Conversation from Beyond the Grave?
A Neo-Confucian ethics of chatbots of the dead

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Abstract: Digital records, from chat transcripts to social media posts, are being used to create chatbots that recreate the conversational style of deceased individuals. Some maintain that this is merely a new form of digital memorial, while others argue that they pose a variety of moral hazards. To resolve this I turn to classical Chinese philosophy to make use of a debate over the ethics of funerals and mourning. This ancient argument includes much of interest to the contemporary issue at hand, including the use of impersonators of the dead to help the bereaved to deal well with their grief. I connect this historical discussion with a modern trend in clinical psychology that reframes therapeutic interventions with bereaved individuals. The trend directs practitioners away from facilitating detachment and toward affirming continuing bonds. I conclude that these chatbots can offer an important source of support to mourners, but discuss parameters and features of social context that will be important to avoid the moral hazards identified by skeptics.

Keywords: grief, digital death, Confucian ethics, chatbots

1. Introduction

In 2016, Eugenia Kuyda built a chatbot that she trained on over 8,000 lines of text messages from her deceased friend Roman Mazurenko. The resulting bot converses in a style that his loved ones reportedly find eerily convincing. For example, one friend writes,

> "What really struck me is that the phrases he speaks are really his. You can tell that's the way he would say it — even short answers to 'Hey what's up.' He had this really specific style of texting. I said, 'Who do you love the most?' He replied, 'Roman.' That was so much of him. I was like, that is incredible." [1]

[1] Casey Newton, 'When Her Best Friend Died, She Used Artificial Intelligence to Keep Talking to Him', *The Verge*, 6 October 2016 <https://www.theverge.com/a/luka-artificial-intelligence-memorial-roman-mazurenko-bot>.

This bot makes use of predictive analytics, which draw on a dataset of past activities in order to predict what comes next in a sequence. It is used for autocomplete suggestions in emails and text messages, but can also help chatbots generate appropriate responses based on past exchanges.

Most such bots use datasets that include information from many users. But each of us leaves a trail of digital information, from social media, to emails, to texting and various messaging systems. This individual data can be compiled to generate a chatbot that draws on a particular individual's conversational history to produce responses like those that person would be likely to offer. And while this possibility is being explored to use for things like virtual assistants and customized autocompletion for living users, it can also be used to build a chatbot that imitates a person who is no longer living.

This possibility was the basis of the *Black Mirror* episode "Be Right Back", which (as the show so often does) explored the disturbing and worrisome implications of this technology [2]. It has also been realized, as noted already, in actual chatbots based on deceased individuals.

Some find this unethical. *Black Mirror*'s "Be Right Back" is devoted to exploring potentially tragic consequences of devices that are almost but not quite real enough... that leave us mired in grief but drawn back in to the pseudo-relationship, unable to move on but unfulfilled by the facsimile of a loved one [3]. Some of Roman Mazurenko's friends expressed concern that Kuyda had failed to take this warning to heart. But Kuyda views her work as more akin to a funeral memorial, or a photo album, a more sophisticated way to interact with our records of the deceased, to commemorate without attempting to replace them. And her efforts have been

[2] Owen Harris, 'Be Right Back', *Black Mirror* (United Kingdom: Channel Four Television Corporation, 2013) <https://en.wikipedia.org/wiki/Be_Right_Back>.

[3] Harris.

appreciated by some important agents. For example, Mazurenko's mother has voiced her approval of the bot [4].

To draw well-founded conclusions about ethical issues involving this technology, we need to think carefully about grief, loss, death, and mourning. In this project I bring together a number of different resources. Compared to the Western philosophical tradition, classical Chinese philosophers engaged in a rich and sophisticated discussion of the ethics of grieving, commemorating the dead, and responding appropriately to loss [5]. While many Daoists advocated for moderation with respect to grief, including criticism of the expenses and attention devoted to the deceased, Confucians saw grieving as an appropriate response to the loss of a loved one, which justified investment of time and resources [6]. The resulting debate offers valuable theoretical resources for thinking about how and when to move on, and when to remain engaged with, those we have lost [7].

In addition, empirically informed recent work in ethics suggests that there is value to be found in maintaining what Norlock calls "imaginal relationships" with the dead [8]. This line of argument draws on contemporary work in clinical psychology, which suggests that grieving often involves thinking of oneself as sustaining a relationship with the deceased, by continued engagement with an internal representation of the loved one. This phenomenon can be quite

[4] Newton.

[5] Amy Olberding, 'Department of Deviance: Philosophical Undertakings', *Department of Deviance*, 2017 <http://departmentofdeviance.blogspot.com/2017/03/philosophical-undertakings.html> [accessed 17 October 2018].

[6] Alexis Elder, 'Zhuangzi on Friendship and Death', *The Southern Journal of Philosophy*, 52.4 (2014), 575–92 <https://doi.org/10.1111/sjp.12086>; Amy Olberding, 'The Consummation of Sorrow: An Analysis of Confucius' Grief for Yan Hui', *Philosophy East and West*, 54.3 (2004), 279–301 <https://doi.org/10.1353/pew.2004.0020>; Amy Olberding, 'Sorrow and the Sage: Grief in the Zhuangzi', *Dao*, 6.4 (2007), 339–59 <https://doi.org/10.1007/s11712-007-9020-2>; Thomas Radice, 'Method Mourning: Xunzi on Ritual Performance', *Philosophy East and West*, 67.2 (2017), 466–93 <https://doi.org/10.1353/pew.2017.0035>; David B. Wong, 'The Meaning of Detachment in Daoism, Buddhism, and Stoicism', *Dao*, 5.2 (2006), 207–219.

[7] *Mortality in Traditional Chinese Thought*, ed. by Amy Olberding and P. J. Ivanhoe, Suny Series in Chinese Philosophy and Culture (Albany: State University of New York Press, 2011).

[8] Kathryn J. Norlock, 'Real (and) Imaginal Relationships with the Dead', *The Journal of Value Inquiry*, 51.2 (2017), 341–56 <https://doi.org/10.1007/s10790-016-9573-6>.

long-lived. For example, it can continue after remarriage and affect the course of the new relationship, which can be benefited when the new spouse recognizes the ongoing significance of the deceased partner [9]. In this sense, chatbots like Kuyda's merely externalize a robust pre-existing phenomenon, in which we imagine ourselves in conversation with loved ones, using our own extensive knowledge of their patterns of response to generate for ourselves answers like they would have given.

Of course, drawing on memories of loved ones is in some senses quite different from drawing on data generated by them. The ethics of digital artifacts of the dead, and whether or to what extent the dead deserve privacy when it comes to their digital data, has become a rich topic in its own right, and one that needs to be considered in developing an ethics of such chatbots [10]. But even assuming that a person explicitly gave consent for data to be used in this way and/or the ethical concerns involving privacy and data ownership have been addressed, there remain questions about the impact of these technologies on survivors. By many accounts, Mazurenko was the sort of person who would have willingly agreed to have his data used in this way, and yet there seem to be questions that remain about the impact of this sort of technology on his friends and family. [11]

As this case shows, it is entirely possible for some survivors to greatly desire such a chatbot, and others to vehemently oppose it. How should such considerations be weighed? To

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[9] D. Klass, P.R. Silverman, and S. Nickman, *Continuing Bonds: New Understandings of Grief*, Death Education, Aging and Health Care (Taylor & Francis, 2014) <https://books.google.com/books?id=u4COAwAAQBAJ>.

[10] Tama Leaver, 'The Social Media Contradiction: Data Mining and Digital Death', *M/C - Media and Culture*, 16.2 (2013) <http://journal.media-culture.org.au/index.php/mcjournal/article/view/625>; *Digital Death: Mortality and beyond in the Online Age*, ed. by Christopher M. Moreman and A. David Lewis (Santa Barbara: Praeger, 2014); David Nilsson, Magnus Sahlgren, and Jussi Karlgren, 'Dead Man Tweeting', in *Workshop on Collecting and Generating Resources for Chatbots and Conversational Agents-Development and Evaluation, Portorož (Slovenia), May 28, 2016*, 2016.

[11] Newton.

what extent are desires for such chatbots the sort of things it would be good for those who hold them to be fulfilled? While grieving processes surely vary for each of us, it seems an open question whether our goal should be to move past the loss, or live with it.

As this question is one confronted directly by the classical Chinese debates my aim is to draw on this discussion to develop an accounting of the ethical issues involved in chatbots of the dead, in order to account for the many, intense but conflicting reactions it brings up, as well as to suggest some directions for ethical development and deployment. Thinking through these longstanding issues can help understand what would constitute beneficial versus problematic design and use of such chatbots, which are both interesting on their own and as examples of new directions that technologies may take us in responding to death. In particular, by situating this new technology in the context of a longstanding conversation about use of the artificial to engage well with death, grief, and mourning, I show how we can resist the tendency to criticize it merely because of its unfamiliarity or artificiality, while drawing on resources in moral psychology to make good use of its potential.

2. Worries about this technology

From examination of both real and fictional cases of chatbots of the dead, at least three concerns emerge. I identify them here, returning to them in Section 6 to assess how satisfactorily they can be addressed by the theoretical resources found in classical Confucian philosophy and contemporary clinical psychology.

The first is that interacting with such bots would hold us back or keep us from moving on. When the protagonist of "Be Right Back" receives her bot, she begins withdrawing from

society, instead finding ways to engage with the bot that mimic her past relationship with her husband, carrying on with her life as she had been living it, as though he had not died [12].

The second worry, related to this but distinct in character, is the idea that such bots make poor substitutes for living friends and family. This can be fleshed out in a few ways. For example, the fact that the bot draws on past experiences to predict future responses might mean that it is incapable of adapting, growing, and changing with the other person. There might be concerns about how versions of ourselves we present publicly are carefully edited, and do not accurately represent how we act in intimate relationships (for example, perhaps there are things I might not say on Facebook or in an email but would say face-to-face to a close friend). This would be reflected in a bot that disproportionately draws on publicly presented data to extrapolate my responses, when my friends would have access to the less-edited version as well. Or perhaps I present different public "selves" to different friends or in different contexts, and drawing data from one context and using it in a different way, without involving me, would violate the integrity of these contexts [13] or fail to take into consideration the importance of the work I put into authoring *different* social selves in different relationships [14]. There are also, of course, more general concerns about bots' inability to understand, in some significant sense, topics of discussion and so are unable to offer genuine insight.

In principle, some of these concerns might be overcome, some more easily than others. For example, one might make a bot that incorporates current news stories, or assimilates ongoing conversations into its database of responses, to make something that adapts and changes over time in a convincing way. Or, if contextual or relational differences affect a person's actions, a

[12] Harris.
[13] Helen Nissenbaum, 'Privacy as Contextual Integrity', *Wash. L. Rev.*, 79 (2004), 119.
[14] Daniel Susser, 'Information Privacy and Social Self-Authorship', *Techné: Research in Philosophy and Technology*, 2016.

sensitive enough analysis of the data might allow the software to convincingly incorporate these patterns into future outputs.

Despite these technical fixes, the more basic problem remains: these chatbots are not people and yet they look and feel enough like them that, like artificial sweeteners, they might trick us into thinking we have something valuable that we in fact lack. It is made all the sharper by noting that the bot need not be terribly convincing overall in order to trigger the right sorts of emotional responses from people already predisposed to find these appearances significant. Just as even stylized googly eyes can activate people's social responses [15], the right phrase or joke offered up by the bot might evoke a rich array of memories and responses from a grieving person with a substantial history with the original source of the bot's conversational data[16].

These two concerns interrelate in that, to the extent that bots might hold us back or keep us from moving on, they seem to do so by inviting us to interact with them, both in ways that preclude forming new attachments (for instance, by refraining from dating someone new) and in ways that keep us turning to the deceased for support when we ought to be reaching out to others in our social network (as when the protagonist in "Be Right Back" avoids interacting with her sister, turning instead to the bot to discuss her life after her husband's death).

The last concern is in some ways more insidious. This is the idea that by interacting with chatbots of deceased loved ones, we seem to prioritize what we get out of such interactions over care for the person. It treats the friend as valuable merely as a means to conversation, rather than an object worthy in its own right. In cases where the wellbeing of the person comes apart from the conversational goods obtainable from that person, it might seem deeply troubling to accept

[15] Melissa Bateson, Daniel Nettle, and Gilbert Roberts, 'Cues of Being Watched Enhance Cooperation in a Real-World Setting', *Biology Letters*, 2.3 (2006), 412–14 <https://doi.org/10.1098/rsbl.2006.0509>.

[16] I thank [redacted for review] for making this point.

the conversation without the person. That is, it might be bad for the mourner's conception of friendship to engage with such a chatbot.

I now set these concerns to the side, for the moment, in order to turn to what might seem an unlikely source for thinking through the ethics of chatbots of the dead. I will return to them later to see how this resource can be leveraged to address these concerns.

3. Ethics of mourning in classical Chinese philosophy

Classical Chinese philosophers engaged in an extended discussion about the ethics of mourning and bereavement rituals. For readers who may be more familiar with Western philosophy than Chinese, I begin with a brief introduction to salient features of this intellectual tradition. Roughly, some of the main schools of thought can be sketched out as follows. The Mohists advocated for impartial, universal love and logical efficiency, and criticized lavish funerals and mourning periods for wasting resources that could be spent on the living, while granting that (simple) burial practices and brief mourning served important purposes [17]. Daoists (at least sometimes) took the view that death is a transformation, not a loss, and that mourners at funerals were mistaken. The Daoist text *Zhuangzi* has Daoist friends shooing crying families away from deathbeds so as not to "distract" the dying person while he "transforms", singing unconventionally over a friend's corpse instead of mourning as was considered culturally appropriate at the time, and Zhuangzi himself whimsically remarks that he would prefer not to be buried at all, and that burial seems to arbitrarily prioritize worms and insects over the carrion

[17] Mozi, 'Mozi', in *Readings in Classical Chinese Philosophy*, trans. by P. J. Ivanhoe, 2nd edn (Indianapolis, Indiana: Hackett Publishing Company, 2001), pp. 59–114 (pp. 80–90).

birds [18]. He also, however, reportedly reacted to the sight of a friend's grave, complaining that since he died, "I have had no one to use as a partner, no one with whom to talk about things." [19] Against these skeptics, Confucius and his followers in the Confucian tradition defended the value of rituals and cultivated emotional responses via prescribed mourning rituals and funeral rites. Although Confucians are often compared to Aristotelians, here it is helpful to note that the Confucian tradition differs in offering a more detailed, robust account of the importance of social practices in cultivating character, and in the importance placed on appropriately embodying various social roles within a society.

The Mohists' primary concern with funeral practices was preventing waste: they saw the lavish burial goods and resources expended during a mourning process that took people out of work and away from their daily concerns and responsibilities as inefficient. The Mohist prescription was to quickly bury corpses in simple wooden coffins, above the waterline but deep enough to contain decay, and encourage people to return to work and ordinary responsibilities as quickly as possible [20].

While they may have been right to criticize some of the elaborate excesses of funerals of state, the proposed solution seems subject to many of the same criticisms as those that plague contemporary utilitarians: this quick and efficient approach does not seem to do justice to the internal life of the bereaved, to the psychological impact that the loss of a loved one can have on survivors, nor to the importance of the relationship to those remaining. It seems to miss the complexity of mature human relationships and has no room for grief, precisely because it strives to maximize a simplistic form of the good.

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[18] Zhuangzi, *Chuang-Tzŭ: The Inner Chapters*, trans. by A. C. Graham (Indianapolis: Hackett Pub. Co, 2001).

[19] Zhuangzi, p. 124.

[20] Mozi.

The Daoist response, by contrast, focuses on the psychological impact of loss. Although Zhuangzi rejected "chop-logic" and rigid logical argumentation [21] and embraced a plurality of views, even at the cost of consistency, which can make it difficult or wrong-headed to attempt to pin this text down to a single line of reasoning [22], there is a repeated emphasis on the importance of equanimity, and of finding new ways to look at things that have caused one distress, ways that reduce this emotional distress. "The True Men of old slept without dreaming and woke without cares, found one food as sweet as another, and breathed from their deepest depths. … Wherever desires and cravings are deep, the impulse which is from Heaven (tian) is shallow." (84) If we can just find the right way to see things, we will not be so undone by the death of loved ones. When Zhuangzi's wife died, a friend came by to find Zhuangzi singing. When the friend questioned this, Zhuangzi replied that at first, he had "felt the loss" but eventually saw that she was now to be "companion with spring and autumn, summer and winter, in the procession of the four seasons. I with my sobbing knew no better than to bewail her. The thought came to me that I was being uncomprehending towards destiny, so I stopped." (123-4) By adopting a way of seeing the loss as part of a natural transformation, one can put a stop to heart-rending grief and thereby do away with the need to abide by traditional bereavement and mourning practices [23].

The Confucian defense against these criticisms from the Mohists and Daoists is particularly interesting, as we confront not just a new technology, but a new activity of bereavement. Many of the Confucians' arguments are framed as responses to criticisms by various socially radical factions, whether the efficiency-minded Mohists or the unconventional Daoists. Because of this, they can come across as traditionalists, defending the value of particular

[21] Zhuangzi, p. 82.
[22] Eric Schwitzgebel, 'Death, Self, and Oneness in the Incomprehensible Zhuangzi', 2016.
[23] Elder.

established practices. But their claims have wider application than the context in which they are first made, because they draw on a rich account of naturalized moral psychology to make their case, arguing that these practices matter because of their connections to our social nature and social identity. This can provide a powerful challenge to their interlocutors. Even Zhuangzi, who was willing to walk away from so much social convention, keenly felt the loss of his friend, and while chatbot technology might provide a literal solution to his lack of a conversation partner, there seems to be something important about the Confucian view that speaks against the criticisms just surveyed.

Confucius himself took grieving to be not just a natural response, and not just valuable because of tradition, but an important feature of a virtuous person, one worth cultivating. Much of the value of funeral and grieving rituals was to be found in their contributions to the development and sustenance of these features.

The *Analects* are a collection of remarks by and stories about Confucius, and a primary source of information on the man himself [24]. Several of these analects involve the importance of grieving. For example, he is said to have remarked: "Someone who lacks magnanimity when occupying high office, who is not respectful when performing ritual, and who remains unmoved by sorrow when overseeing mourning rites—how could I bear to look upon such a person?"[25] And he took care to show respect for mourners; for instance, when he "dined in the company of one who was in mourning, he never ate his fill"[26] His respectfulness extended even to those outside his social sphere: "When riding past someone dressed in funeral garb, he would bow

[24] Confucius, *Analects: With Selections from Traditional Commentaries:*, trans. by Edward Gilman Slingerland (Indianapolis, Indiana: Hackett Publishing Company, 2003) <https://books.google.com/books?id=6DseYHSfaagC>.

[25] Confucius, p. 3.26/p. 28.

[26] Confucius, p. 7.9/p. 67.

down… he would do so even if the mourner was a lowly peddlar."[27] And his support also manifested in more material ways: "When a friend died without relatives able to take care of the funeral arrangements, he would say, 'I will see to burying him properly.'"[28] When his beloved pupil Yan Hui died, he "cried for him excessively", behavior that apparently shocked his remaining disciples, who were accustomed to calmness and equanimity from the sage. "The disciples reproved him, saying, 'Master, surely you are showing excessive grief!' The Master replied, 'Am I showing excessive grief? Well, for whom would I show excessive grief, if not for this man?'"[29]

This did not extend to endorsing the elaborate funeral practices common to the wealthy. When he fell ill, some of his disciples took steps to make it look as though he had more attendants and resources than he did, and when he became aware of this he rebuked them: "Who do you think I am going to fool?...Moreover, would I not rather die in the arms of a few of my disciples than in the arms of ministers? Even if I do not merit a grand funeral, it is not as if I would be left to die by the side of the road!"[30]

The picture that emerges in the *Analects* is of someone who thought grief an appropriate response for the good person to have in the face of an important loss, including grief that struck others as "excessive", and furthermore that part of being a humane and respectful person was respecting others' grief. This is part of a picture of human nature as deeply social, and death as an inevitable and natural part of human life. He is quite naturalistic in his recommendations. At several points, he refuses to comment on or discourages others from speculating about ghosts and spirits, focusing strictly on the here and now and our psychological responses within the

[27] Confucius, p. 10.25/p. 109.
[28] Confucius, p. 10.22/p. 108.
[29] Confucius, p. 11.10/p. 114.
[30] Confucius, p. 9.12/p. 90.

limits of our nature. Public, social recognition of death matters because it lets us honor the importance of people in our lives, and the significance of their loss. He was explicit about this in several passages. For example, it is said that he "did not discuss prodigies, feats of strength, disorderly conduct, or the supernatural"[31] and also discouraged others from doing so. His pupil Zilu "asked about serving ghosts and spirits. The master said, 'You are not yet able to serve people--how could you be able to serve ghosts and spirits?' 'May I inquire about death?' 'You do not yet understand life--how could you possibly understand death?'"[32]

What would honoring loss in this naturalistic framework look like? Confucian ethics, as noted, differs from Aristotelian, despite its shared interest in moral psychology and the character of the good person. Confucianism emphasizes the contributions that the social realm plays in shaping character, particularly in the form of *li*, often translated as "etiquette" or "ritual". But this is merely necessary, not sufficient, for morality. He argues that a virtuous person is one who sincerely and wholeheartedly performs what etiquette dictates, rather than merely "going through the motions". When it comes to social practices surrounding death, the value of established rituals and etiquette can seem especially clear: in the shock of loss, it can be difficult for bereaved people to find their own way through both the practical considerations and the psychological impact of death, and important for others to gather and support them in predictable and public ways.

The work of a later Confucian scholar, Xunzi, offers both a detailed description of death-related rituals, and a naturalistic defense of them, in his "Discourse on Ritual". It is important to note that Xunzi's brand of Confucianism emphasizes what we might think of as the artificial, or perhaps technological, elements of morality, rather than the natural (that is, innate).

[31] Confucius, p. 7.21/p. 71.
[32] Confucius, p. 11.12/p. 115.

He thinks that human nature in its "natural" form (for example, the impulses and reactions of young children) is at best incomplete, and often downright immoral [33]. Instead, our mature humanity is best and most fully expressed through social and constructed interaction, and that to limit our focus to what we are born with is to miss something important about what it means to be fully human. We learn, we innovate, we adopt and modify, and an account of human excellence should embrace this rather than reject it as "unnatural". Rituals, on his account, are human constructions, mastery of which can help us to excel as human beings. These rituals can serve to amplify as well as constrict emotion. Our natural tendencies around grief can include not just overdone grieving, but also a blasé or disgusted attitude (especially if the death is drawn out or the corpse is visible), and we want to avoid this and preserve our feelings of attachment and longing, even though we recognize that the person is gone[34].

Broadly, he defends against criticisms leveled at corpse ornamentation and grieving rituals that focus on their inaccuracy. Corpses are not as pretty as their makeup makes them seem, and people who have died will not come back when you call them or sacrifice to them, and yet Xunzi thinks to criticize ritual on these grounds is to miss the point: the value of these practices is to cultivate the capacity to feel mature grief, in a refined (not "natural" way), not to focus so much on efficiency or usefulness (as the Mohists would have it) that we lose the value of refinement, nor to focus so much on embracing what is "natural" (like Zhuangzi) that we miss what is artificial and human. In particular, he uses an extended discussion of rituals where mourners act as if the deceased is still present to emphasize the value of gradually adjusting to loss, and of expressing and cultivating emotions related to grief.

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[33] Xunzi, 'Human Nature Is Bad', in *Xunzi: The Complete Text*, trans. by Eric L. Hutton (Princeton University Press, 2014), pp. 248–57.

[34] Xunzi, 'Discourse on Ritual', in *Xunzi*, trans. by Eric L. Hutton (Princeton: Princeton University Press, 2014), pp. 201–17.

4. Natural and Technological Grieving

To return back to the present day for a moment, the concerns implicit in the remarks of Mazurenko's friends and cultural phenomena like the *Black* Mirror episode seem to involve two major elements. Fears of the artificial or of artifice, on the one hand, or of grief and the pain of loss, on the other hand, seem to drive many of the concerns about these bots. But the artificial is very human, and the grief we feel might be valuable even if it does not feel good at the time (or even if we fear becoming the people who mourn for their own pleasure, or to impress others, both of which seem to miss the point of grief as directed at the missing other). So the criticisms underestimate the value of both artifice and grief.

At the same time, older concerns about the appropriateness of grief are also in play here. Concerns about chatbots' potential to hold us back or keep us from moving on seem rooted in the idea that grieving is bad, that it is unhealthy or inefficient to maintain psychological connections to those we have lost, and this is exactly what the Confucian tradition disputes. It is worth noting that clinical psychology has recently undergone a shift from thinking of grief as something to be gotten over, and detachment as the goal of therapy, to an acceptance of continuing felt bonds as unproblematic and in many cases beneficial [35]. While the sharp pain and devastation of initial loss are not things we would wish on those we care about, Confucius seems to be on to something when he notes that it would be terrible not to be so moved by the loss of a loved one. We should, then, think more carefully about how to address grieving in a way not explicitly designed to eliminate it as quickly as possible.

[35] Jeanne W Rothaupt and Kent Becker, 'A Literature Review of Western Bereavement Theory: From Decathecting to Continuing Bonds', *The Family Journal*, 15.1 (2007), 6–15.

Xunzi's discussion of funeral and mourning rituals offers several striking points of connection to the modern phenomenon of chatbots of the dead. He begins by characterizing rituals as ways of structuring human desires so as to keep them from being destructive. Rituals, he says, are nurturing. They help us to balance emotions and their expression by providing thoughtfully organized structures for experiences of various kinds. This is especially important, he argues, for experiences involving the beginning and end of life. "Ritual is that which takes care to order living and dying. Birth is the beginning of people, and death is the end of people. When the beginning and end are both good, the human way is complete."[36] So responding appropriately to death is part of responding appropriately to people. What we do at these times matters, but not because the person beginning or ending will know or care. Xunzi explicitly compares those who treat others well in life but badly after they are gone to those who deal badly with children and those who cannot understand that they are being mistreated. If chatbots of the dead are to be appropriate, they need to help us express our emotions in a balanced way that nurtures the mourners and shows respect for the end of life.

Part of this respectfulness, he thinks, involves making death a public affair. The death of anyone (except, he says, a convicted criminal) should include not just family and friends, but all those in the neighborhood and district. This should, he claims, extend not just to the funeral itself but to mourning afterward. "When a person has already been buried, but it is as though there had never been a funeral and the matter has simply come to an end, this is called the greatest disgrace", he says, in a passage often interpreted as criticizing Mozi's position, which would have all burials conducted like that of the shameful criminal[37]. To the extent that chatbots allow us to pretend "there has never been a funeral", they do something bad by failing to let us mourn.

[36] Xunzi, 'Discourse on Ritual', p. 206.
[37] Xunzi, 'Discourse on Ritual', p. 208.

But to the extent that they allow for public and social engagement with the loss, they may have important work to do in helping keep the memory of the person alive, and they keep us from moving on too quickly.

One reason we need time to mourn and adjust is that it is good for us to be hopeful, even as a person's health declines, leaving us especially vulnerable when they die. This means all the work of adjusting to their death must, of necessity, take place after they die. While this might strike modern readers as an overstatement – in cases of prolonged illness, it is not unusual, for example, for caregivers to begin grieving before death – there seems to be something right about the idea that even when death seems inevitable, we still tend to find value in hopefulness and appreciation of remaining time with the person, factors that continue to make even an anticipated death a major psychological impact on survivors. In death-related rituals, he writes, we use "the paraphernalia of the living to ornament the dead. Yet, this is not for the sake of simply not letting go of the dead, but it is rather for the sake of comforting the living. This is the highest expression of *yi* [righteousness] in longing and remembrance."[38] Specifically, he describes the practice of ornamenting the corpse and gradually moving it farther away day by day, so that "over a long time one gradually returns to one's regular routine."[39] This slow transition is necessary "to properly adjust [one's] life"[40]. Ornamentation allows us to stay in proximity without experiencing disgust, while gradual distancing keeps us from becoming too casual with or (he says) tired of the deceased. We use artificial means to help cultivate in ourselves the right emotional responses to loss, to strike the right balance between different impulses. This does not serve as a blanket endorsement of technologies that "use the paraphernalia of the living to

[38] Xunzi, 'Discourse on Ritual', pp. 208–9.
[39] Xunzi, 'Discourse on Ritual', p. 209.
[40] Xunzi, 'Discourse on Ritual', p. 209.

ornament the dead", as we might think of using conversational data to ornament our digital dead, but it does suggest a role that Xunzi would approve of: to help the bereaved to gradually adjust to the shock and the loss, while maintaining respect for the dead. And the idea that this in some sense obscures the loss is not incompatible with its utility in helping us to gradually distance ourselves, anymore than ornamenting the dead to look like the living need do so.

"Ritual," says Xunzi, "cuts off what is too long and extends what is too short. It subtracts from what is excessive and adds to what is insufficient. It achieves proper form for love and respect…"[41] The right structures can help us to experience and express grief and sorrow fully but without getting stuck. And these structures can include ways of interacting with the dead as if they were alive.

"The funeral rites," Xunzi notes, "use life to ornament death--they make abundant use of semblances of the person's life to send him off in death."[42] This includes not just cleaning and clothing the corpse, but also provisions of grave goods, although Xunzi is quick to point out that these grave goods ought to resemble but not be identical to those used by living people: "This is to indicate that these things will not be used."[43] This allows mourners to "send people off with sorrow and respect".[44] Mourning periods, which could be quite uncomfortable for mourners (involving rough clothing and housing, and restricted food), were designated to last anywhere from months to years, depending on the relationship of the mourner to the deceased. "When a wound is great, it lasts for many days. When a hurt is deep, recovery is slow."[45] This designated mourning period "takes measure of people's dispositions and establishes a proper form for

[41] Xunzi, 'Discourse on Ritual', p. 209.
[42] Xunzi, 'Discourse on Ritual', p. 211.
[43] Xunzi, 'Discourse on Ritual', p. 211.
[44] Xunzi, 'Discourse on Ritual', p. 212.
[45] Xunzi, 'Discourse on Ritual', p. 213.

them." At the end of this time the good person is expected to still feel "longing and remembrance" but "ritual breaks off the mourning at this time" because "this is in order that there may be a proper stopping point for sending off the dead and proper regulation for resuming one's normal life".[46]

One might think that all of this could be true without licensing chatbots that explicitly imitate the deceased. After all, it is not clear that repeated interactions and encounters with something bearing the appearance of the deceased would not just reopen the wound. And yet, Xunzi closes out his dicussion of ritual with a description of a remarkable description of a ritual featuring someone explicitly designated as an "impersonator of the dead":

> One fasts and sweeps out the site, sets out tables and food offerings, and has the 'announcement to the assistant,' as if the deceased were attending a banquet. The impersonator of the dead takes the goods and from each of them makes a sacrifice, as if the deceased were tasting them. One does not use a helper to raise a toast, but rather the host himself takes hold of the cup, as if the deceased were engaging in the toast. When the guests leave, the host sends them off and bows to them as they go, then returns and changes his clothing [from sacrificial robes to mourning wear]. He goes back to this position and cries, as if the deceased had left. How full of sorrow! How full of respect! One serves the dead as if one were serving the living, and one serves the departed as if one were serving a surviving person. One gives a shape to that which is without physical substance and magnificently accomplishes proper form.[47]

By designating a representative to play the part of the dead person, one gains the opportunity to interact with them once more, and especially to offer them symbols of appreciation. Xunzi translator Hutton notes in a footnote that the impersonator of the dead also has a designated portion of the ceremony to speak to the host: this participant "gives blessings to the host of the ceremony. The idea seems to be that just as guests come with expressions of thankfulness for the host of a feast, so the spirit of the dead expresses thanks for the sacrifice."[48]

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[46] Xunzi, 'Discourse on Ritual', p. 213.
[47] Xunzi, 'Discourse on Ritual', pp. 216–17.
[48] Xunzi, 'Discourse on Ritual', p. 216, fn 47.

Thus, although very different technologically, the mourning process Xunzi discusses includes impersonation and scripted response as from the deceased, as a means of facilitating mourning: "How full of sorrow! How full of respect!"

If chatbots can serve as digital impersonators of the dead, then perhaps they can serve a similar purpose, allowing the bereaved to express appreciation even after death, and model the expressing of thanks to the bereaved in turn, in a way that is (or can be) both sorrowful and respectful.

5. Updating concerns

Xunzi's essay, of course, focuses on rituals rather than physical or informational technological artifacts. But his account of rituals as human constructions, the result of "deliberate effort"[49] designed to address human needs, strikes a chord for technologists. "Ritual," he says, "takes resources and goods as its implements."[50] When well-designed, ritual serves as a kind of social engineering to shape the "raw material" of human nature into something ordered, patterned, and beautiful.[51] It works with human appetites, needs, desires, and emotions to give them shape and structure within a social framework, so that they are neither suppressed nor destructive. From a modern perspective, perhaps rituals can themselves be seen as a kind of social technology. And, in addition, at their best, they serve as a way of ordering the use of "resources and goods" in ways that help channel human nature in harmonious rather than destructive directions. While it may be commonplace today to criticize the tight strictures of highly ritualized societies, there seems to be room for social practices that help us to live with powerful emotions and needs. It is then perhaps no surprise that death remains one area where

[49] Xunzi, 'Discourse on Ritual', p. 210.
[50] Xunzi, 'Discourse on Ritual', p. 206.
[51] Xunzi, 'Discourse on Ritual', p. 210.

rituals and social practices are retained, even in highly individualistic contemporary cultures. This does not, however, mean rituals should be followed blindly, or because "that is what has always been done": one of the valuable things about Xunzi's discussion is the way he examines the value of particular rituals and offers justifications for them in terms of other things we already care about.

To that end, new technological goods and resources may call for new rituals. But what rituals would be good ones for us? This question is especially pressing for contemporary Confucians, who recognize much of value in this way of thinking but also wish to recognize contemporary concerns with ways that Confucian traditionalism has historically been implemented.[52] Xunzi appeals to the Sage Kings as originators of valuable rituals, but we can think that rituals may be valuable without this origin story, and it is debatable whether, even for Xunzi, this meant the rituals he discussed were uniquely valuable, or whether he would have been open to considering alternatives or changes.[53] These social structures can help shape grief and provide guidelines for social support rather than leaving people to a laissez-faire approach, and reflecting on how this might go is one place where the Confucian model is helpful. Recognizing ingenuity as not flowing merely from the sage-kings or "tradition", but from ordinary people grappling with big questions, together and separately, seems like an important lesson, and not the same thing as saying "anything goes", grief-wise.

Despite much skepticism about the value of etiquette and ritual in contemporary Western societies, one might think they have important roles to play, especially during the sorts of events, like bereavement, that will happen to all of us sooner or later. As I was working on this paper, a

[52] Robert C. Neville, *The Good Is One, Its Manifestations Many: Confucian Essays on Metaphysics, Morals, Rituals, Institutions, and Genders* (Albany: State University of New York Press, 2016).

[53] Robert C. Neville, *The Good Is One, Its Manifestations Many: Confucian Essays on Metaphysics, Morals, Rituals, Institutions, and Genders* (Albany: State University of New York Press, 2016).

friend shared her appreciation for the institution of publishing obituaries. When a parent passed away, she and her family were so stricken by grief that such a thing would not have occurred to them, and yet a friend was able to step in and help guide them through the process, because this is a recognized social institution for letting others know about a death and recognizing the significance of their life. When technologies and societies change, we may not have such established institutions to rely on, and this can open up new vulnerabilities. Another acquaintance recalled that, when her father passed, she was approached by a commercial entity that had (unsolicited) scraped the web for his photos and posts and generated an "online memorial" website, for which they wanted to charge her. The potential for commercial exploitation of bereaved individuals exists in any case, and perhaps especially high when norms and options are shifting.

In thinking about possible roles for ritual in using chatbots to impersonate the dead, some caveats will need to be kept in mind. It will be very important not to make a proposed ritual a basis for criticizing bereaved people for mourning badly. I am suspicious of the argument that grieving people are irrational and need to be protected from themselves. At the same time, I grant that they can benefit from and appreciate structures and support systems. Recent lessons from clinical psychology on appropriate therapeutic practices for supporting the bereaved highlight this issue, while providing further evidence of the valuable role chatbots might play in mourning.

Kathryn Norlock highlights these contributions in her investigation of the ethics of imaginal relationships with the dead. She notes that clinical psychologists' best practices for bereaved patients is no longer one focused on "letting go" and "moving on", [54] but rather has reoriented itself in light of new work in the field, including publication of the collection

[54] Norlock.

Continuing Bonds: New Understandings of Grief [55]. Rather than pathologize imaginal relationships with the deceased, it is now recognized that these can persist for years for patients without ill effects and, indeed, can be themselves highly therapeutic [56]. Furthermore, social support for these bereaved individuals can include public and interpersonal recognition of these interpersonal relationships, as for example when the new spouse of a widowed person recognizes the continued importance of the deceased to their partner. This tends to speak against Zhuangzi's approach as being appropriate for many mourners, and so undercuts concerns about chatbots' potential to keep people from "moving on" by showing the importance, for many people, of maintaining bonds in the form of imaginal relationships.

One lesson to draw from this extended foray into ancient Chinese philosophy is that human beings have been inventive, technological creatures for a very long time, and that the emerging technologies we encounter today have roots in very old tendencies. The idea of using technological strategies to impersonate the dead as part of the process of mourning is not a new one, and while there are ethical questions about how to do so well, we do not stand to gain by treating it as alien or suspicious merely because it is new. Indeed, given how deeply technological we are, it might be more surprising if we did not use technology to grapple with death and grieving.

6. Responding to concerns about chatbots

What, then, should we make of the differing intuitions about chatbots of the dead, noted at the outset? What should we do when different bereaved individuals have different needs or

[55] Klass, Silverman, and Nickman.
[56] Rothaupt and Becker.

desires about building such a bot? And what should we say about the ethical concerns articulated at the outset?

The idea that different mourners will expect or need different things in response to the same death suggests already that grieving is and should continue to be treated as a social phenomenon, not merely an individual one. At the same time, we should move beyond Xunzi in thinking that there is just one ideal framework for mourning, handed down from the Sage Kings. Part of modern social frameworks for supporting the bereaved should include sensitivity to different mourners' needs and desires. It may be beneficial and desirable for some but not others to engage with chatbots of the dead. And some may not wish to contribute their text transcripts or other digital interactions to such a project. Given the rise of digital estate planning, individualized legal provisions for managing one's data after death[57], as well as ongoing discussions about a "right to be forgotten"[58] these wishes will need to be taken into account if this technology is to be implemented responsibly, even as shifting legal frameworks around data stewardship and privacy make it difficult to anticipate exactly what that will look like.

At the same time, some of the concerns raised about chatbots of the dead were more general, and we are now in a position to address them.

Against the concern that chatbots may hold us back or keep us from moving on, the response is two-fold. First, as Xunzi noted, bereavement can be an enormous wound that takes time to heal. Excessive emphasis on efficiently moving on, as the Mohists would have it, might not be beneficial for the bereaved, and too-quick recovery might not even be a desirable goal - as Confucius points out, there seems to be something deeply disturbing about not feeling and

[57] David Horton, 'Tomorrow's Inheritance: The Frontiers of Estate Planning Formalism', *BCL Rev.*, 58 (2017), 539; Gerry W Beyer, 'Web Meets the Will: Estate Planning for Digital Assets', 2015; Wendy Moncur, '13. DIGITAL OWNERSHIP ACROSS LIFESPANS', *Aging and the Digital Life Course*, 3 (2015), 257.

[58] Meg Leta Jones, *Ctrl+ Z: The Right to Be Forgotten* (NYU Press, 2018).

expressing grief. We ought to respect and support mourners. Secondly, as Xunzi points out, mourning can be treated as a staged process, one in which mourners are explicitly given time and space to heal, and only gradually encouraged to begin to resume normal routines. Even after much time, "getting over" or "moving past" loss might be the wrong way to think about grieving processes: instead, the goal for many might be to find ways to productively continue to maintain bonds via imaginal relationships with their loved ones. We need modern rituals that will help us to nurture people in times of grief without expecting them to rush through the loss or detach from their dead.

What might this look like with chatbots? Perhaps, following Xunzi's recommendation regarding the gradual removal of corpses, the bereaved might gradually have shorter and less frequent access to these bots. Or, following research about the ongoing importance of recognizing continuing bonds, it might prove valuable to have continuing access to these chatbots, in order to "introduce" them to others in one's life: children, grandchildren, new spouses, and so on. Figuring out in advance exactly what would constitute best practices for supporting the bereaved via this technology may be impossible. Instead, thoughtful, ongoing, open-ended inquiry, supported by dialogue between designers, users, experts like clinical psychologists, and philosophical resources like the ones outlined here seems a more promising strategy. My goal here is to sketch out reasons to think this is a line of inquiry worth pursuing, and to identify promising resources to draw on during its pursuit.

Against the concern that chatbots make poor substitutes for living friends, this can be overcome if grief is treated as a social process, not an isolated or private event, and if chatbots are treated as ways of incorporating people's past into their present rather than competitors for living company. Chatbots treated as stand-alone technologies might pose a temptation to retreat

into one's private world, especially if paired with social pressure to "get over it". But in the right social environment, friends, family, and community can support the bereaved without demanding that they set aside their connection and imaginal relationship with the deceased, even when said relationship is externalized via language processing technology, rather than consisting of purely internalized mental conversations with a loved one. A chatbot could allow someone to say, for example, "here, let me show you what it was like to talk to my grandfather," illuminating interactive elements of their relationship for those who never got to see grandfather and grandchild interact in life.

Lastly and relatedly, there is the question of whether chatbots of the dead could tend to make people focus on the instrumental goods they get out of personal relationships, rather than the intrinsic value of the people in them. Xunzi raises the interesting possibility that finding ways to mourn the deceased, even ways that "ornament" the dead with the trappings of the living, might constitute more respectful treatment of a person's end than moving on as if nothing had been lost, or letting the ugly parts of their death overshadow and taint our emotional responses. At the same time, in rejecting talk of ghosts and spirits and highlighting the importance of using grave goods that are not functionally equivalent to their human counterparts, so as to emphasize that they will not be used, it seems that he would not endorse ornamentation that obscures the very fact that the person has died. When producing chatbots of the dead that fulfill the aims of psychologically healing mourning, then, it seems important that developers not aim for photorealism, or for bots that would pass the Turing test. Rather, these should be framed as extensions of particular valued relationships, ones that help people carry their valued pasts forward with them into the future.

What we end up with is a moderate defense of the prospects for chatbots of the dead, one that recommends that their potential be explored in the context of social practices and relationships that embrace grieving as an important human experience and not something to be "gotten over", but which also provide social support for the bereaved, both during initial grieving and as they transition from the initial shock toward a more long-term engagement with society. These practices will need to be context-sensitive, not absolute, and can vary both according to individual psychology, particular relationships, and other values of a given culture. But these restrictions are compatible with a thoughtful and beneficial use of this emerging technology.