PART I

Dying

CHAPTER 1

Introduction

Suppose that in one hour you will utterly cease to exist. It would make no sense for you – the present you, the person reading these words – to make plans for the future you. Normally, when you look forward to your life to come, you imagine yourself carrying on with the plans you presently have for your future self, and you imagine your future self creating and launching new plans which you cannot yet know of, or acting spontaneously, perhaps simply enjoying the sun setting over the ocean. The prospect of these things to come prompts you to act now, to take some time out of your busy day to do things that will make things possible for your future self. Your future self is, after all, you. At the same time your future self is like a child whose life you are shaping now; you want your child to be happy, and to be someone of whom you can be proud, and who will think back to you fondly. Much of what you do is meaningful only if this child will thrive. Annihilation, ceasing to exist, would bring all of this planning and nurturing to an end. There would be nothing in life to look forward to – no pressing on with the things you presently take to be significant, no fresh undertakings, no future self to look after, no *you* at all.

It seems that if death means annihilation, then for most of us, most of the time, dying would be a very bad thing.

The first part of this book is a philosophical meditation about death. Perhaps death is actually a transformation by which the life with which we are familiar is followed by some sort of afterlife in which our existence is continued. In this book I do not discuss this possibility. Instead, I simply assume that death is the end of us. I try to clarify what sort of ending it is, and what significance should be attached to it. Even those who think that death is a continuation, and not an ending, can benefit from contemplating the implications of annihilation. That annihilation would be bad for them explains why it is important to live for ever: it is the only way to avoid the evil of annihilation. If, on the other hand, annihilation would

not be bad for them, the question arises as to why they value the prospect of immortality.

In dying, we are deprived of the good things we would have enjoyed had we lived on. It even precludes our regretting our loss, and our loss can be great. However, not everything death takes from us is good. It takes the bad with the good, and life can get very, very bad indeed, as anyone who suffers from the devastating loss of a loved one, or painful degenerative diseases, or the prospect of oncoming progressive dementia, is aware. In allowing us to escape these, death, it seems, can be a very good thing for us.

So perhaps death is bad for us when living on would have been good for us, and good for us when living on would have been bad for us. Most contemporary theorists who write about death defend some version of this view. It has many plausible consequences. For instance, it would be good to extend our lives significantly, if doing so permitted us to have more good life. This may well be possible, as the mechanisms behind aging are coming more clearly into view. The prospect of indefinitely extended life, under favorable conditions, is welcome indeed, in that it would make our lives as wholes – our lives from beginning to end – better.

There is another consequence of the view that the evilness of death derives from the goodness of the life death takes from us: disquiet concerning death is the other face of love for life. It would be absurd to avoid a tragic death by making our lives bad, or so mediocre we would not mind losing them, and doing this would only make our predicament far worse. We would be left with lives that are not worth living. Better to live well, and risk a tragic death.

Nevertheless there are some surprisingly persistent objections to the proposition that living well entails risking a bad death. Some of these objections were developed by philosophers in the ancient world who believed that we can live better, more tranquil lives if we rid ourselves of certain disturbing but erroneous beliefs, such as that dying might be bad for us, and certain misguided desires, such as the yearning for immortality. My own view is that these efforts, or at least the ones of which I am aware, backfire: they leave us with greatly impoverished lives. The ancient Greek philosopher Epicurus was one of the people who tried to help us by convincing us to give up the desire for immortality and the belief that death can harm us. Of course, many people (such as Socrates) have said that death is harmless because it is a portal to an afterlife in which we will continue to live well, and in that sense unreal. But that is not Epicurus' approach. For Epicurus, the difficulty is to identify a subject who is harmed by death, a clear harm that is received, and a time

the harm is incurred. Assuming, as Epicurus does, that the dead no longer exist, these tasks are daunting. According to him, death can harm the one who dies only while she is alive or later. Opting for the second answer is problematic, given the lack of a subject at that time. On the first answer, it is easy to find a subject, but far harder to see how death is bad for her.

The first part of this book, called "Dying," is largely devoted to the discussion of these Epicurean objections, but it is also an attempt to work out a general account of what is in, and what is against, a person's interests. Before these discussions can get under way, however, it is necessary to say some things about what you and I are, and what it means for us to exist. Since existing is bound up with living, this will require saying something about what life itself is. It will also require working out views of humanity and personhood. I try to provide this preparatory material in chapter 2.

There (in chapter 2) I maintain that living things include organisms and their organs and tissues. All known organisms are creatures that can maintain themselves through certain distinctive processes. These are their vital processes, and they are controlled by DNA. Conceivably, life forms might be discovered or engineered that are based on some mechanism other than DNA. Whether these will count as living beings will depend on whether the alternative mechanism is sufficiently like DNA; it would need to be a replicator with the properties necessary for it to evolve over time in the way DNA has.

Living things cease to exist when they die, as they are no longer able to maintain themselves through their vital processes. However, whether you and I exist or not depends on what we are, and on the conditions under which we persist over time. There are many ways of understanding what we are. I will discuss three; the first, which I call *animal essentialism*, is the view that we are essentially animals; the second, which I will refer to as *person essentialism*, says we are essentially self-aware beings; and the third, *mind essentialism*, is the view that we are essentially minds. Likewise, there are various accounts of our persistence conditions, including the *animalist account*, which says that we persist, over time, just when we remain the same animals; the *psychological account*, according to which our persistence hinges on our psychological attributes and the relations among them; and the *mindist account*, on which we persist just when our minds remain intact.

All of these views appear to have flaws. It is difficult indeed to give a precise and accurate account of what you and I are, and of what is required for us to persist. The animalist views explain many familiar facts

about us; for instance, we can survive the loss of a limb, and we certainly appear to be human beings, which are animals. However, there are certain thought experiments that seem to constitute decisive objections to animal essentialism and the animalist account of persistence. Transplantation is one: suppose your cerebrum was removed from your body, and surgically transferred, successfully, to another body, whose own cerebrum has been removed and destroyed. Upon completion of the operation, the surgeons wake their patient, and she (or he) says that she is you, and indeed she has your memories and personality traits. Isn't it obvious that she *is* you? Not on the animalist views. A cerebrum is not even an organ; it is part of an organ, and it seems clear that neither an organ nor its parts is an animal. Whether you survive the operation depends on what has happened to the body from which your cerebrum was taken: it might have been kept alive; a body with an intact brain stem can live for years despite the loss or death of its cerebrum, as cases of persistent vegetation, made famous by people like Nancy Cruzan and Terry Schiavo, illustrate. Animalism seems to imply that if it is still alive, it is you. Yet the patient with your cerebrum violently disagrees!

Person and mind essentialism, and the psychological and mindist accounts of persistence, are better positioned to handle the Transplantation case, but they face worries of their own. What should we say about fetuses that have yet to develop minds? Were you ever such a creature? Not if person or mind essentialism is right. Nothing that is essentially a mind or person can ever have been anything else. But the fetus is something. Let us say it is a human being. What happens to that human being when your existence as a mind or person begins? Presumably it does not cease to exist. Surely a human being will not cease to exist just because it develops a mind or a personality. So apparently person and mind essentialism suggest that there are two creatures sharing your body right now – the human being who was once a fetus, and *you*, the mind (or you, the person). Can this really be true? Worries like this make animal essentialism look much more inviting.

In chapter 3 I discuss what death is. I examine how it differs from aging, whether it must be permanent, by what signs it may be identified, and whether lives can be suspended and then revived. I also distinguish some ways in which the term 'death' is ambiguous. Chief among these is death considered as the process of dying, and death considered as the state into which the dying process puts its victim.

Some theorists say that people remain in existence after they die. This is nothing to get excited about, since the posthumous existence of which

they speak is one we spend as corpses. I say they are wrong. Being a corpse is not a way to continue our existence. But must death be permanent? We can shed light on the matter by distinguishing between reviving life and restoring it. The former happens in nature countless times a year; seeds are essentially plants whose vital processes are in suspension until April showers revive them. Also, frogs, and even human embryos, can be frozen, suspending their vital processes, and then thawed, at which time those processes begin again. So lives may be suspended then revived. Similarly, the process by which a creature dies may be suspended or reversed, as we shall see. But once the dying process has run its course, and a creature has ceased to exist, it is not possible to reverse the dying process, or to revive that creature. The restoration of life is another matter. Restoration is bringing a creature, which is dead and which no longer exists, back to life. I will suggest that restoration is conceivable, so that death need not be permanent. For you and me, death will be the irreversible cessation of the vital processes that sustain us.

Chapter 4 lays out Epicurus' reasons for claiming that neither death, nor events following death, can harm the one who dies. It also considers an argument by his follower Lucretius to the same end, namely his asymmetry argument: prenatal nonexistence is not bad for us, and is saliently identical to posthumous nonexistence, so the latter is not bad for us either. I will suggest that we have good reason to have different attitudes about prenatal nonexistence and posthumous nonexistence. Epicurus' own concerns are harder to deal with. He notes that because death marks our transition from existence to nonexistence, it is difficult to see that it, or posthumous events, can affect us at all, much less in a way that really matters. The only thing that is really harmful, Epicurus thought, is pain, whether mental or physical, but we cannot experience pain once we have ceased to exist. Of course, this argument leaves open the possibility that death could harm us at the time it occurs, but it would be remarkable if its harm were limited to any pain we receive then. Could it really be that a painless death cannot harm us?

In chapters 5 and 6 I consider replies to the challenges proffered in chapter 4. The main task in chapter 5 is to develop a theory of prudential value. We shall need to know something about what welfare consists in and how this relates to our interests. I defend the standard view, which I call comparativism. Comparativism holds that something is in our interests just when it benefits us or when it would benefit us if it occurred, and that something benefits us just when it makes our lives better than they would have been. Similarly, a thing is against our interests just when

it does or would harm us, and it harms us just when it makes our lives worse than they would have been. This analysis of our interests is compatible with a range of views about the nature of well-being.

I will sketch three analyses of welfare. Positive hedonism, the first, says that only one thing is good in itself, or intrinsically good, for us, namely our pleasure, and our pain is the sole intrinsic evil for us. According to preferentialism, what is intrinsically good for us is the pairing of two things: desiring that some state of affairs, P, hold, and P's holding; and what is intrinsically bad for us is desiring that P hold when the denial of P holds. Pluralism is the position that the things that are intrinsically good for us or bad for us are not limited to those countenanced by hedonists and preferentialists.

In the latter part of chapter 5, I look at how the competing accounts bear on the possibility of being harmed by death or posthumous events. Those who defend the harmlessness of death tend to say that harm reduces to pain; they say, roughly, that dying deprives us of the capacity for pain, and hence cannot harm us. But this is an overly narrow conception of harm. Theorists who say that death may harm us defend the idea that we are harmed when deprived of goods, not just when we are made to suffer.

Chapter 6 is devoted to leading solutions to Epicurus' timing puzzle. I also examine the presumption that things harm us *only* if there is a time at which, because of them, we are worse off than we otherwise would have been. I will argue that this presumption is false; death or a posthumous event can be bad for us even if there is no time at which we are worse off as a result of it. Because we die, our *lives* are worse than they otherwise would have been. Nevertheless, I will suggest, usually there are times when we are worse off as a result of death or a posthumous event, namely while we have the interests which dying is against, and that is while we are still alive.

In the second part of the book, called "Killing," I discuss the significance of killing. More specifically, I ask why and when killing is *prima facie* wrong due to its effects on the one killed, rather than because of any side effects it might have. Chapter 7 takes on this theoretical issue directly, whereas 8 and 9 consider whether suicide, euthanasia, or abortion is wrong.

The wrongness of killing surely has something to do with its harmfulness, so conclusions reached in the first part of the book will bear on the second. But if your death would not be bad for you, does it follow that killing you is not morally objectionable? The matter will take some careful thought. There are three widely discussed views concerning why and

when killing is objectionable. The Harm Account claims that the wrongness of killing is a matter of the harm done to the one who dies. The Consent Account says it comes down to the individual's not having competently consented to being killed. And the Subject Value Account explains killing's direct wrongness in terms of the intrinsic value of the subject who is killed. Each of these views is worth considering, and I treat them sympathetically. Of them, the Subject Value Account is probably the most popular, but it is also the most difficult to develop with any precision. Too, if we say that individuals have specific values as subjects, we are immediately confronted with puzzles such as: How many sheep together have subject value equivalent to that of one human being? If two people together have twice the subject value as one, is it permissible to kill one (who has done nothing untoward) in order to save two?

In my view the most defensible analysis is a fourth view which I call the Combined Account. Unlike the Subject Value Account, it does not say that individuals have specific values as subjects. Like the Consent Account, it says that killing competent persons is wrong just when they have not made an informed choice not to be killed. And like the Harm Account, it says that killing incompetent subjects is wrong just in case (and to the extent that) it harms them. (Throughout the book, I will use the term 'just in case' as a stylistic variant of 'if and only if.' For example, 'killing incompetent subjects is wrong just in case it harms them' is equivalent to 'killing incompetent subjects is wrong *if* it harms them and killing incompetent subjects is wrong *only if* it harms them.')

In chapter 8 I consider arguments for the view that suicide and euthanasia may not be chosen rationally and morally. It seems clear that choosing either one can be rational, if a means is available that is painless, fast, and reliable, and if living on is against our interests. But there are various complications to consider.

The best argument against the moral permissibility of suicide and euthanasia appeals to the absolutist version of the Subject Value Account, which says that human beings have a kind of value that overrides all other sorts. However, the Subject Value Account is implausible unless qualified to allow for the possibility that some killings are beneficial enough to outweigh lost subject value. For example, it needs to be adjusted in the face of the evident fact that euthanizing animals is permissible. I argue that, suitably adjusted, it must also allow for the possibility that killing people can be beneficial enough to outweigh their lost subject value. If that is correct, then suicide and euthanasia will not always be wrong. I go on to suggest that the best account of killing, the Combined Account,

supports the conclusion that suicide, assisting in suicide, and euthanasia all can be morally permissible.

Chapter 9 discusses the issue of whether, and if so why, abortion might be morally objectionable. The strongest case against abortion is that killing fetuses harms them by depriving them of lives like ours, and such harm is wrong. However, it is not so clear that the argument succeeds. Person and mind essentialists tend to reject it. They want to say that fetuses are not deprived of lives like ours. *We* were never fetuses; fetuses are some other sort of creature, with a different sort of life.

The issues in chapter 9 bring us full circle, and back to the difficult questions tackled in chapter 2, which is coming up next, concerning what life is in general, and what sort of creatures you and I are, in particular.

CHAPTER 2

Life

In the introduction to *Leviathan* (1651), Thomas Hobbes offers a view of life which is remarkably forward-looking considering that he wrote in the midst of the seventeenth century:

> Seeing life is but a motion of limbs, the beginning whereof is in some principal part within; why may we not say, that all 'automata' (engines that move themselves by springs and wheels as doth a watch) have an artificial life? For what is the 'heart,' but a 'spring'; and the 'nerves,' but so many 'strings'; and the 'joints,' but so many 'wheels,' giving motion to the whole body, such as was intended by the artificer?

Hobbes says that what lives is alive because its motion springs from within. This makes you and me, and other living things, automata. We are like pocketwatches, ticking away, passing time, rewinding at mealtimes. It also makes creating life a very simple matter; any watchmaker can do it.

Hobbes means to demystify living things by reducing them to self-movers. His idea of life is oversimplified. Nevertheless, his idea helps to illustrate an important point: to understand death we need to understanding life in some detail, since a death occurs when a life ends. If Hobbes's simple conception of life were correct, death would be an equally simple matter: we would die when our 'movements' fail, and motion ceases to come from within.

In this chapter I would like to clarify the property, *alive*. However, the task is a large one, and the issues involved are complex. I must settle for a very sketchy account of life indeed. Having provided it, I will consider a particular sort of living thing in more detail, namely the sort of creature you and I are. The question I will ask about us is: What are we? It seems obvious that we are human beings, that we are persons, and that we are conscious beings. But these different characterizations of ourselves differ in important ways, and can affect our understanding of what it is to die. Death itself I will begin to discuss in chapter 3.