

No Lives Matter? On What (if Anything) Makes Death an Evil

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outline

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stoicism

A general acceptance of both life and death as they are:

The wise man does not deprecate life nor does he fear the cessation of life. The thought of life is no offense to him, nor is the cessation of life regarded as an evil.

Death 'is nothing to us':

a correct understanding that death is nothing to us makes the mortality of life enjoyable, not by adding to life a limitless time, but by taking away the yearning after immortality

stoicism II

A number of different arguments are offered by the Stoics for this view.

Location:

Death, therefore, the most awful of evils, is nothing to us, seeing that, when we are, death is not come, and, when death is come, we are not.

Symmetry:

Look back at the eternity that passed before we were born, and mark how utterly it counts to us as nothing. This is a mirror that Nature holds up to us, in which we may see the time that shall be after we are dead.

stoicism III

If we are to fully appreciate the Stoic point of view we need to understand the rhetorical effect of the poems. Directed at the person who is in a state of existential dread, who has an indefinite and uncontrollable fear. Not directed towards a disinterested study: what is the value of death? (Compare: what is the value of gold?)

The result is Stoicism, the view that death is not an evil and therefore not something to be feared.

‘common sense’

Distinguish: **overall evil** vs. **pro tanto evil**

Two ways of denying the Stoic position:

1. Death is **always** evil overall (it would always be better for death not to have occurred)
2. Death is **sometimes** evil overall (sometimes it would be better for death not to have occurred)

2 is consistent with the view that death is always an evil pro tanto, only sometimes it can be outweighed by other things (the disvalue of suffering, claims of others etc.)

motivations

In both unthinking behaviour and considered judgement we evaluate deaths against each other and against different outcomes:

Spontaneous miscarriage vs. Abortion

Eating animals

Building tunnels

Discontinuing medical treatment

Euthanasia

Death of Hitler vs. death of Mother Theresa

Death of 70 year old vs. death of 17 year old

...

motivations II

None of these discriminations are beyond challenge and some of them are highly controversial (e.g. abortion, meat eating).

These controversies are over what the world should look like: how people should act and how our institutions should be arranged.

Irresolvable conflict threatens the foundations of civil society. Ideally we need either **consensus** or **compromise**.

motivations III

We want an account which **both** (i) explains what makes death bad **and** (ii) provides us with a heuristic for weighing a given death against other outcomes.

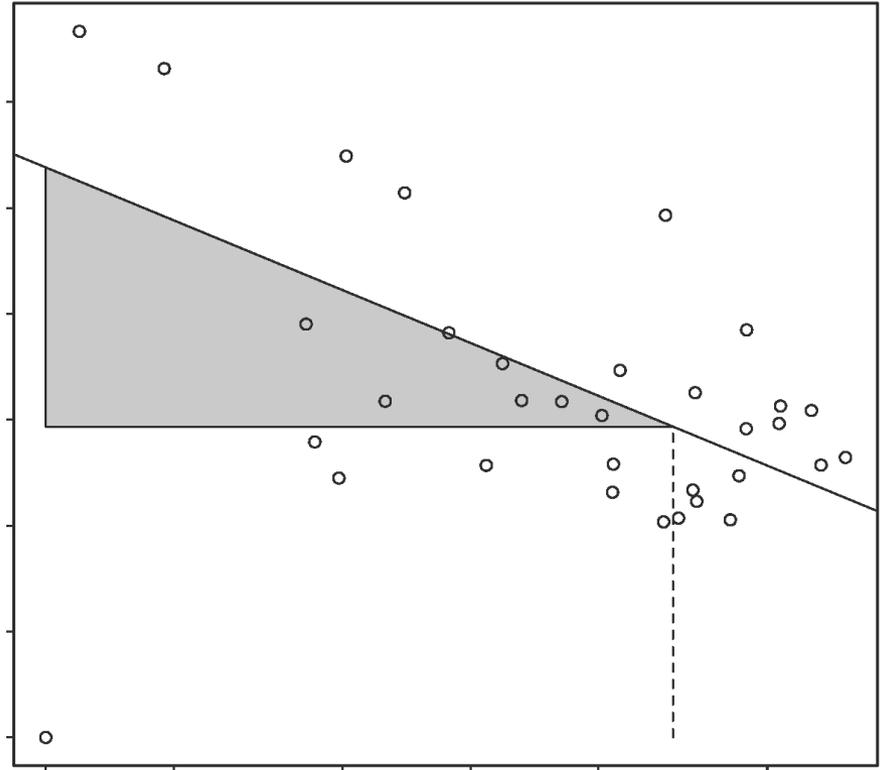
To avoid arbitrariness, we should be able to derive (ii) from (i)

This account should be **comprehensive**, in that it should provide us with **definitive answers** to all determinate questions, and it should be **acceptable to all reasonable parties** to the debate.

methods

Reflective Equilibrium

Treat our intuitions as data
and find a principle which
best accounts for the
majority of them



death as a harm

The concept of evil seems too morally loaded to be part of a comprehensive theory.

Instead of seeking consensus on these cases we might seek compromise instead. But we can still hope to find consensus on a more fundamental issue: whether death is a natural evil, i.e. whether it is a harm.

Harm seems to be an objective category. Whether something is a harm can be determined by disinterested investigation into the nature of the event/state and the subject.

death as a harm II

Harm is:

- (i) **a relational property** - Φ is harmful for someone or other. The kinds of harms that X is vulnerable to depends on X's nature.
- (ii) **pro tanto disvaluable**. To say that Φ is harmful is to say that, other things being equal, it is better that it not be.

Value claims involve representations of alternative possibilities. 'All is for the best in the best of all possible worlds' \rightarrow if this is bad then this is not the best possible world \rightarrow there is an alternative possible which is more desirable than this one.

So the concept of harm is bound up with issues surrounding **personal identity, evaluation and alternative possibilities**.

harm as deprivation I

Some property shared by all deaths simply as such, in virtue of which death counts as a natural evil.

Isolation: take any given death and remove from the situation everything extraneous to its counting as A's dying.

So: ignore A's attitudes to death, the attitudes of third parties, associated pain, inconveniences etc.

The Desert Island Stoic: A lives on a desert island “in natural piety”, without warning “ceasing on the midnight with no pain”.

harm as deprivation II

deprivation account of the harm of death:

death is harmful to the extent to which it deprives an individual of goods

The desert island Stoic suffers a harm in death iff death deprives him of some goods which he otherwise would have enjoyed.

He might be mistaken about this. He might want to die but unbeknownst to him, be about to experience a remarkable change in his outlook tomorrow.

descending the ladder

- * Φ is evil \rightarrow Φ is a natural evil
- * Φ is a natural evil because it is bad for A
- * Φ is bad for A because it harms A
- * Φ harms A because it makes A worse off than /she otherwise would have been
- * Φ makes A worse off than s/he otherwise would have because it deprives A of some good s/he would otherwise have enjoyed

comparison class

How do we define the tricky phrase ‘would have otherwise enjoyed’?

[C] The badness of the death of some individual (A) at a given time (t_1) is equal to the difference in goods enjoyed in A's actual life by comparison to the total goods that A would have enjoyed in the nearest pw in which A did not die at t_1

criticism of comparison class

But this view cuts too finely:

aneurysm: If A didn't die at t_1 , A would have died at t_2 .

We could broaden out from 'nearest pw' to 'best pw in which can be identified'. But then:

superman: a treatment is invented which raises the level of people's intellect 1000%

Neither view can accommodate temporal variance. The death of a fetus is less of harm for the fetus than the death of a young person is for him or her. *Spontaneous miscarriage*.

time relative interests I

McMahan's own solution is to give a theory which connects the notions of harm, personal identity and possibility.

States are harmful or beneficial for A only insofar as A is appropriately related to them.

Prudence: I have an interest in sowing the field only because I will be there to reap the harvest.

A is deprived of X only if A is meaningfully related to X.

So harm is a function of the individual's Time Relative Interest, i.e. the interest that A has now in their future states:

We must [relativise] the evaluation of the death to the state of the victim at the time of death. The evaluation must be based on the effect that the death has on the victim as he is at the time of death rather than on the effect it has on his life as a whole.

time relative interests II

We are essentially embodied minds, so the subject waxes and wanes as the mind does. The relevant notion here is psychological unity, which includes both **connectedness** and **continuity**.

Because [an infant's] mental life is so limited, there would be very few continuities of character or belief between itself now and itself as a person. And if it had lived to become a person, it would then remember nothing of its life as an infant. It is, in short, almost completely severed psychologically from itself as it would have been in the future. This is the principal reason why its time-relative interest in continuing to live is so weak.

Therefore:

[A]n infant or a fetus that dies is insufficiently substantial as an individual to be the victim of a tragic loss.

The value of life is like **an explorer walking through a darkened tunnel carrying a torch**.

time relative interests III

This accounts for intra-life variance, but what about the person who is heading towards a brick wall, like Mr Aneurysm?

→ TRI determines both temporal variance and the relevant comparison class.

Take an infant who dies postpartum from a complication in childbirth. There are an infinite number of alternative pws in which the infant did not die from that complication. Collect them into a set W . Grant that the harm that the infant suffers is a function of the goods that they would have enjoyed. TRI determine, of any given possible world, whether or not it is a member of W . Let w_1 be a world in which the infant did not die post-partum but grew to be a boy, and then a man, and died at 80.

This counts as a possibility which the infant is deprived of only if there is a suitable degree of psychological connectedness between the infant as they were at the time of their death and as they would have been at the time of death in w_1 . Since the infant has barely developed any kind of psychological complexity or connectedness with their future, they do not stand in an appropriate relation with the fate of the individual in w_1 ; hence w_1 is not in W .

Critique of the TRIA

This theory of personal identity is controversial. Why shouldn't we think that what matters is whether the person exists in the future state, rather than whether they can now recognise that state as theirs?

Personal identity is like threads in a rope. Why should the rope be construed in terms of mental contiguity only?

McMahan says "it is almost as if the future [an infant] loses might just as well have belonged to someone else." (170) but is this true?
Can futures have owners?

Leads to the conclusion that the death of an animal is as great a harm to the animal as the death of an infant to the infant.

shapelessness

Aka Too Many Futures

Futures open to a person are a branching tree. As the individual ages, the tree is pruned.

The shapelessness of the tree makes an infant's death less bad than it would have been had it occurred later on. For an infant, there is a myriad of possible futures open to them, each equally unlikely. This indefiniteness prevents us from applying to them critical biographical concepts such as success or failure. And this in turn may justify holding that their death is less bad than would be e.g. the death of a 15 year old whose life had begun to take shape, and whose death would leave (as it were) too many biographical loose ends.

criticism of shapelessness

If the infant really has been deprived of a greater range of possibilities than the adult, then that fact alone, irrespective of the likelihood of any given possibility within that range, should ensure that we treat the infant's death as, other things being equal, a greater loss than that of an adult's. This is to hold that the less shape a life has at the point of death, the greater the loss.

A case can then be made for the view that, *pace* McMahan, all futures should count equally, and that a deprivation is a deprivation, irrespective of how far along the developmental path the individual was at the time of death.

pessimistic conclusion I

Different parties who may take an attitude towards the badness of a particular death. These include:

- * the individual themselves (in prospect)
- * their parents
- * a hospital chaplain
- * attending healthcare professionals
- * hospital administrators
- * policy makers
- * philosophers
- * men riding omnibuses ...

While it may be true (and justified) that at the level of fixing policy we do not hold the death of a fetus to be as bad as the death of an adult, it does not follow that the grief that parents may feel at a miscarriage need be any less than the grief that would be felt by parents who lost a child in his or her young adulthood.

A chaplain may believe that lives are of infinite and incommensurable value, and may refuse to acknowledge any difference in importance between the death of a fetus or an adult.

pessimistic conclusion I

Attitudes towards death differ with respect to both personal outlook and philosophical temperament. The openness of the infant's future could justify treating the infant's death as either worse or better than the death of an adult.

One might refuse to consider death an evil by refusing to entertain thoughts of what might have been. Someone who adopts a fatalistic attitude need not hold that there is no sense to be made out of the idea that things could have been otherwise. Rather, they may simply refuse to take the fact that things could have been otherwise to be relevant to their assessment of the situation in which they find themselves. That things could have been better, or that things typically are better for individuals, is no more relevant than the fact that things could have been worse. Such facts simply do not have a speaking role to play.

The notion of **harm is ethically loaded** and cannot serve as the foundation for a comprehensive theory of the evil of death.