

BOOK REVIEW

Can death be a harm to the person who dies?

J Li. Kluwer Academic Publishers, 2002, \$US70/£47, pp 193. ISBN 1 4020 0505 9.

This book is a concise, clearly written, and rigorously argued discussion of the main question regarding the metaphysics of death. In defending the view that death can harm the person who dies, Jack Li refutes Epicurean and Lucretian arguments that death cannot harm us and that it is irrational to fear death. Epicurus held that a person can be harmed only when he exists. Because death is the end of a person's existence, death cannot harm him. Therefore, death should be "nothing to us". Lucretius offered the following symmetry argument. No one is harmed by, and no one fears, prenatal non-existence. Postmortem non-existence is symmetrical to prenatal non-existence. Therefore, no one can be harmed by postmortem non-existence, and it is irrational to fear this state.

To show that the Epicurean and Lucretian arguments are flawed, Li examines three different theories proposed by such philosophers as Thomas Nagel, Joel Feinberg, Jeff McMahan, and Fred Feldman. The first is the "desire thwarting" theory, which says that death can harm us because it thwarts our unconditional desire to continue living. The second is the "deprivation" theory, which says that death can harm us because it deprives us of the goods we would have enjoyed had we continued to live. The third is the "interest impairment" theory, which says that a person can be harmed by events that occur after his death. A person's interests can survive his demise. Although he no longer exists, he can be harmed if conditions spelled out in his will are not executed, or if a close friend or family member breaks a deathbed promise. In these respects, a person can be harmed posthumously. In response to the "missing subject" objection, Li argues that the subject of a posthumous harm is the antemortem person who had the interest. It is before death that the person is harmed by the defeat of his surviving interest after death.

Focusing mainly on the interest impairment theory, Li draws three conclusions: (1) a person's premature death (or the fact that a person dies prematurely) is *always* a harm to him; (2) a person's death event (or the event which brings about a person's death) from a relatively wider view on the cause of his death is *generally* a harm to him, and (3) a person can be harmed by *posthumous* events (page 134–5). Li does not offer a novel theory about the metaphysics of death. Rather, he refines the different views explaining why death can be harmful. He moves the debate forward by carefully analysing aspects of mortality that have not been adequately addressed by other philosophers.

On the whole, Li's arguments are sound and convincing. There are two claims that can, however, be challenged. Firstly, Li claims that "prenatal non-existence includes no facts with relation to the subject's interests" (page 136). This seems false. A person with a late-onset genetic disease such as Huntington's, or an early-onset genetic disease such as cystic fibrosis, can be harmed by the fact that his or her parents were carriers of the mutations that cause these diseases. Given that a person has an interest in having a life without disease, and that a genetic mutation passed from the parents to the child causes the disease, the cause of the disease is a prenatal fact related to the subject's interests. The mutation existed before the birth of the child and can adversely affect the life of the child once she exists. Secondly, the claim that premature death is always a harm also seems false. Although it may generally be bad that people cannot complete a biological life span of 80 years or so, there are cases where people suffering from diseases do not care about living this long. Indeed, there are people with chronic diseases from birth for whom a life of 80 years with such a disease might be considered more bad than good. This is relevant to Li's all too brief discussion of euthanasia in the penultimate paragraph of the book. For a person in severe, uncontrollable pain, continued life with no compensating goods would be a harm to him. It would thwart his interest in living without pain and suffering. In these cases, voluntary euthanasia, physician-assisted suicide, or otherwise dying before completing a normal biological

life span would not obviously be harmful to the person. On the contrary, it could be a net benefit for him. In the light of these considerations, Li is entitled only to the weaker claim that *sometimes* premature death can harm a person, not the stronger claim that it is *always* a harm.

The other moral issue that Li mentions is abortion. He raises questions about the moral status of the fetus and whether, if the fetus is a person, this status gives a fetus a right to life. Yet these and other questions are only raised; they are not discussed further. It would have been helpful if Li had applied his conclusions about the metaphysics of death to the morality of abortion. If, for example, a fetus has an interest in being brought to term, then it might follow that aborting it would harm it because this would thwart the fetus's interest. Would the permissibility or impermissibility of abortion rest on whether a fetus can have an interest in becoming a fully fledged person and whether this interest is satisfied or defeated? Should abortion be considered a type of premature death? Ethical issues about benefit and harm presuppose metaphysical issues about personal identity through time and causation. Because the treatment of the two medical ethical issues of euthanasia and abortion is so brief, it is unclear how Li conceives of the connection between metaphysics and medical ethics. This connection could have been explored in an interesting and illuminating way.

This point leads to a more general question about the book. Because all but the last two paragraphs pertain to metaphysical questions about death, one wonders why this book is included in a philosophy and medicine series. There is scant attention given to ethical issues in medicine and healthcare, and the two ethical issues the author mentions are discussed in only a cursory manner. In sum, this book is an important contribution to philosophical debate about the metaphysics of death. It sheds little light, however, on the ethics of medical decision making at the beginning and end of human life. It will appeal to philosophers, but not to healthcare professionals.

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