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Inevitably Dying: The Role of Ideological Legacy-Derived Death Anxieties in Subverting Mortality Salience

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INEVITABLY DYING: THE ROLE OF IDEOLOGICAL LEGACY-DERIVED DEATH
ANXIETIES IN SUBVERTING MORTALITY SALIENCE

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A Senior Honors Project Submitted in Partial Fulfillment of Requirements of the Honors Degree Program

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Abstract

Existential debates – regarding life, death, and the states which potentially succeed existence – have widespread spiritual and ethical implications for general society. Rather than aimlessly questioning the metaphysical value of death on life, there are clear bioethical applications to exploring exaggerated human death anxieties. These fears are unique to our species and have wide-spread societal repercussions. By and large, discomfort with the notion of mortality permeates unequivocally throughout our species' histories. We become our own worst enemies when we fail to admit and confront the inevitability of death. The lack of mortality salience encouraged by our trepidations fuels an immortality narrative that dismisses death in favor of a presumption of human invincibility. The repercussions of such attitudes regarding thanatology can be readily observed throughout healthcare, judicial, religious, and funeral sectors, etc. Death anxieties further allow irrationality to proliferate. Therefore, in order to address our trepidations, it is essential that we first identify the source of these fears. Given the status of narrative and storytelling in all aspects of human life, it is proposed that our preoccupations with legacy are preventing us from addressing our fears re mortality and preventing us from attaining sufficient mortality salience. Legacy is defined as an all-inclusive term referencing a subjective evaluation during life that impacts an individual's reputation posthumously. In order to assert the absurdity of legacy's influence on our perceptions of death, we will refute potential counterarguments in the forms of posthumous harm and demonstrate the impracticality of the fear-based narrative that currently surrounds mortality. In doing so, we will largely favor Epicurean attitudes towards death, in order to contradict both the generally accepted mortal harm and posthumous harm theses, by claiming that 1) one is not harmed by their own death and 2) one cannot be harmed after their own death. Our argument regarding the harmful effects of legacy on thanatological fears has both theoretical and practical implications, especially with regards to various bioethical concerns. Specifically, regarding the legalization of physician-assisted death, we will be illustrating that, from a utility perspective, such measures appear rational and warrant legal endorsement. Other applied bioethical issues (e.g. presumption of posthumous consent, cadaver organ transplantation procedures, etc.) will also benefit from the implications of studying the effects of legacy-derived death anxieties on mortality salience.

I. Introduction

Death can be interpreted through many lenses. It can be viewed as a promise, an illusion, a transformation, or even a penance.¹ Irrespective of these many interpretations, most human attitudes relating to death convey fear. Such fear is usually attributed to evolutionary perspectives concerning the survival of a species, but this is a gross oversimplification of the phenomenon and fails to completely account for the universality of death anxieties, independent of biological variables like age and fertility.^{2,3} As a result of the overgeneralization of such evolutionary explanations, death anxieties remain overly exaggerated.⁴ However, these evolutionary accounts are not sufficient to explain the debilitating nature of human death anxieties in their current chronic states.

The various psychological crutches that propagate narratives of human invincibility by encouraging interconnected adverse attitudes (including denial, avoidance, and fear) towards death may seem, at times, to be beneficial or motivational, but they are not useful in their exaggerated forms. While there may be perceived benefits to the development of death avoidance mechanisms, the consequences of such crutches⁵ are ultimately much greater than any of the discernible conveniences they may offer. The repercussions of these exaggerated end-of-life trepidations are,

¹ Becker, *The Denial of Death*.

²Death anxiety references trepidations induced by thoughts or references to the dead and dying.

³With regard to death anxieties, there is some distinction between fearing death and fearing the process of dying; these distinctions arise from whether the primary target of that fear is a loss of autonomy over one's pre-humous or posthumous legacy. It should be noted that, as the distinctions between anxieties aimed at death or dying both manifest from the phase at which we fear losing the ability to control our legacy, we will largely be equating the two. The distinctions between trepidations regarding death and dying are largely inconsequential, for our purposes. We will be assuming that both fears are rooted in legacy. While some people fear one (either death or dying), and others fear both; ultimately, most people fear one or the other.

⁴Nyatanga and de Vocht, "Towards a Definition of Death Anxiety."

⁵ Psychological crutches include denial, dissociation, distraction, etc.

unfortunately, too prevalent in the healthcare, religious, and funeral sectors, etc. And the stigmatization of end-of-life issues prevents worrying abuses⁶ from being detected and addressed.

Evading the topic of mortality feeds into erroneous narratives of fear, death, and invincibility. These falsehoods can be dangerous. For example, though a child who does not understand (and thus does not fear) death may seem to be in an enviable position, his naivety ultimately makes the world a much more dangerous place. Ignorance is not bliss but rather serves as an ever-looming hazard. Despite the momentary relief against the gravitas of mortality that death denial may offer, such avoidance and feigned ignorance offer no real protection. Self-deception, by its very nature, perpetuates irrationality.⁷

Unaddressed death anxieties can lead towards the general, albeit inadvertent subjugation of our species to irrational feelings. In order to avoid subjugation to irrational fears, it becomes necessary to identify and assess the factors that are inducing such responses. So, this paper will be specifically concerned with analyzing the debilitating nature of exaggerated death trepidations, rather than any motivational benefits that may be conferred from a more nuanced approach to death anxieties. While the presence of baseline fear conditions can encourage a necessary threshold of prudent behaviors, it is possible to condemn the pervasiveness of current chronic death anxieties, without encouraging reckless irresponsibility. After all, mortality salience (awareness of the inevitability of death) does not make death more attractive.⁸ This fact is readily illustrated

⁶ End-of-life abuses are prevalent. For example, elder abuse in clinical and social circumstances remains a huge concern, especially in long-term healthcare institutions. See Jayawardena et al., "Elder Abuse at End of Life."

⁷ Referencing epistemic rationality. Nuances between different forms of irrationality will be explored in later sections.

⁸Maxfield et al., "Mortality Salience Effects on the Life Expectancy Estimates of Older Adults as a Function of Neuroticism."

due to the observation that suicide considerations fail as measures of mortality salience.⁹ Mortality salience merely allows for a more nuanced approach towards end-of-life issues.

Death is a-coming. Whether it is wanted or not, warranted or not, its passing is inevitable. In order to accept oblivion, we must embrace our trepidations surrounding the natural phenomenon of an end.¹⁰ Though there are many subsidizing factors¹¹ that are contributing to general death anxieties, it is hypothesized that an immortality narrative (propagated by concerns regarding legacy) is a principal factor in establishing such fears. For the purposes of this paper, legacy shall be defined as an all-inclusive term referencing a subjective evaluation during life that impacts an individual's reputation posthumously. Legacy is presumed to be a fluid social-construct that describes insights (often obtained through the perception of memories, endowments, accomplishments, etc.) that influence an individual's death narrative; legacy prominently influences our perceptions of death, because it is ultimately the most substantiated way of ensuring a life after death. Therefore, it will be conclusively argued that legacy serves a prominent role in influencing our end-of-life attitudes and undermining individual awareness of human mortality. By establishing that overly prevalent death anxieties are unintelligible, irrational, and harmful, it will be possible to demonstrate that the consequences of these attitudes supersede any potential benefits that may be attributed to them, in their chronic state. In order to illustrate this, an investigation of exaggerated death anxieties according to Epicurean views is warranted.

If we acknowledge legacy as a key source of our exaggerated fears, it becomes evident that they are largely irrational, in as much as we can assess the rationality of any singular emotion.

⁹ Burke and Landau, "Death Goes to the Polls: A Meta-Analysis of Mortality Salience Effects on Political Attitudes."

¹⁰ Referencing eternal oblivion or permanent non-existence.

¹¹ Such factors include mortality concerns re loss of sentience, deprivation of autonomy, pain, the intrinsic worth of life, evolutionary incentives to death anxieties, etc.

Throughout this paper, assessments of rationality or the appropriateness of death anxiety will be predominantly rooted in the perceived utility of the emotion, rather than moral feelings.¹² Assessing rationality primarily through a normative utility theory¹³ holds merit for our purposes because evolutionary developments are primarily based on the general effectiveness and usefulness of inherited traits in conferring fitness to offspring. The continuous perpetuation of certain fears, such as death anxiety, only holds merit if these fears contribute to the species' or, at least, the individual's self-interest.¹⁴ In order to properly acknowledge the utility of our present attitudes towards navigating mortality, it is necessary to address the reasonings behind these attitudes. While death is not necessarily a moral problem, moral concerns do often need to be addressed when investigating the bioethical application of our theory. A brief consequentialist analysis will be included in this paper to support views regarding the unnecessary of current end-of-life conduct and concerns. Recognizing the limitations of a harsh Epicurean interpretation of death, invoking consequentialism in this discussion regarding the bioethical application of this theory will offer a broader scope for interpretation.

By ascertaining legacy as a key motivational factor in establishing contemporary fears of death, the inability or general reluctance to confront the ubiquitous nature of mortality can be shown to result in widespread hypocrisies. Ultimately, these inconsistencies can result in systematic issues within various bureaucratic sectors. Some components of these disparities manifest in our handling of end-of-life narratives, but they are not limited to such and have also had wide-spread ethical implications in both the healthcare and funeral industries, etc. If we are

¹² Murphy, "Rationality and the Fear of Death."

¹³ Utility theories of rational choice are oftentimes descriptive or predictive, but for our purposes, we will be arguing based on normative principles of how people *should* navigate mortality concerns, despite the prevalence of current death anxieties. Utility principles are interested in outcomes that confer the greatest benefits and the least amount of harm. We expect to attain preferred outcomes for decision-making when actions are minimally influenced by death anxieties.

¹⁴ Murphy.

able to demonstrate that our fears of death are irrational, then the dire consequences that result from our trepidations are ultimately unnecessary. Following the establishment of the critical role that legacy serves in conferring death anxiety, we will proceed with an in-depth analysis regarding the consequences of legacy-derived death anxieties on debates pertaining to physician-assisted suicide.

Personal concerns regarding the forms of available end-of-life care become increasingly prominent with age and sickness, even if these worries are not always vocalized due to the taboo nature of such discussions. Failings to give proper credence to substantive ethical principles of health care (e.g. compassionate care, respect, public interest, reasonable distribution of resources) that confer pragmatic considerations regarding physician-assisted suicide result in substantive societal deficiencies, when these failings are the direct result of the wide-spread nature of prominent death anxieties.¹⁵ At the conclusion of this paper, we will be specifically investigating the relationship between death anxiety and physician-assisted suicide, in order to demonstrate that such measures should be rationally permissible and consequentially right. However, it should be emphasized that similar analyses or applications of our argument can be conducted for a diverse range of end-of-life care issues (e.g. futile treatment, rationing care, treatment of the deceased, etc.) and applied bioethics, with potentially wide-spread policy implications.¹⁶ Ultimately, if death need not be reasonably feared, policies and attitudes established due to the perpetuation of a ‘death is evil’ narrative are unwarranted.

II. Fear of Death

¹⁵ Winkler and Gruen, “First Principles: Substantive Ethics for Healthcare Organizations.”

¹⁶ Karnik and Kanekar, “Ethical Issues Surrounding End-of-Life Care: A Narrative Review.”

Prior to our discussion of the rationality of legacy-derived death anxieties, it is necessary to describe the significance of trepidations concerning death. After all, emotions confer quality to existence.¹⁷ Whether or not emotions are the cause or a principal byproduct of the physiological and psychological implications associated with them, the perception of the world is contingent on the manifestation of different emotive categories. It is simplest to interpret the world through a black-and-white colored lens that emphasizes such commonplace feelings as happiness, sadness, and anger, not because these emotions are always governable, but because they are easier to navigate and generally acknowledge. Even disgust, surprise, and anticipation are not overly complicated dispositions. These sentiments are more targeted and communal; and, for the most part, the immediate benefits and repercussions of these emotions are easily made evident due to the linear nature of the causal events that precede them. But it is the seventh (and arguably the most primitive emotion) that serves as both our greatest liability and our most adequate defense against the follies induced by our other sentiments.

Fear can be a weapon of unparalleled destruction. The role of this specific reactionary sentiment in society is often underplayed in order to construct and reinforce a narrative of free will and independence. As an emotional response induced by the perception of a threat, it has the ability to both paralyze and enslave us. It could well be argued that it is fear that has the largest influence on our individual and collective lives. From Hobbes' theory on the implications of fear on sovereignty to Stoic attempts aimed at taming natural fears, the concept of fear has long been understood to embody significant philosophical influence on day-to-day lives.^{18,19} And while

¹⁷ Düringer, "The Analogy between Emotions and Judgements."

¹⁸ Jakonen, "Thomas Hobbes on Fear, *Mimesis*, *Aisthesis* and Politics."

¹⁹ Noyes, "Seneca on Death."

recent attitudes on the philosophy of fear have tended to emphasize cognitive theories, there is still much to explore outside the scope of neuroscience.

Again, and again, we find our fears getting the best of us. Trembling, a rapid heartbeat, chills. . . Such are a few of the many physiological symptoms that can be clinically associated with fear; however, these underlying symptoms can appear subtle and, at times, negligible when no imminent threat is present.²⁰ Apart from anxieties relating to looming dangers and hazards, there exist more personal and underlying apprehensions that are uniquely human. These are often harder to recognize and to confront, but the psychological implications of such anxieties are incontestable, regardless of their conspicuousness. Such fears elicit a peculiar type of vulnerability conferred by the loss of control. We are unable to properly confront such trepidations because they are less distinguishable and singular. Some of these apprehensions are more unique, others appear to manifest universally. Ultimately, there exist five categories of fears that are widely acknowledged as universal misgivings: these fears include a dread of extinction, mutilation, loss of autonomy, separation, and disapproval.²¹ But our fear of death is unique, in that it encompasses all five of these permeating anxieties. After all, as Aristotle laments, “death is the most terrible of all things.”²² Other foundational fears are merely expressions of overarching sub-manifestations of death, and to avoid recognizing them as such is a great injustice underlying many societal issues that arise from such misperceptions.

As a consequence of these underlying fears, society appears to be possessed with an erroneous conceptualization of death. Popular culture is filled with subliminal and more overt

²⁰ Steimer, “The Biology of Fear- and Anxiety-Related Behaviors.”

²¹ Albrecht, *Practical Intelligence: The Art and Science of Common Sense*.

²² Aristotle. and McKeon, *Introduction to Aristotle*.

exhibitions of morbid curiosity and fascination. This obsession is increasingly evident through an investigation into the origins of some of the most common nursery rhymes. These rhymes are intended to be shared among some of the most innocent members of society. The same lullabies that we sing to our children whilst rocking them to sleep at night are fraught with discreet reminders of some of the most horrific deaths (and ways to die). To name just a few, “Jack and Jill” refers to the beheadings of King Louis XVI and Queen Marie Antoinette, who were decapitated during the French Reign of Terror; “Mary, Mary Quite Contrary” references the guillotined Protestant ‘maidens’ that were murdered during the reign of Bloody Mary or Queen Mary I; and “Ring around the Rosie” alludes to the physical symptoms and cremation of bodies suffering from the bubonic plague, otherwise known as the Black Death.²³

References to death appear everywhere, even in the most inconspicuous places, regardless of our deathly fears of personal demise. Subliminal messages of exaggerated and eccentric manifestations of death are indicative of a form of imposter syndrome that can be commonly exhibited through the masking of concerns surrounding more personal death anxiety.²⁴ When confronted by pop-cultural allusions to the topic, we might sometimes masquerade bravery and present a false sense of bravado; but, in reality, we avoid and mitigate our actual fears regarding mortality by distancing ourselves from the natural and more personal manifestations of the phenomenon. From as far back as the tales of *Genesis*, the original fear and ultimate punishment is that of death, and on its uncontested throne, it continues to dominate, regardless of shifting societal attitudes that have redefined death to be the result of natural limitations, rather than the

²³ Maiti, “Of Deception and Dogma: The Delusive History Behind Nursery Rhymes.”

²⁴ Imposter syndrome refers to a persistent internalized fear usually caused by extreme doubts over one’s abilities and potential accomplishments. We would argue that a similar psychological pattern plagues severe cases of death anxiety, in that doubts regarding the innate nature of life and mortality result in the manifestation of similar chronic fears.

curse of a foreign entity.²⁵ We euphemize death, and we tiptoe around it when we become personally involved and invested in the repercussions of the phenomenon. Ultimately, mortality is at the root of most, if not all, of our fears, anxieties, and uncertainties. In order to address the societal ramifications of such fears, we must first identify the origin of this trepidation.

As a consequence of their ubiquitous nature, fears of death and fears of dying, in whichever forms they manifest, are so prominent within society that they have been previously referenced as fundamental to “the mainspring of human activity.”²⁶ In fact, underlying societal connotations (e.g. prejudices, voting behaviors, lifestyle choices) that affect general human behavior can largely be ascribed to these fears.²⁷ Such trepidations drive us, motivate us, and (to some extent) control us, in as far as we are ignorant of them. We are not the only species that has been observed to fear death or bereave the dead, however.²⁸ By evolutionary design, fear of death was necessary to ensure the survival and continued operation of a species: fear served as both a mobilizing and motivational tactic.

Due to the inevitability of human mortality, exaggerated versions of such fears appear odd when investigated from a longitudinal perspective. Unlike our evolutionary predecessors or mammalian counterparts, versions of death anxiety that manifest in our species transcend biological necessity. Humans tend to postulate and anticipate what occurs after death, in a manner that has not been shown to manifest in any other species. This distinction between death apprehension in humans and death awareness in other species may not be used to support the theory that it is the fanatic fear of death/dying, specifically, that distinguishes us from other species.

²⁵ Illich, *Medical Nemesis: The Expropriation of Health*.

²⁶ Becker, *The Denial of Death*.

²⁷ Burke and Landau, “Death Goes to the Polls: A Meta-Analysis of Mortality Salience Effects on Political Attitudes.”

²⁸ Brinkmann, “The Grieving Animal: Grief as a Foundational Emotion.”

While some issues that are derived from or associated with fears of death (e.g. avoidance of premature death, taking precautions to minimize risk-taking behaviors) can be beneficial, we will be specifically exploring death anxieties associated with exaggerated²⁹ and contradictory responses regarding death and dying. Motivational benefits to more nuanced death anxieties do exist; but chronic trepidations are largely debilitating. Death anxieties, in their current form, do not consistently serve our best interest; and, their general irrationality becomes increasingly apparent when we explore the origins of such feelings. Ultimately, we are not unique in that we fear death; we are distinct in how pervasive and ubiquitous this fear is.

The fact that society cannot ascribe a singular cause to the manifestation of such fears and often misinterprets their origin indicates that rationality and reasonableness are not at the core of such emotional insecurities. To expand on the point, evolutionarily-derived animal responses to death are reactionary and transpire only after death or a potential cause of death has already arrived, while we, on the other hand, are both constantly preoccupied with its paranormality (recalling the dead, preparing for an afterlife, postulating the presence of spirits, consulting psychics, etc.) and subconsciously oppressing any possible acceptance of personal and more realistic manifestations of this phenomenon. Our own exaggerated ideas of death transcend any expressions of immediate danger that would be common among other animals; rather, our trepidations manifest as temporal and increasingly chronic ailments of our own innate humanity. In large part, fears regarding mortality are largely contingent on the misconstruing of the source of these trepidations.

Chronic fears of death are largely disproportionate to potential threats, regardless of evolutionary necessity; however, various religious and bureaucratic trends have consistently

²⁹ We believe that a narrative-based approach to addressing the nature of life and death heavily influences the exaggeration of these fears in our species.

allowed for the domination and propagation of death anxiety within Western cultures. Western religious trends have long supported the rationality of death anxiety in order to promote the subjugation of those who may fear the afterlife.³⁰ For example, throughout history, the natural phenomenon of dying has been attributed to various deities of death. Even in early primitive and preliterate societies, death was both feared as a foreign evil, but also venerated in order to “offset fears about the potential malevolence of the dead towards the living.”³¹ Today, various religious institutions continue to propagate similar narratives; in the process, personal fears regarding the unknown and the afterlife are exploited in order to guarantee the continued veneration of religious worshippers. But, are we just as irrational now as we were then regarding our presumptions on death? Have we ever been rational when it comes to this topic? And, how does an understanding of legacy affect the perceived rationality of death anxiety?

Before exploring the role of death contemplation and death anxiety from a purely philosophical standpoint interested in determining the rationality of the phenomenon, a brief history of death awareness and attitudes is necessary to interpret the intelligibility of death anxiety. This very short historical analysis is needed for the principle reason that considerations on the matter of mortality have largely been contingent on general sociocultural attitudes present during specific time-periods. Though other, more prominent factors are in play, it is important to keep sociocultural trends in consideration when exploring the less popular philosophical and pagan views on matters of death anxiety. The utility of such emotions in general society is also contingent on the specific historical frame of reference. Varied attitudes towards mortality have changed over time to confer different perceptions regarding the agency of death. While a literal interpretation

³⁰Murphy, “Rationality and the Fear of Death.”

³¹ DeSpelder and Strickland, *The Last Dance: Encountering Death and Dying*.

of anthropomorphic manifestations of death became less common after the sixteenth century, the foreign nature of death continued to allow people to utilize allegories exemplifying the evilness of death to understand the phenomenon. Despite the progress made by the seventeenth century regarding the reduction of death into a natural phenomenon, there remained a grotesque fascination with ghosts and ghouls throughout the era. After which point, the rise of medicine caused a new perspective on death to be adopted, in which death was an untimely event of less immediate concern than the mechanisms of disease and illness that hastened its coming. However, in the process of medical enfranchisement, scientific progress and promises relating to lifespan extensions provided a new type of validity to subliminal suggestions of human immortality.^{32,33}

For centuries, we have been attempting to rationalize our fears by attributing them, albeit incorrectly, to various concerns and grievances that were easier to navigate and address. But, ultimately, while heavily influenced by its necessity for survival, apprehension towards death is not wholly natural; rather, it is likely determined, at least to some extent, by sociocultural influences that propel obsessions with legacy and extrinsic worth. As death palpably contradicts notions of invincibility, discomfort with mortality remains and will always remain pervasive, especially in death-denying Western cultures. However, the many manifestations of death anxiety are so extensive that they cannot solely be attributed to sociocultural norms. There are more universal factors driving general immortality narratives within society. Subconsciously and socially, there will always be stronger inclinations to presuppose personal immortality, rather than propagate mortality salience. Subtle immortality narratives persist almost ubiquitously throughout

³² "Angel of Death."

³³ Illich, *Medical Nemesis: The Expropriation of Health*.

our species, because of the prevalence of death anxieties and the impossibility of positing true non-existence.

III. Immortality

It is possible to erroneously justify persistent death anxieties surrounding mortality by asserting that an immortality narrative is beneficial, as long as it is comfortable. After all, thoughts of one's demise invoke discomfort due to the intrinsic and extrinsic values that are commonly attributed to human life. 'Death is evil,' so we attempt to posit immortality, in order to escape death's inevitability. The defensive mechanisms of action that allow for the propagation of our immortality narratives include postulations re a soul, an afterlife, legacy, etc. Even if a deceased individual no longer persists on this planet, we attribute to them posthumous rights and interests. We preserve the dead's status among the living in as many ways and for as long as possible. Why else would we take such precautions at masking death, even in its most obvious state?

A thick mask of colored wax for foundation, liquidated rouge on the lips, masking tape to keep the hands in place, spiked eye caps that are worn as contacts to force the eyelids closed, and an injected needle to wire the lower and upper jaws together prior to embalming. . . There are few events in which more care will be taken to maintain one's appearance than before an open-casket funeral. One's body is carefully fitted into a best suit, a harrowing tux, or a wedding dress. Exhausting efforts are taken to mask the gruesomeness of death, until a corpse begins to resemble its living self, once more. A particularly good funeral home can restore a corpse so well that the deceased will merely look to be napping. Except, unlike the fairytale, these sleeping beauties can never be re-awoken. We disguise death in order to purport an immortality narrative. Even during

a death ritual (like a funeral), much care and attention is taken to mask the phenomenon's unadulterated state.

Because of our inability to confront death, death anxieties are allowed to propagate uncontested. The concept of eternal oblivion, the ultimate cessation of consciousness and existence, can be difficult to concede. Even those that embrace theological skepticism are not immune from postulating an immortal man. Spirits and ghosts are only the most extreme and obvious examples of immortal postulations. But supernatural creatures are not the only entities that are assumed to retain existence following death, as evidenced by the many different theological postulations re an afterlife. Even outside the realm of the occult, speculations regarding eternity are largely considered viable due to the difficulty of refuting the ever-elusive human soul.^{34,35} Physical immortality may not be feasible but that does not mean that there are no other ways of ensuring continued existence. In fact, legal, spiritual, and ideological proxies commonly appear and are accepted as posthumous substitutes for physical identity. Considerations re an antemortem³⁶ state are customary and largely presupposed. The supposition of an antemortem state appears to allow a decedent to maintain the interests of their living character, after death.³⁷ And while the antemortem state presents as an illusionary social construct, it does allow for the deceased's status among the living to be maintained long after death. Hence, posthumous rights are attributed to the deceased via his or her antemortem identity.³⁸ Legal

³⁴ Pereira, Faísca, and de Sá-Saraiva, "Immortality of the Soul as an Intuitive Idea: Towards a Psychological Explanation of the Origins of Afterlife Beliefs."

³⁵ See Whitty, "Immortality."

³⁶ Antemortem beings refer to postmortem states in which the decedent would subsist as if he/she persisted in a state that mimicked a stage of his/her life. The antemortem stage assumes a stage 'like life,' as if the deceased was still living. See Taylor, *Death, Posthumous Harm, and Bioethics*.

³⁷ We will refute this notion in a later section.

³⁸ Winter, "Against Posthumous Rights"

considerations (like those that pertain to posthumous rights) afforded to antemortem beings further preserve the illusion of immortality.

Despite the inevitability of death, personal convictions regarding an individual's innate immortality are unusually wide-spread.^{39,40} Subliminal acknowledgements of antemortem entities are extremely pervasive, in the laws and in everyday society. However, these functional manifestations of immortality narratives are a consequence, rather than the cause for the pervasiveness of immortality postulations. In fact, Freud attributed the fear of death to the inability to accept one's own demise: immortality, while irrational, is subconsciously permissible in an individual's mind, simply because we are not unequipped at confronting the foreign nature of death.⁴¹ Attributing the fear of death to the fact that no one can picture their own end outside the passive role of the observer holds merit, as "no one [truly] believes in his own death."^{42,43} Due to its very nature, non-existence is impossible to fully conceptualize. And we continue to play an active role as an observer in even our best attempts at imagining a world following our individual deaths.

Thus, identity-based immortality narratives are permissible because humans have developed tools that allow us to disregard mortality.⁴⁴ As it is impossible to posit true nonexistence, mortality (rather than immortality) is approached as a fable. In fact, some of the most prominent philosophical debates regarding views on posthumous harm and the existence of an afterlife are largely contingent on the assumption of some form of immortality. Even without

³⁹ Pereira, Faísca, and de Sá-Saraiva, "Immortality of the Soul as an Intuitive Idea: Towards a Psychological Explanation of the Origins of Afterlife Beliefs."

⁴⁰ Whitty, "Immortality."

⁴¹ Mitchell and Black, *Freud and Beyond: A History of Modern Psychoanalytic Thought*.

⁴² Freud, *Reflections on War and Death*.

⁴³ Drobot, "Freud on Death."

⁴⁴ Whitty.

religious and dualistic insinuations of a soul, an illustrious narrative of invincibility and immortality subconsciously proliferates in our societies. Though in such cases, immortality can sometimes be a useful fiction, there are consequences to the benefits that it confers. In fact, it is largely due to these incorrect assumptions regarding general immunity that mourners exhibit tremendous shock and grief when confronted with human mortality, in the form of an unexpected death.

Under such circumstances, it is clear that even the starkest materialists cannot evade pragmatically positing a non-physical state in order to function according to societal rules and expectations.⁴⁵ As a consequence, dualistic approaches to theories of mind have largely reigned supreme throughout human history. In fact, linguistic expressions often presume a dualistic interpretation of the mind-body problem, as evidenced by the non-reducible descriptions of the world that are often colloquially favored.⁴⁶ Even apart from linguistic limitations, there are many instances in which it is acceptable to refer to and reference the dead as if they were still alive. For example, expressions of grief in anticipation of or following a loss can be characterized by symbolic, narrative, and figurative modes of expression that emphasize an acknowledgement of the deceased, as if they persist in a living state.⁴⁷ Such acknowledgements can encourage the anthropomorphization of the dead. It becomes commonplace to communicate with the dead and to view them as an intermediary that can intercede on behalf of the living.⁴⁸ Apart from more formal methods of communication, it is also common to express continued connections with the

⁴⁵ Whitty.

⁴⁶ Freed, "Dualism and Language"

⁴⁷ Corless et al., "Language of Grief: A Model for Understanding the Expressions of the Bereaved"

⁴⁸ Corless et al.

dead via casual communications, like ‘I miss you;’ ‘please forgive me,’ and ‘how could you leave us like that?’

While the consistency with which our species has feared death and exalted immortality over the many millennia allows us to recognize the wide-spread nature of these anxieties, it does not confer pertinent information regarding the rationality of these fears. The danger is that in the process of prioritizing our intuitive abilities to fear death and postulate immortality, we lose our abilities to act reasonably and properly undertake rational deliberation.⁴⁹ In fact, the post-truth era, in which we currently reside, provides ample proof of our inability to consistently apprehend and assess the validity of facts and reason, as evidenced through the rise of anti-vaccination, fake news, flat-earth movements, etc. There are many circumstances in which death can serve as a prominent influence on our lives, so it makes sense that end-of-life matters are no exception to this general trend of irrationality. But, while religiously-derived death anxiety has been predominantly attributed to literal interpretations of a human soul, we will now proceed to establish a principal role for a different kind of posthumous existence as it relates to legacy, rather than an afterlife. However, legacy is only one example expression of human immortality narratives. Other concepts (e.g. the human soul) also have similar ascriptions as that of legacy; however, legacy-derived fears present as the simplest expression with which to assess death anxieties as they relate to immortality narratives.

The idolization of legacy allows us to continue to reinforce perceived notions of immortality, irrespective of theological differences. Our subsistence lives on, regardless of genetic contributions, through written recordings and documentation of who we are and who we once

⁴⁹ Bailin, *Philosophical Inquiry in Education : The Journal of the Canadian Philosophy of Education Society*.

were. These records preserve our legacies and provide the basis for an independent spread of ideas; this preservation and proliferation of knowledge is uniquely attributed to concepts developed by humans.⁵⁰ At constant war with irrelevance, humans are uniquely equipped to contribute to the continuation of the species through the transfer of ideas, notwithstanding endowments to the gene pool. In becoming slaves to history (rather than biology), emulating life becomes nearly as important as actually living, hence general infatuations with mechanisms of validation and fame. Eternity is a fable that has collectively possessed us, as a species. As a consequence of this fairytale of immortality, we subsist through life purposefully ignorant of our own permeance, until we are unwittingly confronted by it. Legacy is not equivalent to immortality, though we often conflate the two; but legacy does seem to be generally acknowledged as one of the most common expressions of human immortality narratives. Its prevalence can be attributed to its status as the only guarantee of eternal relevance.

IV. Life after Death

While we sometimes understate the extent of our obsession with legacy, sharing and thus preserving personal stories can serve as a way of obtaining validation after death, in the same way as it would in life. In general, societal concerns with legacy are indicative of an elusive battle to conserve or impact our postmortem existence; however, postmortem states are ultimately undeterred by whatever renditions of individual legacy may manifest. Legacy is separate from life, death, and postmortem existence; but, instead, it is, rather ironically, an embodiment of our lives (memories, images, etc.) post-death that fails to be able to affect the dead. It is necessary to make the distinction that while life and existence are rooted in reality, legacy and reputation are

⁵⁰ Referencing a system that resembles memetics. See Alvarez, "Memetics: An Evolutionary Theory of Cultural Transmission."

dependent on perception. This juxtaposition often leads to futile attempts at trying to analyze these perceptive states, as if they were rooted in reality.

Death anxieties manifest at the intersection of various smaller apprehensions, but the role of legacy and narrative are unmistakable. Legacy perpetuates an immortality narrative, in the same way as our acknowledgements of a soul, an afterlife, an antemortem state, etc. However, there are no theological restraints to investigating legacy that would prevent a cohesive admonishment of its role in enforcing harmful end-of-life attitudes. Therefore, the emphasis of this paper is on the effects of acknowledging and idolizing legacy, specifically.

Our narrative-formation capabilities serve as one of the most prominent tools for making sense of the world.⁵¹ Indicated by our designation as *Homo narrans*, “the storytelling persons,” human beings are creatures designed to partake in the “storytelling impulse,” whether through oral or written traditions.⁵² This unique human characteristic appears to be pervasive throughout all aspects of life. Apart from the social functions of storytelling, we tend to perceive all facets of the world in story-format, attributing causes and effects to even the most coincidental and independent of circumstances. As a consequence of the emphasis we place on human narratives, legacy remains a pervasive contributing factor affecting our end-of-life narratives. While it might not be the only or most prominent mitigating factor for all individuals, it does play a notable role in contributing to the general pervasiveness of death anxieties. To some variable extent, we all fear death because of its influence on legacy.

⁵¹Niles, *Homo Narrans : The Poetics and Anthropology of Oral Literature*.

⁵²Niles.

A good death has the ability to erase history, reset a personal narrative, and ultimately overshadow actual existence. For example, regardless of his status as a war hero, senator, and presidential candidate, Senator McCain reached new levels of fame and support following a terminal diagnosis; it was his funeral that brought together widespread bipartisan support, more than any other singular moment in his life. From pacifistic leaders (Gandhi, Martin Luther King Jr.) and short-lived presidents (John F. Kennedy, Zachary Taylor) to fallen rulers (Cleopatra, Marie Antoinette) and celebrities (John Lennon, Steve Irwin), it is their tragic ends that unites these timeless figures. Regardless of their lifetime accomplishments, it is these individuals whose names will stand the test of time in renown, surpassing the memory of even more successful counterparts. Countless other unassuming individuals have notably only been made infamous or famous as a result of their deaths, e.g. most evidently children who were too young to die (JonBenet Ramsey, Caylee Anthony, Trayvon Martin).

Death is all-powerful in its ability to shift the narrative of even the worst lives. Because of the power it invokes, it seems reasonable to fear it. It provides a layer of immunity to the worst individuals in our society, but posthumous attitudes can be quite warped as to confer total impermeability, not just exemption. And, if death has such power in overriding individual lives, our preoccupation with death appears warranted to some superficial extent. Our deaths are part of the narratives that people will tell of our lives, and the culmination of our legacy ultimately involves the story of our demise. Fixations regarding fear of death/dying are instigated by the realization of a possible extension of life after death that does not involve speculation of an afterlife. And while legacy may not be the foremost consideration re all individual considerations regarding the end-of-life, it does maintain a pervasive subconscious influence over many peoples' end-of-life attitudes.

The version of hereafter conferred by legacy is certain, as the continuation of life regardless of mortality is guaranteed through recorded history (hence growing obsessions with documenting immaterial thoughts on various social media platforms, regardless of the absurdity of such commentary). At various points in our life, legacy may play a more prominent role in our death anxieties. But an awareness of legacy always has a subliminal effect on our interpretation and understanding of death. As *Homo narrans*, we receive validation from the propagation of our personal narratives. Whether through infamy or celebrity, a protected legacy is one that is reminisced regardless of decency or personal integrity. Increased power, money, and fame can exponentially expand the overt or conscious emphasis any individual places on their own legacy. But the subliminal influence of personal legacy persists throughout much of one's lifespan. Legacy does not necessarily entail glory or some profound reach; in fact, everyone ultimately retains the ability to obtain a potentially memorable legacy, and its preservation becomes a subliminal consideration for all of us preceding our deaths.

A memorable legacy can be conferred through the appropriate method of demise, even if events preceding death fail to invoke much renown. However, the kind of death that qualifies as an appropriate end to personal existence can have diverse implications. Despite a general consensus re the importance of a good death, there has been little agreement as to the qualifications of such a demise. Depending on whether concerns regarding mortality are effectuated as fears of death or fears of dying, the definition of a good death fluctuates. A good death (or successful dying process) tends to invoke thoughts of a pain-free status, emotional well-being, life completion, dignity, family, relationships, and quality of life.⁵³ But it is not necessarily this description of a good death that we actually seek, subconsciously. While a good, peaceful death

⁵³ Meier et al., "Defining a Good Death (Successful Dying): Literature Review and a Call for Research and Public Dialogue."

has long been hailed as invaluable, it is ultimately a sudden and tragic demise that confers the most immense significance because of its role in preserving a semblance of legacy. For instance, martyrs are hailed as heroes: their legacies are forever preserved, while the inconsequential death belongs only to those that our histories readily forget. As a consequence of the role of legacy in promoting death anxieties, the promise that one associates with death, even if it is perverse or illogical, can transcend death anxieties usually attributed to normal human beings. Concerns about legacy can actually overshadow fears regarding death, because they are often a foundational source for irrational exhibitions of death anxiety. For example, suicide terrorists accept and even glorify their deaths. While we generally postulate that a peaceful or uneventful death succeeding a long life would serve as an ideal death, the best death is ultimately a memorable one, which is why the presence of loved ones near the time of death is often prioritized.

Death (or the lack thereof) also has the unique ability to turn an average sinner into a saint, e.g. Saint Sebastian, Saint Polycarp, Saint Dennis, etc. Once again, it appears that the culmination of a life determines the longstanding worth of that life. The chronicle of one's end often predominates whatever narrative existed during one's actual lifespan. We remember the unfairly departed and confer upon them the status of heroes posthumously, while those who passed uneventfully are less often recalled. There is a reason that the destruction and removal of statues of fallen warriors (even Confederate soldiers who invoke provocative histories) are so controversial. The dead, especially the tragically deceased, are sacred; in fact, it is generally agreed that "of the dead, [one should] speak nothing but good" (*de mortuis nil nisi bonum*).⁵⁴ This idiom is even more applicable to the prematurely or unjustly deceased. Previously inconspicuous individuals that are participants in a tragic demise are much more likely to invoke particular

⁵⁴ First use of the Latin phrase is from Laertius, *Lives of the Eminent Philosophers*.

sympathies, even relative to widely beloved characters (who would be more strongly missed). Even increasingly problematic and controversial public figures can be heralded following their demise if their death is sudden and despondent enough. It is relatively common to grieve the deaths of characters who were disliked, either from guilt, remorse, or a natural reaction to loss. Most recently, celebrities like XXXTentacion and Michael Jackson, who have been previously recognized as predators of the worst kind, were posthumously honored by a widespread consensus of public mourning.

This concept of a good death that guarantees a substantiated legacy is not necessarily a new one. By studying anomalies in human behavior, it is evident that the principal concerns that spur death anxieties revolve around legacy, rather than actual death. Despite the stigmas associated with death, it is not always the case that we protect our own lives above all. For example, martyrdom has long been heralded and, to some extent, is a uniquely human phenomenon. Other species, most commonly arachnids (which can engage in intraspecies cannibalism to ensure the survival of the young or as part of mating rituals), have been shown to exhibit somewhat parallel behaviors (e.g. female *Stegodyphus dumicola* spiders sacrifice themselves by allowing younger members of the family group to feed on them).⁵⁵ But, martyrdom in humans is neither brought about out of evolutionary necessity, nor is it a reactionary biological predisposition (e.g. female *Stegodyphus dumicola* spiders begin physically liquidating to produce nourishing fluids once the eggs are hatched).⁵⁶ Somehow, martyrs who exhibit no psychopathy or psychological abnormalities choose to die; while seemingly unintelligible, this choice can be somewhat explained or rationalized when examined through the lens of legacy. A sacrifice (whether it be in the form

⁵⁵ Bilde et al., "Survival Benefits Select for Group Living in a Social Spider despite Reproductive Costs."

⁵⁶ Bilde et al.

of a belief, a stance, or another human being) that does not directly impact the survival of the species may not be evolutionarily rational from a biological perspective, but it does make for a memorable demise (to say the least). Under the right circumstances, even unassuming individuals can make the ultimate sacrifice, which we observe when people are willing to risk their safety during terror attacks or natural disasters.

Further evidence re the status conferred by legacy is the manner in which we treat the dead. While death doesn't discriminate between individuals, populaces, species, etc., our emotional sympathies and lamentations certainly do, because of narcissistic perceptions of individual merit. Our postmortem status and, subsequently, the state of our deaths are judged in accordance with our legacy narrative. It is well-established that there is a duplicitous hierarchy that determines whose lives deserve to be saved (which can be readily observed by studying access to care issues), regardless of any inherent, equal human worth that a cultivated society endorses. But even following death, there is no equality; this is true despite the fact that after death, all that remains are mere leftover remnants of the barest corporal vessels. Ultimately, an inexorable hierarchy also determines those who deserve to be mourned. For instance, the type of departure that is ultimately endured can greatly affect the perceived value of one's former life. Hundreds (sometimes thousands) of mourners will show up at the memorial of a young murder victim or a fallen war hero, while other unclaimed corpses lie largely unacknowledged and alone until the state legislature can appoint a funeral director to handle the largely unfavorable affair. We all want to be remembered, mourned. It is for this reason that large contributions and memorial sites are commonly erected in the names of deceased family members. This is also one of the reasons why studies have shown that family and relationships remain heavily emphasized in our conscious

definitions of a good death.⁵⁷ There is no sadder image than that of an unclaimed Jane Doe rotting away alone, undiscovered, unacknowledged, and forgotten.

An unpleasant death usually warrants aversion because of the pain and loneliness that can be associated with it. However, concerns regarding the way in which such a death may impact legacy are less warranted. Legacy is usually acknowledged as an important contributor to our fear of death, because general evaluations regarding the ability of legacy to impact our deaths – and consequently our postmortem state of (non)existence – are incorrectly assumed (Figure 1).

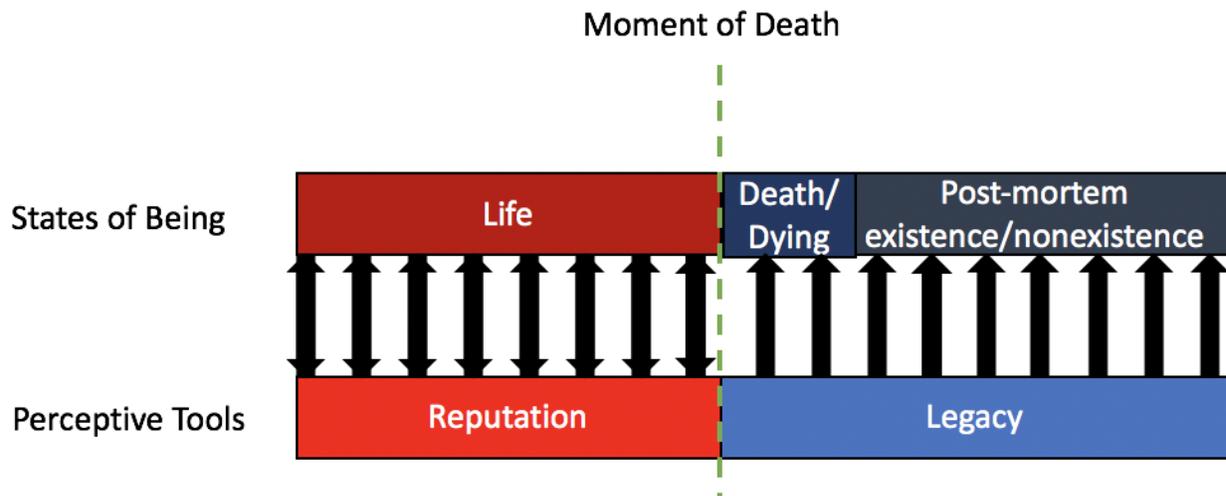


Figure 1. Most commonly presumed representative relationship between perceptive measures of reputation and legacy as they affect states of life, death, and postmortem (non)existence. Reputation and legacy are generally acknowledged as being able to influence one another, while legacy is purported to affect the status of postmortem beings.

While we attribute concerns regarding legacy as capable of ascribing illicit postmortem consequences, the truth is that this assumption is erroneous. Postmortem beings would no longer

⁵⁷ Meier et al., “Defining a Good Death (Successful Dying): Literature Review and a Call for Research and Public Dialogue.”

be concerned about human existence. Human issues would not be able to affect posthumous lives in ways that would pertain to their self-interest. Therefore, legacy, like reputation, can only influence the living. Thus, if we are assessing rationality in terms of self-seeking utility, then concerns about posthumous legacy would be immaterial to the affected party. While we might think that we should care about how we are posthumously remembered through legacy, ultimately this is of no consequence to either our living or posthumous state.⁵⁸

After our deaths, we have no control over how others will continue to perceive us. There are many cases with which we could establish precedents regarding our assumption that one is not directly concerned by that which they cannot render control over. And, while, in some cases, we may be able to confer minimal control over the initiation of death or the state of existence immediately prior to our death, such control is rarely direct and often severely limited. Hence, individuals generally find no need to preemptively address fears of death or its inevitability. Because death anxieties are allowed to propagate without consequence, myths of immortality continue to proliferate and contribute to our anxieties.

As we've previously stated, as a result of such immortality concerns, legacy becomes a more established concern among the general populace. Because of its status, it is necessary to understand how legacy manifests. While legacy is often confused as a subsidiary of the death state, this is incorrect; in fact, such a presumption actually unfairly contributes to our irrational fears regarding death, as this false categorization results in the supposition of posthumous effects

⁵⁸Even if we perceive that it is intelligible for us to care about how we are remembered, our legacies ultimately have no consequence. They subsist only after we die, but they can have absolutely no effect on our posthumous state. We will continue to return to this idea in later sections.

by legacy. Thus, though it presents an intelligible and commonly accepted timeline, the first schematic is inherently incorrect (Figure 1).

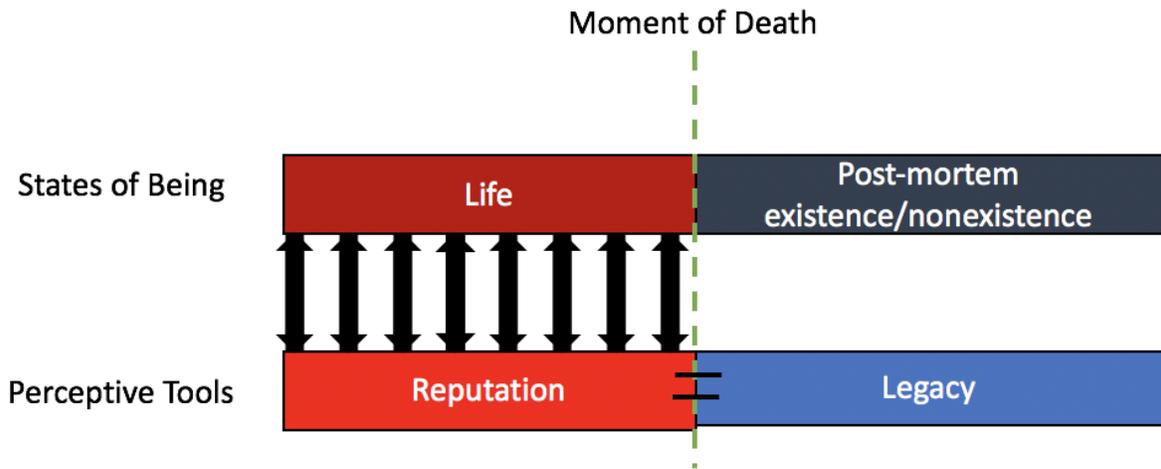


Figure 2. Representative relationship between perceptive measures of reputation and legacy as they affect states of life and postmortem (non)existence. Reputation and legacy are acknowledged as being able to influence life and one another, but there is no direct relationship between legacy and postmortem (non)existence.

Rather, there are three key ideas represented using this second schematic: death is a transitional moment in time; we can impact reputation throughout life; and legacy can be equated to a continuation of reputation (Figure 2). Distinct derivations from separate stages of existence cannot be interconnected, apart from each sphere. But reputation and legacy do represent as anatomically continuous third-party interpretations of self. While we tend to presume that preoccupations with reputation exist only in life and that reputation transforms into legacy, as it relates to earthly death, these two intuitive lenses of reputation and legacy need to be somewhat

distinguished, according to the state of the subject. They may be anatomically continuous, but they are phenotypically diverse.

Legacy is subjective, and while it is often used in relation to posthumous reputation, such an insinuation wrongly posits the possibility of posthumous harm. Legacy affects our perception of death, but it cannot actually affect those that have died (Figure 2). Death is ultimately not a state of being, but rather a singular phenomenon that is independent of both life and the postmortem state. Death merely allows for the passage from one phase of existence to the other. Therefore, it is an oversimplification of the phenomenon to assume that it is possible for perceptive mechanisms that occur during life to affect the dead. Rather, like reputation, legacy can only influence and be influenced by the living. Subjective meanings afforded to reputation and legacy only have substance within the realm of the living, which is of no consequence to other states of existence. Following death, no individual is ever directly subjected to the repercussions of death or posthumous alterations to one's legacy.

Our understandings of death render it as either a gateway to an afterlife or the ultimate conclusion of existence; however, in either case, the 'soul' that has died need not confer significant meaning to the transient phenomenon of death, in and of itself. It should be emphasized that fear of the loss of control over one's legacy will appear irrational, if it is possible to definitively establish that one's legacy can no longer impact the postmortem state. An issue that could undermine the normative significance of a concept like legacy is the debate over the potential for posthumous harm, which we've briefly referenced. In order to assess the rationality of legacy and legacy-derived death anxieties, it is, therefore, necessary to further explore and discredit the concept of posthumous harm.

V. Posthumous Harm

According to Epicurus, “death means nothing to us,” nor does it mean anything to the dead.⁵⁹ “When I am, death is not. When death is, I am not. Therefore, we can never have anything to do with death.”⁶⁰ This assertion contradicts the mortal harm thesis by proclaiming that death is inconsequential and thus cannot harm one that is dying.⁶¹ Accordingly, if death is nothing, then legacy (which manifests only after death) must also be of no consequence. So, from an individual’s perspective, one’s posthumous legacy becomes inconsequential to oneself after death, therefore relegating its contributions to end-of-life attitudes as unintelligible. So pre-humous considerations re legacy and legacy-derived trepidations are largely unreasonable and potentially irrational. Before further investigating this assertion, we will attempt to demonstrate various reasons why the posthumous harm thesis positing the potential for such harms is incorrect, according to an Epicurean interpretation of death.⁶²

In this paper, an Epicurean view of death is largely favored. However, the Epicurean stance regarding the impossibility of posthumous harm has been almost universally refuted or admonished as absurd, in favor of harsher Aristotelian views that favor a bleak afterlife in which the dead are condemned to suffer posthumously according to the fickle nature of the living.⁶³ As a consequence, concerns re posthumous harm continue to have wide-spread bioethical implications, despite the fact that applications of such theories can be conclusively shown to negatively affect the living, in such cases as organ donation, etc. However, our insinuations

⁵⁹ While Epicurus made this statement as he was referring to “death [as] the privation of all sentience,” we believe that the validity of this statement is maintained even if the soul were to retain sentience after death. See Epicurus et al., *The Epicurus Reader: Selected Writings and Testimonia*.

⁶⁰ Epicurus et al.

⁶¹ Blatti, “Mortal Harm and the Antemortem Experience of Death.”

⁶² Blatti.

⁶³ Taylor, *Death, Posthumous Harm, and Bioethics*.

regarding the irrationality of death anxieties (as a result of the frivolous nature of legacy) demand that Epicurean interpretations of death's nature are upheld. As positions on posthumous harm can also confer significant influence on the implementation of end-of-life measures that address mortality, this concept is worth investigating further.

The relatively common deprivation account of death presumes that the dead can be deprived of the joys experienced by the living; such deprivation narratives commonly assert posthumous harm. The 'death is evil' narrative, which proliferates in Western society, also provides support for claims positing the possibility of such harm. However, the most common arguments in favor of Aristotelian views on posthumous harm currently rely on the Feinberg-Pitcher model of harm, which has wide-spread bioethical implications. The anti-hedonistic intuitive approach of this model does not necessitate awareness of the harm being conferred; it is claimed that even if the dead are not aware of the harm they are enduring, it remains possible that they can be wronged. By positing, as Pitcher does, that postmortem individuals can be harmed in the same manner as antemortem beings, various thought experiments can be asserted that would lead to the conclusion that posthumous harms can be conferred upon the dead. But, while such thought experiments demonstrate the plausibility and intuitive nature of assuming posthumous harm, they fall short of proving that such harms can be retroactively conferred, especially if the events that confer harm are contingent on their sequential nature. Such arguments in support of posthumous harm can often also be readily critiqued for their heavy reliance on intuitive processes⁶⁴ for assessing rationality.^{65,66}

⁶⁴The use of intuitive arguments for addressing philosophical issues has been previously criticized, but there is precedence for applying such arguments to analyses of end-of-life issues, e.g. posthumous harm, so we maintain the validity of this reasoning. See Taylor.

⁶⁵ Williams, "Death and Deprivation."

⁶⁶ Taylor, *Death, Posthumous Harm, and Bioethics*.

Because of the general assumption that ‘death is evil,’ intuitive arguments in favor of posthumous harm often appear stronger and more intelligible than the arguments against it. This is because we often favor positing an antemortem state, rather than a true postmortem state. However, there are several valid counterarguments to Aristotelian postulations regarding posthumous harm; such counterarguments not only refute the possibility of posthumous harm but also favor the impossibility of the phenomenon. An experiential view of death maintains that harm can only affect an individual, as long as the individual can experience the consequences of such harm. So, if the postmortem individual lacks the ability to experience anything, then they cannot be harmed (or benefitted) from posthumous events. Even if the dead remained aware of their legacy throughout their posthumous states, posthumous legacy would not affect them or serve for/against their self-interest, because of the lack of control they would be able to elicit over it and because of their inability to experience any of its potential consequences.⁶⁷

As we have previously mentioned, a deprivation-based theory of death would posit that death is always bad, because it deprives us of any possible good that could be attained from life.⁶⁸ In contrast, Epicurean views assert that death can never be harmful. The existence of a posthumous reputation or narrative would thus serve no personal utility. And, as our framework for assessing prudential rationality⁶⁹ lies in utility and the satisfaction of self-seeking goals, it begins to become evident that legacy considerations may truly be irrational. Control over temporary reputation may give us inaccurate impressions that we can control postmortem reputation or legacy. In reality, we never had control over the latter position, because we never maintained complete control over our

⁶⁷ Taylor.

⁶⁸ Li, *Can Death be a Harm to the Person Who Dies?*

⁶⁹Throughout this text, we will be largely focusing on prudential and epistemic frameworks of rationality. Epistemic rationality is concerned with true beliefs, while prudential rationality is concerned with utility and self-interest. We will continue to explore these forms of rationality in later sections. See Greenspan, “Emotional Strategies and Rationality.”

deaths. However, because we retain control over pre-humous reputation, we erroneously prioritize the role of legacy in end-of-life scenarios. And, because we presently exist in our living forms and cannot see past our immediate evolutionary goals, we fail to correctly acknowledge our lack of control over the effects of legacy. So, assumptions regarding the prevalence and importance of legacy continue to be widespread. As a consequence, death anxieties proliferate, along with postulations regarding the nonexistent posthumous repercussions of reputation and legacy.

To reiterate, Epicurean positions maintain that as long as an individual is alive, he is not dead; therefore, death cannot confer harm, if it only occurs following the absence of life. Personal perceptions re the psychological implications of death might encourage intuitive arguments postulating posthumous harm, but, in actuality, it does not seem that individuals can either be harmed or wronged by death. Regardless of the arguments and thought experiments used to posit posthumous harm, there are criticisms to be made that would negate the influence of intuitive assumptions re such harm. If one is truly willing to accept the Epicurean stance, it becomes clear that posthumous harm simply cannot manifest. This is due to fact that harm and wrongdoing can only be induced if we assume the deceased individual continues to participate in situations that would allow them to experience such offences. Even the strongest arguments that assert the possibility of posthumous harm fail to prove conclusively that such harm is anything other than a possibility; thus, there is no reason to necessarily accept such arguments.^{70,71}

The impossibility of posthumous harm can also be ascertained by arguing that the well-being of the decedent cannot be affected by such harm. If well-being is correlated with pleasure, then pleasure is automatically deprived following the manifestation of a corpse (thus no further

⁷⁰ Epicurus., Inwood, and Gerson, *The Epicurus Reader: Selected Writings and Testimonia*.

⁷¹ Taylor, *Death, Posthumous Harm, and Bioethics*.

harm is possible).⁷² While such insinuations regarding well-being would assume that a descriptive theory of hedonism (which may or may not prove to be conclusively true) and a deprivation theory of death are upheld, there is merit to suggesting such an account, as it would explain how we can expressly assume posthumous harm even though its expression cannot confer actual harm onto the decedent.

Furthermore, after someone dies, whatever preceded death, during life, is no longer consequential. This is demonstrated by the separation of different stages of existence in the representative schematics that were presented in the previous section (Figures 1-2). Even in the case of sentient postmortem beings, these entities would care only about the continuation of their selves in their own realm, but human existence would no longer concern them, as these two realms of existence would manifest as separate spheres. A separation of priorities between the living and the dead is clearly warranted. It is a relatively narcissistic presumption that leads some to presume that if the spirits of the dead were able to manifest and exist autonomously after death, they would be interested in the inconsequential lives of the living. This concept can be further paralleled through an analysis of general beliefs regarding reincarnation. If one is reincarnated and comes back as an animal, then they would only concern themselves with the continuation of the current animal host species. According to Hinduism, an individual's reincarnation into a new vessel following biological death can lead to the rebirth of a soul into a body belonging to a different species. During one's newly reincarnated life, the previous host species becomes irrelevant, except in terms of its classification as predator or prey. When one no longer belongs to a group, there is no longer reason to concern oneself with the proliferation of that group's existence. In the same

⁷² Taylor, "The Myth of Posthumous Harm."

vein, if, following death, we posit a postmortem state, then only that current state and realm would be of any consequence. Therefore, it would be unlikely that postmortem harm could be induced from a different state of existence.

These assertions do not attempt to claim that one's evolutionary priorities to propagate individual ideas, knowledge, and genes were never important, but rather that these 'goals' are no longer posthumously relevant after one's lifetime. For example, there may be opportunities to posit a function for legacy within an ideological evolutionary theory based on memetics.⁷³ Such a theory re ideological evolution necessitates the continued spread and proliferation of one's ideas posthumously. A preserved legacy is assumed to be one of the most fruitful ways in which one's intellectual work may continue to thrive and contribute to the species' general fitness. While there is some merit to assuming that it would be possible that, as a result of changing views on legacies, one's ideological evolutionary potential is harmed posthumously because of legacy, this assessment of legacy's role inadequately relies on the erroneous assumption that a posthumous being's self-interest remains rooted in the living human realm. While living beings might be hurt by the effects of legacy in discrediting certain ideologies, the dead, themselves, can be in no way harmed or wronged.

However, there are also other reasons why posthumous harm appears to be an irrelevant concern. This is namely because of the heavy reliance on the irrational, yet widespread presupposition of immortality among humans. Any sort of model that would necessitate such "backward causation" and retroactive punishment appears intuitively problematic.⁷⁴ While the

⁷³Memetics is the study of ideas or concepts as 'living organisms' subject to propagating and evolving independently through a system that mimics the living. See Alvarez, "Memetics: An Evolutionary Theory of Cultural Transmission."

⁷⁴ Taylor. *Death, Posthumous Harm, and Bioethics*.

notions of legacy and death serve a purpose among the living, they hold no established significance independent of life. It is difficult to posit how an immortal soul would be affected by reinterpretations of legacy. Following death, life either transitions into another version of life (the afterlife) or reaches a conclusive end; in either case, an individual's personal posthumous legacy does not readily appear to be able to influence an individual following the occurrence of death.

Until this point, however, we have been largely interpreting the effects of legacy on the postmortem state. But the postmortem state is more commonly associated with physical harm. It is just as necessary to take into account considerations about non-physical harm that are most frequently associated with posthumous effects on the antemortem person. So, what of the antemortem state? Is it possible to harm an antemortem being, even when it is not possible to physically harm a postmortem entity?

Positing an antemortem person solves the problem of the subject that arises whenever one discusses posthumous harm and end-of-life matters.⁷⁵ It is possible to ascribe posthumous interests to a deceased individual by assuming an antemortem state, as the deceased's interests appear to be preserved posthumously. However, the human ability to perceive the existence of absent objects or individuals is not unique to end-of-life issues. Children slowly develop object permanence over the first two years of their development.⁷⁶ Until a working memory and an ability to understand object permanence is developed, it truly is 'out of sight, out of mind.'⁷⁷ Understanding that objects (and individuals) can continue to exist regardless of our perception of them is critical to our abilities to function in everyday life, as evidenced by the emphasis developmental psychologists

⁷⁵ Fabre, "Posthumous Rights."

⁷⁶ Moore and Metzloff, "New findings on object permanence: A developmental difference between two types of occlusion."

⁷⁷ Moore and Metzloff.

place in studying object permanence.⁷⁸ But while there is a pragmatic pre-humous use to this ability, it will be argued that it is unnecessary to postulate antemortem entities posthumously.

An antemortem state originally appears useful in allowing the decedent to posthumously maintain relationships and a status among the living. However, the antemortem individual is its own lifeform; it can neither truly represent, nor replace the decedent. The antemortem being actually resembles an anthropomorphized inanimate object. Though a tree has interests (e.g. obtaining nutrients that would allow for its growth and survival) when it is ‘alive,’ we do not continue to ascribe these interests to the tree after it has been chopped down and used to make furniture. Yet, despite its furniture-like status, we do tend to ascribe certain claims, rights, and interests to an antemortem being.

While there are inter-subjective interpretations re an individual’s antemortem state that allow for general and communal acknowledgement of the entity, the existence of this entity is entirely dependent on living third-parties that may or may not be correctly postulating the decedent’s intentions. After death, the antemortem being no longer accurately represents the decedent’s interests. In fact, depending on the stage of the decedent’s life that is being referenced in order to posit an antemortem being, an antemortem person might not even represent the interests of the decedent immediately before they died. Even in cases in which the decedent’s interests are well-documented, the perceived interests accredited to the antemortem state are time-stamped and, thus, not necessarily true to date.

An antemortem state is believed to be intelligible within various societal and legal frameworks, due to its ability to regulate and facilitate matters that are pertinent to the living. But

⁷⁸ Moore and Metzloff.

ascertaining the continued existence of an antemortem being is ultimately an unnecessary postulation, despite its perceived utility. For example, one of the strongest reasons for positing an antemortem being would involve its potential role in justifying matters of inheritance and estate distribution. Living people often maintain preferences regarding what happens to their assets following death. And, from society's perspective, it is important that there be a conventional way to address the distribution of these assets. But, while an antemortem being is perceived to be intelligible re pragmatic legal considerations, such a being is ultimately unnecessary to maintaining the social constructs that we ascribe to its desires. For example, viable living wills can be created decades before their implementation becomes necessary. Therefore, claiming that an antemortem being maintains the same interests as were expressed in a decades-old document fails to take into consideration the many external factors that could influence a change in the decedent's interests.

It is not actually the antemortem being's interests that are being preserved via posthumous rights. Any interests or claims that may be seriously attributed to an antemortem entity are only viable if there is an actual contract that the decedent pre-humously prepared that may take affect posthumously. The rights that are being ascribed to the dead are merely rights that are derived from their once living selves. The relationships, identities, and interests that are preserved by postulating a non-physical antemortem being do not necessitate such a postulation. Rather than antemortem interests and claims, we arrange posthumous affairs according to contracts that were created by the living. These contracts might have delayed execution dates that allow them to take into effect post-death, but they were still prepared by a living entity. Therefore, positing an antemortem state is unnecessary. Because regardless of the deceased's actual interests pre or even

post-death, it is only contracts created by the decedent when he or she was still living and sentient that are adhered to above all other considerations.⁷⁹

Postulating an antemortem state is merely another unnecessary attempt to perpetuate an immortal conception of self. The very postulation of an antemortem state hinges on our irrational assumptions re human immortality, but it has no real true significance. Even in cases where the antemortem being's interests would be expected to be most relevant (e.g. regarding estate distribution), it is clear that it is not actually the antemortem entity's interests that are being represented. Rather, matters of inheritance are actually arranged according to legal contracts, rather than the interests of the antemortem being. The antemortem individual's sequentially-derived claims or interests are not actually preserved in the way that we generally acknowledge them to be.

Legacy can only be harmful or beneficial in as far as we postulate an antemortem or postmortem being that can be posthumously harmed. Therefore, it was our intention to contradict both the mortal harm and posthumous harm theses, by claiming that 1) one is not harmed by their own death and 2) one cannot be harmed after their own death. In conclusion, there is ultimately no cause to postulate the potential for posthumous harm from legacy's ability to negatively affect the posthumous spread of one's ideas, etc. Therefore, in the next section, it will be possible to show that death anxiety, which may largely stem from concerns over legacy, is also irrational. This argument will be largely contingent on our discussion of postmortem and antemortem states.

VI. Rationalizing Our Fears

⁷⁹ Fabre, "Posthumous Rights"

One is often assumed to be pensive when accepting death, while irrational when fearing it. While we attempt to investigate irrational factors relating to existence in order to ascribe reason to them, such work is futile. We do not recognize the irrationality of attempting to reason existential issues, so we continue to pursue justifications in order to validate our attitudes towards such concerns. According to Jungian definitions of rationality and irrationality, legacy, by its very nature, must be irrational due to its subjective nature as a perceptive tool.⁸⁰ In *Psychological Types*, Jung states that “the [idealized] rational attitude which permits us to declare objective values as valid at all is not the work of the individual subject, but the product of human history. . . [Reason is] nothing other than the expression of man’s adaptability to average occurrences, which have gradually become deposited in firmly established complexes of ideas that constitute our objective values.”⁸¹ The nature of an emotionally-charged ‘complex’ can influence our perceptions and ability to rationally approach a subject; however, due to the autonomous nature of ‘complexes,’ it is not the case that we always can distinguish between these feeling-driven beliefs and those that are reasoned.⁸²

Rather than reason, thoughts and feelings regarding the future are usually guided by intuitive sources of understanding.⁸³ However, there are merits to attempting to assess the rationality of these feelings. While rational understandings and approaches to death anxieties might not necessarily confer comfort when addressing thoughts on dying, such conceptualization is necessary in order to prevent the damage incurred through the harmful spread of hypocrisies that such fears can often perpetuate. Individual comfort with mortality is not a pre-requisite for

⁸⁰ Jung et al., *Psychological Types*.

⁸¹ Spinoza, *Ethics*.

⁸² Jung et al., *Psychological Types*.

⁸³ Murphy, “Rationality and the Fear of Death.”

implementing necessary end-of-life legislation and policies, though some semblance of rationality often is. In order to spur people to action (whether that action be education, outreach, or planning measures), mortality salience and competence is necessary.

While we are attempting to use Epicurean stances to argue that death anxiety is irrational, the irrationality of these trepidations is not a new concept. From as early as the works of Socrates and Plato, the philosopher has been acknowledged as he who is learning or training to die.⁸⁴ Colloquially, those who find peace with death are acknowledged as wise or ‘philosophical.’⁸⁵ Spinoza articulated this concept well, “a free man, that is to say, a man who lives according to the dictates of reason alone, is not led by fear of death, but directly desires the good, that is to say desires to act, to live, and to preserve his being.”⁸⁶ The concept that fear is unnecessary and limiting because it restrains rationality (the ultimate manifestation of freedom) is emphasized in Spinoza’s philosophies. Even using such an interpretation, it becomes obvious that the absence of irrational fears helps confer ultimate freedom in the form of rational understanding.

While some might criticize Jung as being an obscurantist, there is merit to his assertions re ‘complexes.’ Our biological predispositions and natural intuitive inclinations to fear death⁸⁷ and ponder existence prevent us from identifying the irrationality of exaggerated negative attitudes towards death. But, if one adequately identifies and explores the origins of exaggerated anxieties, these inaccurate and irrational mindsets become more evident. After all, if a key source of such fears fails to seem reasonable, then it becomes evident that the fears, themselves, must be similarly

⁸⁴ Taylor, *Death, Posthumous Harm, and Bioethics*.

⁸⁵ Plato. and Reeve, *A Plato Reader : Eight Essential Dialogues*.

⁸⁶ Jung et al., *The Collected Works of C.G. Jung*.

⁸⁷ As we’ve previously mentioned, to a certain level, adaptive death anxieties can be motivational and encourage prudent behaviors. However, in humans, natural trepidations regarding death are greatly exaggerated. In this paper, we are referencing the chronic, debilitating state of these fears.

irrational. The distinction between irrational and rational fears has repercussions in general society due to the implied consequences regarding the acceptability of partaking in rational fears. Depending on the source of the anxiety, there are different implications conferred regarding the value of its existence and thus the intentions of the agent re utility-based prudential rationality. When over-conflating the roles of autonomy or consciousness, for example, it can appear that there is utility to trepidations regarding mortality; such misplaced evaluations misleadingly inflate the significance of the human life forfeited by death.

Death's ambiguity has long complicated assessments of rationality. Though it may be considered a relative evil in terms of individual human life, there are higher natural orders that necessitate death's existence. Therefore, with regards to death and dying, we cannot simply accept, as Aristotle does, that death is "terrible."⁸⁸ Spinoza once stated that "nothing can be evil through that which it possesses in common with our nature, but in so far as a thing is evil to us it is contrary to us;" but, when Spinoza made such a claim, even he acknowledged that death is both contrary and necessary for our existence.⁸⁹ Trying to imagine existence without death allows us to posit the gravity of death in conferring meaning to life: without death, there could be no life on Earth. Despite its necessity, death sparks an array of complex feelings. In this section, we hope to show that legacy-derived death anxieties should be categorized as both illegitimate and irrational according to epistemic and prudential considerations.

Thus, in order to prevent inconsistencies regarding the utility of the source of these trepidations, it is very important to be able to establish their correct origin. Our discussion on legacy serves to demonstrate that even concerns regarding a key source for thanatological fears

⁸⁸ Aristotle and McKeon, *Introduction to Aristotle*.

⁸⁹ Melamed, "Spinoza on Death, 'Our Present Life,' and the Imagination."

appear to be irrational. Exploring the issue of such fears through the role of legacy confers greater clarity than simply discussing general death anxieties.

As it relates to our argument, it appears that a prominent component used to derive both fears of death and dying relates to legacy, as a narrative of resilience and/or strength is at stake when contemplating both phenomena. So, ultimately, neither an overemphasis of legacy nor thanatological fears are in the general self-interest of any individual; hence, the perceived irrationality of concerns surrounding these concepts. Identifying a source of death trepidations to be contingent on the importance of human legacy has significant implications on this discussion of rationality. In this paper, we will be specifically exploring two types of rationality: prudential and epistemic rationality.

There are two basic standards with which to assess the rationality of emotions; these are cognitive (or epistemic) and strategic (or prudential) rationality. Epistemic rationality is concerned with true representations and maintaining accurate beliefs of the world. Meanwhile, strategic or prudential rationality is utility-based and contingent on the agent's ability to participate in pragmatic decision-making and action-oriented judgments. In both regards, we posit that death anxiety is irrational. However, it should be noted that assessments of rationality, especially prudential rationality, are often contingent on potentially diverse assumptions regarding the role of death in society.^{90,91,92}

The inability to properly identify the origin of death trepidations allows for unintelligible and irrational beliefs and behaviors to proliferate. By demonstrating the irrationality and harmful

⁹⁰ Wallace, "Practical Reason."

⁹¹ Greenspan, "Emotional Strategies and Rationality."

⁹² de Sousa, "Emotion."

consequences of conflating legacy, any emotional respite that is associated with extreme cases of death denial will ultimately be shown to be unintelligible. While intelligibility does not equate to rationality, humans generally favor intelligibility, while aspiring to be rational creatures. We will be using epistemic rationality to demonstrate that legacy considerations are both epistemically irrational and unintelligible.

When assessing emotions in terms of evidence and truth-oriented cognitive rationality, there are three elucidations of rationality that would be suitable to analyze: is death anxiety epistemically rational in terms of whether or not it is 1) merited, 2) appropriate, or 3) coherent? We will find that individual fears towards dangers leading to death may be justifiable, but that death anxiety, in its most general and abstract form, is ultimately irrational following this model. In terms of merit and fittingness, a fear directed at a known threat or danger could be effectively targeted so as to confer rationality; and, depending on the consistency of the manifestation of this individual fear, it may also likely qualify as coherent, as the danger conferred by an individual trepidation does not necessarily need to be justified outside of one's belief system. But, undirected fear towards the abstract theme of permanence is neither appropriate given the inevitability of the phenomenon, nor merited given its naturalness. Even if one believes that death is cruel, the inability to direct such general feelings of intimidation would also prevent a necessary degree of consistency.⁹³

With regards to epistemic rationality, many of the greatest philosophers⁹⁴ viewed training for death as the principal vocation of philosophy. And if preparation for death was a philosopher's

⁹³ de Sousa.

⁹⁴ These philosophers include Montaigne, Socrates, Hadot, etc.

main objective, how could it be rationally feared? If we are always training⁹⁵ for death, then death is less foreign than we are often led to believe. So, epistemically, there is less evidence to support such intense emotional anguish that often results from the prospect of death. Even postulations regarding evolutionary predispositions for experiencing death anxieties are limited when we consider the scope within which nature operates. Furthermore, if one cannot be posthumously harmed (according to an experiential view of concept) or be impacted by their posthumous legacy, then it is epistemically irrational to take into consideration legacy or legacy-derived anxieties.

With regards to epistemic rationality, it should be noted that, at some level, emotions and rationality can be perceived as natural antagonists (or, at the very least, as being negatively correlated). The Stoics were particularly adamant about the false and deceptive representations that could be conferred by emotions.⁹⁶ But, just because there is often an inverse relationship between the two, it does not necessarily entail that we cannot assess the rationality of emotional responses in terms of utility. In fact, a forced separation between the mechanisms of action for emotional and rational thought can result in overly simplified and incorrect postulations; after all, to some extent, rational behaviors and beliefs are, ultimately, contingent on emotions in terms of their ability to structure and redefine general perceptions.⁹⁷ The assessment of most judgments is contingent on emotional influences and their evaluations of possible benefits/repercussions; it is impossible to completely dissociate human judgments, beliefs, and behaviors from emotions, so all decision-making is contingent on sentiments and emotive sensations, to some extent.⁹⁸

⁹⁵ Such training may occur in two ways: through the philosophical context via practicing the art of separating the soul from the body (as Socrates believed) or through the physical sense of enduring temporary insentience during sleep.

⁹⁶ Solomon, "On Emotions as Judgments."

⁹⁷ Düringer, "The Analogy between Emotions and Judgements."

⁹⁸ de Sousa, "Emotion."

While epistemic considerations can be used to address whether or not death anxieties and legacy concerns are intelligible, there is much merit to assessing prudential rationality, as well. Thanatological fears warrant a utility-based rational analysis, because such considerations can greatly impact the application of rationality theories. While some may argue that death anxieties serve an individual's self-interest by encouraging caution, we would disagree as to the extent of these perceived benefits in conferring prudential rationality. Fear of death as it is exhibited within human cultures and societies does not necessarily lead to the furtherance of the species, and, on an individual level, can encourage narcissism that can deliberately undermine the individual's interests. The biological utility conferred by death anxiety is often exaggerated, as it fails to take into consideration the dual nature of benefits conferred by risk-taking and risk-aversion tendencies; therefore, as a consequence of perceived evolutionary incentives for risk-aversion and death anxiety, the utility of concerns regarding mortality are overly exaggerated, despite the fact that they can confer severe consequences. In their current unchecked and exaggerated state, human death anxieties appear harmful, unintelligible, and prudentially irrational.

Assessments based on prudential rationality are useful in order to demonstrate the lack of utility associated with legacy considerations. Our analysis regarding the prudential rationality of legacy-derived death anxieties will be rooted in the pragmatic utility that such fears confer. By addressing the utility of human behaviors in regard to self-interest, it is possible to navigate the treacherous landscape of conflicting and sometimes hypocritical influences that death anxiety might have. Spinoza referred to this conceptualization of human rationality as rationality "with the principle of seeking [one's] own profit," which implies self-worth and personal

satisfaction.^{99,100} Hobbes similarly defined rational beings as those acting in their own long-term self-interest; and, while not all decisions can be simply attributed to versions of ‘psychological egoism’ or the ‘selfish system,’ it provides a good mechanism by which to assess the rationality of our subjective emotive states.^{101,102}

An expected utility theory of rational choice that emphasizes prudential rationality offers several ways to interpret the value of possibilities: either as a measure of the agent’s beliefs or as a measure established through evidence.¹⁰³ Such a mechanism allows for values associated with individual outcomes to be appraised; the outcome with the highest degree of expected utility presents as the rational choice. Assessments of possible outcomes take into consideration the maximal set of feasible outcomes in order to assess and rank the worthiness of each individual choice or decision. Sets of ensuing outcomes are contingent on states (events outside the control of the individual agent) and acts (the agent’s decision-making options and preferences) that influence each possible consequence.¹⁰⁴ Such utility-based rationality assessments will work well with other efforts to address end-of-life issues through a consequentialist lens.¹⁰⁵ While we will not go into detail regarding how numerical estimations of the value and the probability of each outcome can be evaluated, by qualitatively investigating possible outcomes regarding death anxiety, it remains evident from our assessment why a lack of trepidations confers a more favorable

⁹⁹ Murphy, “Rationality and the Fear of Death.”

¹⁰⁰ Spinoza, *Ethics*.

¹⁰¹ Hobbes, *Leviathan*.

¹⁰² The term ‘selfish system’ was used and critiqued by eighteenth century philosophers, like David Hume. See Church, “Selfish and Moral Politics: David Hume on Stability and Cohesion in the Modern State.”

¹⁰³ Briggs, “Normative Theories of Rational Choice: Expected Utility.”

¹⁰⁴ Briggs.

¹⁰⁵ Consequentialist considerations will be briefly mentioned in a later section.

outcome, especially if we negate the perceived outcomes that we have already attempted to discredit in earlier sections (Table 1).

Table 1. Matrix depicting proposed outcomes regarding fear responses, in the form of pre-emptive legacy-based death anxieties.

| | | States | |
|------|---------|--|---|
| | | Intact Legacy | Forgotten Legacy |
| Acts | Fear | Delusions of immortality, subjugation by bureaucratic institutions that offer to pre-empt fears, fewer end-of-life preparations, recalled after death by the living | Delusions of immortality, subjugation by bureaucratic institutions that offer to pre-empt fears, fewer end-of-life preparations, forgotten after death by the living |
| | No Fear | More autonomous existence, more comfortable with end-of-life preparations, recalled after death by the living | More autonomous existence, more comfortable with end-of-life preparations, forgotten after death by the living |

According to such a model, engaging in pre-emptive death anxieties as a response to legacy concerns would accentuate behaviors leading to a more troubled existence (Table 1). Of course, the conspicuousness of such estimated evaluations is contingent on the agent’s ability to correctly prioritize outcomes; but with regards to posthumous consideration re legacy, which we have been attempting to assess over the course of several previous sections, recollections of one’s life (legacy) after death become immaterial for our utility-based assessment of rational choice. In fact, the increased ability to prepare for end-of-life measures and considerations when not stifled by exaggerated mortality concerns presents much greater benefits for both the agent and the living survivors. When one also takes into consideration the extent with which autonomy and agency

are evidently revered among humans, especially in Western cultures, it becomes obvious that outcomes taken without fear considerations ought to be rationally preferred. By exploring the repercussions of death anxieties in this fashion, people *should* not want to choose to continue to live in fear.

According to this example matrix, legacy considerations re the ability to be recalled after death by the living are omitted (Table 1). Legacy considerations appear prudentially rational, or at least intelligible, only as long as we posit an antemortem being, because this state is contingent on legacy; however, we've already ascertained that antemortem postulations are unnecessary. Therefore, it would not be prudentially rational to use legacy to support an impractical social construct. In fact, the self-deception involved in emphasizing the significance of legacy and antemortem entities would arguably illustrate epistemic irrationality. And, without legacy, there is no antemortem state with which to ascribe posthumous interests or rights. Whether or not legacy affects how one is recalled after death by the living is, therefore, of no consequence to the decedent; so, this outcome has been omitted from the example matrix.

However, the simplified matrix presented in Table 1 was built according to the interpretations available to us from our ongoing argument; it assumes a critical role for legacy in establishing death anxieties. Discrepancies that may undermine such a model can manifest regarding whether fear is purely a choice (an act), the expression of acts' and states' individualized natures, and the agent's perceptiveness regarding the utility conferred by death anxieties. For example, we could easily present another example matrix that prioritizes an agent's beliefs regarding rational choice, rather than the degrees of choice. In this second model, the agent's beliefs might emphasize evolutionary incentives for maintaining a basic threshold of fear, so there

could be a clear manipulation (according to agent beliefs) of outcomes that would create the misperception that rational choice is relative, which is not at all what we are trying to demonstrate. Thus, the model should be built according to an evidence-based rational model, rather than one that takes into account individual agent beliefs.

There are other failings to such a model regarding its transitivity, incompleteness, and independence that we will not explore in great detail.¹⁰⁶ The point of this discussion regarding rational fears is only to demonstrate that more consideration is necessary from an individual level in order to assess the rationality of death anxieties. Our propositions are useful in that they can circumnavigate more complex theories of rationality; therefore, such reasonings would be more applicable when attempting to enact behavioral changes among the everymen. But, unfortunately, a complete discussion on the various models of rational choice (and the ways in which values of possible outcomes could be assessed and interpreted) warrants another paper. We do, however, hope that such a simplified model will still aid us in demonstrating that there is merit to assessing our attitudes towards death for their prudential rationality, rather than moral rationality.¹⁰⁷

While attempting to pragmatically analyze the conceptualization of rational human fears, it should be noted that it may be imprudent to label the fears as rational or irrational, in and of themselves. Psychological and evolutionary human inclinations to fear certain effects are infrequently random and do usually serve some purpose. Again, recall the distinction Spinoza asserts when discussing fear of death; Spinoza assesses the options of the rational man that would prevent him from subjugating himself to such fears, rather than simply labelling the fear, itself, as

¹⁰⁶ Briggs, "Normative Theories of Rational Choice: Expected Utility".

¹⁰⁷ Moral rationality attempts to study moral principles through reason. It is also commonly referred to as ethical rationalism. One of the most famous examples of moral rationality is ascribed to Kant. See Baggett, *God and Cosmos: Moral Truth and Human Meaning*.

irrational.¹⁰⁸ But, by identifying legacy as a source of these fears and by establishing concerns over legacy as prudentially irrational, it becomes possible to label legacy-derived death anxieties as irrational. If death anxieties are significantly concerned with legacy (a posthumous concept that influences the living but is incapable of affecting the dead), then exaggerated death trepidations are irrational. And, therefore, it becomes evident that some of the most controversial debates in medical ethics regarding end-of-life issues are being erroneously addressed.

While there are many pressing concerns in bioethics that will be affected by mortality salience and the categorization of legacy-derived death anxieties as irrational, we will now attempt to apply this reasoning to one of the most prominent issues facing the discipline: physician-assisted death. If fears of death and dying are irrational, then arguments promoting the legalization of physician-assisted suicide and other forms of voluntary euthanasia should be vindicated, in as far as they are based around thanatological fears. Of course, the nuances of this bioethical dilemma relating to implementation (e.g. criteria for qualifying for voluntary euthanasia, etc.) are not addressed through the categorization of death anxieties as irrational; however, prominent arguments both supporting and discouraging the legalization of such end-of-life measures may be viewed in a different light as a result of such an interpretation.

VII. Physician-Assisted Death

Voluntary euthanasia can be defined as either a passive or active act that is undergone purposely in order to avert natural death by providing painless means of dying in efforts to mitigate a declining quality of life (which is often the result of terminal illness); meanwhile, assisted suicide is an intentional act of suicide with the aid of a third-party that is capable of providing relevant

¹⁰⁸ Murphy, "Rationality and the Fear of Death."

means for conferring death.¹⁰⁹ It can be perceived that physician-assisted suicide is an attempt at mitigating inconsistent views that the intrinsic worth of human life transcends patient well-being. However, as long as we incorrectly conflate the irrational notion of legacy, it will be difficult to acquire widespread support for medically-assisted death. Even in cases of legalized physician-aid-in-dying, the option is severely underutilized by those that could be eligible to opt into such a program.^{110,111}

Throughout most of the text, we have been largely referencing the Epicurean view that the actual passage of death is “nothing” and thus is incapable of conferring subjective meaning, as “when we exist, death is not; and when death exists, we are not.”¹¹² From the standpoint of death anxiety and our trepidations concerning mortality, the Epicurean interpretation of death that we have been favoring does allow us to maintain that, from a normative perspective, it would be prudentially irrational for an agent to subject themselves to such trepidations if there are no significant outcomes (or benefits) to be conferred from death re the agent’s own status.

If death is nothing, then death anxieties serve no purpose and can deleteriously obscure decision-making abilities. However, this Epicurean stance will cause us some issues with regards to our advocacy for physician-assisted suicide, as the rational status of acts of voluntary euthanasia will be in jeopardy if death cannot be interpreted as a choice. Despite the fact that an Epicurean interpretation of death does not confer viable moral complications re the legalization of physician-assisted suicide measures, it also does not provide a strategic reason to pursue death under any scenario; if death can neither confer benefits nor harm, its manifestation would not offer

¹⁰⁹ Taylor, *Death, Posthumous Harm, and Bioethics*.

¹¹⁰ Pereira, “Legalizing Euthanasia or Assisted Suicide: The Illusion of Safeguards and Controls.”

¹¹¹ Pereira.

¹¹² Lewis, *The Abolition of Man*.

any favorable incentives that would warrant choosing it. Why would one choose something that is neither beneficial, nor harmful? If all outcomes of an event are truly neutral, then the event does not necessarily warrant a choice. Though we have generally preferred to refer to death as a transient phenomenon that is largely inconsequential to the decedent, if death truly is inconsequential (in contradiction to the mortal harm thesis), then problems regarding the prudential rationality of physician-assisted death could arise that would contradict our attempts to argue for the widespread legalization of such measures.¹¹³

It is now necessary to establish whether or not Epicurean views on the rationality of death anxieties can be reconciled as to support the widespread legalization of medically-assisted death options, despite potential obstacles that may present in terms of prudential rationality and implementation.¹¹⁴ Attempts to reconcile the discrepancies between rational and irrational considerations regarding suicide largely involve emphasizing interpretations of life, rather than death.¹¹⁵ A hedonic evaluation of the benefits that could be conferred by a good life take precedence according to this theory. As long as the agent can ascribe worth to life, there is reason for the living agent to subsist. Using this interpretation of life, existence appears to be something one continuously chooses to opt into. Suicide is irrational, then, as long as the agent believes that his/her life is worth living; but an agent maintains the ultimate right to identify and assess the worth of personal life. For example, it is not always in the patients' best interest to prolong life when holistic patient well-being is in jeopardy; but patients' assessments re the worth of their lives

¹¹³ Epicurus, Inwood, and Gerson, *The Epicurus Reader: Selected Writings and Testimonia*.

¹¹⁴ Taylor, *Death, Posthumous Harm, and Bioethics*.

¹¹⁵ McMahan, "Death and the Value of Life."

are heavily reliant on the quality of life and subjective patient well-being, which can be measured using happiness scales.^{116,117,118}

Schopenhauer postulates that it is conceivable to approach death as freedom from the suffering of existence.¹¹⁹ The interest-impairment theory of harm also asserts that a death event can only be posited to confer harm if it prevents the continuation of a life that the decedent was interested in continuing.¹²⁰ Such views are consistent with recent studies that have been documenting the principal reasons why patients are choosing to seek physician-assisted suicide options. For example, the predominant cause for which patients requested active forms of physician-assisted suicide in the Netherlands was due to reports of “intolerable pain,” followed closely by concerns regarding a loss of dignity.¹²¹ Therefore, there is merit to interpreting physician-assisted death through the lens of ‘choosing to escape suffering,’ rather than choosing death.¹²²

Challengers of physician-assisted suicide argue that the act of self-harm (and by extension self-killing, the ultimate manifestation of such harm) is irrational and must, therefore, be forbidden.¹²³ But, McMahan proposes that the delineation of suicide as irrational can be reconciled with Epicurean values in order to encourage measures that would allow for the implementation of medically-assisted death.¹²⁴ McMahan’s reconciliation strategy is also interested in assessing the utility of whether or not to continue to choose life (depending on the

¹¹⁶ Brock, “Voluntary Active Euthanasia.”

¹¹⁷ Sumner, *Assisted Death: A Study in Ethics and Law*.

¹¹⁸ Young, *Medically Assisted Death*.

¹¹⁹ Singh, *Death, Contemplation and Schopenhauer*.

¹²⁰ Li, *Can Death be a Harm to the Person Who Dies?*

¹²¹ Jochemsen and Keown, “Voluntary Euthanasia under Control? Further Empirical Evidence from The Netherlands.”

¹²² Taylor, *Death, Posthumous Harm, and Bioethics*.

¹²³ Strinic and Nathaniel, “Arguments in Support and Against Euthanasia.”

¹²⁴ Taylor, *Death, Posthumous Harm, and Bioethics*.

worth conferred by life), rather than choosing death. But the problem remains regarding whether or not we can assume that rational suicide would really be prudentially rational, if there is no incentive to make a choice regarding death according to Epicurean doctrine?

While McMahan's analysis could support the prudential rationality of medically-assisted death, it is not entirely sufficient. While McMahan's theory does somewhat address this issue by maintaining that death is not an object necessitating choice, it does have its limitations. For example, it could be argued that this position hinges too closely on a linguistic argument: to choose life or to choose death revolve, in principal, the same choice. In fact, even McMahan identifies a potential discrepancy, in that to claim that a judgment regarding an act (of life) is good necessitates a "relative alternative" that would need to be classified as "good or better" or "bad or worse;" and, the alternative, death, can neither be "good [or] evil. . . [because of the implication] of sentience."¹²⁵ However, there are notable cases in which seeking to evade unnecessary harm and distress due to terminal illness seems like a more prudent option than postponing death for the sake of some unsubstantiated moral or theological principle that is highly influenced by irrational and emotive fears. With regards to one's own self-interest, seeking to end pain appears prudentially rational even if it involves choosing death in order to confer relief.¹²⁶

It is likely that some will remain unsatisfied by this attempt at reconciling Epicurean views with pro-legalization arguments. While it must be conceded that Epicurean interpretations of death show that choosing death via physician-assisted suicide is not inherently irrational (from a prudential perspective), our arguments may not necessarily demonstrate rationality. While being able to establish that physician-assisted suicide is not inherently irrational can be a useful claim, it

¹²⁵ Taylor.

¹²⁶ Taylor.

is not fully satisfying. As a very stark Epicurean view on death has been favored until this point, it does not appear possible to completely ascertain the prudential rationality of voluntary euthanasia on the merits of such a strict stance on death, alone. It is only possible to determine that it would not be irrational for an agent to subject themselves to such trepidations if there are no significant outcomes (or benefits) to be conferred from death re the agent's own status. McMahan would argue that voluntary euthanasia can be prudentially rational, because death can mitigate the harm and suffering endured by choosing life. However, the limitations of such an argument are too great to ignore.

If death is nothing, then death anxieties can generally serve no purpose and can obscure decision-making abilities. So, this rationality analysis may not be sufficiently convincing, on its own. However, while we maintain that death cannot harm the decedent, this does not necessarily establish that physician-assisted death would not be permissible on account of the good that would be conferred on general society. The lack of harm conferred upon the deceased does not necessarily exempt assisted death measures from potentially being assessed on the basis of general utility. And the societal benefits that could be ascribed to such acts may, in turn, indirectly benefit the agent. In order to assess the effects on third parties, however, it will be necessary to utilize another framework of reference: consequentialism.

Consequentialist considerations regarding the moral permissibility of an act re its ability to maximize net good can offset the limitations of using only a rationality argument rooted in Epicurean views on death to address bioethical issues.¹²⁷ Accounts re the interests of third-parties warrant a consequentialist analysis to address any moral considerations related to societal goods.

¹²⁷ Haines, "Consequentialism."

Therefore, using such an analysis, it is possible to further reconcile this issue of assisted death to ascertain that, despite our preferred adherence to Epicurean doctrine, we can argue that physician-assisted suicide can be prudentially rational if we can ascertain that third-party considerations can benefit the individual and contribute to personal self-interest, e.g. acknowledgement of societal good may be useful in establishing a sense of personal enlightenment.¹²⁸

To circumvent the limitations of a rationality argument based on Epicurean views, it is worth exploring bioethical issues (especially in terms of application) using a consequentialist approach, as well. The potential for one's death to impact other human beings is something we have yet to explore extensively, following our attempt to prove the impossibility of conferring posthumous harm. However, the impossibility of posthumous harm in relation to the decedent does not negate the potential for harm and wrong to befall third-parties.¹²⁹ In fact, if a decedent's death is indeed inconsequential, then it will only be possible to assess the utility of death in terms of the harm/benefits it potentially inflicts on other beings. While one could argue that choosing death in accordance to the possible benefit that it confers to third-parties would not be in adherence to our prioritization of a self-interest model for prudential rationality, the truth is that when one simultaneously considers McMahan's reconciliation theory along with third-party incentives, such concerns can be remedied. It is in the self-interest of the patient to avoid suffering, and it is in society's self-interest to provide the means for them to choose death.

The various forms of consequentialism (act-based, rule-based, etc.) are interested in ascertaining morality by studying the overall consequences of every situation. The morality of the action, itself, is irrelevant, as long as such an action brings about a positive net good. Assessments

¹²⁸ Taylor, *Death, Posthumous Harm, and Bioethics*.

¹²⁹ Taylor.

attempting to evaluate the maximization of good incorporate multiple elements, including happiness, relief of suffering, freedom, survival, etc. Consequentialist frameworks can be controversial, due to the disregard of duty, rights, intentions, etc. Concerns regarding the apparent flexibility of such a framework are also prevalent. However, when paired with utility-based rationality assessments, it is possible to more thoroughly understand and interpret applied bioethical issues by considering consequentialist, as well as rationality, analyses.¹³⁰

In the case of physician-assisted death, it is especially useful to note the good outcomes that can be attributed to such end-of-life measures, as many arguments against voluntary euthanasia are contingent on consequentialist frameworks that are concerned with the ramifications of rational suicide on the worth of human lives, autonomy, etc. In fact, it has been previously posited that the ‘slippery slope’ argument against acts of voluntary euthanasia is ‘entirely consequentialist,’ in that concerns re the implementation of voluntary euthanasia are troubling even if the actions, themselves, are morally permissible. While such concerns are valid, it is also necessary to acknowledge a potentially net positive outcome for the legalization of physician-assisted suicide, despite issues with standardization and implementation. For example, the economic benefits and relief of suffering conferred by implementing physician-assisted suicide are indisputable.^{131,132}

A simple and generally objective assessment re maximal good relates to economic incentives. With regard to the maximization of economic good, there are times when choosing death could, to some extent, prevent more harm than choosing life. The simplest argument to

¹³⁰ Haines, “*Consequentialism*.”

¹³¹ Haines.

¹³² Hughes, “*Consequentialism and the Slippery Slope*.”

make in order to illustrate this dichotomy would be to analyze the economic benefits of legalized assisted death measures. Monetary estimates regarding the value an average human life tend to range from \$6 – \$9.5 million.¹³³ From a health perspective, each additional year of ‘quality’ life is quantified at \$50,000 – \$129,000.¹³⁴ These strictly numerical averages inform decisions for healthcare, end-of-life care, etc. To put things into perspective, the economic value of an extended year of life equates to the price of a relatively high-performing vehicle.¹³⁵ Meanwhile, the cost of keeping a terminally ill patient comfortable can be significantly more.

These economic estimates re human worth are generated for a purpose, in that global bureaucratic institutions are designed to implement measures based on cost-benefit analyses. Despite widely varied and largely dated estimates of human life, cost-benefit analyses attempt to assess outcomes from a strictly quantifiable and objective lens, often regardless of moral implications. It is for this reason that most private and public insurance companies will deny procedures that are not guaranteed to extend an individual’s life for at least one additional year if the cost of that treatment surpasses the \$50,000 benchmark.¹³⁶ Dying has a very high cost. In fact, Medicare, alone, paid approximately \$55 billion in treating the terminally ill during their last two months of life during the 2009 fiscal year; only 20-30% of these costs actually successfully impacted patient well-being.¹³⁷ In these cases, the cost of care is often borne by governmental entities; in the United States, the majority of end-of-life care costs are covered by Medicare, Medicaid, and Veteran Administration or Department of Defense sponsored health programs.¹³⁸

¹³³ “The Cost of Dying: End-of-Life Care.”

¹³⁴ Economists largely disagree on the exact values, but a general consensus assumes that it should fall at the higher end of this range. See “The Cost of Dying: End-of-Life Care.”

¹³⁵ For context, vehicles within this range include such cars as a BMW240i or Lexus RC 350.

¹³⁶ “The Cost of Dying: End-of-Life Care.”

¹³⁷ Lachman, “Physician-Assisted Suicide: Compassionate Liberation or Murder?”

¹³⁸ “The Cost of Dying: End-of-Life Care.”

Furthermore, in the United States of America, healthcare providers continue to favor aggressive, very costly care options for terminal cancer diagnoses, etc., as opposed to more merciful palliative care and hospice options.¹³⁹ And when limited resources are expended on the care of hopeless terminally ill patients, the costs of extending an individual's life (despite the low quality of life) for a few months can be severe. Comparatively, costs of more merciful assisted death options are much more reasonable. In fact, the necessary dose of Secobarbital (also known as Secondal), which is one of the most heavily prescribed drugs used to facilitate physician-assisted suicide, only costs \$3,000.¹⁴⁰

Therefore, though we don't generally want to consider the economic ramifications of end-of-life treatments, such consequentialist analyses can simplify outcome and utility-based arguments. The truth is that even in cases when the terminally ill can afford treatment, it may not be economically prudent to do so. From a strictly economic perspective, one could argue that the option of seeking physician-assisted suicide would generally be significantly more practical. After all, palliative care or exotic care are often costly, outsourced, and unguaranteed, so other more inclusive options need to be considered, as it is never in the best interest of the individual to suffer relentlessly.

Proponents of legalization argue that economic incentives could be the basis for the pragmatic legalization of assisted death options, even if moral condemnations against physician-assisted suicide forever exist. When considering the possible personal and public financial ramifications of treatment, death might not seem like such an irrational choice, especially when considerations regarding suffering are made. And though, from an ethical perspective, economic

¹³⁹ Ernecoff and Stearns, "Costs at the End of Life: Perspectives for North Carolina."

¹⁴⁰ Guy and Stern, "The Desire for Death in the Setting of Terminal Illness: A Case Discussion."

incentives would not prevent the moral condemnation of physician-assisted suicide measures, the relativism and inconsistency of moral arguments present weaker platforms with which to address such issues. Rather, using through a consequentialist framework to pragmatically assess morality in terms of net outcomes can be much more prudent.

Of course, merely assessing the rationality and utility of end-of-life measures does not necessarily solve pertinent issues with the implementation of such assisted death measures. There are countless arguments for and against legalization that relate specifically to mechanisms of implementation. For example, some complications regarding the implementation of physician-assisted suicide concern the ability of potential candidates to make informed autonomous decisions, especially in cases of cognitive decline. Difficulty with standardizing eligibility and assessing autonomy means that legalization of physician-assisted suicide still faces an uphill battle. Unless these issues are addressed, the net good that can be consequentially attributed to end-of-life measures relating to physician-assisted suicide will be diminished. So, in order to prevent societal repercussions, such obstacles need to be addressed.^{141,142,143}

Other current challenges re physician-assisted suicide often pertain to the lack of standardized legislation needed to regulate the publicness of the act, the lack of choice, potential abuses, patient/illness discrimination, and physician/patient hierarchies. Another concern is whether or not patients will always be able to distinguish between a right to die and a duty to die. For the purposes of this report, we are not going to explore implementation issues in-depth. We are primarily trying to demonstrate that assisted death options are not inherently wrong. So, we

¹⁴¹ Strinic and Nathaniel, "Arguments in Support and Against Euthanasia."

¹⁴² Sumner, *Assisted Death: A Study in Ethics and Law*.

¹⁴³ Pereira, "Legalizing Euthanasia or Assisted Suicide: The Illusion of Safeguards and Controls."

are only interested in the utility of institutionalizing medically-assisted death as it relates to addressing concerns regarding death anxiety. Demonstrating that fears of death should not negatively impact the potential rationality of physician-assisted suicide will consequently allow for substantive pragmatic considerations to take precedence over moral implications of such measures.^{144, 145, 146}

Outside of physician-assisted suicide, there are also many other end-of-life and access to care issues that are being labelled as irresolvable moral problems. While we have only explored medically-assisted death measures, in this section, our assertions regarding the irrationality of death anxieties can be widely applicable across the discipline. In fact, due to the prominence of legacy's role in many end-of-life matters, future analyses re other bioethical problems are likely warranted. In fact, legal rights conferred onto the dead should ideally only be designated based on their utility in regulating the acts of the living; however, in their current state, posthumous rights tend to prioritize sociocultural norms that emphasize honoring the dead at any cost.¹⁴⁷ Hence, the perpetuation of a 'rights' narrative when referencing decedents.¹⁴⁸ Yet, while in certain situations, the wishes of the dead can facilitate complex legal issues, the truth is that in the cases of organ designation, the prioritization of the deceased's 'wishes' can significantly impact the living. We tend to widely acclaim the theatrics of individual hospitals that show extreme reverence towards the dead, e.g. 'the walk of respect' conferred upon brain-dead organ donors; and, though these acts can be very admirable, they are ultimately unnecessary from the perspective of the decedent, who can no longer experience such reverence.¹⁴⁹ While survivors and relatives of the recently deceased

¹⁴⁴ Strinic and Nathaniel, "Arguments in Support and Against Euthanasia."

¹⁴⁵ Sumner, *Assisted Death: A Study in Ethics and Law*.

¹⁴⁶ Pereira, "Legalizing Euthanasia or Assisted Suicide: The Illusion of Safeguards and Controls."

¹⁴⁷ Smolensky, "Rights of the Dead."

¹⁴⁸ Smolensky.

¹⁴⁹ Taylor, *Death, Posthumous Harm, and Bioethics*.

may benefit from such formalities, perpetuating a narrative of posthumous respect and rights encourages the proliferation of an inconsistent and harmful immortality narrative. The dead are not impermeable, and their status among the living is often unnecessarily preserved and anthropomorphized in this fashion as a response to the perpetuation of immortality narratives.

It is not enough to simply recognize the general uselessness of death anxieties, if conceptions of immortality and legacy continue to proliferate in society. It is also necessary to confront such trepidations and inconsistencies; in order to promote a conceptual understanding of death to the general populace, we believe it would be in everyone's best interest to engage with death, as the Stoics did.¹⁵⁰ Stoic responses to death were to confront, rather than to avoid it.¹⁵¹ Seneca, a Stoic writes, "to do battle with. . .grief [associated with death], and. . . dry those weary and exhausted eyes, which already, to tell you the truth, are weeping more from habit than from sorrow. . . [In] effect this [is a] cure. . . [Otherwise,] what, I pray you, is to be the end of it?" And, in order to minimize the debilitating repercussions of wide-spread death anxiety, this philosophy would certainly be useful. While end-of-life issues would largely benefit from a more rationalistic analysis, this will only be possible if death anxieties are substantially limited. Otherwise, even if legislation condoning end-of-life practices, like physician-assisted suicide, becomes universalized, there is little hope for proper implementation, as long as the stigmas against mortality remain prevalent.

VIII. Conclusion

¹⁵⁰ Bryant, "Walk of Respect."

¹⁵¹ Murphy, "Rationality and the Fear of Death."

The impact of death on life is often unrecognized or unacknowledged because of the nature of mortality. In accordance with societally-acceptable norms and as part of a natural defense mechanism against emotional disturbances, human attention tends to consciously revolve around survival – rather than departure. Though a sentient awareness of the ticking clock can have major effects on human behavior, the forced ignorance and denial of this awareness in the death-denying cultures of the Western hemisphere dictate attitudes towards both death and life that enforce an unhealthy relationship with mortality. Death is ultimately inevitable, so the benefits that death anxieties can confer by encouraging behaviors that might postpone it are limited; however, the effects on quality of life and general rationality that such anxieties encourage can have severe consequences.¹⁵²

While our arguments might be critiqued for their reliance on intuitive mechanisms of assessment, a generally unfavorable Epicurean doctrine of death, and weaker rationality-based assessments, such critiques do not necessarily undermine the strength of our main points regarding the interconnected natures of legacy, death anxiety, and mortality salience. As long as immortality narratives (via mechanisms like legacy) continue to fuel concepts regarding posthumous harm and substantiated versions of the afterlife, it will be difficult to alleviate concerns surrounding end-of-life measures. After all, such rhetoric prevents proper attenuation of mortality salience. For example, Spinoza generally rejected death anxieties as irrational, but even he continued to promote theories of the mind that were rooted in immortality: “The human mind cannot be absolutely destroyed with the body, but something of it remains which is eternal.”^{153,154} The extensive

¹⁵² Taylor, *Death, Posthumous Harm, and Bioethics*.

¹⁵³ Even Spinoza references the eternity of the mind’s intellectual and intuitive properties in terms of both duration and essence, thus implying an indefinite and immortal higher-order nature that subsisted separately from the temporal body. See Laerke, “Spinoza on the Eternity of the Mind.”

¹⁵⁴ DeSpelder and Strickland, *The Last Dance: Encountering Death and Dying*.

acknowledgement of immortality within general society fuels misconceptions and ignorance regarding human mortality.

Because death serves as the ultimate deadline – once it arrives, there is no longer any chance at reprisal or revision – death needs to be maneuvered rather than dreaded unnecessarily. It is not a choice; it is a target that we're all destined to reach, at one point or another.¹⁵⁵ Its manifestation is as much of a certainty as our very existence: it is essential to the very foundation of our effective world, and no one is immune. Addressing how the advancement of life perpetuates a death narrative riddled with falsehoods is necessary to rationally navigating a controversial and oftentimes hypocritical domain. By constructing an argument which necessitates an exploration of death anxiety through the lens of posthumous existence, we have attempted to resolve these conflicts of thought by proposing the origin of exaggerated death anxiety in *Homo sapiens* to largely be the consequence of obsessions with and legacy.

Legacy is an illusory and ultimately inconsequential construct. It is entirely contingent on a fluid variable of time and cannot manifest as a constant state. Its manifestation may be useful as a crutch and comfort mechanism for survivors attempting to comprehend the death of a loved one, but, in principle, personal legacy is generally immaterial. And, despite the fact that our normative stance on the absurdity of legacy may not be representative of current psychological tendencies, we maintain that legacy should not be a factor of rational decision-making regarding end-of-life matters. Whether death entails the complete cessation of existence or a passage into an altered state of existence, legacy is insignificant to postmortem and antemortem beings. Yet, there are numerous instances in which it seems as if the dead are even prioritized above the living. While

¹⁵⁵ Becker, *The Denial of Death*.

posthumous harm is sometimes posited as a means of establishing a tangible function for legacy after death, the irrationality of postulating human immortality renders the entire discourse surrounding posthumous harm as problematic. So, this cannot be used as a defense for the role of legacy in the afterlife. Therefore, if legacy can only impact the living, then it is irrational that death anxiety is being disproportionately influenced by fears regarding the loss or damage to one's posthumous legacy in the material realm.

Ultimately, the narrative-oriented priorities of our species allow for hypocrisies to prevail by idolizing legacy. The application of our discussion on legacy and the irrationality of death anxiety can be used to discuss a variety of bioethical debates, especially those pertaining to end-of-life measures. A lack of proper acknowledgement re mortality salience instigates issues that are usually at the forefront of existential and mortality concerns. And as long as largely irrational legacy-derived death anxieties continue to proliferate and receive wide-spread acceptance, it will not be possible to properly address such concerns. With regards to physician-assisted suicide, specifically, there are substantial measures and shifts in attitudes necessary before such voluntary euthanasia programs can become de-stigmatized. Many factors intersect to contribute to this stigmatization, so simply proposing a more rationalistic approach to death anxiety will not be enough to address all concerns, especially those rooted in moral arguments. However, thanatological trepidations need to be addressed, if any progress is to be made.

Apart from physician-assisted suicide, there are countless other end-of-life dilemmas that are not being given the proper attention, as a consequence of general populace's discomfort with addressing mortality issues. Ultimately, we need to give ourselves permission to confront and address our anxieties surrounding death from multiple platforms. Only then will death no longer

be branded as an ailment of our own humanity, but rather perceived as an essential component to the natural order of life. However, as long as we continue to allow legacy to subvert our abilities to reasonably approach mortality salience, end-of-life issues will remain overtly stigmatized, and solutions will be slow and far in-between. We are a naturally narcissistic species, but our inability to seek solutions that serve our interests with regards to issues relating to death and dying are a result of our failure to appropriately identify where our interests lie. The dead are dead; so, let them rest, and let us concern ourselves with the interests of the living.

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