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EPICUREANISM ABOUT DEATH AND IMMORTALITY

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ABSTRACT. In this paper I discuss some of Martha Nussbaum's defenses of Epicurean views about death and immortality. Here I seek to defend the commonsense view that death can be a bad thing for an individual against the Epicurean; I also defend the claim that immortality might conceivably be a good thing. In the development of my analysis, I make certain connections between the literatures on free will and death. The intersection of these two literatures can be illuminated by reference to my notion of a Dialectical Stalemate.

KEY WORDS: David Suits, death, Dialectical Stalemate, Epicurus, Free Will, harm, immortality, Martha Nussbaum, Steven Hetherington

I want to live forever: but just what is it that I thereby want? Prior to 1874 (or thereabouts) my want would have seemed quite clear: I would have wanted to live for an unending sequence of years, one year for each natural number – an omega-sequence of years. But our horizon has since been expanded by the teachings of Georg Cantor. The natural numbers all together amount only to the smallest order of infinity, aleph-null. There are countless greater infinities that dwarf aleph-null as surely as aleph-null dwarfs our customarily allotted three score and ten. Why settle for a piddling aleph-null years if there are limit cardinals out there to vault over, inaccessible cardinals waiting to be surpassed?

... trans-omega longevity is (conceptually) possible: there are possible worlds that endure beyond a single omega-sequence of years, and a person can survive in these worlds from one omega-sequence to another.

... I want trans-omega longevity, but not at any cost. Wanting to live beyond a single omega-sequence of years is, for me, a conditional want, as is wanting to live to be 100. Both wants are conditional, at the very least, upon my still having my wits about me, and upon there still being a fair balance of pleasure over pain. In claiming that trans-omega longevity is desirable, I claim only that there is *some* possible world, even if quite remote from our own, in which I have trans-omega existence and the above conditions are satisfied. Some, it is true, have argued that such

conditions could never be satisfied even for ordinary immortality because a life too long inevitably leads to perpetual boredom. I suspect that those who argue in this way either lack imagination or become too quickly jaded with the good things in life...

[Phillip Bricker, "On Living Forever" (presented at The American Philosophical Association, March, 1985)]

1. INTRODUCTION

Epicureans take seriously Boethius' thought that philosophy has its consolations. In her important work on Hellenistic philosophy, Martha Nussbaum has offered an interpretation of Hellenistic philosophy according to the "medical model."¹ On this approach, philosophy is not a neutral, detached methodology, but a way of helping us to grapple with problems that otherwise would confuse and distress us. Philosophy, then, is a kind of therapy. Nussbaum both attributes this view to Epicurus and his followers (such as the Roman philosopher, Lucretius) and also endorses it. The Hellenistic philosophers sought to apply their philosophical therapy to such issues as the fear of death, the nature and mysteries of love, sexuality, and potentially unruly emotions, such as anger.

Here I shall focus on Nussbaum's reconstruction, interpretation, and defense of Lucretius's "main argument" that it is irrational to fear death.² I shall also offer some reflections on what she calls the "banquet argument" of Lucretius. According to this argument, we should realize that life is like a banquet: "it has a structure in time that reaches a natural and appropriate termination."³ Here I wish briefly to add to my previous defense of the thesis that immortality would not necessarily be unattractive.⁴

¹ Martha Nussbaum, *The Therapy of Desire* (Princeton: Princeton University Press, 1994); Martha Nussbaum, "Reply to Papers in Symposium on Nussbaum, *The Therapy of Desire*," *Philosophy and Phenomenological Research* 59 (1999), pp. 811–819.

² The main argument is laid out in Nussbaum, *The Therapy of Desire*, pp. 201–202. I make a preliminary stab at discussing these matters in John Martin Fischer, "Contribution to Symposium on Nussbaum's *The Therapy of Desire*," *Philosophy and Phenomenological Research* 59 (1999), pp. 787–792.

³ Nussbaum, *The Therapy of Desire*, p. 203.

⁴ John Martin Fischer, "Why Immortality is Not So Bad," *International Journal of Philosophical Studies* 2 (1994), pp. 257–270; and Fischer, "Contribution to Symposium on Nussbaum's *The Therapy of Desire*."

In my view, philosophy is a perfectly neutral device. It can be employed by those who seek reassurance and freedom from anxiety. It can also increase confusion and perplexity. Even at its best, it may reveal puzzles and problems of which we were previously unaware. Of course, it is always up to us how exactly we use the deliverances of theoretical reasoning. It is not a good idea to ruminate excessively on insoluble dilemmas – a sensible view that would be endorsed, presumably, by practical philosophy – or to allow them to dampen our spirits. But it may be that philosophy shows us, what we feared inchoately, that, as Thomas Nagel puts it, “...a bad end is in store for us all.”⁵

2. THE MAIN ARGUMENT AND PREVIOUS DISCUSSION

Nussbaum presents Lucretius’ main argument as follows:

1. An event can be good or bad for someone only if, at the time when the event is present, that person exists as a subject of at least possible experience, so that it is at least possible that the person experiences the event.
2. The time after a person dies is a time at which that person does not exist as a subject of possible experience.
3. Hence the condition of being dead is not bad for that person.
4. It is irrational to fear a future event unless that event, when it comes, will be bad for one.
5. It is irrational to fear death.⁶

Nussbaum points out that Thomas Nagel has rejected the first premise of the main argument, because of its insistence on a connection between badness and experience. Nagel offers two examples. The first involves an individual who is betrayed behind his back; even though the individual never comes to know about this betrayal (or, let us say, experience any unpleasant consequences of it), Nagel contends that the betrayal can be a bad thing for the individual. In the second example, a person loses all higher mental functioning in an accident (or as a result of a stroke); this is alleged by Nagel to be a loss for the person, even if the individual is now (after

⁵ Thomas Nagel, *Mortal Questions* (Cambridge, Cambridge University Press, 1979), pp. 1–10; reprinted in John Martin Fischer (ed.), *The Metaphysics of Death* (Stanford: Stanford University Press, 1993), pp. 61–69. The quotation is on p. 69 of the reprinted version.

⁶ Nussbaum, *The Therapy of Desire*, pp. 201–202.

the accident) contented. On Nagel's view, death is bad for the individual who dies not in virtue of involving unpleasant experiences, but insofar as it is a deprivation of the good things in life (the "deprivation thesis about death's badness").

Nussbaum disagrees:

... Nagel does not make it clear exactly how an event located completely outside a life's temporal span diminishes the life itself. The cases he actually analyzes are not by themselves sufficient to show this, since in each of them a subject persists, during the time of the bad event, who has at least a strong claim to be identical with the subject to whom the bad event is a misfortune. In the betrayal case, this subject is clearly the very same, and is a subject of possible, if not actual, experience in relation to that event. In the second case, it is hard not to feel that the continued existence of the damaged person, who is continuous with and very plausibly identical with the former adult, gives the argument that the adult has suffered a loss at least part of its force. Where death is concerned, however, there is no subject at all on the scene, and no continuant. So it remains unclear exactly how the life that has ended is diminished by the event.⁷

Why exactly is it thought to be so important to produce an example in which "the subject does not persist?" I shall return to this question below, but I would first suggest that a quite natural response would be that, in such a circumstance, it is *impossible* for the individual to have any unpleasant experience as a result of the event which purportedly is bad for him or her. That is, it is plausible to suppose that the reason why the subject's going out of existence is problematic is that (on the assumption that death is an experiential blank), the (nonexistent) agent *cannot* have any unpleasant experience. This thought makes it natural to seek to develop examples in which it is indisputably *impossible* for the (still existing) individual to have any unpleasant experience as a result of the purportedly harmful event, and yet the person *does* appear to be harmed.⁸

⁷ Nussbaum, *The Therapy of Desire*, pp. 205–206.

⁸ Various philosophers have faulted Nagel precisely for providing examples in which (allegedly) the individual merely does not, rather than *cannot*, experience anything unpleasant as a result of the event in question: Harry S. Silverstein, "The Evil of Death," *The Journal of Philosophy* 77 (1980), pp. 401–424; reprinted in John Fischer (ed.), *The Metaphysics of Death*, pp. 95–110; Stuart Rosenbaum, "How to Be Dead and Not Care: A Defense of Epicurus," *American Philosophical Quarterly* 23 (1986), pp. 217–225; reprinted in Fischer (ed.), *The Metaphysics of Death*, pp. 119–134; and Walter Glannon, "Temporal Asymmetry, Life, and Death," *American Philosophical Quarterly* 31 (1994), pp. 235–244. I attempt to reply in John Martin Fischer, "Death, Badness, and the Impossibility of Experience," *The Journal of Ethics* 1 (1997), pp. 341–353.

Consider the following two examples. The first is a modification of the case presented by Nagel; it employs the signature structure of preemptive overdetermination found in the “Frankfurt-type” counterexamples to the Principle of Alternative Possibilities.⁹ Here is my presentation of the case:

Imagine first that the example is as described by Nagel. You are betrayed behind your back by people who you thought were good friends, and you never actually find out about this or have any bad experiences as a result of the betrayal. But now suppose that these friends were (very) worried that you might find out about the betrayal. In order to guard against this possibility, they arrange for White to watch over you. His task is to prevent you ever from finding out about the betrayal. So, for example, if one of the individuals who betrayed you should decide to tell you about it, White can prevent him from succeeding: White can do whatever is required to prevent the information from getting to you. Or if you should begin to seek out one of the friends, White could prevent you from succeeding in making contact. I simply stipulate that White is in a position to thwart any attempt by you or your friends to inform you of what happened.¹⁰

Since everything that actually happens among your friends and to you and your family is exactly the same in my version and Nagel’s version, I claim that it is plausible that the betrayal harms you. That is, it is plausible that the betrayal harms you in Nagel’s version, and if harm supervenes on what “actually happens to you” (in some physico/causal sense) and your loved ones, then you are harmed in my version of the case. But in my version it is not just true that you do not experience anything unpleasant as a result of the betrayal – you *cannot*.

The second case owes much to an example by Jeff McMahan.¹¹ Here is the example:

⁹ Fischer, “Death, Badness, and the Impossibility of Experience.” The Principle of Alternative Possibilities states that an individual is morally responsible for an action only if he could have done otherwise. Harry Frankfurt first presented a purported counterexample to this principle (or a template for such a counterexample) in Harry G. Frankfurt, “Alternate Possibilities and Moral Responsibility,” *The Journal of Philosophy* 66 (1969), pp. 828–839. I have discussed such examples in (among other places) John Martin Fisher, *The Metaphysics of Free Will* (London: Blackwell Publishers, 1994); John Martin Fischer “Recent Work on Moral Responsibility,” *Ethics* 110 (1999), pp. 93–139; and John Martin Fischer, “Frankfurt-Type Compatibilism,” in S. Buss and L. Overton (eds.), *Contours of Agency: Essays on Themes from Harry Frankfurt* (Cambridge: The MIT Press, 2002), pp. 1–26.

¹⁰ Fischer, “Death, Badness, and the Impossibility of Experience,” p. 345.

¹¹ Jeff McMahan, “Death and the Value of Life,” *Ethics* 99 (1988), pp. 32–61; reprinted in Fischer (ed.), *The Metaphysics of Death*, pp. 233–266.

... your daughter is trekking in the Himalayas while you are at home in the United States. Tragically, she dies in an accident. I believe that you are harmed by your daughter's death – a bad thing has happened to *you* – even before you find out about it. Suppose, further, that you die without ever finding out about the accident in the Himalayas; imagine, for example, that you die of a heart attack just five minutes after your daughter dies. You never find out about her death, and, given plausible assumptions about the situations of you and your daughter, you *cannot* find out about it. Nevertheless, it seems to me that you have been harmed (at least, for the five minutes of your continued life) by the death of your daughter. And here it is not merely the case that you do not have any unpleasant experiences as a result of your daughter's death; in addition, it is, at least on a very natural understanding of "possibility," *impossible* for you to have any such experiences as a result of her death.¹²

Nussbaum has responded to the latter case as follows (and, presumably, her comments would also apply to the former):

I do not find Fischer's counterexamples altogether convincing: like the Nagel examples I criticize, they all involve a subject who continues to exist, however briefly, during the time when the bad event takes place. Even if the mother dies shortly after her daughter's death, and without receiving news of it, the idea that a bad thing has happened *to her* surely rests, at least to some extent, on the thought that the mother is there in the world when the daughter dies. There is a *her* for the bad thing to happen to. This, of course, is not true of one's own death; the bad event just is the cessation of the subject (Lucretius profoundly suggests that we believe death to be bad for us through a mental sleight of hand, in which we imagine ourselves persisting and watching our own loss of the goods of life). The right parallel, then, would be the case in which the mother and the daughter die at precisely the same instant. In this case I think we would not confidently assert that the mother has suffered a bereavement.¹³

3. SUITS AND HETHERINGTON

3.1. *Suits*

David Suits does not find my modification of Nagel's example entirely convincing.¹⁴ Indeed, he says:

¹² Fischer, "Contribution to Symposium on Nussbaum's *The Therapy of Desire*," p. 789.

¹³ Nussbaum, "Reply to Papers in Symposium on Nussbaum, *The Therapy of Desire*," pp. 811–812.

¹⁴ David Suits, "Why Death Is Not Bad for the One Who Died," *American Philosophical Quarterly* 38 (2001), pp. 69–84.

This [the modified version of the Nagel example of betrayal behind one's back] seems to be a quite fanciful—no, a desperate—attempt to bolster the example. First of all, we are never in a position to know that any precaution against harm (for that is all White is) is guaranteed to be successful in a case such as betrayal, where the effects can be far-ranging and difficult to trace...

Second, it seems to me that if White is really so clever as all that, then he could make his job immeasurably easier simply by preventing the secret betrayal in the first place. So now the question is this: What is the difference between, on the one hand, a secret betrayal which, on account of magic, can have no bad effects whatsoever on you, and, on the other hand, there never having been a secret betrayal after all? ... Let's invent a counter-story: All your life is characterized, as far as you can tell, by the unwavering loyalty of your friends. Nothing whatsoever in your experience leads you to believe that any of your friends are not after all your friends; in fact, all your experience is to the contrary. All attempts to discover betrayal have come to naught. What shall you do with the hypothesis that there might nevertheless be some secret betrayal? What will your therapist say about your speculations that there is a very cunning Mr. White who is preventing all relevant effects of this secret betrayal from reaching you?

In what sense then could it be said that something happened that was bad for you? Well, the only answer is that if there was a secret betrayal, then it was after all a *betrayal*. Now of course to call something a betrayal is to lead us to expect harmful consequences. That is the way we have come to know the world. ... The best that can be said is that if, somehow, I *were* absolutely convinced that the 'victim' would not and could not be harmed in any way, then I would have to say that what takes place is not a betrayal at all.¹⁵

In reply to Suits, I would begin by pointing out that the example is indeed fanciful, and admittedly so. It is a thought-experiment, with all of the attendant methodological risks (and, I believe, benefits). Granted: in ordinary life we are never in a position to know that a given precaution against harm is guaranteed to be successful. I am not proposing this as empirically plausible or feasible, but as conceivable and thus metaphysically possible. Imagine, if you will, that White has God-like foreknowledge of the future. I do not believe that the *philosophical* point is affected by Suits' contention that we (as we actually are) could never have the required sort of certainty.

Further, it is quite beside the point that White "could make his job immeasurably easier simply by preventing the secret betrayal in the first place." This may be true, but in the example as I presented it

¹⁵ Suits, "Why Death Is Not Bad for the One Who Died," pp. 76–77.

White does not prevent the secret betrayal. One could certainly tell a different story, but, in the story I told, White is a merely “counterfactual intervener;” the example thus has the characteristic structure of a “Frankfurt-type case” (as pointed out above). If the story I told is coherent, then a theorist is intellectually required to take it into account – to show how its point fits with his own view, even if his own view fits nicely with *another* story.

In the “counter-story” told by Suits, there is no act of betrayal – at least as far as anyone can tell. This is fundamentally different from my story, in which an act of betrayal *does* in fact take place. Simply put: there is a basic, clear difference between a case in which a betrayal actually takes place and one in which a betrayal does not take place, but would have under certain hypothetical circumstances (would have, let us say, but for the intervention of White). In ordinary life, given no evidence of betrayal, it would be unhealthy obsessively to seek evidence of a betrayal (and one’s therapist would legitimately be concerned!). But, again, that is quite beside the point. The example is one in which it is simply stipulated that there was a secret betrayal, and we are invited to consider whether this in fact harms an individual who never has any unpleasant experience as a result. Of course, it is *not* a suggestion of the story that in ordinary life one should obsessively seek evidence of the infidelity of friends and loved ones!

Suits continues to press his case:

The best that can be said [about the example as presented by Fischer] is that if, somehow, I *were* absolutely convinced that the ‘victim’ would not and could not be harmed in any way, then I would have to say that what takes place is not a betrayal at all. I might not know what to call it...

A White-managed secret betrayal is no different from a merely hypothetical betrayal. Real betrayals, as we have come to know them, are like the incautious firings of guns: if they do not on some particular occasions have bad consequences, then they are at least very risky. And so we invoke precautions which, on the basis of past experience, we expect will minimize such risks. Suppose everyone agrees that all reasonable precautions are in place. We fire the gun, and no one is harmed. Is this bad for someone? We are having fun shooting at paper targets; we are in an enclosed firing range with thick concrete walls; no one else is around. Who dares to complain? Who comes forward and says that something bad has happened as a result of our target practice, *even though no one has been harmed, and even though no one can make out a case for possible harm, given our precautions?* Incautious firing of guns is risky, but once the precautions are in place, then

firing the gun is not at all incautious. Similarly, betrayals are risky, but once White is in place then there is no betrayal after all.¹⁶

For my purposes it does not matter what we call the behavior in question – a “betrayal” or (say) “characterizing you negatively behind your back,” or whatever. The question simply is whether such behavior harms you. It is stipulated that you experience nothing unpleasant as a result of the behavior in question; now the issue is whether, nevertheless, you have been harmed. It may be that a White-managed secret betrayal is no different from a merely hypothetical betrayal insofar as you do not experience anything unpleasant as a result of the behavior in either case; but it does *not* follow that there is no difference between the cases with respect to the issue of whether you are harmed. As I said above, an actual betrayal *is* different from a merely hypothetical betrayal: in the case of an actual betrayal, something *has happened* which (arguably) has harmed you. Suits does not discuss Nagel’s other case (the case of the individual who is reduced to the state of a “contented infant” by (say) a stroke, but I would make the parallel claim about this case: an actual stroke is crucially different from a merely hypothetical stroke (even though, by hypothesis, the individual in question does not experience anything unpleasant in either case).

Yes, typically betrayals are risky; but the story does not purport to portray a typical case. A theory needs to be right even in atypical cases. A “real betrayal” (or a betrayal under normal circumstances) *is* like the incautious firing of a gun: there is a considerable risk of causing unpleasant experiences in both cases. When one has taken the sort of precautions described by Suits, then firing the gun is *not* incautious; as with the White-managed “betrayal” example, there is no risk of causing unpleasant experiences. But the cases are importantly different. Whereas I am inclined to say that the negative characterizations of you by your so-called “friends” harm you, by the very nature of the behavior, I have no similar inclination to say that a mere firing of a gun, where there is no chance of hitting anyone, can harm anyone (except, perhaps, the gun-firer, but that raises different issues...). The contention is *not* that all riskless behavior harms others (or that all riskless behavior which would be risky, but for the precautions) harms others; the contention is only that *some* does.

¹⁶ Suits, “Why Death Is Not Bad for the One Who Died,” p. 77.

3.2. *Hetherington*

Stephen Hetherington offers a fascinating critique of Nagel's example of the (alleged) betrayal, even as modified à la the Frankfurt-type examples.¹⁷ Hetherington says:

By being betrayed, some of your beliefs are rendered *false*. More vitally, some of your personally *important* beliefs are rendered false. For a start, you believe that your friends are loyal to you in standard ways; moreover, you *care* that this belief of yours be true. The betrayal makes the belief false, though. And this harms you, even though you are wholly unaware of its doing so, indeed even if (as in Fischer's case) you *could never* experience any consequence of the betrayal. The harm occurs because the falsification of your belief diminishes you as someone who wishes to believe only what is true about whatever is important to you. You wish to have those true beliefs; your wish is not being fulfilled. So, although this harm is one of which you are unaware, it is a harm nonetheless. If you *were* to realize that your belief was false, you would be upset. And even if—perhaps because your circumstances are as described in Fischer's case—you could never come to realize that your belief is false, its being false still makes you that much less *cognitively* successful as a person than you would wish to be. You are—by now being *mistaken* about something that matters to you—that much 'out of step' with the world, notably with some parts of the world that matter to you. Insofar as it matters to you to be right about what matters to you, therefore, your being mistaken about what matters to you harms you. That harm is of at least metaphysical significance, as your status as a true believer on what you care about is harmed.¹⁸

Hetherington goes on to elaborate the relevant sort of harm:

Your *realizing* that you are being harmed in that way inflicts a further harm of its own; *a fortiori*, so does its being *impossible* for you ever to find out that you were harmed. What is that further harm? It is the harm of human *absurdity*. If the belief is important enough to you, and if the betrayal is sufficiently fundamental, then your life might well have become somewhat absurd as a result.

...I am talking about an *objective* sort of absurdity. It is objective, in that it is not an *awareness*, either actual or even possible, of a discrepancy; instead, it is the *existence* of a basic discrepancy, one that can exist between a person and the world as a whole, and one that can exist without the person being aware of it, perhaps even with her being unable to be aware of it. This sort of absurdity is also *cognitive*, in that it is a matter of a person's failing to be aware of how poorly at least some of her cognitive efforts are informing her about the world in which she has to live. It is essentially her being *mistaken* about that world.

¹⁷ Stephen Hetherington, "Deathly Harm," *American Philosophical Quarterly* 38 (2001), pp. 349–362.

¹⁸ Hetherington, "Deathly Harm," pp. 351–352.

...To the extent that your belief in your friends' loyalty is also *important* to you, that absurdity is even tragic, no matter whether or not you are aware of this tragic dimension to your life. You trust the friends; you show them your feelings; presumably, you interact with them in what you assume is a context of respect and honesty. All the while, however, they know that you do not know how untrustworthy they are in relation to you. They are aware of how *misplaced* is your trust in them. ... Even if your friends are not laughing at you behind your back, they could be; and in that sense, the *world* is doing so, at any rate.¹⁹

On Hetherington's view, the badness of the betrayal is understood in terms of creating a certain sort of *dissonance* or *discordance*; one has a certain set of beliefs about important features of our lives, one structures his life around these beliefs, and yet they are false. As Hetherington puts it, "A person can be harmed by something insofar as it renders false some belief of hers whose truth matters to her."²⁰ In contrast, of course, death cannot be a bad thing by creating a dissonance or discordance between one's cognitions and the external reality, since death destroys the cognizer. If what disturbs us about the Nagel-type betrayal case (in its various versions) is that it creates a kind of absurd discordance, then, since death cannot be bad in this way, the example cannot be legitimately employed in order to defend the deprivation thesis about death's badness.

Although I find Hetherington's analysis helpful, I am not sure that it captures the entire truth about the badness of the betrayal (or death). In any, case, it is interesting to note that Hetherington (like Suits) only focuses on Nagel's betrayal example, and not on the example of an individual who is reduced to the mental status of a contented infant (as a result of a stroke or accident). It seems to me that the stroke (or accident) has indeed been a bad thing for the individual, even though (by hypothesis) he or she has not experienced anything unpleasant (and cannot do so) as a result. Further, it seems to me that the badness here cannot be analyzed in the way suggested by Hetherington in regard to the betrayal case.

As opposed to the betrayal case, in the case of the stroke victim there need not be a discordance of the sort pointed to by Hetherington. The stroke victim presumably has no memories of his previous activities, and need not be radically mistaken about his current situation and abilities. He does not believe that he has capabilities that are in fact wildly "out of sync" with reality; he need not be fundamentally *mistaken* about the world or his relationship to

¹⁹ Hetherington, "Deathly Harm," pp. 355–356.

²⁰ Hetherington, "Deathly Harm," p. 352.

it. I do not believe that the stroke victim is *absurd*; his situation is sad and maybe even tragic (in a certain way), but not absurd. He has not *misplaced* loyalty or trust, and there is no tendency to suppose that the world is, as it were, laughing at him.

The two examples, then, are different. If one agrees that the stroke or accident has indeed harmed or been a bad thing for the individual, then one cannot explain the badness in terms of the sort of discrepancy and absurdity discussed by Hetherington. It seems to me that the badness is not so much a matter of the discordance or discrepancy between internal cognitive states and the external world, but more “direct” – the taking away of capacities to function and experience that were possessed prior to the unfortunate event. It is the lack of these more complex capacities and experiences in itself, rather than some sort of discrepancy between the individual’s awareness and reality, that is bad. Or so it seems to me.

Nussbaum states, in a passage quoted above, “In the second case [the stroke case], it is hard not to feel that the continued existence of the damaged person, who is continuous with and very plausibly identical with the former adult, gives the argument that the adult has suffered a loss at least part of its force.” One might then argue that there is even in this case a kind of discordance or discrepancy – between the former and current capacities of the individual. But the same can be said of death; it creates a disparity between prior and subsequent capacities – the latter having been reduced to zero. What cannot be said, in the case of death, is that there remains an existing individual who has been diminished (and thus that the remaining capacities are greater than zero, as it were) – but it is essentially controversial, within this dialectical context, whether the removal of the subject is consistent with badness: it cannot simply be assumed here that the removal of the subject is not consistent with badness, and thus that there must be a nonzero capacity remainder. I turn now to a more careful discussion of precisely this sort of dialectical subtlety.

4. DEATH AND DIALECTICAL STALEMATES

Elsewhere I have sought to describe an argumentative structure I have called a “Dialectical Stalemate.” I have suggested that this sort

of structure is found in many of the most intractable philosophical puzzles:

Frequently in philosophy we are engaged in considering a certain argument (or family of arguments) for some claim *C*. The argument employs a principle *P*. Allegedly, *P* supports *C*. Now the proponent of the argument may be called upon to support the principle, and he may do so by invoking a set of examples (or other considerations). Based on these examples (or other considerations), he argues that the principle and thus also the philosophical claim are to be accepted.

But the opponent of the argument may respond as follows. The examples are not sufficient to establish the principle *P*. One could embrace all the examples and not adduce *P* to explain them: rather, it is alleged that a weaker principle, *P**, is all that is decisively established by the examples (or other considerations). Further, *P**, in contrast to *P*, does not support *C*. Finally, it is very hard to see how one could decisively establish *P*. One reason it is so difficult is that it at least appears that one cannot invoke a particular example which would *decisively* establish *P* without begging the question in a straightforward fashion against either the opponent of *P* or the opponent of *C*. Further, it *also* seems that one cannot invoke a particular example which would *decisively* refute *P* without begging the question against the proponent of *P* or the proponent of *C*. These conditions mark out a distinctive—and particularly precarious—spot in dialectical space.

I shall call contexts with roughly the above form, “Dialectical Stalemates.”²¹

Take, for example, the Basic Argument for the Incompatibility of Causal Determinism and the sort of free will that involves alternative possibilities.²² The argument, dubbed the “Consequence Argument” by Peter Van Inwagen, proceeds from the point that causal determinism implies that all our behavior is the *consequence* of the past and the laws of nature to the conclusion that we lack the sort of free will that involves genuine access to alternative possibilities (if causal determinism obtains).²³ The argument can be given in different forms, but typically it employs principles that putatively encode our commonsense views about the fixity of the past and natural laws. Sometimes the argument employs a modal principle that allegedly captures intuitive ideas about the transfer of powerlessness: if one is powerless over one thing, and powerless over that thing’s leading to another, one is powerless over the other thing.

²¹ Fischer, *The Metaphysics of Free Will*, p. 83.

²² For a more complete discussion, see Fischer, *The Metaphysics of Free Will*. I discuss the application of the structure of Dialectical Stalemates on p. 84.

²³ Peter Van Inwagen, *An Essay on Free Will* (Oxford: Clarendon Press, 1983). Also see Carl Ginet, *On Action* (Cambridge: Cambridge University Press, 1990); Fischer, *The Metaphysics of Free Will*.

A number of examples can be adduced that seem to support a Principle of the Fixity of the Natural Laws. The problem is that there are different ways of seeking to capture the intuitive, commonsense notion of the fixity of the laws of nature. None of the examples appears to support the incompatibilist way of capturing the kernel of truth in those examples *over the compatibilist way*. That is, consider the following two Fixity of the Laws Principles:

(IFL) For any action Y , and agent S , if it is true that if S were to do Y , some natural law which actually obtains would not obtain, then S cannot do Y .

(CFL) For any action Y , event b , agent S and times t_1 , t_2 , and t_3 , (t_1 prior to t_2 prior to or simultaneous with t_3), if (1) Y 's occurring at t_2 is inconsistent with the laws of nature, or (2) Y 's occurring at t_2 would cause some event b 's occurring at t_3 and b 's occurring at t_3 is inconsistent with the laws of nature, then S cannot at t_1 do Y at t_2 .²⁴

The problem is that none of the examples adduced by incompatibilists such as Carl Ginet and Van Inwagen, or by anyone else (as far as I know), can show decisively that (IFL) is to be preferred to (CFL). That is, the relevant data do not support one principle *over* the other.

Consider, for example, Van Inwagen's examples of someone producing a machine that would cause things to go faster than the speed of light, or someone engaging in selective breeding to produce a human being who could get along without vitamin C. He points out that no one has it in his power to do such things, insofar as the laws of nature entail that nothing travels faster than the speed of light, and that human beings cannot get along without vitamin C. It is obvious, however, that such examples do *not* support (IFL) *over* (CFL).²⁵ If one states that causal determinism might turn out to be true, and, after all, it is JUST OBVIOUS that we are free in the sense that involves alternative possibilities, this would clearly be question-begging in the relevant dialectical context. Exactly similar considerations apply to the notion of the fixity of the past, as well as to the modal principle (or related principles) sometimes employed in the argument for incompatibilism.²⁶

²⁴ Fischer, *The Metaphysics of Free Will*, pp. 67 and 70.

²⁵ Fischer, *The Metaphysics of Free Will*, pp. 67–76.

²⁶ For a discussion of the issues related to the Fixity of the Past, see Fischer, *The Metaphysics of Free Will*, pp. 78–86. I discuss the dialectical stalemates relevant to the modal principle, where the relevant modality is “nonresponsibility,” in John Martin Fischer, “The Transfer of Nonresponsibility,” in J. Campbell, M. O'Rourke and D. Shier (eds.), *Freedom and Determinism* (Cambridge: The MIT Press, 2004), pp. 189–209.

As I said above, a modal principle is sometimes employed as part of the Consequence Argument (for the incompatibilism of causal determinism and freedom). The modal principle, the "Principle of the Transfer of Powerlessness," is structurally parallel to the "Principle of Closure of Knowledge Under Known Implication." Indeed, the principles are the same, except for the different interpretations of the relevant modality.²⁷ On this principle, if someone knows that p , and knows that p implies q , then he knows that q . Just as the Principle of the Transfer of Powerlessness is employed to generate a sort of free will skepticism (i.e., incompatibilism about causal determinism and the sort of freedom that involves genuine access to alternative possibilities), so the Principle of Closure of Knowledge Under Known Implication is sometimes employed to generate epistemological skepticism.

The argument would go as follows.²⁸ Evidently, I know that there is a laptop computer in front of me. But there being a laptop computer in front of me entails that I am not a brain-in-a-vat being stimulated to falsely believe there is a laptop in front of me, and I know this. Thus, given the Principle of the Transfer of Knowledge Under Known Implication, it follows that I know that I am not a brain-in-a-vat being stimulated to falsely believe (for instance) that there is a laptop in front of me. I do not, however, know this; in the lingo, I cannot "rule out this skeptical counterpossibility." Thus, *modus tollens* gives us the conclusion that I do not know that there is a laptop computer in front of me (or, for that matter, any contingent proposition about the external world).

Now one could simply state that it is JUST OBVIOUS that I know that there is a laptop in front of me, even though I cannot rule out the skeptical counterpossibility and thus I do not know that I am not a brain-in-a-vat. Thus, someone could insist that the Principle of the Transfer of Knowledge Under Known Implication is invalid. The problem here is painfully clear: the data invoked are essentially contested, and thus it is question-begging, in the relevant dialectical niche (in which epistemological skepticism is being considered seriously), simply to assert it.

Consider, also, the "Principle of the Transfer of Nonresponsibility." This is the same modal principle as above, except for the

²⁷ Fischer, *The Metaphysics of Free Will*.

²⁸ For a helpful discussion of such arguments, see Anthony Brueckner, "Skepticism and Epistemic Closure," *Philosophical Topics* 13 (1985), pp. 89–118. Also, see Fischer, *The Metaphysics of Free Will*, pp. 23–45.

interpretation of the modality. It states that if you are not responsible for one thing, and you are not responsible for that thing's leading to another, you are not responsible for the other.²⁹ An incompatibilist about causal determinism and moral responsibility might use this modal principle in an argument for this sort of incompatibilism. Assuming causal determinism, some fact about the distant past, together with the laws of nature, entail the present and future facts. I am not morally responsible for the past fact. Further, I am not morally responsible for the laws of nature, and thus, I am not morally responsible for the past fact's leading to the present and future situations of the universe.³⁰ Now, given the Principle of the Transfer of Nonresponsibility, it follows that I am not morally responsible for the present (and thus for my behavior).

There are various ways of responding to this sort of argument. I believe there are promising ways of seeking to show the modal principle – the Principle of the Transfer of Nonresponsibility – to be invalid.³¹ But I do not think the following strategy is promising. A compatibilist might simply point out that it is JUST OBVIOUS that I am morally responsible for my behavior, even if causal determinism is true (Perhaps this is because it is JUST OBVIOUS that I am free to do otherwise, even if causal determinism obtains). Further, such a compatibilist might concede that I am not morally responsible for the distant past, nor am I morally responsible for the connection between the past and the present (given that this connection instantiates a natural law). So this sort of compatibilist simply insists that it is JUST OBVIOUS that the Principle of the Transfer of Nonresponsibility is invalid. It should however be (painfully) clear that this move is dialectically “traif” (unkosher). It simply begs the question against the incompatibilist. A compatibilist about causal determinism and moral responsibility might be entirely justified in rejecting the modal transfer principle, but *not* on this basis.

In my previous work on these subjects, I suggested that it is one of the salient characteristics of a perennial or classic philosophical

²⁹ This principle was first formulated and discussed by Peter Van Inwagen (See Peter Van Inwagen, *An Essay on Free Will*, pp. 182–188).

³⁰ For an interesting discussion, see David Widerker, “Farewell to the Direct Argument,” *The Journal of Philosophy* 99 (2002), pp. 316–324.

³¹ Mark Ravizza, “Semicompatibilism and the Transfer of Nonresponsibility,” *Philosophical Studies* 75 (1994), pp. 61–93; and John Martin Fischer and Mark Ravizza, *Responsibility and Control* (Cambridge: Cambridge University Press, 1994), pp. 151–169.

problem that it involves the signature structure of a Dialectical Stalemate.³² I added that the Free Will Problem (which is really a family of related problems and puzzles) is a “true philosophical classic” in part because it is an environment rich with Dialectical Stalemates.

It should be evident that the debate discussed above about death is a Dialectical Stalemate. Nussbaum points out that the examples invoked by Nagel, even as modified by me, cannot decisively show that death is a bad thing for the individual who dies. Even if it is plausible to say that the examples of betrayal and stroke involve badness for the relevant individuals, the examples are different from death in that they involve the persistence of the subject. Thus they cannot *in themselves* decisively show that death can be a bad thing for the individual who dies. In framing and considering general principles relating to harm, it is evident that there will be different principles, and that the examples in question will not in themselves decisively support a principle strong enough to entail that death can be bad for the individual who dies *over* a slightly weaker principle – *a principle that does not have this conclusion*. As Nussbaum points out, all of the examples “involve a subject who continues to exist, however briefly, during the time the event takes place.”³³ But it is hard to see how one can get rid of this feature and have an example that would not beg the question at issue about death’s badness. It would seem that, given the definition of death, any case in which the event in question removes the subject would be essentially contested. Thus we have a classic Dialectic Stalemate.

It is important, however, to keep in mind that a Dialectical Stalemate need not result in our inability to make any philosophical progress or to come to any useful philosophical conclusions. In a Dialectical Stalemate, no example *can in itself decisively establish* the relevant conclusion (without begging the question). Nussbaum is completely correct to point out that none of the examples above can in themselves decisively establish that death can be a bad thing for the individual who dies. But I want to highlight what I have written about how to proceed in this sort of argumentative neighborhood:

I do not however think that Dialectical Stalemates should issue in philosophical despair. An opponent of the principle under consideration may demand that is

³² Fischer, *The Metaphysics of Free Will*, p. 84.

³³ Nussbaum, “Reply to Papers in Symposium on Nussbaum, *The Therapy of Desire*,” p. 811.

proponent provide examples which absolutely *require* one to accept the principle. But I would claim that this is *unreasonable*. It may even be true that it is *necessarily* the case that if a philosopher argues for a certain general principle by giving examples, a weaker principle can be found that is the strongest principle the examples support (strictly speaking). The crucial issue becomes whether it is plausible to accept the stronger principle, if one accepts the weaker principle. Considerable philosophical ingenuity can be displayed in generating examples which invite one to accept the *stronger* principle as well as the weaker principle, or in explaining in a non-*ad-hoc* fashion exactly why one should *only* accept the weaker principle. Alternatively, philosophical creativity can issue in a restructuring of the problem; that is, one might find some other principle *P** which can be employed to establish *C*, or perhaps one can show in some way that *C* wasn't that interesting after all.³⁴

In my work on Free Will, I have suggested a certain kind of *restructuring* of the traditional debates. I have contended that there are importantly different kinds of freedom (or control), and that seeing this can help us to sidestep some of the Dialectical Stalemates embedded in traditional debates about Free Will. In our discussion of death here I would opt for the other course of action alluded to above. That is, I would insist that it is unreasonable to demand an example that would in itself decisively show (in a nonquestion-begging way) that death can be a bad thing for an individual (I actually believe that Nussbaum may well be in agreement with me about this; her explicit contention is merely that the examples in themselves do not show that death can be a bad thing for the individual who dies, and this leaves it open that other considerations may be invoked).

Recall that I stated above that the crucial question in a Dialectical Stalemate may be whether it is plausible to accept the stronger principle, if one accepts the weaker principle. So the key issue is whether the difference between the stronger and weaker principles *makes a difference* to the issue at hand. Alternatively, I would argue that, whereas the Nagel-type cases discussed above all involve the persistence of a subject, it does not seem plausible that *this feature* is crucial – that it is *this feature* (perhaps together with others that are present in the examples) that inclines us to say that the relevant individual is harmed, and in the absence of which we would *not* be so inclined. So, my view is that if it is plausible to hold that the individual is harmed in the betrayal, stroke, and trekking cases, it would *also* be plausible to maintain that he is (or can be) harmed by death.

³⁴ Fischer, *The Metaphysics of Free Will*, p. 85.

Recall that Nussbaum stated (about the trekking case), “The right parallel, then, would be the case in which the mother and the daughter die at precisely the same instant. In this case I think we would not confidently assert that the mother has suffered a bereavement.”³⁵ It is correct that it would not be dialectically kosher to invoke the original version of the example as *decisive* evidence on the basis of which to conclude that death can be a bad thing for an individual. And I would agree with Nussbaum that one cannot conclude with confidence that the mother has suffered a bereavement, simply in virtue of consideration of her version of the example. But it would not be inappropriate to employ the original version of the example, together with suitable versions of the other examples, to generate the preliminary conclusion that a persisting subject can be harmed even in contexts in which he is unaware of the harm and does not suffer as a result. Then, if it is plausible that the difference between death and these contexts *does not make a difference to badness*, one could conclude that, even in Nussbaum’s version of the trekking example, the mother has been harmed.

Nussbaum holds that the Nagel-type examples do not in themselves decisively establish that death can be a bad thing for the individual who dies. She does however have reservations about the main argument.³⁶ Her worries stem not so much from the examples, but from considerations about our ongoing projects in life. Although I am in agreement with Nussbaum that the examples do not in themselves decisively establish that death can be a bad thing for the individual who dies, they are helpful insofar as they point us to that conclusion; they help to provide a strong plausibility argument for it. They challenge the Epicurean to state why one should think that the examples are importantly different from death. More specifically, why exactly should the pertinent feature – that death deprives us of the subject – make the difference in question? It is perhaps natural to suppose that the problem with there being no subject is that this issues in an *impossibility of experience*; but we have seen that the mere impossibility of experience is *not* what makes it the case that death cannot be bad, if it were indeed the case that death cannot be bad for the individual who dies. So why exactly does it matter that the subject is removed?

³⁵ Nussbaum, “Reply to Papers in Symposium on Nussbaum, *The Therapy of Desire*,” pp. 811–812.

³⁶ Nussbaum, “Reply to Papers in Symposium on Nussbaum, *The Therapy of Desire*,” p. 812.

5. LUCRETIOUS'S "PROFOUND INSIGHT"

Nussbaum states, "Lucretius profoundly suggests that we believe death to be bad for us through a mental sleight of hand, in which we imagine ourselves persisting and watching our own loss of the goods of life."³⁷ Stephen Rosenbaum also highlights this view of Lucretius, according to which at least part of our view that death is bad can be explained in terms of a natural, pervasive mistake – a tendency mentally to project ourselves into the future as somehow "there" and "watching" and perhaps even "suffering," even after our death. The mistake consists in covertly assuming that one will continue to exist and have a point of view, even after death.

In his more recent work on death, Nagel also emphasizes this subjective tendency to project oneself into the future:

It hardly needs saying that we are accustomed to our own existence. Each of us has been around for as long as he can remember; it seems the only natural condition of things, and to look forward to its end feels like the denial of something which is more than a mere possibility. It is true that various of my possibilities—things I might do or experience—will remain unrealized as a result of my death. But more fundamental is the fact that they will then cease even to be possibilities—when I as a subject of possibilities as well as of actualities cease to exist. That is why the expectation of complete unconsciousness is so different from the expectation of death. Unconsciousness includes the continued possibility of experience, and therefore doesn't obliterate the here and now as death does.

The internal awareness of my own existence carries with it a particularly strong sense of its own future, and of its possible continuation beyond any future that may actually be reached. It is stronger than the sense of future possibility attaching to the existence of any particular thing in the world objectively conceived—perhaps of a strength surpassed only by the sense of possible continuation we have about the world itself.³⁸

I believe that we do indeed have the sort of tendency noted by Lucretius (and Nagel), but that it is unclear whether its removal would, on balance, be helpful. This is because I think that sometimes, at least, our subtle projection of our perspective into the future, even after death, is comforting; we picture ourselves at our own funeral (listening to the no-doubt glowing eulogies of family, loved-ones, or friends), or, perhaps less nobly, we picture ourselves enjoying other

³⁷ Nussbaum, "Reply to Papers in Symposium on Nussbaum, *The Therapy of Desire*," p. 811.

³⁸ Thomas Nagel, *The View from Nowhere* (Oxford: Oxford University Press, 1986), p. 226.

emotions upon observing reactions by others to our own deaths. Now perhaps, strictly speaking, we are simply picturing the eulogies and the reactions, and not our own enjoyment of them. But it is Lucretius's suggestion that we tend to assume, perhaps subtly, that we are (somehow) still able to experience or be aware of the world, even after our deaths.

Consider these passages from an amusing piece by the comedian, Richard Lewis:

[Eulogizing myself at my own funeral] would be sort of a dream come true... My feeling is that since everyone in my life (except God) puts some kind of spin on me as to what and why and who and where I am, I at least deserve to get my licks in when it's me in that ... casket.

I really don't want to scare people who show up to pay their last respects for me, but I feel that I owe it to my soul (before it gets too set in its ways) to put in my own two cents. At the risk of sounding cocky, I expect and want a lot of people at the *last good-bye* and the more crying the better, because I suffered a lot of emotional shit and it would do my corpse good to hear a little sobbing, albeit too little too late.

I don't want a small, private funeral. Not just because I will probably be forever narcissistic but also because I so rarely left my house when I was living. I think it would be nice to see people for a change, even if I am *dead*. So come on down!!!³⁹

David Sedaris's short story, "The Last You'll Hear from Me," also contains some deliciously malevolent projections into the future:

³⁹ Richard Lewis, *The Other Great Depression* (New York: Plume Books [Penguin], 2002), pp. 244–245. Lewis goes on to write:

I have this gut feeling that if I made a 'live' appearance it would be a friendly and cool visitation and everyone would have a sense of calm about it. Everyone except former 'dates from hell' who are still actresses and see my demise as a great opportunity to showcase. As I've mentioned before, if I don't settle down in a good relationship but instead drop dead while still adolescently dating much younger women, I'm certain that my memorial service will mean nothing more to these vixens than a golden opportunity to display some histrionics (after catching a glimpse of some industry heavies in the synagogue) with the hopes of turning some heads (not mine anymore) and getting considered for a future role. After first feigning screams to plan a seed for future auditions for a potential horror-flick part, they would then, apparently out of the blue, go into powerful, well-rehearsed monologues from some Mamet play while paying lip service to my death by frivolously changing a few words here and there to refer to things that clearly come from my life—like too much masturbation and self-pity, my limitless quantity of neediness, or my sickening, debilitating habit of believing that I never did enough for the jerky people who knew how to make me feel guilty and worthless if I didn't go to bat for them (p. 245).

Dear Friends and Family,

By the time you receive this letter I will be dead. Those of you attending this service are sitting quietly, holding a beautiful paperweight, a gift from the collection, which, in life, had been my pride and joy. You turn the paperweight over in your hands, look deep inside, at the object imbedded in the glass, be it a rose of a scorpion, whatever, and through your tears you ask, 'What is death like?' By this time I certainly know the answer to that question but am unable to give details...

If my instructions were followed the way I wanted them to be (see attached instruction envelope #1), this letter is being read to you from the pulpit of The Simple Shepherd Church of Christ by my best friend, Eileen Mickey (Hi, Eileen), who is wearing the long-sleeved Lisa Montino designer dress I left behind that always looked so good on me. (Eileen, I hope you either lost some weight or took it out some on the sides or you're not going to be able to breathe. Also, remember it needs to be dry-cleaned. I know how you and your family love to skimp, but please, don't listen to what anyone says about Woolite. Dry-clean!)

Most of you are probably wondering why I did it. You're asking yourselves over and over again, "What could have driven Trish Moody to do such a thing?"

You're whispering, 'Why, Lord? Why take Trish Moody? Trish was a ray of bright sunshine, always doing things for other people, always so up and perky and full of love. Pretty too. Just as smart and sweet and pretty as they come.'

You're probably shaking your heads and thinking there's plenty of people a lot worse than Trish Moody. There's her former excuse for a boyfriend, Randy Sykes, for example. The boyfriend who, after Trish accidentally backed her car over his dog, practically beat her senseless. He beat her with words but still, it might as well have been with his fists. ...The Dog's death was a tragic accident but perhaps also a blessing in disguise as Randy tended to spend entirely too much time with it....

What did Trish's mother say when her daughter, heartbroken over her breakup with Randy, came to her in search of love and understanding?

'If you're looking for sympathy you can find it between shit and syphilis in the dictionary.'

Perhaps my mother can live with slogans such as this. I know I can't.

Neither can I live surrounded by 'friends' such as Annette Kelper, who desperately tries to pretend that nobody notices the fact that she's balding on top of her head. That's right. Look closely—balding just like a man. Perhaps Randy feels sorry for chrome-dome Annette. Maybe that's why he was seen twice in her company in a single five-day period...

Is everyone on earth as two-faced as Annette Kelper? Is everyone as cruel as Randy Sykes? I think not. Most of you, the loved ones I left behind, are simple, devoted people. I urge you now to take a look around the room. Are Randy Sykes and Annette sitting in the audience? Are they shifting uncomfortably in the pew, shielding their faces with the 8-by-11 photograph of me I had reproduced to serve as a memento of this occasion?

Fancy little shitheads! Look at them, take a good hard look at them. It's their fault I'm dead. They are to blame. I urge you now to take those paperweights and stone them. Release your anger! The Bible says that it's all right to cast the first stone if someone dead is telling you to do it and I'm telling you now, pretend the paperweights are stones and cast them upon the guilty. I've put aside my savings to pay for damages to the walls and windows. It's money I was saving for my wedding and there's plenty of it so *throw!* Hurt them the way they hurt me? Kill them? No one will hold you responsible. Kill them!⁴⁰

Much of the "fun" described above comes from illicitly assuming that one would still be around to witness the events in question, even after death. Much humor surrounding death, as well as many funerary practices, involve treating the dead as like the living in certain ways (ways obviously seen to be inappropriate, in the case of the humor).⁴¹ I simply wish to point out here that our (perhaps clandestine) assumption of our continued presence and capacity to be aware of the world, even after death, can be a source of comfort and consolation. If death is like life in this respect, even if it is unpleasant, it is not entirely mysterious and frightening – it has the ring of familiarity (Note that chronic pain sufferers sometimes think of their pain as "an old friend"). In any case, removing this tendency to project ourselves into the future (as having a persisting point of view) may lead to *enhanced* anxiety about death; the tendency tames death, and without it, the stark nothingness and total annihilation can seem more frightening. When death is completely different from life and lacking even in awareness, it can arouse less tractable, more unruly fears.

6. THE BANQUET ARGUMENT

Let us turn to Lucretius's "Banquet Argument." As in the case of a banquet, there is a definite pattern or temporal structure to a human life (in the typical case). The conclusion of the Banquet Argument is

⁴⁰ David Sedaris, *Barrel Fever* (Boston: Little Brown and Company, 1994), pp. 18–21.

⁴¹ Fischer (ed.), *The Metaphysics of Death*, pp. 29–30.

something like this: that our mortality is a necessary condition of our various activities having meaning and value of the sort we can comprehend and find attractive. Nussbaum writes, "... the removal of all finitude in general, mortality in particular, would not so much enable these values [the values we find in friendship, love, justice, and the various forms of morally virtuous action, for example] to survive eternally as bring about the death of value as we know it."⁴² She contends that we would not have the virtues without death. For example, Nussbaum says that courage involves "a certain way of acting and reacting in the face of death," and moderation "is a management of appetite in a being for whom excesses of certain sorts can bring illness and eventually death...."⁴³

I have pointed out, in contrast, that death is not the only condition that could provide a point or content to the virtues. Even in an immortal life, there could be long stretches of physical and/or emotional disability, depression, anxiety, boredom, loneliness, and so forth. These sorts of potential conditions could certainly give a shape to our lives and content to the virtues. We do not need death in order to have danger, and to provide considerable impetus to ourselves to strive to avoid terrible disability, dysfunctionality, and suffering. Nussbaum has subsequently expressed her agreement with this point, saying, "So I agree with Fischer: we need to take apart the different limitations of a human life much more precisely, asking exactly how each of them works in connection with the shaping of value."⁴⁴

In this section I wish to make a few tentative gestures toward understanding these issues a better. First, note that the proponent of the view that immortality is necessarily bad (such as Bernard Williams⁴⁵) insists that there are no conceivable circumstances in which immortal life would be recognizably human and attractive. If in our immortal lives we became decrepit or permanently disabled, this would certainly give the relevant sort of "shape" to our lives, but there would emerge the concomitant danger that our lives would be unattractive. Thus, the sort of circumstances I am envisaging would involve the potential for long-term and significant disabilities and

⁴² Nussbaum, *The Therapy of Desire*, p. 226.

⁴³ Nussbaum, *The Therapy of Desire*, pp. 227 and 228.

⁴⁴ Nussbaum, "Reply to Papers in Symposium on Nussbaum, *The Therapy of Desire*," p. 813.

⁴⁵ Bernard Williams, *Problems of the Self* (Cambridge, Cambridge University Press, 1973), pp. 82–100).

suffering, but with subsequent regeneration and recovery. This certainly seems both conceivable and potentially attractive.

It is often stated that an immortal life would have no shape. How could we care about something essentially amorphous? Consider, for example, an ordinary physical object, such as a carpet. You might think that you could simply expand the size of the carpet in your imagination indefinitely and that you would thereby imagine a very large carpet—indeed, an infinitely large carpet. But the problem is that a carpet is what it is—a particular carpet—in virtue of its borders. As one expands the carpet in one's mind, it inevitably explodes into shapelessness as the distinction between the carpet and the noncarpet surroundings becomes blurred. Similarly, a statue is the particular statue it is in part because of the contours of its borders; expand them indefinitely and one is in danger of having no sculpture at all, but a huge, formless blob of marble.

But I believe the analogies are misleading here. First, it is not entirely evident that the thought-experiments issue in their putative conclusions. Perhaps one can think of an indefinitely large carpet! But, more importantly, why not think of infinitely long life as similar to an indefinitely long electrocardiogram? (What could be more appropriate in this context than the representation of one's heartbeat – the physical engine of life?) I do not see why one could not have an indefinitely long electrocardiogram, with a given pattern displayed at any given temporal period. After all, one need not expand to infinity *all of the spatial dimensions* of the relevant object; one can have an indefinitely long electrocardiogram with specific structure and content along the way, since the vertical dimension need not be extended along with the horizontal one. It is surely a mistake to think that "shape" need be conflated with features of one dimension—the boundless horizontal dimension.

Yes, a banquet has a definite and bounded temporal structure: appetizers, soup, salad, main course, desert, and so forth. Also, our lives typically have a certain narrative structure with a beginning, middle, and end (carved up very roughly). It is of course normally thought to be a virtue – a sign of great wisdom – to accept the finitude of our lives and not engage in what the Greeks called "plenoexia" or a certain sort of inappropriate "overreaching." But the question at issue here is not about our ordinary, normal lives, but about life's possibilities, considered from a distinctively philosophical point of view. Why can a banquet not be a kind of "temporal all-you-can-eat buffet?" Better: why can we not imagine an indefinitely extended

banquet, with suitable intervals for recovery (and enjoyment of other activities)? This is, after all, the way “foodies” tend to look at life already!

And our lives have a narrative structure, but why suppose that essential to this sort of structure is finitude? After all, many people watch soap operas, which are stories that are seemingly endless. Perhaps more carefully put: it seems to me that our lives could have certain of the distinctive features of narrative structure *without* finitude. Specifically, our lives can be thought to have value based on narrative structure, even apart from whether the lives are bounded temporally. So, for example, we value succeeding as a result of striving or learning from past mistakes, rather than merely as a result of a windfall (such as winning the lottery). The values encoded in human narratives could still exist, even if the stories were infinitely long; these are a function of *relationships*, not *finitude*. We mean different things when we advert to the notion that our lives are (or correspond to) “stories,” and that they have narrative structure. I believe that the chief element is narrative value, rather than finitude.⁴⁶

Consider, finally, what I would dub the “Super-Powers Problem.” In an immortal life, presumably one would know that one has immortality. By the way, this raises interesting questions about the concept of immortality, as it plays a role in philosophical discussions. I am assuming that the relevant individuals *know* that they are immortal, and *not* simply contingently so; they know that they are invulnerable to death, not just that in fact they will not die. But if one knows one is invulnerable to death, one knows one could do lots of things without having to worry about death – skydiving (without a parachute), rock-climbing in the most exotic and precarious places, and so forth. Further, one knows that, no matter what happens to one, one will not die: so, someone could riddle you with bullets and you would nevertheless continue to live. Given these realizations, one might conclude that one could do just about anything, and, although such a life might seem at first attractive, it would be so fundamentally different from our own, finite, limited human lives as to be incomprehensible to us.

The reply is again that, although the envisaged circumstances would be very different from our current status, they would not be

⁴⁶ I explore these issues in greater depth in, John Martin Fischer “Free Will, Death, and the Meaning of Life: The Role of Narrative,” *Philosophical Papers* 34 (2006), pp. 379–404.

sufficiently different to justify the purported conclusion. As with the virtues, we must remember that there are dangers other than death. So, even if I realize that I am invulnerable to death and thus that I would continue to live, even if I were to fall from a high mountain cliff or were riddled with bullets, I would still realize that I would no doubt be significantly damaged by such things. Consequent pain, suffering, and disability would be a constraint against trying such antics, and would also temper any inclination to suppose that one had “infinite” or super- powers. Life would be different, but, arguably, *analogous* to our finite human lives.⁴⁷

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⁴⁷ I benefited from reading a truncated version of this paper at the University of Buffalo “Conference on Metaphysics and Medicine,” November 2004, organized by Barry Smith. I also discussed the paper with members of David Hershenov’s University of Buffalo philosophy department graduate seminar; I am grateful for their thoughtful comments. I have also read versions of this paper at the philosophy departments at Duke University, The John Hopkins University, and Washington University in St. Louis. I am very grateful to thoughtful comments on these occasions. Finally, I am honored to be part of this celebration of the work of Martha Nussbaum.