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MEETING THE EPICUREAN CHALLENGE: A REPLY TO CHRISTENSEN

ABSTRACT

In 'Abortion and deprivation: a reply to Marquis', Anna Christensen contends that Don Marquis' influential 'future like ours' argument for the immorality of abortion faces a significant challenge from the Epicurean claim that human beings cannot be harmed by their death. If deprivation requires a subject, then abortion cannot deprive a fetus of a future of value, as no individual exists to be deprived once death has occurred. However, the Epicurean account also implies that the wrongness of murder is also not grounded in the badness of death, which is strongly counterintuitive. There is an alternative: we can save our intuitions by adopting a more moderate Epicurean account such as that proposed by David Hershenov, who grounds the wrongness of killing in the prevention of the benefit of further good life rather than in the badness of death. Hershenov's account, however, is equally applicable to Marquis' argument: abortion similarly prevents a fetus from enjoying the benefit of a future like ours. Consequently, we conclude that Christensen's criticism of Marquis' argument fails to undermine his reasoning.

INTRODUCTION

In 'Abortion and deprivation: a reply to Marquis', Anna Christensen [1] contends that Don Marquis' influential 'future like ours' (FLO) argument [2] for the immorality of abortion faces a

significant challenge from the Epicurean claim that human beings cannot be harmed by death for the following reasons: firstly, when someone is alive they cannot be harmed by death because death has yet to occur, and secondly, once someone has died they no longer exist to be harmed by it. At neither time, therefore, can death be considered bad for an individual, and therefore it is not bad for them at all.

Marquis' argument rests on the claim that abortion, like murder, deprives an individual of a future of value, and this is why abortion and murder are both morally wrong. This is known as the deprivation account of the badness of death, and Christensen's argument is that deprivation of a future requires that an individual must exist to be deprived of their future, as per the Epicurean claim.

The difficulty for Marquis seems plain: for the FLO argument to succeed, Marquis must refute the Epicurean challenge that claims deprivation requires a subject. Additionally, Christensen notes that Marquis concurs that 'the absence of any discernible subject of harm must mean that no harm can occur'.[1] This is an important component of his argument, as it is required to avoid the claim that contraception similarly prevents a FLO from eventuating, making contraception immoral. Christensen concludes that her analysis shows 'that the wrongness of murder is not that it deprives someone of her FLO', and that we require 'another explanation for the moral wrongness of murder and, by extension, a different argument for the moral impermissibility of abortion'.[1] If Christensen is correct about the veracity of the Epicurean challenge, it seems a decisive objection to Marquis' argument.

EPICUREANISM IS COUNTERINTUITIVE

There are, however, significant obstacles for Christensen's argument. The first is the widely shared skepticism towards Epicureanism, at least for 'strong' Epicureanism, which denies there is nothing whatsoever bad about death. Christensen does consider its credibility but fails to challenge its most important objection: that the Epicurean view of the harm of death—that death is not bad for the one who dies—is acknowledged to be extremely counter-intuitive. For example, Jeff McMahan takes the view that we should take 'strongly held intuitions (e.g. that it is generally worse to die in early adulthood than in one's dotage) to be starting points for inquiry that are not to be lightly abandoned'.[3] Similarly, Harry Silverstein claims that with regard to killing, 'the Epicurean view has implications that are seriously disturbing, its acceptance would wreck havoc, in my opinion, with our considered judgment'.[4] Eric T. Olson considers 'that it is impossible for anyone to be a consistent Epicurean'.[5] Interestingly, Marquis himself has long ago considered the challenge of Epicureanism, and takes a similar view to McMahan and Silverstein. In a response to Barbara Baum Levenbook, he states that 'the Epicurean argument does seem to have wildly counterintuitive consequences for the supposed harm of murder or the supposed loss of life. Hence, most of us bracket off that argument in most philosophical contexts to get on with our work on the ethics of killing and related issues'.[6]

Given the counter-intuitive implications of the Epicurean position—that murder is not wrong because it deprives a person of a FLO—it seems understandable that Marquis does not regard it as an argument that requires serious consideration. It is also worth noting that the Epicurean objection also leads to other absurd outcomes relevant to the discussion of abortion and death. For instance, the purpose of modern medicine is generally construed as being therapeutic: it is concerned with saving lives and assumes that a longer life—all things being equal is better than a shorter one.[7] Epicureanism implies that patients are not

harmed if their lives are shortened by disease, depriving them of a FLO, contrary to one of the fundamental reasons for practicing medicine.

Because Epicureanism challenges our widely believed understanding of the badness of death and is commonly rejected, Christensen's argument does not seem to be a persuasive criticism of Marquis' reasoning: if the belief that death is in no way bad for the person who dies is accepted, all our ethical theories about the morality of killing must be revised and likely discarded. There is little sign of this occurring, and so it seems the Epicurean challenge has had little impact on our theories concerning the morality of killing.

MODERATE EPICUREANISM

Some philosophers have grappled with this challenge, however, and pose another problem for Christensen's argument: there are a variety of more moderate Epicurean positions that do *not* undermine Marquis' FLO. One example is David Hershenov's 'more palatable' Epicureanism.[8] Hershenov separates the concepts of 'good for' and 'bad for': without making any claim that death is bad for a person, he asks us to imagine if additional life is good for a person. If it is, as most of us believe, then killing someone is wrong because it *prevents* someone from benefiting from additional life; it is not wrong because it harms someone who does not exist. Aaron Smuts has a similar strategy: his *innocuousism*, as he calls it, claims that an event that is less good for a person is one that prevents a pleasurable state.[9] Death results in less good for a person, and so it is bad for them in this way, not experientially bad.

Both Hershenov's and Smut's accounts ground the wrongness of killing in its prevention of a person enjoying the benefits of extra life—essentially, preventing a person from enjoying the

rest of their future, a FLO. This is equally applicable to a fetus—death will also prevent a fetus from enjoying a FLO. Thus these more moderate Epicurean accounts are compatible with Marquis' account of the immorality of abortion.

CONCLUSION

Let us return to Christensen's contention that the Epicureanism challenge shows that the wrongness of murder is not grounded in the deprivation of a person's FLO. Given how strong versions of Epicureanism lead to very counterintuitive conclusions about the morality of killing, there seems little reason not to employ more moderate accounts such as Hershenov's or Smut's to explicate the Epicurean puzzle regarding the badness of death. However, both of these accounts ground the wrongness of killing in the prevention of someone enjoying additional life—essentially, preventing them from enjoying a FLO. This is consistent with Marquis' FLO argument, and so Christensen's Epicurean challenge fails to undermine Marquis' reasoning. Other reasons must be found if it is to be claimed that Marquis' FLO argument fails to provide a plausible account of the immorality of abortion.

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