of *Reasons and Persons* and we also have Derek's preserved computer files on external drives and that kind of thing. Johann has had more time than I've had to go through the computer drafts, but he's finding all kinds of things there and the hope is that eventually we'll be able to, or he primarily, will produce editions of these things that explain the evolution, which would be wonderful.

It's interesting, of course, that computer files are much more susceptible to aging than paper. Because - I found this looking back at old things that I had written in the '90's - my current version of Word refused to open the files.

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Yeah. Johann has some kind of thing called Libre something or other that will convert these Word files. I too have all of these little black icons all over my hard drive of old Word versions that my new Word won't open. But, there is this thing, let me see if I can find it here. I'll go into. Just give me applications. It's called Libre Office. L-I-B-R-E Office and that will now open my old Word files. Johann gave it to me and he can open almost anything.

Digital Archeology. Now, we haven't said anything about *Killing in War*. So, you set out to write three volumes on Killing. *The Ethics of Killing* is the first one. Then, you were supposed to do *Killing in War*, which you did. There's a third one that you're contractually obligated to write, isn't there?

I forget how many books I'm contractually obligated to write.

Somebody will remind you.

Maybe. I've had a contract for well over a decade for a collection of essays - I've never had time to write the preface. I also decided I would rewrite some and make revisions to some of them.

That's the Parfit in you. Just put 'em out there.

Yeah, well, the original idea was that I would do the one volume that became *The Ethics of Killing* and then I was going to have a second volume, *Killing in Self Defense and War*, but Julian Savulescu invited me to give the Uihero Lectures here, so I made the book that you were just holding out of those lectures. It's a shorter book. I published a large

number of essays about the ethics of war that continued the themes in that short book. Probably close to fifty essays on the ethics of war. The idea was that I would eventually take the main ideas from all these essays and do another volume that would be *The Ethics of Killing in War*.

That would be more the size of *The Ethics of Killing*.

It would be more that size. And, then there was going to be a third volume which was *The Morality of Defensive Harming* in general, more at the individual level, so if the sequence were to be done in the right logical order, that is, more foundational material first, and more applications later, I would've written the self-defense volume first and the war volume would be the third volume. As it turns out, I was invited to give some lectures called the Rutgers Lectures in Philosophy about two and a half years ago, and what I was working on at the time was material on population ethics and I gave those. That came with a commitment to write a book for OUP, so that's yet another contract with OUP, and that's the book I'm trying to find time to write now. Work on population ethics. It goes back to what I did in my doctoral dissertation at Cambridge.

You need to be at All Souls.

Oh I wish.

Well, I don't know. Don't you find that if you get to pick the topic that you give lectures on, actually having to present them as lectures, clarifies your thoughts?

Most definitely. Supervising my graduate students is rewarding in all kinds of ways, but it doesn't help me to make progress with my own thinking if the topics are ones that I'm not working on, which is generally the case. But when I've given graduate seminars here, it's always been on material that I've been working on myself and I just benefit enormously from doing the seminars with the bright graduate students here. That is wonderful. It's everything else I have to do here that… And, elsewhere, but here, it's particularly onerous in the British universities, more so than in American universities.

Oh hey, when you give tutorials all you've got to do is sit there, listen while somebody reads you an essay, give some comments and then you're done. You don't even have to take it and write comments on it unless you're super conscientious.

Yeah. You're failing to understand the position that I have which is that I don't do undergraduate tutorials and I'm glad I don't actually, but I do graduate supervisions and there I do have to take often very lengthy essays, I go through them very thoroughly and I try to help the students with their writing as well as with the philosophy. So, I put a lot of time into it and I'm a very, very slow, writer, reader, thinker, so it all takes me [ages]. And that's one of the other wonderful virtues that Parfit had was that he could read at a speed that, to me, is incomprehensible. He also thought fast, and he wrote quickly as well. He did everything, he processed stuff really quickly and I'm slow and plodding and dull.

“I put a lot of time into it and I'm a very, very slow, writer, reader, thinker, so it all takes me [ages]. And that's one of the other wonderful virtues that Parfit had was that he could read at a speed that, to me, is incomprehensible. He also thought fast, and he wrote quickly as well. He did everything, he processed stuff really quickly and I'm slow and plodding and dull”

Well. I don't think the last is fair, but could you say a little bit about the central themes here. So, for example, contrast yourself with Michael Walzer who before you put this out, basically was the preeminent writer on ethics of war. And you argue strongly against central positions of his.

The main point on which we disagreed was on what he called the moral equality of soldiers, which has subsequently ben renamed the moral equality of combatants, because not all soldiers are combatants. And that's the view that whether a combatant is fighting on the just side in support of a just cause or fighting on the unjust side in support of an unjust cause in the war, the combatants nevertheless have the same moral status, the same rights, the same permissions, and the same liabilities. No difference between them even though one might think the people who are fighting in an unjust war are engaged in objective wrongdoing. And I always thought even when I read *Just and Unjust Wars* for the first time, which was a very, very long time ago when I was working on nuclear weapons issues, I just thought that that was a mistake. So, I tried to present and argue for the alternative view that says that combatants who are fighting in unjust wars, or who are fighting in support of unjust aims, are engaged in objective wrongdoing. There might be excusing conditions or mitigating conditions, so we do not necessarily want to blame these soldiers or punish them in any way, nevertheless what they're doing is wrong and what we should do is encourage soldiers and combatants to think about the aims for which they are in fact fighting. Whatever their government's telling them. Try to reach the truth about what they're [doing], [and what] the consequences of what they're doing will be, and if what they're fighting for turns out to be wrong, to decide not to fight.

“Combatants who are fighting in unjust wars, or who are fighting in support of unjust aims, are engaged in objective wrongdoing. There might be excusing conditions or mitigating conditions, so we do not necessarily want to blame these soldiers or punish them in any way, nevertheless what they're doing is wrong and what we should do is encourage soldiers and combatants to think about the aims for which they are in fact fighting”

Do you think that your views may ever trickle down to say, West Point?

Trying not to be boastful, they already have long ago trickled down to West Point. Some of the instructors there and at the US Naval Academy and the Air Force Academy have taught my work to the cadets there, and I have lectured at West Point a couple of times. More than a couple of times. And I've spent time at West Point. I have had among my doctoral students, two people, one of whom is now a university professor at West Point, which means, the sort of top position in philosophy there. Another who did his DPhil here at Oxford is a commander in the army who will, I hope, and expect, become a general one of these days, and so on. And when they've been teaching cadets, they have introduced them to my views.

So, your view aren't seen as dangerous then?

Well, I'm sure they are by some. But, others in the military by and large agree with my views and some of the people there who have taught at West Point have argued in print for a right to selective conscientious objection. They have argued that soldiers ought to refuse. Not just illegal orders in combat, but a wrongful order to fight in an unjust war. Because, of course, it seems contrary to the ethos of the forces which is obedience. Yeah, some of the people that I have had as my friends as a result of working on the ethics of war in the military, have in their work and in their action departed from that

view. Namely that one must always obey orders. Let me mention one example. This is a way of paying tribute to a friend who died recently. I had a friend whose name was Ian Fishback. He was, when he retired from the Army, he was a major in the Army. As a captain he had done four tours in Iraq and Afghanistan as a combat officer. Spent a very long time there. This was in about 2004, 2005, round about there. And, he kept seeing evidence of abuse of civilians, torture of prisoners of war and that kind of thing and he kept reporting it up the chain of command, and saying aren't we supposed to be obeying the Geneva conventions. What I'm seeing is not conforming to that. Finally, he broke ranks and wrote a letter to John McCain, Republican senator, saying here's what I'm seeing. Please intervene. Provide us with guidance here. His letter, you can see it, it's on the Wikipedia page for Ian Fishback on the internet, and you can see this very moving and powerful letter that Ian wrote. And, of course, he was exposed to a lot of hostility and so on from within the Army as a result of this. Some of this I witnessed first-hand. I saw him berated by a retired general at one point. Ian was an incredibly admirable and impressive person. He was not only an Army Ranger, but also Special Forces. So, almost nobody is both of those things at once. He was as good a combat officer as could possibly be, but he was also a person of great integrity, sense of honor, and I think all of the persecution he was subjected to was partly, or wholly responsible for that fact that he began to suffer from mental illness a bit later. And, he died at the age of 41 just a few months ago. He was somebody who taught my ideas at West Point. He taught at West Point too. He taught my ideas and introduced the students and cadets at West Point to the school of thought that I'm sort of a part of called revisionism of just war theory which is more individualist rather than collectivist in orientation.

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Well, that's amazing. I normally ask a question at the end of my interviews, which is do you think philosophy needs to change to become more relevant, but you've certainly got practical applications down. Your influence is certainly where the rubber hits the road.

Thank you.

So, obviously we can't do justice to any of these topics, but one major topic that I would also like you to say a little bit about before I let you go is speciesism. Because it seems to have undergone something of a revival, which I think is not a good thing. I mean, it's rather like, I don't know, twenty years ago when the liberal nationalists suddenly flowered and there were all these defenses, which one still maintains is an oxymoron, but they tried to argue otherwise.

Well, I aided and abetted some of that in a book that I co-edited called *The Morality of Nationalism*. Some of the liberal nationalists published in that to begin with. And, I was impressed by their good will and so on. I've subsequently come to think like you, there is no liberal nationalism, it's all pernicious and awful.

So speciesism, Singer of course, did his best to put a stake in its heart in the '70's, but now you get people like Shelly Kagan defending it. What do you think of recent attempts to rehabilitate, to put a positive face on the speciesism?

Well, I actually don't read Shelly as defending speciesism. I do think that another person about whom we've spoken a lot in the course of the interview, Bernard Williams, did defend something like speciesism. He had this essay called "The Human Prejudice," in which he defended this idea of that morality emerges from points of view and there is the human point of view, and we have reasons for allegiance to members of our own species, and that sort of thing. So, that really was a form of speciesism, I think. Shelly is just arguing for what he calls a kind of hierarchy of moral status and it's not really linked to species. He does have a view in "What's Wrong with Speciesism?" [*Journal of Applied Philosophy*, 33 (1): 1-21. 2016] which he called, "modal personism." Which does, it aligns with the kind of speciesist view, because it makes the claim that radical cognitively impaired human beings could have been persons, but no animal could be a person. The idea that if one could have been a person, that gives one a kind of moral status that individuals who could never have been persons couldn't have. Now, I argued against that view. I don't think the view is ultimately defensible. But, it's not really speciesist. Like I say, the implications may coincide fairly closely with the implications of a speciesist view, but the fundamental ideas have nothing to do with species, they have to do with modal status and what an individual could and could not have been and that sort of thing.

Yeah, but when I read this, I think yes, but the only reason to care about modal status is if you're trying to defend some kind of speciesism in the first place. Otherwise, this just doesn't move me. Why are these modal concerns creeping in?

I had the same view and I thought in particular, the one worry that I had about it was that Shelly thought that if one was not a person but could have been at some point in the past. That is, if in the past one had the potential to be a person that was a foundation of moral status. But, having the present potential to become a person didn't seem to be a basis of moral status, otherwise fetuses would have to have the same kind of moral status that adults have. Or, whatever it is that a severely cognitively impaired human adults have on the modal personist view. So, it would have to be some kind of equivalence between fetuses and severely cognitively impaired adults, where moral status is concerned. And that would have had embarrassing implications about abortion for example.

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It seems to me one of the motivations for views that end up being amenable to speciesism, as I think for example Kagan's is, is they start out with wanting to talk about the status of people like what you just said, severely cognitively disabled adults, and wanting to say that say becoming one of those, or that there is some kind of tragedy for humans who are unable to have the mental life of so called "normal" humans. And, you disagree with this idea of tragedy. Would that be fair to say? Would you like to say something about that?

Well, it just comes from rejecting the relevance of species to understanding what is good or bad for an individual. So, if it's not bad for some non-human animal not to have the cognitive capacities of an intelligent person, why should we think that it's bad for some human being who is congenitally endowed with cognitive capacities comparable

to those of some non-human animal, not to have cognitive capacities like those of an intelligent human adult? Why should we think that a severely cognitively impaired human adult is particularly unfortunate whereas a dog is not?

I think this is one of those areas of philosophy where I'm sort of pulled in two directions. Because I don't want to say that it is a tragedy. In fact, I think in some sense that's extremely insulting to say of someone who is mentally incapacitated, as you might say, their mental life is not of say you or I, but (the language one's uses is very difficult, but) let's say "simple". I think it's in some sense patronizing to call their life tragic. And if they are happy, then their happiness is all that matters, well not all that matters, but their happiness is how we should measure whether their life is a good one and not the fact that they're not like us.

Yeah. I tried to flesh out that intuition with a notion that I introduced in a paper in Philosophy and Public Affairs in the '90's ["Cognitive Disability, Misfortune, and Justice," January 1996] and further in the book *The Ethics of Killing*: the notion of fortune. And what I wanted to say there was that somehow or other our understanding of whether an individual is fortunate or unfortunate, needs to be relativized to the capacities of that individual, and how those capacities are identified is highly problematic. But if a dog has a level of well-being that's near its maximum possible level of well-being, that's a fortunate dog. Has nothing to do with the species, it has to do with the capacities of the individual. And, so I thought, just as you do, that if a human being whose congenital cognitive capacities are quite low, nevertheless has a level of well-being that's near the maximum, then that individual is fortunate as an individual relative to the capacities that the individual has. I was trying to capture that view. That individual has, let's say, a much lower level of well-being than you have. Just as a dog does, I think.

“Somehow or other our understanding of whether an individual is fortunate or unfortunate, needs to be relativized to the capacities of that individual, and how those capacities are identified is highly problematic. But if a dog has a level of well-being that's near its maximum possible level of well-being, that's a fortunate dog. Has nothing to do with the species, it has to do with the capacities of the individual”

On Millian grounds, can't access the higher pleasures.

Right.

I think one of the things that is overlooked in the comparison between a dog and a human being of comparative mental faculties is of course one of the reasons we feel so deeply for the human of that mental level is that they're more vulnerable. A dog is able to take care of itself. It's given the equipment to look after itself. Whereas a human of that capacity is not designed to look after him or herself. They need care. [But then again], since I've lived in America, my wife has been kind of insistent that our cats should be indoors. Particularly because we've lived in Los Angeles, we've lived in Flint, Michigan. These are not conducive to animal survival if you're outside. And, I get into arguments with my family in England, you know, they say "Well, a cat should go outside." And this is a kind of speciesist argument: "The correct life for a cat is one where they're roaming outside and they live for two years and die of feline AIDS" or something. Whereas I say, our cats are very happy and one of them is approaching twenty.

My daughter lives in Illinois and she and her husband have six cats in a comparatively small house. And they keep the cats indoors for the same reasons that you do.

Six cats is too many.

You'd have to ask the six cats. They seem to get along really, really well. And they don't get lonely. They've got lots of companionship and so it seems to work out well. So, I'm in agreement with you there having seen this work.

Now, you have a lot of your plate, what with not knowing how many books you're contracted for, but is there a topic or area of philosophy that you haven't really explored, but that you've got sort of in the corner of your mind, "ooh that would be really fun if I could just get to that sort of mess around in that sandbox"?

Well, what I'd really like to do first is to write the book on population ethics and practical ethics that I'm trying to find time to write now. It has the provisional title, *The Ethics of Creating, Saving and Ending Lives*. It doesn't have killing in the title, that's one advantage. And then, I would, I think, like to go back to the work on defensive harming. I think there's a lot that could still be said in that area. So, there's a lot of what I have worked on off and on in the past that I'd like to do first. But, beyond that, I would be tempted to want to work on issues of collective agency and collective responsibility and so on. I've thought about that off and on. It arose in thinking about the ethics of war in my own mind. And, I'm just profoundly out of sympathy with the orthodox view about these matters which is fundamentally collectivist. Everybody believes in collective responsibility and even collective guilt and collective liability and this kind of thing, and my sense is that that's both mistaken and pernicious, and a lot of very good philosophers defend views of that sort. I haven't had time to read much of the literature and so my views are not well developed. So, I would like to turn to that if I have any life left or any time left in which to do it. In part because I think it's really very important, and I think the orthodox views, my view now is, I suspect that they're profoundly misguided and pernicious in their effects. So, I'd like to enter that debate if I can possibly get there.

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Well, I think you have a good case to go to the powers that be at Oxford and say: "Look what you're depriving the world of by making me do all these graduate assignment things. I mean, come on!" So, you could try that one.

Well, I don't think I'd have much luck with that. I just got a set of BPhil essays to mark, and I've just been asked to take over a BPhil proseminar for a colleague next term in addition to my own moral philosophy seminar so, we'll see. It never ends.

Well, I guess I'm grateful that you're incapable of saying "no" otherwise I wouldn't be talking to you. But, maybe you need to get better at saying "no."

I'm told that a lot. Particularly by my wife.