

The Wishes of the Dead

Yvonne and Zaina are in their fifties, and have enjoyed many happy years of partnership. Unfortunately Yvonne has been taken ill with a terminal illness. She has three wishes that she wants Zaina to keep after she dies. She reiterates them on her deathbed. First, Yvonne has become convinced that ingesting too much caffeine was the main cause of her illness. She has no real evidence for this, but nonetheless asks Zaina never to drink coffee again. Second, Yvonne has a large sum of money to leave after she dies. She wants to set up a fund for research into caffeine's disease-causing effects. She asks Zaina to set up a trust that will allocate funds for that, and only that, purpose in perpetuity. Third, Yvonne cannot bear the thought of Zaina getting married again. She realizes that Zaina may have other relationships, and gives them her blessing, but draws the line at remarrying. Yvonne wants to keep marriage unique to her and Zaina's relationship. So she asks Zaina never to remarry. Zaina promises to do all three of these things.

Ten years pass, and Zaina has kept her promises. But she's starting to wonder whether she needs to keep doing so. In general, although she wants to respect the wishes of her dead spouse, Zaina thinks that it is perhaps more important to consider those still living. More specifically, although Zaina doesn't think her life is substantially worse without coffee, it seems silly to keep a promise about something so trivial. Worse, the funds in the trust cannot be used for any other purpose than investigating caffeine and are legally protected. This, Zaina thinks, is not just silly but irresponsible. There is still no conclusive evidence to suggest that caffeine intake causes chronic disease, and the funds in the trust are going to waste when they could be used for much better purposes. Finally, Zaina has now been in a committed relationship for several years, and her partner has proposed to her. Zaina would like to marry her partner, but is conflicted by the thought of breaking her promise to Yvonne.

STUDY QUESTIONS

1. Is it permissible for Zaina to break some of the promises she made to Yvonne? If so, which ones may she break and which not? What explains these differences?
2. When, if ever, is it permissible to ignore the wishes of the dead?
3. What, if any, are the morally significant differences between a promise made to someone who is now dead and a promise made to someone who is still alive?

