

## The Time of Death's Badness

JENS JOHANSSON\*

*Uppsala University, Uppsala, Sweden*

\*Address correspondence to: Jens Johansson, Department of Philosophy, Uppsala University, Box 627, 751 26 Uppsala, Sweden. E-mail: [jens.johansson@filosofi.uu.se](mailto:jens.johansson@filosofi.uu.se)

*Those who endorse the view that death is in some cases bad for the deceased—a view that, as I shall explain, has considerable bearing on many bioethical issues—need to address the following, Epicurean question: When is death bad for the one who dies? The two most popular answers are “before death” (priorism) and “after death” (subsequentism). Part of the support for these two views consists in the idea that a third answer, “at no time” (atemporalism), makes death unsatisfyingly different from other evils. I argue that this objection is mistaken, and that priorism and subsequentism face problems that atemporalism avoids. Moreover, I argue that if it is nonetheless insisted that we must find a time at which my death is bad for me, we can appeal to periods that begin before my death and end after my death. I end with some implications for posthumous harm.*

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### I. INTRODUCTORY REMARKS

Epicurus (1940) famously argued that death cannot be bad for the one who dies. He wrote,

Become accustomed to the belief that death is nothing to us. For all good and evil consists in sensation, but death is deprivation of sensation. So death, the most terrifying of ills, is nothing to us, since as long as we exist death is not with us; but when death comes, then we do not exist. (Epicurus, *Letter to Menoeceus*, trans. Bailey 1990, 31)

Perhaps there are two arguments to be extracted from this passage. One would be the hedonistic argument that my death is not bad for me since it does not contain or lead to any painful experience of mine. This argument

is weak, however. As lots of philosophers have pointed out (Feldman, 1991; Broome, 1993), even hedonists should accept that things can be bad for me without involving pain, namely, by depriving me of pleasure. And death does this. However, the quotation also hints at a second argument, which is much less easily dealt with.<sup>1</sup> Epicurus can be read as raising the following question: If my death is bad for me, *when* is it bad for me? Hardly before I die, for then it has apparently not yet deprived me of anything; and once I die I am no longer there to be deprived. And, the Epicurean might continue, if there is no time at which my death is bad for me, it cannot be bad for me at all.

This second argument is not merely interesting in itself; it also has considerable relevance to many issues that are very familiar to readers of this journal. For instance, critics of abortion often appeal to the idea that the fetus's death is bad for her, e.g., by depriving her of a "future like ours" (Marquis, 1989). Also, note that if the Epicurean argument is correct, we should also conclude that death cannot be *good* for the deceased. But euthanasia and assisted suicide, for instance, are often supported on precisely the grounds that death, in many of the relevant cases, can be expected to be good for the person. Such arguments will have to be abandoned or significantly revised if the Epicurean argument turns out to be successful.

The Epicurean argument has also bearing on the possibility of so-called posthumous harms, i.e., events that occur after the person's death and yet are bad for her.<sup>2</sup> For it is no easier to see how posthumous events can deprive me of a higher well-being level at a time than to see how death itself can do this. Thus, if the Epicurean argument goes through, it seems that we should say goodbye to, for example, the idea that a person who wants us not to remove her organs after her death will be harmed if we nonetheless do that. In this way, the argument might be taken to speak in favor of such policies. On the other hand, of course, the Epicurean argument, if successful, would also undermine one kind of defense of them: namely, that a person who wants us to make use of her organs after her death will be benefited if we respect that preference.

Two lines of response to the Epicurean argument are especially fashionable: *priorism*, the view that death is bad for its victim *before* it occurs (Feinberg, 1984; Pitcher, 1984; Li, 1999; Luper, 2007, 2009b),<sup>3</sup> and *subsequentism*, the view that death is bad for the person *after* it occurs (Feit, 2002; Bradley, 2004, 2009, 2010; Grey, 1999).<sup>4</sup> A less popular strategy is to hold that death is bad for the deceased without being bad for her at any time; let us call this position *atemporalism* (Broome, 2004, 237; Draper, 2004, 104).<sup>5</sup> Atemporalism is often claimed to make death unsatisfyingly different from other evils. Illnesses and injuries, for instance, seem to be bad for the subject at certain times; claiming that death's badness belongs to a different category allegedly gives us a problematically disunified account of badness.

I shall argue, however, that this objection is mistaken (Section III), and that priorism and subsequentism face problems that atemporalism easily

avoids (Sections IV and V). Moreover, I want to suggest (Section VI) that if it is nevertheless insisted that we must find a time at which my death is bad for me, we can appeal to *periods* that begin before my death and end after my death, though not to moments *within* those periods. I consider that view a friendly amendment to atemporalism. I end with some lessons regarding posthumous harm (Section VII).

## II. SOME BACKGROUND

Before we proceed, though, I should make some additional clarifications and stage setting.

First, no one holds that death is *intrinsically* bad—i.e., bad in itself—for its victim. What anti-Epicureans typically maintain is that a person's death is *overall* bad for her to the extent that she would have been all things considered better off if she had not died. More precisely, they appeal to the “deprivation approach,” which is often stated in something like this way:

(DA) The overall value of event E, for person S, at possible world  $w$  = the intrinsic value of  $w$  for S, minus the intrinsic value for S of the closest possible world to  $w$ ,  $w^*$ , where E does not occur.<sup>6</sup>

The talk about the value of a world for someone may seem mysterious to some people, but it is just a useful way of talking about how well things go for the person in that world. (And to talk of a possible world is, in this context, just to talk about a total way that things might have been.)

How we calculate the intrinsic value of a world for someone depends on what theory of well-being—i.e., what theory of what is intrinsically good for an individual—we endorse. For instance, hedonists will specify the intrinsic value for me of a world in terms of my receipt of pleasure and pain there; preferentists will instead appeal to fulfillment and frustration<sup>7</sup> of my desires.<sup>8</sup>

Second, as the appeal to the deprivation approach makes clear, note that anti-Epicureans are not claiming that death is bad for the deceased in *all* cases. The value of a death depends on the circumstances. In some cases, it is good for a person to die (for instance, perhaps, in a situation where death prevents a terminally ill patient's continued suffering); in others, it is neutral (for instance, perhaps, in a situation where death ends the life of someone who is in a permanent coma).

Third, in this context, the term “death” refers to the particular event of a person's death (or, if you like, the fact that she dies at a certain time). Hence, when we consider what would have happened if her death had not occurred, we do not have in mind a scenario where she is immortal, but one in which she dies at some other point—later, presumably.

Fourth, Epicurus accepted the “Termination Thesis”: the view that we cease to exist when we die.<sup>9</sup> Someone might think that my death is bad for

me after my death because it causes me posthumous pain (for example, in Hell), or because I will continue to exist after death with a well-being level of zero (for example, as a corpse). But, I am inclined to think that we do cease to exist at death<sup>10</sup>—and in any case, we should try to find an answer to Epicurus that does not rely on a denial of the Termination Thesis.

Fifth, sometimes our issue is discussed together with the question, “Who is the subject of death’s badness?”; and they’re discussed as if they were two different challenges that confront the anti-Epicurean (Lamont, 1998; Luper, 2007). It is asked, “Is the subject the ‘antemortem’ person, or the ‘post-mortem’ person—for instance, the corpse?” This is puzzling. We are wondering whether my death is bad for *me* (and, if so, when). Hence, the subject has to be *me*. If we use the term “the antemortem person,” what else could we be talking about than the person as she is before her death? To say that death is bad for the antemortem person seems merely to be an obscure way of asserting priorism. (Compare: if we say that my teenage self liked jazz music, what we mean is that I liked jazz music when I was a teenager.) At any rate, if the anti-Epicurean can satisfactorily answer the question, “When is death bad for the one who dies?,” there will be no remaining difficulty about who the subject is.

Sixth, there is still an ambiguity in our question. Recall that (DA) takes the claim that my death is bad for me to amount to a certain claim about the intrinsic values for me of two entire possible worlds. Given this view, it might be natural to regard our question as equivalent to

- (A) When is the intrinsic value for *S* of *w* (in its entirety) lower than the intrinsic value for *S* of *w\** (in its entirety)?

The answer to (A) seems to be “at all times,” or perhaps “at no time,” because the total amounts of intrinsic goods and bads—e.g., pleasures and pains—received by the subject in the two worlds can hardly vary over time.<sup>11</sup> However, the Epicurean will rightly point out that there is another, more challenging interpretation of our question:

- (B) When is *S* intrinsically worse off in *w* than *S* is at those times in *w\**? (That is: At which times is the person’s well-being level lower than it would have been then if her death had not occurred?)

It is *this* question that the theories to be considered below—i.e., atemporalism, priorism, and subsequentism—should be taken to be addressing. (It is important to note, here and in what follows, that the talk of being “intrinsically worse off” is not intended to suggest that a person’s well-being level must be determined solely by *her own* intrinsic features. Rather, how intrinsically well off a person is depends on her receipt of things that are intrinsically good and bad for her, i.e., good and bad in themselves for her, such as pleasures and pains, or desire fulfillments and desire frustrations.)

## III. IS DEATH TIMELESSLY BAD?

According to atemporalism, there is no time at which I am intrinsically worse off than I would have been if it were not for my death. But, atemporalists say, Epicureans are wrong to conclude from this that death is not bad for me.

Atemporalism is often held to be unsatisfactory for the following reason (Feit, 2002, 361; Bradley, 2004, 2009, 74–78). Other things that are bad for us make us worse off at certain times. And, the objection goes, we should have a *uniform* account of overall evil. Hence, it is unappealing to claim that death, unlike other evils, is bad for the subject without being bad for her at times. Otherwise we only strengthen the Epicurean suspicion that death is not bad for us in the ordinary way. As Chris Belshaw puts it, we have no reason to think that some evils, unlike others, “slip through the calendar” (Belshaw, 2009, 80). Compare, say the anti-atemporalists, with an ordinary harm, such as a toe-stubbing. When is it bad for me? The answer is simple: when I am less well off than I would otherwise have been (in this case, presumably when the toe hurts). Or imagine that I am put in a coma tomorrow. Assuming that I would have been happy tomorrow if I had not been in a coma then, then it is bad for me tomorrow. Death, anti-atemporalists insist, seems a lot like toe-stubbing and comas—in that it deprives us of a better scenario—so it should belong to the same category, timeful evils.

This charge seems to me to be mistaken. Recall:

(DA) The overall value of event E, for person S, at possible world  $w$  = the intrinsic value of  $w$  for S, minus the intrinsic value for S of the closest possible world to  $w$ ,  $w^*$ , where E does not occur.

(DA) is a uniform account of overall value, including overall bads. And atemporalists are no less entitled to it than other anti-Epicureans are. The critics are right that it would be undesirable to claim that death is bad for another *reason* than other bad things: that what *makes* death bad is something other than what makes toe-stubbings and comas bad. (Suppose for example that someone said that death is bad by depriving us of pleasure, whereas all other things are bad by virtue of causing pain.) But the atemporalist is not committed to such a view: death, she should say, is covered by *exactly the same* general theory of overall badness—namely, (DA)—as other evils. Note that I am not claiming that other evils, such as toe-stubbings and comas, are atemporally bad, too. They do make the subject worse off at times. The point is rather that the same general account of badness holds both for those cases and for death.

However, the anti-atemporalist might put forward another version of the uniformity objection. It may be suggested that atemporalism implies that one and the same relation—the “x is bad for y” relation—holds at certain times in other cases but atemporally in the case of death. That may be like saying,

absurdly, that I dislike other things than death at times, but dislike death without doing this at a time.

But this version of the objection seems answerable as well. Again, we must clearly distinguish questions (A) and (B):

- (A) When is the intrinsic value for S of  $w$  (in its entirety) lower than the intrinsic value for S of  $w^*$  (in its entirety)?
- (B) When is S intrinsically worse off in  $w$  than S is at those times in  $w^*$ ? (That is: At which times is the person's well-being level lower than it would have been then if her death had not occurred?)

Given the deprivation approach, (A) concerns the relation "x is overall bad for y." That relation holds atemporally, or perhaps eternally (i.e., at all times whatsoever), in *all* cases: deaths, toe-stubbings, comas, etc. For the total amounts of intrinsic goods and bads—e.g., pleasures and pains—received by the subject in the relevant worlds cannot vary over time. Question (B), on the other hand, we might say, concerns the relation "x makes y intrinsically worse off now." In the toe-stubbing case, and in the coma case, this holds relative to certain times: these evils affect the subject's well-being at particular times. However, according to atemporalism this relation holds *not at all* in the case of death: not at times, and not atemporally. Hence, contrary to the objection, we are dealing with two crucially different relations; and for neither of them is it true that it holds atemporally in the case of death and at times in other cases.

But this may be taken to invite yet another version of the uniformity objection. Consider the principle that anything that is *overall* bad for a person makes her worse off *at a time*. Atemporalists must say that nearly all evils—e.g., toe-stubbings and comas—satisfy this principle, but that death does not. And this, the anti-atemporalist could urge, is an objectionable asymmetry.

As I see it, it is not. Since death, unlike most other evils, makes life shorter, it is not problematic that death is different in *some* ways that have to do with time (cf. Broome, 2004, 237–38). The atemporalist can give an excellent explanation of the difference. She should say that the reason that my death deprives me of goods without making me worse off at a time is simply that I no longer exist when these goods would have occurred. It would perhaps be objectionable to claim that some things that *do not affect the length of the subject's life* can be bad for her without making her worse off at any time. Perhaps such evils have to "show up" somewhere in her life. But, obviously enough, death does affect the length of the person's life.

Furthermore, it is hard to see that atemporalism implies an asymmetry that is more objectionable than those that its rivals are committed to. Subsequentists, for example, must accept that ordinary evils, unlike death, bring about that there are moments when I am alive and intrinsically worse off than I would otherwise have been. Other evils cause me to exist in a "deprived state," as we might put it; death does not. Some might complain

that the subsequentist, in admitting this difference between death and other evils, concedes too much to the Epicurean. The subsequentist should reply that, since death shortens my life, this difference is unproblematic (and does not prevent us from saying that what *makes* the bad thing bad is the same in all cases). But then the atemporalist could say this as well. Also, as we will see in the next section, priorism also seems to lead to a striking (and worse) asymmetry between death and other evils.

Perhaps some find atemporalism unpromising because they think it makes death's badness independent of facts about times: that it somehow makes death's badness detached from concrete reality. However, the atemporalist is fully entitled to claim that death's badness depends on facts about particular times. She has no reason to deny, for example, that there are times after my death at which I would have been intrinsically well off (e.g., by having a surplus of pleasure over pain) if I had not died, and that this is part of what makes my death bad for me. (Of course, the atemporalist denies that I am *worse* off at those times than I would otherwise have been. As I just suggested, however, it is hard to see why this should be regarded as a problem for the view, given that death affects the length of my life.)

Some may look unfavorably on atemporalism because they think it implies that, though my death is bad for me, I am nonetheless just as well off at all times in the entire world history as I would have been if my death had not occurred. But the atemporalist is not committed to that claim. She should say that, after my death, I will not occupy any well-being level at all and thus will not be as well off then as if I had not died (see the discussion of subsequentism below in Section V).

#### IV. IS DEATH BAD BEFORE IT HAPPENS?

Further reason to be an atemporalist is provided by some problems with priorism and subsequentism, problems that leave atemporalism unscathed.

According to priorism, a person's death is bad for her before it happens. Priorism has one important virtue. In contrast with subsequentists, priorists do not have to address the embarrassing question of how a person can have a well-being level when she does not exist. Obviously, lots of things can be bad for a person while she is still alive; priorists just ask us to add death to the list of such things.

At first sight, priorism may seem to presuppose backwards causation. But the idea is rather that interests that I have while I am alive are unfulfilled because of my death. In a recent defense of priorism, Steven Luper writes,

The fact that tomorrow we shall lack various goods, which is made true today by events that will not occur until tomorrow [e.g., death], may be against our present interest in having those goods tomorrow, so that our well-being today is lower than it might have been. (Luper, 2007, 248)

However, the view has other drawbacks. To begin with, priorism seems difficult to combine with hedonism. Suppose I die tomorrow at 3 p.m. It is not plausible to hold that, if it were not for my death, I would have received a different amount of pleasure and pain before 3 p.m. tomorrow than I in fact do. Of course, it may be suggested that, if I had not died tomorrow at 3 p.m., it would be *true now* that I *will* experience pleasure after 3 p.m. tomorrow. But, since this does not affect how much pleasure and pain I receive now, I doubt whether any hedonist would be willing to say that this has any bearing on which well-being level I occupy *now*. (Furthermore, the present suggestion threatens to collapse into eternalism. For if it would be true *now* that I experience pleasure after 3 p.m. tomorrow, it would arguably be true at all other times as well.)

This should trouble the priorist, for hedonism is one of the most promising theories of well-being.<sup>12</sup> It is also particularly unfortunate in the present context to have to reject it. For hedonism is often taken to be maximally hostile to the idea that death is an evil. As several philosophers have pointed out, it is interesting to see if we can respond to Epicurus without questioning his hedonistic assumptions (Feldman, 1991, 1992, 147; Broome, 1993; Bradley, 2004, 5). That project seems pretty hopeless given priorism.

Priorism sits better with preferentism, according to which it is fulfillment of my (intrinsic) desires that is intrinsically good for me (and frustration thereof is intrinsically bad for me). I desire something about the future today, such as my meeting a friend at 4 p.m. tomorrow. If I die at 3 p.m. tomorrow, death deprives me of the fulfillment of that desire. My desire, which is unfulfilled because of my death, exists today. This may make it seem plausible that my death is bad for me today.

There is a noteworthy limit to this line of thought. Imagine that my death does not deprive me of the fulfillment of any desires that I have while I am alive, but that, if I had not died, I would in the future have developed certain other desires, and these desires would have been fulfilled. Suppose also that there would be no corresponding amount of desire frustration. A follower of the deprivation approach should say that my death is bad for me in such a case. But it does not prevent the fulfillment of any desires that I have while I am alive. Naturally, this consideration does not establish that priorism does not hold for other, more ordinary deaths. But it does weaken the priorist's dialectical position, because many general objections to rival views now become unavailable to her. For instance, she cannot *both* reject as absurd subsequentism's implication that I can have a well-being level when I no longer exist *and* nonetheless be a subsequentist—and hence be committed to that very implication—about the kind of case just described.

A further problem for priorism is that, in ordinary cases that do not involve death, it is intuitively unattractive to say that how well off I am at a particular time depends on anything else than the intrinsic features of that time (cf.



Velleman, 1991, 340; Bradley, 2009, 27, 87). If right now I desire that I eat breakfast tomorrow, and I do eat breakfast tomorrow, this may well be good for me. But my eating breakfast tomorrow still does not seem to affect my well-being level *now*. The main reason for this is not that my eating breakfast tomorrow does not cause any of today's events. Nor is the main reason that *my* present intrinsic features are unaffected by my eating breakfast tomorrow. More important is the fact that it is not intrinsic to the present moment whether my desire to eat breakfast tomorrow is fulfilled (just as, in the example I gave regarding hedonism, it is not intrinsic to the present moment whether I am going to feel pleasure tomorrow after 3 p.m.). This explains the oddity of answering the question, "How are you today?" with "I don't really know; we have to wait and see—perhaps many years."

This is the natural way to regard ordinary, non-death situations. And, unfortunately for the priorist, there seems to be no good reason to treat differently cases where death is involved. I do not dispute that my death at 3 p.m. tomorrow ensures that my present desire to meet my friend at 4 p.m. tomorrow is frustrated. And I do not dispute that this may contribute to my death's badness. But, since it is not intrinsic to the present moment that my desire is frustrated (its being frustrated depends on what happens tomorrow at 4 p.m.), we still should not say that I am worse off *now* because of my death.

These problems, it seems to me, make priorism dubious. At any rate, it is a virtue of atemporalism that it is not afflicted by them.

## V. IS DEATH BAD AFTER IT HAPPENS?

Subsequentists contend that death is bad for the deceased after it occurs. We can focus on the most promising version of subsequentism: Bradley's (2004, 2009, 2010).<sup>13</sup>

Let us make sure we understand the view. Suppose there are times after my death at which I would have been intrinsically well off if I had not died. (Bradley endorses hedonism, so according to him these are the times at which I would have had a surplus of pleasure over pain.) Then my death is bad for me at those times, Bradley claims. For, after death, I have *zero* well-being, he says. Someone might object: "But we cease to exist at death. And does not a person have to exist in order to have zero well-being? More generally, does not an object have to exist in order to exemplify properties and relations?" Yes; but Bradley does not deny any of this. He subscribes to "eternalism" about time, according to which past and future objects exist, no less than present things do. So, although a dead person does not exist *now*, she *exists* nonetheless, just as something can exist without existing *here*.<sup>14</sup> And if an object exists, it can (and does) exemplify properties and relations at a time without existing then.

Still, Bradley's view is intuitively unattractive. For one thing, the idea that people have zero well-being at times when they do not exist implies that, at a time long after all sentient beings have ceased to exist, there is *perfect equality* (because all people—for instance, you, me, Plato, and the people of the 22nd century—will be at the same well-being level then). But even an egalitarian, who thinks that equality is intrinsically good, should find it awkward to say that that state of the world—after all sentient creatures have ceased to exist—is intrinsically good. Of course, it is possible to use this point as an objection to egalitarianism rather than subsequentism. But I do not think it should be *this* easy to refute egalitarianism.<sup>15</sup> The subsequentist might try to avoid the problem by claiming that the well-being level at a time of people who do not exist at that time is evaluatively irrelevant. But then it is hard to see why it should be used to account for the evil of death.

Plausibly, someone who *never* exists never has any well-being level at all; for a never existing object apparently does not exemplify any properties or relations. This creates a further problem for subsequentism. As suggested in the discussion of priorism, how well off someone is at a certain time only seems to depend on the intrinsic features of that time. Now consider a time at which I do not exist—for instance, the year 2099. On Bradley's view, my well-being level will be zero in 2099. But this does not depend solely on the intrinsic features of 2099, because it depends on whether there are times when I exist (e.g., the present time). Again, if I never exist, I do not have zero well-being in 2099.<sup>16</sup>

Here is a related worry, which Bradley (2009, 104) addresses. My shoe never seems to occupy any well-being level at all, including zero. (I am not better off than it is, just as I am not richer than it.) But if, as subsequentism claims, even a dead and hence *no longer existing* person has a well-being level, how are we to resist the idea that the shoe has that as well? Bradley suggests that the difference is that there is no possible world at which there is a time when the shoe has a positive or negative well-being level, whereas there is such a world (e.g., the actual world) in the dead person's case. But this kind of view seems to me contrary to the spirit of hedonism, the account of well-being that Bradley himself endorses.<sup>17</sup> A hedonist should say that my well-being level at a certain time solely depends on the intrinsic qualities of my mental states at that time. It does not depend on whether others speak badly of me behind my back, or whether my beliefs about the world are correct, for instance. And nor should it depend on what goes on at other times in this or any other possible world. But on Bradley's view, it does. There is no difference between a dead person and a shoe in terms of their current mental states (neither of them has any); yet on Bradley's view the dead person has a well-being level now, whereas the shoe does not.

These problems arise because of the subsequentist contention that we have a well-being level when we do not exist. Atemporalism rejects that contention. So, the problems leave atemporalism untouched.

However, it may be claimed that they have to be solved somehow, since there is a natural line of thought leading to subsequentism. It might be suggested that if we recall *why* my death is bad for me, then we should be drawn to subsequentism. We started with the idea that my death is bad for me (that is what Epicurus was attacking). *Why* is it bad for me? Because it deprives me of goods. When would these goods have obtained? At times after my actual death. Since these times are responsible for my death's badness, it may be held, we must say that my death is bad for me at those times.

This line of thought seems to me to be mistaken. At least, adherents of (DA) should reject it. On (DA), what makes my death bad for me is that my *total* receipt of intrinsic value would have been larger if I had not died. The mere fact that my death deprives me of some goods does not imply that my death is bad for me. For example, if I die tomorrow at 3 p.m., and my death deprives me of a very happy tomorrow evening, this does not make my death bad for me. We also have to take into consideration how my death affects all *other* times. (For instance, if it were to save me from 50 years of excruciating suffering, beginning the day after tomorrow, it would most likely not be bad for me, but very good for me.) Thus, the appeal to why death is bad does not support subsequentism after all. Rather, one time that *is* responsible for my death's being bad for me is the "whole of time," so to speak—the combination or fusion of all moments whatsoever (past, present, and future). For it is what goes on at that very long, perhaps infinitely long, time—in combination with what would have gone on then had I not died—that does account for the actual world being intrinsically worse for me than the one where I live longer.

## VI. FUSIONS AND MOMENTS

And if someone insists that we should offer a time at which I am worse off because of my death, I think this appeal to fusions of moments is superior to priorism and subsequentism. We can be atemporalists about *moments*, but, in addition, accept that death is bad at *fusions*, if we appeal to fusions that begin while I am alive and end after my death.

Naturally, in order to meet the "well-being of the dead" difficulty—the problem that the dead do not seem to occupy a well-being level at all—we do not need times as comprehensive as the one just mentioned (the "whole of time"). Consider the time that my entire life would take up if my death had not occurred. For instance, if I die tomorrow at 3 p.m. but would have lived happily to 80 if my death had not occurred, consider the period of those 80 years. I am worse off then than I would have been were it not for my death. I receive a smaller amount of intrinsic value then.

Of course, I am not intrinsically worse off at those times in this fusion at which I do not exist. And there are such times: all moments in the last

decades of that 80-year period, for instance. But note that I have not claimed that death is bad for me at any moment in the period; I have not said I am worse off at any moment. I do not seem to have to exist at all times included in fusion in order to exist at that fusion; it is enough to exist at some time included in it. Compare: I existed in the 20th century even though I was born much later than the year 1900. Or compare with space: I do not have to occupy all places in Europe in order to be in Europe. I am literally in Europe, but obviously, I do not take up all of Europe.

Take the last 10 years of the 80-year period. Suppose those years would have been happy if I had lived then. Bradley, for example, would say that my death is therefore bad for me at that period—that my well-being level is lower than it would otherwise have been. But, as I have argued, since I do not exist then, I do not have a well-being level at that time. Yet, there is a clear sense in which I do exist at the 80-year period, for there are times within that longer period at which I exist.

The period of 80 years is just one example, of course. There are many fusions that are worse for me than they would have been if my death had not occurred. Just take any fusion of times you like—including fusions whose parts are very scattered (e.g., the fusion of 1189 and July 4, 2044)—and see whether I receive a smaller amount of intrinsic value than I would have done then if I had not died. If I do, it seems reasonable to say that my death is bad for me at that fusion.

Only *parts* of such a fusion are located before my death—so this view is not a form of priorism. Only *parts* of such a fusion are located after my death—so it is not a form of subsequentism. Also, since fusions of times are times themselves, the view is not compatible with full throttle atemporalism. Thus, “fusionism,” as we might call this view, is an alternative to the other answers to Epicurus.<sup>18</sup> Yet, since it can be combined with atemporalism about *moments*, I consider it a friendly amendment to ordinary atemporalism.

On this view, there is a fusion at which I am worse off than I would have been at that fusion if it were not for death; yet there is no moment within the fusion at which I am worse off. Isn't this inconsistent with the plausible idea that how well off I am at a fusion is determined by my well-being levels at the moments that make up the fusion? No. It is just that some moments will contribute no well-being level at all, including zero, since I do not exist at them (and this is why I am not worse off at them). An analogy might be helpful. My overall financial status at the 20th century is, arguably, determined by my financial statuses at the times within the 20th century. This is not precluded by the fact that there are many times during that century at which I do not exist and at which I therefore fail to occupy any financial status at all.

I am not saying that the anti-Epicurean *needs* fusionism; I am just saying that it happens to be true that there is a sense in which my death is bad for

me at a fusion. Of course, fusionism does not alter the fact that death, unlike most ordinary evils, does not affect to my well-being while I am alive. But as I have said (Section III), this difference should not trouble us, since death is still covered by the same general account as other overall evils: the deprivation approach.

## VII. POSTHUMOUS HARM

Let me conclude with some remarks on posthumous harm, remarks that, of course, to a large extent draw on the above discussion.

There is no posthumous harm if hedonism is correct. Anything that happens after my death will fail to make a difference to my receipt of pleasure and pain. Admittedly, if I now strongly dislike the thought of my organs being removed after my death, and now believe that this is exactly what is going to happen, then my belief probably makes me feel worse now than I would have done without it. Naturally, though, my belief is not posthumous—I am still alive—and hence fails to constitute a posthumous harm. And my having this belief right now is independent of what you are going to do with my body in the future. Perhaps some people have been led to the Epicurean view that my death is not bad for me because they have not clearly distinguished it from the rejection of posthumous harm—a rejection that is very plausible given hedonism.<sup>19</sup>

I cannot here settle the controversial question of whether preferentists should believe in posthumous harms.<sup>20</sup> However, the foregoing discussion of the time of the evil of death suggests that, *if* preferentists are to accept posthumous harms, they should not be priorists or subsequentists about such harms. Suppose that I desire you not to remove my organs after death, but that you are nonetheless going to do precisely that. As in the case of the evil of death, my belief's being frustrated is not intrinsic to the present moment. So, if I was on the right track in Section IV, the preferentist should not say that your future action makes me worse off *now* than I would otherwise have been *now*. Also, if I was on the right track in Section V, removing my organs will not make me worse off *after* my death, for then I do not have any well-being at all (including zero). Rather, if I was on the right track in Section III, the preferentist could embrace the atemporalist view that your future action is bad for me without making me worse off at any moment. And, if I was on the right track in Section VI, the preferentist could add that your action makes me worse off at periods that contain both the present time (when I have the desire) and the time of your action (the action that frustrates my desire). Clearly, the objection to priorism does not apply to this view; for it is intrinsic to such a period—though not to the present moment—that you do perform that action.

## NOTES

1. For a defense of the second argument, see [Hershenov \(2007\)](#).
2. [Feinberg \(1984\)](#) and [Pitcher \(1984\)](#) provide famous defenses of posthumous harm. For some good, more recent discussions, see [Belshaw \(2009, 127–52\)](#), [Luper \(2004\)](#), and [Taylor \(2005, 2008\)](#).
3. The label is taken from [Luper \(2009a\)](#).
4. This label also is from [Luper \(2009a\)](#).
5. This view is often attributed to [Nagel \(1970\)](#), but that attribution is questionable: see, e.g., [Grey \(1999, 362–63\)](#). A further view is “concurrentism,” which states that death is bad at the time it occurs: see [Lamont \(1998\)](#). It will not be discussed here. For criticism, see [Bradley \(2009, 86–87\)](#), [Grey \(1999\)](#), and [Li \(1999\)](#). Fred Feldman says that death is eternally (i.e., at all times) bad for its victim. But it seems that his view addresses a different question than the others; see the distinction between questions (A) and (B) in Section II.
6. See, e.g., [Bradley \(2009, 50\)](#), [Broome \(1993\)](#), [Feit \(2002, 368\)](#), and [Feldman \(1991, 1992, 138\)](#). Not all these authors subscribe to (DA) exactly as it stands, but the differences will not matter here.
7. If I desire *p*, this desire is fulfilled if *p* is true, and frustrated if *p* is false.
8. I shall focus on these two theories of well-being, partly because they are the ones usually appealed to in the debate of the time of death's badness. Some more complex theories, such as the view that the overall structure of my life contributes to its value for me ([Velleman, 1991](#)), seem to favor atemporalism over priorism and subsequentism. But as my main points do not require such theories, I will not appeal to them. For the same reason, I will not enter into the discussion of whether preferentists should disregard certain kinds of desires (e.g., irrational ones, or those that do not concern the person's own life).
9. The name is from [Feldman \(1992, 89\)](#).
10. I defend this claim in Chapter 3 of my doctoral dissertation: [Johansson \(2005\)](#).
11. [Feldman \(1991, 221, 1992, 154\)](#) seems to interpret our question in this way.
12. See for example, the defenses in [Bradley \(2009\)](#) and [Feldman \(2004\)](#).
13. The main subsequentist rival is [Feit's \(2002\)](#) version. My main objections to Bradley's approach seem to apply to Feit's as well.
14. More perspicuously, perhaps (and this is how Bradley himself puts it in his 2009): a dead person is not *located at* the present time, but exists nonetheless, just as something can exist without being located *here*.
15. For a related argument against a different view, see [Bykvist \(2007, 344–45\)](#).
16. See [Johansson \(2010\)](#) for more on this issue.
17. Thanks to Kevin Kinghorn for discussion of this point.
18. Someone might worry that when people ask when death is bad for the deceased, what they want to know is:  
(C) At which *moments* is *S* intrinsically worse off in *w* than *S* is at those *moments* in *w*?  
In that case, the appeal to fusions would be beside the point. But this is not so. For example, Bradley also explicitly recognizes periods at which things can be bad for me—periods that do not contain any moments at which I am worse off. This is his reply to an argument for atemporalism, an argument that appeals to indeterminate counterfactuals. See [Bradley \(2004, 10, 2009, 91–92\)](#).
19. For example, [Li \(2002, 64\)](#) says, “In fact, these two claims (i.e., that death can be bad for the deceased and that posthumous events can be bad for the deceased) are so related that we are obliged either to affirm both or to deny both.”
20. For a recent defense of the view that they should not, see [Portmore \(2007\)](#).

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