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In Defense of the Time-Relative Interest Account

A RESPONSE TO CAMPBELL

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1. Campbell's Objections

Tim Campbell's essay in this book (chapter 18) advances two ingenious and powerful objections to accounts of the misfortune of death, such as the Time-Relative Interest Account (TRIA), that imply that death is generally a greater misfortune for a young adult than it is for a human being very early in life, such as a fetus or newborn infant. In this brief response, I will defend this implication against Campbell's objections.

Because Campbell states his arguments succinctly in the preceding chapter, I will give only the briefest outline of them before responding. His first argument is that three intuitively plausible principles—*Young Adults over Newborns*, *Saving Newborns from Death*, and *Weak Life Extension*—together entail an intransitive ranking of the options in his *Three-Option Case*. Unless we are willing to reject the principle of *Acyclicity*, we must reject one of the three judgments. Campbell believes that *Young Adults over Newborns* is the least plausible of the three and therefore ought to be rejected.

I will argue that when we evaluate the options by comparing each pair at a time (in the jargon, via “pairwise comparisons”), there is a good reason why we should not expect our judgments about which options ought to be chosen to be transitive. We ought therefore to reject *Acyclicity*.

Campbell then has a second argument. He contends that if we retain the three judgments by rejecting *Acyclicity*, we will be in violation of the principle of *Contraction Consistency*. He defends the application of the principle of *Contraction Consistency* in the *Three-Option Case* by arguing that there is no plausible explanation of why we should change our judgment about a

TABLE 19.1 } Campbell's Three-Option Case

	X	Y	Z
Alex	Dies at age 0	Dies at age 30	Dies at age 70
Ben	Dies at age 80	Dies at age 80	Dies at age 0

comparison between two options when a third becomes possible. I will again argue that the same considerations that explain why the intransitivity of the intuitive judgments in the Three-Option Case is unproblematic also explain why Contraction Consistency is not a plausible requirement in its application to this same case.

2. Assumptions and Distinctions

To present my arguments, I must define certain terms, draw certain distinctions, and state three assumptions. First, an individual who does not exist now but may exist in the future whose existence is independent of whether one does a certain act is an *independent individual* relative to that act. An individual who does not exist now but may exist in the future whose existence depends on whether one does a certain act is a *dependent individual* relative to that act. The distinction between independent individuals and dependent individuals is one way of making the more common but potentially misleading distinction between future people and possible people more precise.

A second distinction is between types of benefit. When a person receives a benefit and her failure to have received it would have been worse for her, the benefit is *comparative*. When her failure to receive the benefit would not have been worse for her, the benefit is *noncomparative*. If we confer a benefit on a person by causing that person to exist with a life worth living rather than not causing her to exist, that benefit is noncomparative, as there is no one for whom never existing could be worse.¹

The first of the three assumptions I will make in the following arguments is that we do confer a benefit on a person by causing her to exist with a life worth living. The second is that there is a moral reason to confer a noncomparative benefit by causing a person to exist. The third is that this reason is weaker than the reason to confer an equivalent comparative benefit on an existing or independent individual who has a time-relative interest in having that benefit.

It will be helpful to have Campbell's Three-Option Case before us in table 19.1. In his statement of this case, "dies at age 0" means "dies in early infancy." Yet nothing in Campbell's argument depends on the death being in infancy

¹This claim is challenged by Theron Pummer (chapter 15, this volume).

rather than earlier, provided that it is the death of the numerically same individual as the person who would die later if the earlier death were not to occur. Although my arguments could be stated on the assumption that “dies at *o*” means “dies in early infancy,” some of these arguments will be clearer if we understand it to mean “dies immediately after beginning to exist.” This understanding also makes the Three-Option Case purer, as it screens out intuitions about infants that are irrational, such as that an infant has a higher moral status than a fetus even if the infant is very premature and the fetus is beyond term and therefore more highly developed psychologically than the infant. Assuming that we begin to exist at some point between conception and birth, Young Adults over Newborns thus becomes Young Adults over Fetuses in some of the arguments that follow.

Initially, however, I will modify the Three-Option Case even further by replacing “dies at age *o*” with “never exists.” If, as I think is clear, it makes no difference to the way Campbell’s argument works whether we interpret “dies at age *o*” to mean “dies in early infancy” or “dies immediately after beginning to exist,” then the replacement of the latter phrase with “never exists” is also legitimate *if* the Time-Relative Interest Account is correct. According to that account, there is no significant difference between an individual’s dying immediately after beginning to exist and that individual’s never coming into existence at all. (There is of course a *formal* difference, in that there is an individual that dies but no individual that never exists; but there is no *substantive* difference.) Assuming that we begin to exist between conception and birth, we are either wholly nonconscious or only barely or rudimentarily conscious when we begin to exist. Suppose that there are thus no psychological connections between ourselves at that time and ourselves later. At most there is only bare continuity of the capacity for consciousness. Here I will assume that this is an insufficient basis for even a weak time-relative interest in continuing to live. Given that assumption, the TRIA implies that when we have just begun to exist, we have no time-relative interest in continuing to live. Death at that point would not be a misfortune for us at all, for we would not be related to our future life in any of the ways that matter.

According to the Time-Relative Interest Account, therefore, it should make no difference to the substance of Campbell’s argument if, in considering the Three-Option Case, we substitute “dies immediately after beginning to exist” for “dies in early infancy” and then substitute “never exists” for “dies immediately after beginning to exist.” Of course, since Campbell rejects Young Adults over Newborns, it seems that he must reject the TRIA. But my aim is to show that, if we accept the TRIA, we have a good explanation of why the implications that Campbell’s argument reveals are in fact acceptable. My argument does not, moreover, stand or fall with the assumption that it makes no difference whether we interpret “dies at age *o*” as “dies immediately after beginning to exist” or as “never exists” in the Three-Option Case. Consideration of the

case when “never exists” is substituted for “dies at age o ” serves only as an expository device that may help to make my arguments clearer. I will state the substance of those arguments first as they apply to a second version of the Three-Option Case in which “dies at age o ” is replaced by “never exists” and again as they apply to a third version in which “dies at age o ” is replaced by “dies immediately after beginning to exist.” As I indicated, my argument based on the third version can stand on its own. My initial appeal to the second version is intended primarily to facilitate understanding of the argument based on the third version. My arguments will have to be formulated differently in their application to the different versions of the Three-Option Case, but if the TRIA is correct, they will be identical in substance.

3. Why the Intransitivity of Our Judgments is Innocuous

I can now explain why the intransitivity of our intuitive judgments about the three pairwise comparisons in the Three-Option Case is innocuous. First compare X and Y , substituting “never exists” for “dies at age o .” In this comparison, Alex is a dependent individual and thus the benefit to him of 30 years in Y is noncomparative. That is, because his never existing in X would not be worse for him, the 30 years in Y are not better for him. Ben, by contrast, is an independent individual who will live to 80 in either outcome. Neither outcome provides him a benefit in comparison with the other. Since I am assuming that there is a reason to confer noncomparative benefits, we ought to choose Y .

Next, in the comparison between Y and Z , Alex is an independent individual whose comparative benefit in Z is 40 years of life. Ben, by contrast, is a dependent individual who would receive a noncomparative benefit of 80 years in Y . In other words, we can either save Alex’s life at 30, enabling him to live 40 more years to age 70, or we can cause Ben to exist when he would then live to 80. If the reason to confer a comparative benefit is more than twice as strong as the reason to confer an equivalent noncomparative benefit, we ought to choose Z . This is the common sense view.

Finally, in the comparison between X and Z , both Alex and Ben are dependent individuals. Ben’s noncomparative benefit of 80 years of life would be greater than Alex’s noncomparative benefit of 70 years. We ought therefore to choose X . This judgment is implied by the analogue of Campbell’s Weak Life Extension that applies to choices between causing one person to exist and causing a different person to exist—namely, that in such cases one ought to choose the person whose life would be better (in this case, longer), if other things are equal.²

² Compare *The Same Number Quality Claim* in Parfit (1987, 360).

These judgments coincide with those that are implied by Campbell's three intuitively plausible principles in their application to the original Three-Option Case. That is, we ought to choose *Y* rather than *X*, *Z* rather than *Y*, but *X* rather than *Z*. Together, these judgments violate Acyclicity. But there is a benign explanation of why this is so. It is that the status of the individuals as independent or dependent shifts between the comparisons, and the status of the benefits as comparative or noncomparative varies correlatively. For example, in the comparison between *X* and *Y*, Alex is a dependent individual and the benefit to him of 30 years of life in *Y* is a noncomparative benefit. Yet in the comparison between *Y* and *Z*, Alex is an independent individual and the 30 years of life he has in *Y* is, in effect, a comparative harm, as it is a loss to him of the 40 more years he would have lived in *Z*.

It should now be clear why our judgments are intransitive. It is because the same number of good years of life for the same person may be a comparative benefit in one comparison but a noncomparative benefit in another; or it may be a noncomparative benefit in one outcome and a comparative *harm* in another. The latter is true, for example, of the 30 years of life that Alex has in *Y*. In the comparison between *Y* and *X*, these are years that Alex lives rather than never existing at all—a pure gain. But in the comparison between *Y* and *Z*, they constitute a loss, or early death, as they are fewer than half the years that Alex would have lived in *Z*. It is therefore hardly surprising that our judgments of the merits of a particular outcome vary across the different comparisons.

We can next consider the three pairwise comparisons in the version of the Three-Option Case in which “dies at age 0” means “dies immediately after beginning to exist” rather than “dies shortly after birth.” As in Campbell's original Three-Option Case, both Alex and Ben are independent individuals in all the outcomes, both when all three options are available and in the three pairwise comparisons. Neither their status as independent or dependent nor the status of benefits as comparative or noncomparative differs in different comparisons. And the judgments I think it is reasonable to make in the three pairwise comparisons are the same as those that Campbell makes about his original Three-Option Case on the basis of the three principles he cites. Campbell's reasoning about each comparison strikes me as correct. But the judgments are of course intransitive.

The explanation of why this is innocuous is the same as in the version of the Three-Option Case in which “never exists” is substituted for “dies at age 0.” According to the TRIA, the reason one has to confer a comparative benefit by saving the life of an independent individual immediately after that individual has begun to exist is no stronger than the reason one has to confer an equivalent noncomparative benefit by causing a person to exist. When one saves the life of an individual immediately after he has begun to exist, the benefit one confers is, strictly speaking, comparative: it is better for him to continue to exist in that his life as a whole will be much better if he lives than if he dies.

Still, his death immediately after beginning to exist would not, according to the TRIA, be a misfortune for him, as he has no time-relative interest in continuing to live. In this version of the Three-Option Case, therefore, the moral reason to confer the comparative benefits these individuals receive in being saved immediately after beginning to exist, so that they can then live for 30, 70, or 80 years, is no stronger than the reason to cause an individual to exist who will then live 30, 70, or 80 years. According to the TRIA, in other words, this version of the Three-Option Case is no different in substance from the version in which “dies at age 0” is replaced by “never exists.”

Consider Alex alone in the three pairwise comparisons in the version of the Three-Option Case in which “dies at age 0” means “dies immediately after beginning to exist.” In the comparison between *X* and *Y*, he gains 30 years of good life in *Y*. But, as Campbell acknowledges, if the TRIA is right, the benefit Alex receives in *Y* of 30 additional years of life is relevantly like a noncomparative benefit. This means that the reason to confer this benefit is no stronger than the reason to cause a person to exist who would live to the age of 30 and whose quality of life would be the same as Alex’s. The same is true in the comparison between *X* and *Z*: we ought to choose *Z*; but our reason for doing so is, according to the TRIA, no stronger than our reason to cause a person to exist who would live to 70 whose quality of life would be the same as Alex’s. In both comparisons, Alex has only just begun to exist. As yet he has no time-relative interest in continuing to live either to 30 or to 70 (assuming he has not yet become conscious or has only the most rudimentary form of consciousness). As when we might cause some new person to exist, there is no one who would be related in the ways that matter to the individual who would be the beneficiary of the good years of life when they would occur. Because of this, the benefit to Alex of receiving those good years is relevantly like a noncomparative benefit even though he exists so that there is a sense in which his not receiving that benefit would be worse for him.

But in the comparison between *Y* and *Z*, Alex will, *ex hypothesi*, live at least to 30. The time-relative interest he will have at 30 to continue to live to 70 will be very strong. The moral reason we have now to do what will save his life at 30 is therefore far stronger than the reason we have in either of the other two comparisons to save his life immediately after he has begun to exist. In particular, in this version and the original version of the Three-Option Case, the reason to save his life when doing so would enable him to have 40 more years of good life is, according to the TRIA, stronger than the reason to save his life when doing so would enable him to have 80 more years of good life. A benefit of 40 years of life thus matters more than twice as much in one comparison as it does in another. Because the strength of the moral reason to confer a benefit of the same number of years of good life varies in this way between the different comparisons, it is again unsurprising, and wholly innocuous, that our judgments about the different pairwise comparisons are intransitive.

4. Why the Violation of Contraction Consistency is Innocuous

Campbell recognizes that defenders of the TRIA are likely to reject Acyclicity rather than abandon Young Adults over Newborns, which would require abandoning the TRIA. He therefore presents a second argument. He suggests, reasonably, that those who accept all three principles he cites at the outset should have a view about which option we ought to choose in the Three-Option Case, not only in each pairwise comparison but also when all three options are possible simultaneously. He then shows that, whichever option one thinks we ought to choose, one of the three principles implies that we ought to choose a different option in one of the pairwise comparisons. This, he observes, violates the principle of Contraction Consistency.

In discussing this second argument, I will dispense with the expository device of replacing “dies at age 0” with “never exists,” but will continue to replace “dies at age 0” with “dies immediately after beginning to exist.” Again, it should make no difference to Campbell’s arguments whether an individual in the Three-Option Case dies in early infancy or even earlier, provided that, had this individual not died, he would have been identical with the individual who would have later died at 30, 70, or 80.

In my view, Campbell’s Three-Option Case is a *reductio* not only of Acyclicity but also of Contraction Consistency, at least if they are understood as principles with universal application. In the Three-Option Case, as I understand it here, both Alex and Ben are existing individuals; hence all the benefits in the different outcomes are, strictly speaking, comparative. Yet each outcome in which either individual receives a benefit can be compared both with another possible outcome in which the beneficiary would receive a different benefit *and* with a third possible outcome in which the beneficiary would instead be allowed to die immediately after beginning to exist. According to the TRIA, when an outcome in which an individual receives a benefit is compared with the outcome in which he receives a different benefit, the benefit in the first outcome has the full normal reason-giving weight of a comparative benefit. But when that outcome is compared with the other possible outcome in which that individual would die immediately after beginning to exist, the benefit has only the reason-giving weight that an equivalent noncomparative benefit would have. That is, even though the benefit is strictly speaking comparative, the reason to confer it is no stronger than the reason to confer an equivalent noncomparative benefit by causing a person to exist. This makes it difficult to determine which option we ought to choose when all three are available simultaneously.

Because I accept the TRIA, I will treat the outcomes in which one of the two individuals dies immediately after beginning to exist as morally like outcomes in which he never exists. When I compare such an outcome with one in which one of the individuals lives and receives the benefit of some number of years

of life, I will therefore say that the outcome in which he dies immediately after beginning to exist is *not worse* for him. In one sense this is of course misleading, for, as I have conceded, it is an outcome in which he dies rather than receiving the benefit of many years of life. But *in substance* the claim is not misleading because when he has only just begun to exist, he has no time-relative interest in continuing to live. Because death at that point is relevantly like his never having come into existence, it is not a misfortune for him. And just as I will say that an outcome in which one of them dies immediately after beginning to exist is not worse for him, so I will *not* say that an outcome in which he is saved is *better* for him than the outcome in which he dies immediately after beginning to exist. But I *will* say that the outcome in which he is saved is *good* for him, just as causing an individual to exist with a life worth living is good, though not better, for him.

Despite the difficulties in determining which option we ought to choose when all three are possible, I think a strong case can be made for choosing *Y*. *Y* would have a greater total sum of benefits than either of the other outcomes. If we choose *Y*, Ben will receive as great a benefit as it is possible to confer on him. *Y* would be equally good for him as *X* and good, though not better, for him in relation to *Z*. (If, however, there is a moral reason to confer comparative benefits that are relevantly like noncomparative benefits, there is a reason to choose *X* or *Y* rather than *Z* for his sake.) Yet, although *Y* would be good for Alex relative to *X*, it would be significantly worse for him than *Z*, as death at 30 would deprive him of 40 years of good life in which he would have been closely psychologically related to himself at 30. If we choose *Y* and he dies at 30, he will at that time have a strong time-relative interest in continuing to live to 70, which he would have done if we had instead chosen *Z*.

Alex will, therefore, have a complaint against us if we choose *Y*. There are, however, two considerations that diminish the force of that complaint. One is that although *Y* would be worse for Alex than *Z*, it would nevertheless be good for him in that it would give him good life that he would not have in *X*. So *Y* does benefit him, albeit significantly less than *Z* would.³

The other, more important consideration is that Alex's complaint in *Y* that we ought instead to have chosen *Z*, which would have been better for him, is unreasonable. If we had chosen *Z*, Alex would have lived 40 more years but Ben would have died immediately after beginning to exist. Admittedly, according to the TRIA, that would not have been a misfortune for Ben. But if we had not chosen *Y*, we could have chosen either *Z* or *X*, and if we had excluded *Y*

³Michael Otsuka argues that a person's complaint that an outcome is worse for him is weakened when there was a genuine or morally reasonable option that would have been even worse for him. My parallel claim here is that a person's complaint that an outcome is worse for him than another option is weakened when the outcome is *good* for him and there is another reasonable option that would not be good for him. See Otsuka (forthcoming).

because it would have been worse for Alex, we ought then to have chosen *X*. This claim is both intuitively compelling and implied by Weak Life Extension. If we were to choose an outcome in which either Alex or Ben would die immediately after beginning to exist, we ought to choose the outcome in which the individual saved would have the best life—which in this case is the longest life. That outcome is *X*. And in *X*, Alex would have no complaint. Yet the choice of *X* rather than *Y* would violate Campbell's *Saving Newborn Infants from Death* (or, rather, given that we are assuming the substitution of "dies immediately after beginning to exist" for "dies at age 0," it would violate the parallel principle of *Saving Fetuses from Death*, when the fetus would be identical with the person into whom it would develop). Because *Y* would be equally good for Ben as *X* would be, and would be good for Alex whereas *X* would not be, we ought, all things considered, to choose *Y*.

One can think about the choice of *Y* in this way: if we choose that option, Ben has no complaint, Alex cannot reasonably complain that we ought to have chosen *Z*, and it would be absurd for him to complain that we ought to have chosen *X*, for that would be tantamount to claiming that we ought to have allowed him to die rather than enabling him to have 30 years of good life. In short, unlike the other outcomes, *Y* would be good for both Alex and Ben and neither would have a reasonable complaint were we to choose it.

Thus, of the three claims of which Campbell correctly says that those who reject Acyclicity must accept one, I accept Claim 2—that is, the claim that when all three options are possible, we ought to choose *Y*, though when only *Y* and *Z* are possible, we ought to choose *Z*. I therefore accept that if only *Y* and *Z* are possible, we should intend to choose *Z* but that, if *X* becomes possible before we act, we should change course and choose *Y* instead. Although Campbell says that "the availability of *X* appears to be irrelevant to how we should rank *Y* and *Z*," I will attempt to explain why the possibility of *X* makes it reasonable to shift from intending to choose *Z* to choosing *Y* instead. If I am right, we should reject Contraction Consistency as a requirement of rationality. This would not be the first time that issues in or arising from population ethics have confounded or undermined assumptions that have always held in instances involving only already existing persons.

Again, if only *Y* and *Z* are possible, *Y* is much worse for Alex but not better for Ben, while *Z* is much better for Alex but not worse for Ben. This is because Alex lives to be an adult in both outcomes whereas in one outcome Ben dies immediately after beginning to exist, so that he is, in effect, relevantly like a dependent person who will exist in only one outcome; hence the benefit to him in *Y* is relevantly like a noncomparative benefit. We should therefore choose *Z*.

But if *X* becomes possible as well, so that there is genuinely a three-option choice, it is then possible for Alex to die immediately after beginning to exist, just as that is possible for Ben. Both Alex and Ben are now relevantly like dependent

individuals, for there is one outcome for each of them that is, according to the TRIA, relevantly like never existing. Thus, when both X and Z are possible, we ought not to choose Z because Z is clearly worse than X . Even though neither Alex nor Ben has a significant time-relative interest in one of these outcomes rather than the other, we ought, if we are to save only one, to save the one who will live 10 years longer than the other. Weak Life Extension is plausible even when there is no one who has a time-relative interest in having those additional years, as would also be true in a choice between causing one person to exist who would live to 70 and causing a different person to exist who would live to 80.

In short, when only Y and Z are possible, our choice is *morally like* a choice between, on the one hand, saving the life of an adult while failing to cause a new person to exist and, on the other hand, allowing the adult to die and causing a new person to exist who would live longer than the adult. Because the first outcome would satisfy a strong time-relative interest and not frustrate any other, whereas the second outcome would frustrate a strong time-relative interest but would not satisfy any other, we ought to choose the first—assuming that the benefit in the second outcome, which is relevantly like a noncomparative benefit, is insufficient to outweigh the comparative benefit in the first. In other words, when only Y and Z are possible, Alex *will* be an adult whose life we can save, whereas Ben is relevantly like a dependent individual whom we can either cause to exist or not cause to exist.

By contrast, when all three options are possible, both Alex and Ben are relevantly like dependent individuals whom we can either cause to exist or not cause to exist. Any of the benefits that either might receive are relevantly like noncomparative benefits in relation to the outcome in which he would die immediately after beginning to exist. This, then, explains why the ranking of Y and Z must change if X becomes possible as well. With X as an option, Alex is, at the time of our choice, no longer someone who, independently of our choice, will be an adult with a strong time-relative interest in continuing to live. He is instead, like Ben, an individual with no time-relative interest in any of the benefits he might receive. It is this change in Alex's status when X becomes possible, and the corresponding change in the nature of the benefits he might receive, that change the ranking of Y and Z . The possibility of X deprives Alex of a reasonable complaint in Y .

5. Dependent People and Dependent Interests

The foregoing claims are what I meant to say—or would have said if I had been thinking clearly—in the conversation that Campbell reports in his section on Contraction Consistency. I do not deny having said what he cites me as saying. My memory of the details of that conversation is vague, and as everyone

who knows me is well aware, I often make claims that are confused, particularly in conversation. I should therefore conclude by saying explicitly that I do not accept that “there may be little or no reason to satisfy (or avoid frustrating) an individual’s time-relative interest in future benefits when the existence of this time-relative interest *does depend* on our actions” (Campbell, chapter 18, this volume). When an interest exists or will exist independently of our present action, but whether it will be frustrated does depend on our present action, our satisfying it entails that it will not be frustrated. But if the existence of the interest depends on our present action, and whether it will be frustrated also depends on our present action, our avoiding frustrating it does not entail that it will be satisfied; for we can avoid frustrating it by ensuring that it never exists. Ensuring that a dependent interest never exists is often inevitable (as when one must choose either *X* or *Z*). But there may be some individual who exists or will exist independently of our action who has or will have a time-relative interest in the later existence and satisfaction of the interest we can create and satisfy. If so, we have a reason to create and satisfy it. If not, we may indeed have little or no reason to create and satisfy it. But if we do choose to cause an interest in having a benefit to exist, we have a reason not to frustrate it even though its existence depends on our choice (provided that it is an interest that it would not be wrong to satisfy).

The case that Campbell cites in the succeeding paragraph, which is a description of the possible outcomes for Alex in the Three-Option Case, is not a counterexample to the claim that we have “little or no reason to satisfy . . . an individual’s time-relative interest in future benefit when the existence of this time-relevant interest” depends on our action. This is because we have the option of ensuring that that interest will not exist without that being worse for anyone (though I think that even then we have *some* reason to create and satisfy it). But the case is indeed a counterexample to the quite different claim that there is “little or no reason to . . . avoid frustrating . . . an individual’s time-relative interest in future benefits when the existence of this time-relative interest [depends] on our” action. The argument I have given above does not, however, appeal to that claim. It concedes that if we enable an individual—Alex—to live to 30, we have a strong reason not to frustrate the time-relative interest he will have at 30 to continue to live to 70. But it also claims that the reason not to do what will both create that interest and frustrate it is outweighed by other considerations when both other options are possible.

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