**George Pitcher on the Misfortunes of the Dead**

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Can the dead be harmed - not by their death, but by what happens *after* their death? It wouldn’t appear so since they are dead and therefore no longer around to be harmed. You cannot harm someone who does not exist. And yet, we may feel that some things that happen after our death are in some unspecified way bad for us. If I had spent my life writing a book that would have been hailed by generations to come as a philosophical masterwork if it hadn’t been destroyed shortly after my death, it does not seem to be entirely unreasonable to think that I have been harmed by being denied the posthumous fame that I so richly deserved. But how is that possible if I no longer exist when the supposedly harmful incident occurs? Should we say that there is *nothing* that can harm us after our death?

In his article “The Misfortunes of the Dead” published in 1984, George Pitcher defends the idea that we can indeed be harmed after death.1 This is possible, he argues, because the one who is harmed is not the dead person or “post-mortem person”, but the formerly *living* person or “ante-mortem person”.

Pitcher first seeks to establish that the dead can be *wronged*, which appears to be less controversial than that they can be harmed. If I promise to you that I will do a certain thing after your death and then, once you have died, don’t do it, then I have clearly broken my promise to you and by breaking that promise I have wronged you. I would also wrong you if I, say, falsely accused you of a crime after you’re dead. Examples like these make it “abundantly clear” that the dead can indeed be wronged: “they can be the victims of injustice, slander, betrayal, and so on” (183). It is not strictly speaking the *dead* that are thus being wronged, however, but the once living. It is *you*, the person that now exists, that I would wrong if I broke my promise to you after your death, the ante-mortem person (who *does* or did exist), not the post-mortem person (who does *not* exist and never did). “All wrongs committed against the dead are committed against their ante-mortem selves” (184).

1 George Pitcher, “The Misfortunes of the Dead”, *American Philosophical Quarterly* 21/2 (1984): 183-188.

Yet just as we can *wrong* someone after their death, we can also *harm* them. Pitcher defines harm as a violation of someone’s interests. An event or state of affairs is thought to be harmful (or a “misfortune”) to someone “when it is contrary to one or more of his more important desires and interests” (184). Since we do have, or at least can have, interests and desires regarding what happens after our death, what actually transpires can clearly be contrary to our interests and, accordingly, harmful to us. If I now wish to be buried rather than cremated—if this, for whatever reason, is really important to me—then I would suffer harm if my wishes were ignored. The fact that I wouldn’t *know* about it is irrelevant. It is quite obvious (Pitcher argues, as did Thomas Nagel and Joel Feinberg before him) that we can be harmed without being aware of it. If, for instance, I take a strong interest in my son’s existence and wellbeing, then his death would harm me as soon as it occurs even if I only learn about it much later, or not at all. Pitcher finds this example so persuasive that he feels justified in declaring that “it is just false that in order to be harmed, the victim must be aware of the harm” (186).

Pitcher then invites us to consider the following case: Bishop Berkeley had a son called William who died at the age of 14. Let us now suppose that William died of a genetic disposition that made his early death inevitable. In other words, he was always going to die young. If Berkeley had known this, he would have been miserable. Since he loved his son and consequently did not want him to die young, the fact that this event took place was contrary to his interests and therefore harmful to him. It would also have been harmful to him if he had *not* known this, however. What harmed him was, after all, not his *knowledge* of the fact that his son was going to die young, but the fact that he *was* going to die young. Now imagine that Berkeley had died before his son. In that case he would not have witnessed William’s death, and would forever remain unaware of both the fact that William *did* die young and the fact that he was always *going* to. Even then, though, Berkeley would, while still alive, have suffered the misfortune of having a son who was going to die young. In this sense, Pitcher concludes, “the shadow of harm that an event casts can reach back across the chasm even of a person’s death and darken his ante-mortem life” (187).

Even though this metaphor seems to suggest some kind of backward causation, Pitcher denies that this is the case. Believing in backward causation would be just as “absurd” as believing that “instantaneous causation at a distance” (186) would be required for me to be harmed when, unbeknownst to me, something just happened that very much goes against my interests (such as the death of my son, which Pitcher claims harms me the moment it happens, and not

the moment I learn about it). The reason we can accept that I may be harmed by what happens after my death without having to assume backward causation is that what harms me is not exactly the future event itself, but rather the fact that this event is going to take place in the future. In other words, what is going to happen in the future may *happen* in the *future*, but it is already *going* to happen *now*. “On my view, the sense in which an ante-mortem person is harmed by an unfortunate event after his death is this: the occurrence of the event makes it true that during the time before the person’s death, he was harmed – harmed in that the unfortunate event was going to happen” (187).

And in case there is any doubt about what “making true” means in this context, Pitcher adds the following clarification: “If the world should be blasted to smithereens during the next presidency after Ronald Reagan’s, this would make it true (…) that even now, during Reagan’s term, he is the penultimate president of the United States” (188).

COMMENTARY:

It seems to me that the plausibility of Pitcher’s argument depends on whether or not he manages to safeguard his account against the rather unpalatable implication of backward causation. I don’t think he succeeds in doing that. Why, according to Pitcher, does my being harmed by some event occurring after my death not involve backward causation? Because that event was already going to happen during my life time, and it is the going-to-happen of the event (which is coexistent with the ante-mortem me) that harms me. But consider the example with which Pitcher concludes his paper, i.e. Reagan being the penultimate president of the USA. Let’s update the example and use the current president, Donald Trump, and his predecessor Barack Obama. If Trump should turn out be the last American president, it will be true that Obama was the penultimate president. That much is certain. However, what Pitcher is suggesting is that in that case it would already be true *now* that Obama was the penultimate president of the USA. But it cannot be true now, because if it were, then it would not be *possible* for there to be another president after Trump. It would mean that everything that is going to happen in future is going to happen *necessarily*. We would have to commit to a logical determinism (first discussed by Aristotle) that denies the openness and relative indeterminacy of the future. If it still remains to be seen how things develop, if there is still a chance that Trump may end up not being the last American president, then even if he *will* be, it is not the case that this is what he already is *now*. That a particular event is going to happen

in the future does not imply in any way that that event’s going-to-happen must be already taking place in the present. Whatever happens in the future, in the present it is still only a maybe. Accordingly, even if my ground-breaking book gets destroyed after my death, it is still not true now that it is going to be destroyed. So I can only be harmed by that event if the future can causally affect the past, which is backward causation. The problem with backward causation is that it makes no sense: what hasn’t happened yet cannot influence and change what has already happened. If it could, then what has already happened may turn out to not have happened. What I do today, I will have done tomorrow, and if what I do today can be undone by what I do tomorrow, then I won’t have done it, which contradicts the fact that I already *have* done it. As I said, it makes no sense.

But isn’t it *now* against my interests that I *will* be forgotten after my death? Yes, in the sense that I don’t wish to be forgotten. But harm, even for Pitcher, despite his definition, means more than just the thwarting of someone’s interests. Pitcher claims that my life *would have been better* if my aforementioned masterwork had not been destroyed after my death (thus making sure that I will quickly be forgotten rather than be remembered as the greatest philosopher who ever lived). The claim is that it is better for me (i.e. the ante-mortem me) to be remembered as a great philosopher than not to be remembered at all. Yet since the remembering will or will not take place in the future, after my death, how is that not backward causation? Certainly, I would now, while I’m still alive, prefer to be remembered, but it won’t matter to me once I’m dead. So how can my life be *made* better or worse by what happens after my death? Apart from the backward causation problem, this would mean that my life would never be complete. I may now and right up to my death have every reason to believe that my masterwork will secure me a place in the philosophical pantheon. If that makes my life good, then my life is good now. But then, after my death, the book is destroyed, so my life now has taken a turn for the worse. What appeared to be a good life is now revealed to have been, in fact, a bad life. Now imagine 200 years later someone discovers and publishes a copy of my book that nobody (me included) knew existed (my wife made it, secretly). I become famous. So now my life was a good one after all. Unfortunately, however, even fame does not last forever, so one thousand years in the future I will once again be forgotten, and once again my life will have been wasted (provided I care deeply about still being remembered in a thousand years’ time). And so on and so forth. The point is that if we take Pitcher’s claim seriously, then there is no end to it. If we can be harmed by future events, then something that happens in a million years may still inflict harm on me if

my desires reach that far and make my life a bad one. I find this implication most counter intuitive.

Note that in this respect *wronging* someone is very different from *harming* someone. I can wrong you just as I can remember you, talk about you, praise you, vilify you, or do right by you, and I can do all of these things without affecting you in any way, and without requiring you to be there or even to still exist. And I can, in theory, still do these things a million years from now. There is no problem there. But I cannot kick you if you are not there, and I cannot kiss you either. If wronging someone is, in terms of the postulated *relation*, like remembering them, then harming someone is like kicking or kissing them. They need to be there in order for me to do it. They need to be affected by it. I cannot kick or kiss someone who is dead, and neither can I harm them. (I can of course do these things to their *bodies*, but that is not the same.) It seems to me that this difference also applies in cases where I am supposedly harmed by something that I am in no way aware of. Let’s say my wife is cheating on me. Does she harm me? No, not if I never find out. This does not make it okay, though, because she most certainly wrongs me. The reason I can be wronged, but not harmed, by her actions is that wronging someone is as much a relation to the (or a) moral law as it is a relation to that other person. I am wronging you because I am doing what is wrong (say, breaking my promise), whether you are aware of it or not. But I cannot harm you if what I do doesn’t do anything *to* you. Harm and wrong are separate issues. They can even diverge. You may actually benefit me by stealing from me. It would still be wrong to do so. If my wife cheats on me she wrongs me, but need not harm me. In fact, some of our most common moral dilemmas concern the difficult choice we have to make between harming someone and wronging them (or more precisely between doing right by them and harming them or protecting them from harm and wronging them). My wife, for instance, may want to spare me the misfortune that would result from telling me about it and decide, for that reason, not to tell me. In this she might of course wrong me even more by lying to me on top of the cheating. But at least she wouldn’t harm me. Similarly, if I go against your wishes after your death, I may very well do you a serious wrong, but I won’t do you any harm.

In conclusion, it seems to me that nothing that happens after my death can make my life better or worse than it is (or, for that matter—to finally make the connection to the issue I am currently most interested in, namely meaning in life—more meaningful or less meaningful). Once my life is over it is everything it can ever be. My life is what it is. Whatever happens after I’m gone—good or bad—is meaningless.