

MORE ON THE HYBRID ACCOUNT OF HARM

Charlotte Franziska Unruh

THE HYBRID ACCOUNT of harm combines a temporal account and a non-comparative account of harm.¹ According to the temporal account, agent *A* suffers a harm if and only if *A* is worse-off at time t_1 than *A* was at an earlier time t_0 . According to the noncomparative account, agent *A* suffers a harm if and only if *A* suffers negative well-being. Both temporal and noncomparative accounts face counterexamples:

Bad Start: Celia takes a medication before she gets pregnant. As a result, her child Dylan is born with a painful condition.

Decline: Fanny is exceptionally athletic. She takes a drug that lowers her athletic ability significantly. However, her athletic skills remain well above average.

The temporal account implausibly implies that Dylan does not suffer harm. The noncomparative account implausibly implies that Fanny does not suffer harm.²

The novelty of the hybrid account lies in combining the temporal and non-comparative accounts:

Hybrid Account: Agent *A* suffers a harm if and only if *A* is worse-off at time t_1 than *A* was at an earlier time t_0 or if *A* suffers negative well-being.

By combining the two accounts, the hybrid account avoids the counterexamples. Since Dylan suffers noncomparative harm and Fanny suffers temporal harm, the hybrid account gives the right result in the cases of *Bad Start* and *Decline*.

However, Erik Carlson, Jens Johansson, and Olle Risberg have criticized the hybrid account on two counts. First, they argue that the hybrid account fails to correctly classify temporary benefits. Second, they argue that the hybrid account fails to identify death as a harm. In what follows, I defend the hybrid account against both criticisms.

1 This section closely follows my earlier argument in Unruh, “A Hybrid Account of Harm.”

2 These cases are inspired by Thomson’s “gene paraplegia” case and Hanser’s “Nobel Prize winner” case. See Thomson, “More on the Metaphysics of Harm,” 445–46; and Hanser, “The Metaphysics of Harm,” 432.

1. TEMPORARY BENEFITS

Carlson, Johansson, and Risberg argue that the hybrid account finds harm where there is none.³ More specifically, they suggest that the hybrid account wrongly finds harm in cases of temporary benefits:

Beneficial Pill: Cesar's well-being level is zero at time t_0 and will stay at zero, unless Cesar takes a pill. Taking the pill would cause Cesar's well-being level to rise to ten at t_1 and leave Cesar with a well-being level of one from t_2 onwards.⁴

According to the hybrid account—more precisely, according to its temporal component—Cesar suffers a harm at t_2 , since he is worse-off at t_2 than he was at t_1 . But Carlson, Johansson, and Risberg argue that this is implausible, since “there is nothing negative to say about his taking the pill and what this action brings about.”⁵ According to Carlson, Johansson, and Risberg, first, Cesar does not suffer harm in this scenario, and second, taking the pill does not harm Cesar.

Pace Carlson, Johansson, and Risberg, I argue that Cesar does suffer a harm, and the hybrid account correctly identifies that harm. That being said, I agree with Carlson, Johansson, and Risberg that taking the pill does not harm Cesar. However, the hybrid account does not imply otherwise.

I suggest that the intuition that there is no harm in the Beneficial Pill scenario depends significantly on the presumed effect of the pill:

Harmful Pill: Cesar's well-being level is zero at t_0 and will rise to ten at t_1 and stay at ten, unless Cesar takes a pill. Taking the pill would cause Cesar's well-being level to drop to one at t_2 and stay at one.

I submit that Cesar suffers harm and that taking the pill harms Cesar. But note that Cesar's well-being levels are exactly the same in the cases of Beneficial Pill and Harmful Pill. What differs is how taking the pill affects Cesar's well-being. So what drives our intuition is not the state that Cesar is in but rather the precise effect that the pill has.

Since our focus is on whether Cesar suffers harm, consider a case that does not involve pills:

No Pill: Cesar's well-being level is zero at t_0 . It rises to ten at t_1 before it drops to one at t_2 and stays there.

3 Carlson, Johansson, and Risberg, “Unruh's Hybrid Account of Harm.”

4 This is a simplified version of the “welfare boost” case in Carlson, Johansson, and Risberg, “Unruh's Hybrid Account of Harm,” 4.

5 Carlson, Johansson, and Risberg, “Unruh's Hybrid Account of Harm,” 4.

According to the temporal component of the hybrid account, Cesar suffers a harm at t_2 , since he is worse-off at t_2 than he was at t_1 .

I submit that the fact that Cesar's well-being drops at t_2 is bad for Cesar. (Carlson, Johansson, and Risberg might agree: Johansson and Risberg put forward an account of harm according to which harm consists in adverse effects on welfare.⁶ A drop in well-being constitutes an adverse effect on Cesar's welfare.) Moreover, for classifying the adverse effect as a harm, it does not matter whether it is caused naturally. I conclude that Cesar plausibly suffers harm at t_2 in all three cases.

I now turn to the question of whether taking the pill in Beneficial Pill *harms* Cesar. In laying out the hybrid account, I emphasize that the hybrid account is an account of what it is to *suffer harm*; it is not an account of what it is to harm someone.⁷ So the hybrid account does not attempt to answer the question of whether taking the pill *harms* Cesar. Taking the pill harms Cesar only if it stands in the right causal relation to the harm that Cesar suffers.

I suggest that taking the pill in Beneficial Pill does not stand in the right relation to the harm to count as harming, on any plausible account of causing harm. The pill causes a temporary benefit: it causes Cesar's well-being to rise for a short amount of time. However, the pill does not cause Cesar's well-being to drop. The beneficial effect of the pill simply wears off after some time.

To give an analogous example, taking a painkiller does not cause the headache that resurfaces after the effect of the painkiller has worn off, and so while the headache constitutes a harm, taking the painkiller does not harm the agent. I support this suggestion with the following case:

Two-Way Pill: Cesar's well-being level at t_0 is zero. Cesar takes a pill that contains two active ingredients. The first ingredient takes effect at t_1 and raises Cesar's well-being level to ten. The second ingredient takes effect at t_2 and lowers Cesar's well-being level to one. Without the second ingredient added to the pill, Cesar's well-being level would have remained at ten.

My claim is that Beneficial Pill is like taking only the first ingredient in Two-Way Pill. Taking the beneficial ingredient benefits Cesar. The processes that make the effects of the pill wear off in Beneficial Pill are like the second ingredient in Two-Way Pill. They harm Cesar by causing his welfare to drop. However, this harm is normal and expected, and suffering it does not wrong Cesar. This arguably limits the moral significance of the harm that Cesar suffers in Beneficial Pill.

6 Johansson and Risberg, "A Simple Analysis of Harm."

7 Unruh, "A Hybrid Account of Harm," 891.

In contrast, Cesar arguably suffers unexpected and wrongful harm when he is given the pill in Harmful Pill. This explains the difference in moral significance between these cases.

Carlson, Johansson, and Risberg make another point regarding Beneficial Pill.⁸ According to my version of the hybrid account, the magnitude and duration of welfare loss can influence the severity of a harm.⁹ It seems to follow that the extent of the harm Cesar suffers exceeds the benefit he enjoys, since the loss persists for longer. But this, Carlson, Johansson, and Risberg argue, is implausible.

There are two ways to understand this objection. First, it seems implausible that taking the pill harms Cesar more than it benefits him. But a proponent of the hybrid account can agree with this, since the hybrid account does not imply that taking the pill harms Cesar. Second, it seems implausible that the temporal harm Cesar suffers is greater than the temporal benefit he enjoys. (When considering whether to take the beneficial pill, it would be odd for Cesar to think, “I’ll get some benefit from it, but I’ll suffer a much greater harm once the effect of the pill wears off, so is it worth it?”)

A proponent of the hybrid account might offer the following response. Temporal harm is always relative to some earlier time. Carlson, Johansson, and Risberg consider the extent to which Cesar is worse-off at t_2 relative to t_1 . And Carlson, Johansson, and Risberg compare this temporal harm to the extent to which Cesar is better-off at t_1 relative to t_0 . This is why they claim that Cesar suffers more harm than he enjoys benefits. In most contexts, the earlier time relative to which temporal harm is defined is plausibly the time just before the agent enters the harmful state. But I suggest that in some contexts, a different temporal baseline is more appropriate. Beneficial Pill is such a case.

At time t_2 , Cesar is worse-off than he was at t_1 . But Cesar is better-off at t_2 than he was at t_0 . I submit that t_0 is the appropriate comparison for Cesar when he is contemplating whether to take the beneficial pill. Cesar is interested in the *effects* of the beneficial pill. The pill causes Cesar’s well-being at t_2 to be higher than it was at t_0 , but it does not cause Cesar’s well-being at t_2 to be lower than it was at t_1 . (Cesar might think, “The pill will cause a temporary boost in well-being at t_1 and then a small permanent boost from t_2 onwards.”)

In sum, Cesar suffers a temporal harm at t_2 relative to t_1 . But Cesar also enjoys a temporal benefit at t_2 relative to t_0 . This temporal benefit, together with the fact that Cesar enjoys noncomparative benefits throughout, can explain why Cesar should take the pill, prudentially speaking.

8 Carlson, Johansson, and Risberg, “Unruh’s Hybrid Account of Harm,” 4–5.

9 Unruh, “A Hybrid Account of Harm,” 900–2.

2. DEATH

Carlson, Johansson, and Risberg offer a further criticism of the hybrid account. They argue that it undergenerates harm by failing to classify death as a harm. An agent is *noncomparatively* badly off when the agent has negative well-being. However, a dead person is not at any well-being level, and so their well-being level cannot be negative. For similar reasons, death is not a harm on the temporal account: since the dead person is not at any well-being level, it cannot be lower than before. Since neither the noncomparative nor the temporal component of the hybrid account classifies death as a harm, the hybrid account implies that death is not a harm. But this, Carlson, Johansson, and Risberg claim, is implausible: clearly, assassins harm their victim by causing the victim's death.¹⁰

A first reply is to concede that death is not a harm, but this blow is softened by the fact that the hybrid account enables us to view death as the prevention of benefits—the benefits of a continued life.

According to the prominent deprivationist view on the badness of death, death is bad for the person who dies because it deprives them of the rest of their life, thereby making their life worse than it would have been, considered in its entirety. I argue that the hybrid account is compatible with and even lends support to the deprivationist view. At the heart of the deprivationist argument as I understand it is the view that what is bad about death is not what it brings to the person's life but what it takes away or prevents. It is in line with this view, I propose, to view death as *the prevention of a benefit*. I claim that benefits are states that are noncomparatively good (i.e., positive well-being) or temporally good (i.e., better than before).¹¹ Death prevents a person from obtaining benefits they could otherwise have had.

Saying that death harms a person then would be speaking loosely. But our tendency to speak of harming in cases of benefit preventions should not surprise us, for this tendency is apparent not only in cases of death. Consider, for example, a case in which Ann has sent Bob a birthday gift, but Celia intercepts the parcel and keeps it for herself. In this case, strictly speaking, Celia has prevented Bob from receiving a benefit, and yet it seems tempting to say that Celia has harmed Bob.

I think there are two reasons that explain why we often see benefit preventions as harmful. The first reason is that benefit preventions are often wrongs. In intercepting the parcel, Celia wrongs Bob (and perhaps Ann). More obviously,

10 This summarizes the argument in Carlson, Johansson, and Risberg, "Unruh's Hybrid Account of Harm," 3.

11 Unruh, "A Hybrid Account of Harm," 898.

an assassin who kills a victim commits a grave moral wrong, violating the victim's right to life. Given the severity and significance of this wrong and given how closely harms and wrongs tend to be linked, it is plausible to understand death as a harm to the victim.

The second reason is more speculative. I suggest that it is often the case that people are morally entitled to the benefits that they are wrongfully prevented from receiving, and this makes it seem suitable to classify benefit preventions as harms. One might think that since Ann's gift was meant for Bob, Bob should have it: it is already his from a moral point of view. When Celia intercepts the parcel, the moral status of that interception is similar to taking away what is already in Bob's possession. Perhaps a similar point can be made about death: people are entitled to their continued life, and taking away these future benefits is taking away present entitlements, which is harmful.

These remarks point to a second, less concessive reply, which draws on Thomson's point that "one's current chances of good or ill matter to whether one is currently well or ill off."¹² Death is a harm to an agent who dies, because that agent loses the prospect of a continued life, thereby making the agent's life worse than it was before. A flourishing life that is about to end is worse than a flourishing life that will continue.

A third reply might be to categorize the harm of death as a purely non-comparative harm, following Harman, whose list of noncomparative harms includes "disease, deformity, disability, or death."¹³ (Note that this would not commit the proponent of the hybrid account to claiming that there is posthumous harm. The proponent of the hybrid view might claim that *death*, i.e., the loss of one's status as a welfare subject, is temporally limited, unlike the state of *being dead*.)

In sum, I suggest that the hybrid account has more resources to account for the harm of death than might be apparent at first sight. (To clarify, this is not a point about the moral wrongness of killing, which does not lie only in its effects on the victim's well-being. But this is a separate question.)

3. THE PRIORITY OF HARM

Interestingly, the intuitions that Carlson, Johansson, and Risberg appeal to in the case of temporary harms and in the case of death are intuitions not about whether the victim is harmed but rather about whether the agent does harm. Carlson, Johansson, and Risberg argue that it is "highly counterintuitive" that

12 Thomson, "More on the Metaphysics of Harm," 445.

13 Harman, "Harming as Causing Harm," 139.

an assassin does not harm his victim.¹⁴ They also argue that the implication that taking the pill harms Cesar in Beneficial Pill cases is “very unappealing.”¹⁵ What seems to be underlying these criticisms is a third, more fundamental point, which Carlson, Johansson, and Risberg make only briefly in their concluding section: their objection to the claim that harm is more fundamental than harming.¹⁶

As mentioned above, on my view, the hybrid account explains what it is for an agent to suffer a harm. We should keep accounts of harm distinct from accounts of harming, which explain what it is for an event to harm an agent.¹⁷ On my view, the relation between harm and harming is as follows. *A* can harm *B* only if *B* suffers harm and *A* stands in the right relation to this harm to count as harming. *A* cannot harm *B* if *B* suffers no harm:

For a behavior (such as Ann’s throwing the stone) to count as harming, the behavior needs to be related, in an appropriate way, to an outcome that counts as a harm (such as Bob’s broken nose).¹⁸

Carlson, Johansson, and Risberg argue that such a tight connection between harm and harming is not plausible:

If one wants to understand what it is to kick someone, one would presumably not start by theorising about the notion of a “state of being kicked,” on the purported ground that any account of kicking needs to presuppose an account of that state. A better idea is to focus directly on the verbal notion; that is, on what it is to kick someone.¹⁹

However, *pace* Carlson, Johansson, and Risberg, I do not claim that an analysis of harming must begin with an analysis of harm. Rather, an analysis of harm should be conducted separately from an analysis of harming. Carlson, Johansson, and Risberg themselves offer a good explanation for why this claim is true: if we wanted to understand what it is to suffer a *harm*, we also would not start by offering an analysis of *harming*, on the basis that an account of harm needs to presuppose an account of the event that leads to that state. We would rather proceed by investigating both questions separately.

14 Carlson, Johansson, and Risberg, “Unruh’s Hybrid Account of Harm,” 3.

15 Carlson, Johansson, and Risberg, “Unruh’s Hybrid Account of Harm,” 5.

16 Carlson, Johansson, and Risberg, “Unruh’s Hybrid Account of Harm,” 6.

17 Unruh, “A Hybrid Account of Harm,” 891.

18 Unruh, “A Hybrid Account of Harm,” 891.

19 Carlson, Johansson, and Risberg, “Unruh’s Hybrid Account of Harm,” 6–7.

Of course, the questions are related. I offered an explanation of how they are related by pointing out that if *A* suffers no harm, then *B* has not harmed *A*.²⁰ This seems plausible, for the same could be said in relevantly similar cases. For example, *B* cannot have injured *A* if *A* does not have an injury; *B* cannot have blinded *A* if *A* is not blind; and *B* cannot have kicked *A* if *A* has not been kicked. However, of course, *A* can be injured, blinded, or kicked without *B* having injured, blinded, or kicked *A*. (*C* might have done all those things.)

In conclusion, the hybrid account of harm is not mistaken to find harm in cases of temporal benefits. Moreover, the hybrid account can explain why death is bad for the person who dies. What seems to be underlying Carlson, Johansson, and Risberg's criticisms is the view that a philosophy of harm should begin with the analysis of events that harm agents. If I am correct, however, a philosophy of harm should proceed by investigating *both* which states constitute harms and which events constitute harming in order to provide a complete metaphysics of harm.²¹

University of Southampton
c.unruh@soton.ac.uk

REFERENCES

- Carlson, Erik, Jens Johansson, and Olle Risberg. "Unruh's Hybrid Account of Harm." *Theoria* 89, no. 5 (August 2023): 1–7.
- Hanser, Matthew. "The Metaphysics of Harm." *Philosophy and Phenomenological Research* 77, no. 2 (September 2008): 421–50.
- Harman, Elizabeth. "Harming as Causing Harm." In *Harming Future Persons: Ethics, Genetics and the Nonidentity Problem*, edited by Melinda A. Roberts and David T. Wasserman, 137–54. Dordrecht: Springer Netherlands, 2009.
- Johansson, Jens, and Olle Risberg. "A Simple Analysis of Harm." *Ergo* 9, no. 19 (March 2023): 509–36.
- Thomson, Judith Jarvis. "More on the Metaphysics of Harm." *Philosophy and Phenomenological Research* 82, no. 2 (March 2011): 436–58.
- Unruh, Charlotte Franziska. "A Hybrid Account of Harm." *Australasian Journal of Philosophy* 101, no. 4 (October 2023): 890–903.

20 Unruh, "A Hybrid Account of Harm," 891.

21 I am very grateful to two reviewers and the editors of *JESP* for very helpful comments; and to Tony Zhou for feedback on a previous version of this note.