

You did What? To Whom? When?—A defense of Epicurius

Source: <http://www.colorado.edu/StudentGroups/PhilosophyClub/Referees/epicurius.htm>

There have been many attempts at formulating a theory that accounts for our intuitions regarding the harm of death. Most theories attempt to account for this intuition by attributing the harm of death to a deprivation of some sort. That is a person is harmed when she dies because she is deprived of some good thing. This paper is a defense of Epicurius's argument regarding death as a response to deprivation theories.

Before I enter into the argument proper, two statements should be made. First, I do not intend to defend hedonism in this paper. Although, I am uncomfortable defending any particular thing as having intrinsic value, I am inclined to say there must be some things other than pleasure that have intrinsic value (and the converse). However, this rejection of hedonism is in no way relevant to my defense of this argument, because the loss of goods has no bearing on death, regardless of what exactly the goods are. Second, I will define death as follows: the permanent end to existence. Since existence is a binary property (either there exists something that corresponds to x or there does not), this means that death must be instantaneous. For at any given moment one could ask, "Does Kai exist?" and receive an answer, we can narrow the time of death to an instant. Thus, death mimics a function of the form: $f(x) = 1$ if $x < 1$; $f(x) = 0$ if $x > 1$. The idea is that at every point after 1 you are dead, but at every point up to and including 1 you are alive. In other words, there is no point at which you are not either alive or dead and no point at which you are both.

Now that's done. Epicurius's argument is essentially that there is no point at which we are harmed by death, and therefore death is not bad. Specifically, he formulates his argument in the following way:

- 1. Death is not bad for the victim before death.*
- 2. Death is not bad for the victim after death.*
- 3. Thus, there is no time at which death is bad for the victim.*
- 4. Thus, death cannot be bad for the victim.*

A defense of Premise (1) is not hard. Since my death has not yet occurred it is impossible for it to act as a cause of anything that is occurring now. No effect can exist without its cause already occurring. Certainly we are afraid of our deaths, but that is not caused by our deaths, but rather our supposition that we will die. We are probably right that we will die, but it cannot be our death that causes us to assume that. It is medical science and our empirical evidence of everyone else (save 6 billion) dying. Even a person who has been mortally wounded and "knows" he will die soon cannot be suffering as a result of his impending death. He is only suffering because he has received a mortal wound and

supposes that it will cause his death. While he is suffering he is not yet dead.

I now move to Premise (2). Suppose Cathy dies at age 10 in 1990. Also, suppose that Premise (2) is false and death is bad for Cathy at some arbitrary time after her death. The question then is, who exactly is being harmed and when? There are two possibilities. First, Cathy is harmed during her life by her death. This is subject to the same the criticism as above, because the cause occurs after her life so she cannot be accruing harm during her life. The cause cannot happen after the effect. Second, Cathy is being harmed now and/or in her future by her death. This is the standard deprivation account. The claim is that Cathy is being harmed because she is now not receiving the benefits of life that, had she not died, she would be receiving. Let us examine that sentence: "Cathy is being harmed" What is the referent of "Cathy" in this case? If "Cathy" designates the person called "Cathy" who lived from 1980-1990 this is the same case as the first because the harm to Cathy must occur during her life but the cause is after. The only other possibility is to argue that a person can accrue harms that are not temporally locatable (i.e., there is no time at which we can say, "she is harmed at this moment," but she is still harmed). I will address this argument later. Also, it cannot be someone who currently exists, because by supposition and the definition of death, Cathy ceased to exist in 1990. Thus the word "Cathy" in this case has no referent and expresses no meaning. It would be the same as saying "alkjflkjf is being harmed" If it is her body we are referring to, then we are not harmed by death, because our bodies are distinct from us based on the definition of death above. That is if our bodies exist after death, then because death is the end to existence we must not be just our bodies. The only remaining possibility is that "Cathy" refers to some legacy or some concept that we have of Cathy. Those conceptions are wholly in our minds. Thus, death may be bad for a mental creation of Cathy's friends and family, but not for Cathy.

Now we come to the first major objection. Many argue that Sub-conclusion (3) does not follow from (1) and (2) because there is a third time at which death could harm us, the moment of death. There are two possible accounts. First, life is intrinsically good and thus at the moment of death we are deprived of an intrinsically good thing. Second, at the moment of death we are deprived of goods that living produces (this is the case with Kamm, Feldman, and Marquis). Although these arguments differ they can both be handled with the same response.

In order to construct this response I must first construct a notion of harmful deprivation. Suppose I go out to get into my car and drive to class and I find Brad has stolen my car. I have been harmfully deprived, because I would have used my car to produce goods (presuming class is good), but I cannot produce those goods because I am without my car. In this sense I did not experience a harm until I went to use my car to produce goods. Had I not needed my car for several weeks I had not been deprived until I needed the car. So we

can say a person is harmfully deprived if and only if that person is currently not receiving goods that he or she would have been receiving had some event not occurred. This is clearly not sufficient to account for all our intuitions regarding harmful deprivation. Say I was leaving to walk to class, but still discover my car had been stolen. I have been harmed, because I have been deprived of my peace of mind. Knowing I had a car to use if the need arose created my peace of mind. Had Brad taken my car, filled it back up with gas, fixed the damage done by driving it, impeded any ability I had of detecting the theft, and returned the car before I awoke in the morning then I cannot be said to have been harmfully deprived. That is not to say that Brad did not show disrespect at taking my car or that he did not violate my property rights to my car, but I was not deprived by him taking the car. So a person is harmfully deprived if and only if (a) that person is currently not receiving goods that she or he would have been receiving had some event not occurred or (b) some event in the past is causing some other intrinsically bad thing (such as losing my peace of mind because someone took my car).

A danger arises with this account, because it is too broad. Say I purchase a lottery ticket and it is not a winner. Our intuition would say that my losing in this case was not a deprivation, but under my account it could be. In order to remedy this problem, I will present a limited definition of event for the purpose of this account of harmful deprivation. "Event" in this case should be read as either (a) a conscious decision was made by a human being (including a decision not to act) or (b) some physical occurrence (e.g., act of nature) that could not have been reasonably predicted occurred. This definition encompasses our intuitions about cases like an onlooker to an assault, who does not call the police. In this case the onlooker has deprived the victim, because she made a decision not to act. But it does not encompass cases such as the ignorant witness to a crime, because that person did not make a conscious decision not to intervene.

So does death harmfully deprive us? Death cannot be causing part (b) as proved in premise (1), for by the time we would be able to discover the intrinsically bad thing (death or some related thing) is occurring, we are incapable of recognizing anything. So now the question turns to (a). Please recall that death is instantaneous and that one is either alive or dead at every moment, but neither both. So when is it exactly that death has deprived its victim of some good producing thing? Say at time $t=1$ I am alive and immediately following that time I am no longer. So at every moment before and including $t=1$ I am enjoying the goods of life (the same case as premise 1). Every moment $t>1$ I am no longer, and thus there is no one who is currently not receiving some good (the same case as premise 2). No harmful deprivation has occurred because there is no subject to be deprived.

Now we turn to the Conclusion (4). Thomas Nagel attempts to develop an argument that (4) does not follow from (3). His argument is that some misfortunes (in this case harmful

deprivations) do not have temporal locations, that is they do not occur at any one point, but are attributed generically to a life or a victim. Although his cases do successfully dispute the ability to attribute some misfortunes to any specific minute instant, they do not prevent some temporal location of that misfortune. I will address each of his examples in turn.

First is the betrayal case. The first half of the objection goes out with hedonism. "Even if a [person] is betrayed by his friends, ridiculed behind [her] back, and despise by people to treat him politely to his face, none of it can be counted as a misfortune" (Nagel 4). Indeed, were any of those to entail the loss of some intrinsically good thing then they would be misfortunes. The second half is more troublesome. This case is a person betrayed after her death. This case falls subject to Premise (2) again. It is simply not the case that a person suffers a misfortune if she is betrayed after death, because there is no person to be betrayed. We could say that a legacy was destroyed and that legacy was good, but not that the person who once was was harmed by that act.

Second is the asparagus case. Nagel supposes a person who spends all of his life cheerfully pursuing communication with asparagus. Nagel argues this person experiences a misfortune because he wastes his life. Nagel is right that there is no moment at which failure or waste occurs, but we can say it occurred during the time he was working to communicate with vegetables. Suppose a slightly similar case: a woman spends her first five years after a Ph.D. attempting to communicate with asparagus (following the lead of Nagel's maniac). She then decides this is kind of unbecoming and decides to work on another problem, still harboring the goal of communication with a vegetable. By the end of her life she has successfully disproved Einstein's theory of relativity and has contributed enormous amounts to science. We cannot attribute failure or waste to her whole life, but rather just to the five years spent with asparagus. Along the same line although, Nagel's asparagus man did waste all his adult life, there was a time before he decided to communicate with asparagus. We would not say the asparagus man wasted all his life, just part. So we are able to temporally locate harm in some way in this case (i.e., the asparagus man's adulthood).

Some might say the harm is not the wasted time but the waste of a life. This intuition seems to be the same as our intuition regarding death being harmful. Why would one say a wasted life is bad above and beyond the wasted time? Perhaps because the person suffered a misfortune when they died. I don't think it is the case most people who have the intuition that failure of this sort is a misfortune would also have the intuition that failure is temporally unlocatable. Most people who would be likely to say that Mr. Asparagus suffered a misfortune by failing would also say that the misfortune occurred at the moment

of death. So this intuition is debunked with our intuitions regarding death.

Finally is the enfeeblement case. Nagel supposes a man who is, as an adult, instantaneously transformed into a fully-grown person with the intelligence of an infant. This person has suffered a misfortune. Once again we can temporally locate that time as beginning at the first moment of being a fully-grown infant until death. We would not want to say the normal adult who existed before the incident was suffering any misfortune, only the fully-grown infant. This case does not pose a problem for the defense of (3) above because in this case there is a person who is "currently not receiving goods that she or he would have been receiving had some event not occurred." Given my account we are still able to say that this full-grown infant is experiencing a misfortune while saying that death is not a misfortune.

The implication of this argument is not that we should not worry about death or not try to avoid it. Just as the person who has a good chance of finding a magic lamp should pursue finding that lamp, we should work to avoid death when possible. Also, others may be deprived when we die and it is in their interest that we continue to live. This argument does, however, present some problem for arguments regarding murder and abortion. Should any of those accounts wish to condemn such action, they must do so by constructing a theory that is not dependent on the harm suffered by the victim.

Works Cited

Feldman, Fred. "F.M. Kamm and the Mirror of Time." *Pacific Philosophical Quarterly* 71 (1990): 23-27.

Kamm, F.M. "Why is Death Bad and Worse than Pre-Natal Non-Existence?" *Pacific Philosophical Quarterly* 69 (1988): 161-164.

Marquis, Don. "Why Abortion is Immoral." *The Journal of Philosophy* 86.4 (1989): 183-202.

Nagel, Thomas. *Mortal Questions*. Cambridge: Cambridge University Press, 1979.