Don’t Fear the Reaper:  
An Epicurean Answer to Puzzles About Death and Injustice  

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Abstract  
I begin by sketching the Epicurean position on death - that it cannot be bad for the one who dies because she no longer exists - which has struck many people as specious. However, alternative views must specify who is wronged by death (the dead person?), what is the harm (suffering?), and when does the harm take place (before death, when you’re not dead yet, or after death, when you’re not around any more?). In the second section I outline the most sophisticated anti-Epicurean view, the deprivation account, according to which someone who dies is harmed to the extent that the death has deprived her of goods she would otherwise have had. In the third section I argue that deprivation accounts that use the philosophical tool of possible worlds have the counterintuitive implication that we are harmed in the actual world because counterfactual versions of us lead fantastic lives in other possible worlds. In the final section I outline a neo-Epicurean position that explains how one can be wronged by being killed without being harmed by death and how it is possible to defend intuitions about injustice without problematic appeal to possible worlds.  

Key Words  
Death, Deprivation, Possible Worlds, Epicurus, Nagel, Silverstein, Feldman, McMahan.  

1. Introduction  
First, let me clarify that when I talk about death in this paper, I mean the state of being dead. None of what I say should be taken to apply to dying (which Epicureans can certainly concede to be harmful) or death as a moment, whereby one can debate whose death is better, Joan of Arc’s or Elvis’s (Joan of Arc’s was painful but heroic, while Elvis’s was quick, but, all things being equal, one wants to avoid any chance of the phrase “straining at stool” appearing on one’s death certificate).  

Next, a disclaimer: I am not an Epicurus scholar. When I talk about the Epicurean position, I will not attempt to argue that this is precisely what Epicurus said or even what he meant. With that in mind, as I take it, the Epicurean position on death is essentially as follows:  
1. The only way one can be harmed is if one experiences suffering.  
2. It is impossible to experience suffering when one does not exist.  
3. When one becomes dead, one ceases to exist.  
4. Therefore, one is not harmed by being dead.
To put it succinctly: death won’t be bad for me because I won’t be around. As Epicurus’s follower Lucretius pointed out, we don’t lament the time of our non-existence before our births, so we should no more fear the time of our non-existence after our deaths. That is not, of course, to say that Epicureans deny that my death will be bad for other people. It is my fervent hope that upon my death the wailing and gnashing of teeth of my surviving great great-grandchildren will be heard across the land. (Of course, this hope in itself is probably as irrational as a fear of death, but even philosophers should be allowed occasional lapses.)

I find this Epicurean reasoning about death very compelling, but I must concede that it has counterintuitive implications, not least of which is that it appears to suggest that attempted murder is worse for the victim than successful murder. If only Caesar hadn’t had time to say “et tu, Brute” he would’ve been fine.

However, even if the Epicurean view has these implications, they are not sufficient to constitute a reductio of the position if the argument for it cannot be faulted. And, as we shall see, it is not clear that alternative views fare any better in the strange consequences department.

The Epicurean position has been met with much snorting and sputtering. As Steven Luper-Foy writes:

Epicurus’s famous argument...is about as absurd as any I have seen...The self-deception of people like Epicurus is not conscious; we cannot relieve our anxiety by swallowing beliefs of whose inanity we are aware. But deception is nonetheless at work.

One is reminded of David Lewis’s comment about criticisms of his views, that it is hard to argue with an incredulous stare. Of course, the critics offer alternatives, most of which fall under what Harry Silverstein has called “the standard argument” or what Fred Feldman calls “the deprivation approach.” In what follows I will consider some of the better-known versions of this approach and explain why I think each is unsatisfactory. I shall conclude by attempting to explain away the more counterintuitive implications of the Epicurean position.

2. The Deprivation Approach

Let us make clear the common ground between the Epicureans and the anti-Epicureans. First, we will assume, as writers on this subject typically do, that death marks the end of all experience. That is not to rule out by fiat the possibility of a so-called afterlife, just to deny that it happens during death. Better to say that those who believe in an afterlife in
fact believe in immortality and deny that death happens. (They needn’t deny the death of the body, just that the person dies along with it.) With that understanding of death, very few people deny the third Epicurean premise, which Fred Feldman dubs the termination thesis, that we cease to exist at death. Feldman himself is one who does deny it, but not in a way that gives much solace to those approaching death. Although he calls himself a “survivalist” to distinguish himself from so-called “terminators” who accept the claim, Feldman’s position is a mixed bag. I quote:

The good news is that most of us will survive death. Most of us will continue to exist after we die. The bad news is that though we will survive death, and will continue to exist after we die, each of us will then be dead… We will just be corpses.4

In something of an understatement he concedes, “such survival may be of very little value.” Feldman’s position follows from his view that we are our bodies, and while that view has some advantages (for example, it makes sense of statements like “we’re burying Aunt Ethel today”), it does not really capture what we care about. So I will assume the termination thesis in what follows. Even if one did not, however, one would still be forced to accept premise 2, which is as uncontroversial as any claim in philosophy can be.

That leaves premise 1 as the only weak spot in the Epicurean argument, and it is indeed on this that the critics focus. Of Epicurus’s contemporary critics, undoubtedly the most well-known is Thomas Nagel, who points out its implications:

It means that even if a man is betrayed by his friends, ridiculed behind his back, and despised by people who treat him politely to his face, none of it can be counted as a misfortune for him so long as he does not suffer as a result.5

Nagel implies the plausible claim that being ridiculed against one’s knowledge is an example of harm without suffering. Although I will not challenge this claim here I am not sure I find it fully convincing. I am inclined to say that those who ridicule or betray their friends wrong them even if they do not harm them. I shall return to this below, but notice that Nagel’s examples of harm are all inflicted by other persons – that is, exactly the kind of beings that can inflict wrongs. But death itself (that is, the state of being dead, not the titular Grim Reaper) cannot betray or
ridicule one, so Nagel’s analogy is flawed. It remains to specify exactly what the harm of being dead consists in.

Nagel’s answer is what gives the deprivation approach its name: one can be harmed by being deprived of something, even if this does not cause suffering. In the case of death, what one is being deprived of is everything. Nagel offers the following as an example of harm (without suffering) by deprivation:

Suppose an intelligent person receives a brain injury that reduces him to the mental condition of a contented infant, and that such desires as remain to him can be satisfied by a custodian, so that he is free from care. Such a development would be widely regarded as a severe misfortune, not only for his friends and relations, or for society, but also, and primarily, for the person himself.

3. The Epicurean Strikes Back

Nagel’s case reinforces what we already knew: the idea of death being a loss seems perfectly intuitive. However, the Epicurean is used to fighting uphill against received wisdom, and has hard questions to ask. These centrally include: who is harmed? when is this person harmed? and what exactly is the harm?

The candidates for the subject of harm are suggested by Nagel’s parallel case of deprivation. In that case, we can say either that the pre-injury, intelligent person, or the post-injury person is harmed by his current brain-damaged state. George Pitcher dubs the parallel “before and after” persons in the case of death the ante-mortem person and the post-mortem person. As noted, in Nagel’s brain-injury case we are inclined to say that the before-and-after are the same person, but in the case of death, since we have accepted the termination thesis, not only can they not be the same, there is no post-mortem person. How can a non-existent individual be harmed, and why should one care? So that leaves the ante-mortem person as the only remotely plausible subject of the harm of death. But in what way has the living Aunt Ethel been harmed by her death? She isn’t dead yet, and so has not been deprived. Hence the second Epicurean challenge, specifying when one is harmed by death. Again, if the ante-mortem person is harmed after her death, then why should she care? And is it even possible for there to be a connection between a person and a harm committed after she has ceased to be?

Harry Silverstein argues that it is, and responds to this second Epicurean challenge by denying the “temporality assumption” which
requires that a harm to a person “must have a temporal location or extent at least part of which” is prior to her death. Expanding on a remark by Nagel that “for certain purposes it is possible to regard time as just another type of distance,” Silverstein argues that events in the future exist just as much as events far away exist, and that thus

A’s death coexists with A (“in an eternal or timeless sense of the word” [Quine]), and is therefore a possible object of A’s suffering, and is therefore an intelligible A-relative evil. What is interesting about Silverstein’s approach is that he, unlike Nagel, accepts a variant of the first Epicurean premise, that harm must in some sense be connectable with suffering, or, more generally, what he calls the “Values Connect with Feelings” view. His variant, however, allows that a particular event x can be viewed as a harm for person A even if it does not actually cause suffering for her:

x can intelligibly be said to have a certain A-relative value provided merely that it be possible, or possible under certain conditions, for A to have the appropriate feelings as a result of x.

Thus, on this view, the ante-mortem Aunt Ethel can be harmed by post-mortem event x because they coexist with each other in a timeless sense and x is therefore a possible object of suffering for Aunt Ethel. But it still remains for this view to explain the harm of death itself, rather than particular events after Aunt Ethel’s death. Besides the problems of such a strange entity as one’s state of being dead being an object of suffering, we need to know what about it would cause suffering. Silverstein’s response is as follows:

[T]he reason one fears death, of course, is that it shortens the duration of one’s life; if A contracts terminal cancer…his approaching death would typically be the object of negative feelings precisely because of his awareness of the brevity of his life as a whole, and the consequent sparsity of its content, in comparison with alternative imaginable lives. In short, it is the “four-dimensional” ability to understand life in durational terms, to view one’s life as a temporal whole and to
That is, Aunt Ethel’s being dead is a harm to her while alive because she is potentially aware of the comparative brevity of her life in comparison to “alternative possible life-wholes” in which she lives longer. It seems we are to picture Aunt Ethel as a disembodied self in something like Rawls’s Original Position (minus the veil of ignorance) asked to choose which among the various possible lives she would prefer. If there is one that is better (which, for now, simply means longer) than the actual one, then her death is a misfortune for her.

However, what exactly are we to understand by alternative “possible life-wholes” (henceforth PLWs)? The most philosophically familiar way to spell out this idea is using possible worlds, as Fred Feldman (among others) makes explicit.

Assuming, purely for the sake of engaging Epicurus on common ground, a crude form of hedonic calculus, Feldman suggests the following analysis to explain the harm of dying in a ‘plane crash:

Suppose I am thinking of taking an airplane trip to Europe. …consider the nearest possible word in which I… die en route to Europe on this trip… Let us suppose that that world is worth +500 to me… Next…consider the nearest world in which I do not die en route to Europe on this trip… Let us suppose my welfare level at that world is +1,100. [This account] implies that my death on this trip would have a value of -600 for me. It would be a terrible misfortune.

There are all sorts of potential pitfalls with possible worlds, though. For one thing, there is the problem of establishing transworld identity: in what sense are all these people, some who die, some who live, Fred Feldman? This question is contentious, and the subject of high-level metaphysical debate. It seems odd that the harm of death, supposedly so intuitively obvious as to make the Epicurean position absurd, should hang on such abstract philosophizing. According to the view popularized by Saul Kripke, Fred Feldman could possibly be just about any being in any circumstances at any time. There is a possible world in which I, sitting here named Simon Cushing, am in fact Fred Feldman. If there are such a
wide range of possible lives for me, then it seems that the actual me, sitting here alive, is harmed by more than my actual death. If the harm of being dead is that I am thusly deprived things of value I have in some other possible world, then presumably I am currently being harmed because in some alternative possible world I live the life of an immortal philosopher-king. What is more, this is exactly the same kind of harm that constitutes the harm of being dead, and, on Feldman’s calculus, potentially far greater. This seems to me either a reductio of the possible-worlds deprivation account, or the biggest excuse for whining ever.

Can the anti-Epicurean avoid these unpalatable implications by restricting the range of possible mes? Feldman has this in mind when he refers specifically to the nearest possible worlds. Jeff McMahan spells out this idea in more detail:

Let $t$ be the time at which some person died. Our overall, objective evaluation of how bad or good his death was for him will be based on a counterfactual claim about what would have happened to him if he had not died at $t$. Let the antecedent of the relevant counterfactual be “if the entire transitive cause of his death had not occurred….” To complete the counterfactual, we consult the possible world in which the antecedent is realized which is closest to the actual world up to $t$.18

McMahan thinks that this view both encapsulates and develops the intuitive idea that “death is bad for a person…at any point in his life, provided that the life that is thereby lost would on balance have been worth living,”19 where the “life lost” is the life that is had by the person on the possible world that is identical to the actual world except for the key causal factor that brought about the death of the actual person. Does McMahan’s account remove the counterintuitive implications of PLW views?

I do not think so. McMahan’s focus is on establishing the harm of a person’s actual death. This is how he can justify comparing the actual world to just one closest possible world, where the closeness includes as much as possible an identical life up to the point of death. However, my complaint against the PLW school is that if you are going to allow that a person is harmed because of the existence of an alternative, better life on another possible world, then there are a lot more harms than just death, and again, these can be much more extensive. McMahan thinks focusing on someone’s actual death removes the relevance of other possible worlds. But why not focus on someone’s actual non-buying-of-a-winning lottery
ticket? Or even one’s actual absence of genius because the potential genius combination of sperm-and-egg got pipped to the post by faster-swimming but duller sperm. All of these are harms as real as the harm of death on accounts like these.\textsuperscript{20}

In sum, McMahan has not successfully delimited the number of PLWs that one should compare oneself with to find out how much one is being harmed, and thus his view, as much as any of the PLW views subjects actual people to potentially infinite harms in its attempt to make being dead a harm to the living.

4. ***Accounting For Injustice***

That’s all very well, the anti-Epicurean can respond, but the Epicurean position has far worse implications, most notably that you do not harm a person by killing her. Not only that, but eschewing possible-worlds talk deprives the Epicurean of the apparatus to explain all kinds of harms, including, in particular, injustice. Earlier I compared Silverstein’s PLWs to the possible worlds a party in Rawls’s Original Position contemplates, and it certainly seems that views like his make use of counterfactuals to explain the injustice of actual institutional arrangements or distributions. If I am disallowing comparisons across possible worlds, can I no longer account for actual people suffering injustice?

Here is my suggestion: one does not suffer injustice because there is a possible world in which one is better off (in justice-relevant ways). One suffers injustice because one is not better off in this one. This is an incredibly crude characterization, and I cannot hope to do justice to the topic of justice in such a short space, but let me explain what I mean.

There are two ways in which injustice might be taken to be comparative. One way is that I suffer injustice if things could have gone better (in the relevant justice-relative ways) for me in another possible world. Here the possible world would have to be relatively near: if it is one where I am some amalgam of FDR, John Lennon and Pele, the injustice seems trivial. But that leaves the possibility that, in fact, although I suffer in the actual world, there is no near-enough possible world that both preserves my identity sufficiently and in which I am better off. On this account of injustice, I do not suffer it. Positively Panglossian. The alternative suggestion for the relevant comparison is to some ideal of justice that perhaps is impossible to attain amongst humans. This would allow that the best of all actually possible human worlds would still exhibit injustice. I am inclined to think this is the correct view.

In these foregoing remarks I have been discussing justice in a purely distributive sense. There is also another, more personal, sense of injustice, the kind that more closely fits a Nozickian model than a
Rawlsian one. Here I am done an injustice if somebody deprives me of something (however abstract) that is rightfully mine. But this kind of injustice concerns wrongs, not harms, and, moreover, does not require possible worlds to account for it. In fact, possible worlds talk might have counter-intuitive results. Consider the argument against restitution to the descendents of slaves, that in fact they are better off than they would have been had they stayed in Africa. That, even if true (and of course it does not apply to the non-descendents of the people who died childless in the crossing) is surely beside the point: it was wrong to enslave people, even if they fared better than their possible non-enslaved counterparts.

That one can be wronged even if one is not harmed by death: if I murder someone, I wrong him because he has the right of self-determination that my action robs of its essential basis. I have no right to embark on the course of action that causes that right to be annulled. That is the sense in which I wrong the living person before he dies. There is no mystery as to when this wrong occurs – it occurs as I act intentionally, and thus the victim of the wrong is the ante-mortem person, wronged simultaneous to my act. As I mentioned earlier, I take this to be parallel to the case of a person being wronged by a betrayal of which he is oblivious.

I am fairly certain Epicurus would not be happy with my suggestion that there are some wrongs that can be done with no accompanying harm. And he is probably not alone. Am I just turning this into a squabble over words? Well, not really. I deny that one is wronged or harmed by being dead, but further deny that this undercuts the wrongness of killing. More broadly, I deny that one is harmed by being deprived of something, while allowing that the person who deprives me of it may thereby wrong me.

In sum: I do not believe that the Epicurean challenge has been met by the various writers who have attempted it. In particular, possible-world deprivation accounts are in the unenviable position of claiming that the living suffer the deprivation of being dead, and the use of possible worlds to characterize actual harms opens the door to horrendously implausible claims about the harms we suffer because of our myriad possible selves.\(^{21}\)

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Notes

1 Steven Luper-Foy, “Annihilation,” in The Metaphysics of Death, ed. J. M. Fischer, (Stanford: Stanford University Press, 1993), 270. Interestingly, it is the now simply Steven Luper who writes the entry in the
Stanford Encyclopedia on Death (see note 20). For somebody so scornful of the Epicurean argument, he has certainly devoted enough time to it.

3 Fred Feldman, Confrontations with the Reaper (New York: Oxford University Press, 1992), 236.
4 Ibid., 105.
5 Thomas Nagel, Death, in ed. Fischer, 64.
6 Of course, the dead being betrayed by the living is a common fictional theme (at least, in the films I like to watch), but the stories inevitably have to resort to the device of the betrayed party either returning from the grave or at least reaching across to the land of the living to exact revenge. That is, the stories cheat by allowing an existing party to experience the betrayal.
7 Nagel, 64.
9 Presumably this is different from jumping up and down on a long-buried person’s grave: supposing, contrary to what I believe, a harm is committed to a person by this disrespectful act, it surely must be (contrary to the termination thesis) to the post-mortem person. Disrespect to the dead is not disrespect to the living.
10 Silverstein, 106.
11 Nagel, 66.
12 Silverstein, 112.
13 Silverstein, 107.
14 Silverstein, 107.
15 While one might view the moment of death as an event, it seems odd to view the potential infinity of time one spends being dead as a single discrete event. Moreover, even if it were legitimately seen as such, is it possible for one to have an infinitely long event as the subject of feelings?
16 Silverstein, 116. While I have lumped Silverstein in with proponents of the so-called standard argument, Silverstein is adamant in distancing his position from the standard anti-Epicurean view, because that approach makes the fatal mistake of suggesting that death is a loss to the non-existent dead person. His view, he insists, entails a coherent “life-life” comparison instead of an incoherent “life-death” comparison. However, in my opinion his view is just a more respectable fleshing out of the deprivation idea.
19 McMahan, 58.
Steven Luper suggests a terminological loophole for PLW views as follows: “An explanation of why it is awkward to speak of harm when certain good possibilities, such as enjoying God-like powers, are not actualized, is that we tend to use the term ‘harm’ to refer to misfortune, and often it is not a misfortune for us when good possibilities fail to be actualized (since the failure does not bear on our having essential goods),” “Death”, *The Stanford Encyclopedia of Philosophy*, <http://plato.stanford.edu/archives/spr2006/entries/death/> (Spring 2006). The suggestion is that we are only harmed by not having “essential goods,” but if not having something can constitute a harm, then I think most people would feel it a harm if they missed out on $1M (say, because they lost a lottery ticket) even if they were otherwise comfortable.

Harry Silverstein insists that his account is different from the “standard” deprivation accounts, specifically because future events (on his view) can be the objects of the feelings that constitute a harm to the living (and, recall, this is so even if in fact one experiences no actual adverse feelings). He attempts to support this case in “The Evil of Death Revisited,” *Midwest Studies in Philosophy*, XXIV (2000), with a case where a husband finds out the truth, that his wife is having an affair with his best friend, by a report from another friend who mistakenly thought he overheard something to that effect (123-4). This is a case where, claims Silverstein, the affair is the object of the husband’s misery without actually being the cause of it. That is, he holds a *de re* view of the objects of feelings. I find this simply implausible; while I might allow that my statement “the alien with thirty arms somewhere in the universe” might have as its object that actual being, *my feelings* cannot be “about” that being without some causal connection. My feelings are about my conception of that being. And so with my death: I cannot have feelings about my actual death (or state of being dead), just my imagination of it, and thus on his VCF view, I cannot be harmed by it.