

Personal Identity III

1. Review soul criterion and body criterion

Soul criterion: x is the same person as y iff x and y have the same soul.

Problems:

- i) There is no way to establish body-soul correlations; and no way to establish personality-soul correlations. So soul criterion doesn't make sense of our practices of recognizing and identifying people.
- ii) We have no special access to souls, so even in our own case we can't be sure it's the same soul "inside" us whenever we are conscious.
- iii) The problem of identity is "pushed back": what is it for person-stage x to have the same soul as person-stage y? What makes for sameness of souls?

Body criterion: x is the same person as y iff x and y have the same living human body.

Problems:

- i) If I were my body, then I would have no special access to myself. So the body criterion does not do justice to our practices of *self-recognition* and *self-identification*.
- ii) It is *possible* to be the same person without the same body. Body criterion doesn't allow this possibility.

1. Review memory criterion

Memory Criterion (basic form): x and y are stages of the same person iff y remembers x's experiences, thoughts, feelings, etc. (either directly or indirectly), or vv.

Advantages:

- 1) Memory criterion allows me to know who I am without inspecting my body;
- 2) Memory criterion allows me to know who you are by conversational cues.
- 3) Memory criterion does justice to the forensic sense of personhood: the basis for a unified self who is responsible for his/her actions.

Problems:

- i) Circularity Problem
Does this revision avoid the circularity problem?

Memory Criterion (causal continuity version or "MC_{ccv}"): x and y are stages of the same person iff y *really remembers* x's experiences, etc. (the memories are caused "in the right way") either directly or indirectly. (Call this "real-memory linked".)

ii) Duplication Problem

Review duplication argument: The challenge is to provide a criterion of PI that (a) captures the loose links that unite stages of us throughout a life, and at the same time (b) doesn't allow for duplication. Should we accept the following principle?

Single Successor Principle: nothing can preserve personhood that can be duplicated in a number of different successors.

If so, then we should consider the following revision:

Memory Criterion (no competitor version or "MC_{ncv}"): person-stage y is a successor of x iff y really remembers x's experiences (directly), and no other stage does; x and y are stages of the same person iff they are linked by successor stages.

iii) Intrinsicness problem

Should my continued existence depend on whether there is someone else who happens to have the same memories? Whether I continue to exist should depend only on facts about me and my candidate future self, not on facts about who else happens to exist. MC_{ncv} goes against our intuitions about what makes for identity. We normally assume:

Principle of Intrinsic Identity: whether or not $x=y$ depends on x and y and no one else.

Should we also make the related assumptions?

Whether or not x is the same person as y depends on x and y and no one else

OR:

Principle of Intrinsic Unity: Whether or not x is part of the same person as y is part of depends on x and y and no one else.

The last principle isn't satisfied in the case of MC_{ncv}. Does that matter?

2. Reconsideration of the body criterion

So what should we do? If the memory criterion is sunk, should we return to the bodily criterion? What about body swapping? Consider the example of: Julia North, Mary Francis Beaudine, and the "Medical Wonder" (=JNbrain+MFBbody).

Question:

Does JN = MW? (common view)

Does MFB = MW? (Gretchen's view)

Does neither = MW? (?)

Do both = MW? (not possible, if you accept the single successor principle)

Should we decide the matter by majority vote? Gretchen says no. Supreme court, public opinion, etc. are not good enough. Individual identity is not like boundaries of countries. (e.g., E. & W. Germany? Is Russia today the same country as the one Nicholas and Alexandra ruled?) Whether I survive or not is an objective matter, not a conventional matter, i.e., not one to be decided by public opinion.

OK, but what makes it objective? Why think that there is a fact of the matter? It's because in some cases you are genuinely entitled to anticipate the experiences of someone else, and in other cases you aren't. Or in other words, in some cases you'd be right to anticipate, and in some cases not, no matter what convention dictates.

Cohen argues:

- 1) What I especially care about is my continued existence.
- 2) I don't especially care about the continued existence of my body, but do care about the continued existence of my consciousness, my mental life.
- 3) So my continuation is a psychological matter, and not a bodily matter.

This argument suggests that JN = MW. But note that if *psychological continuity* is what really matters then we should be willing to consider a brain transplant: if your brain is injured, put your psychology in a new brain and transplant it into your body...but then the duplication argument reemerges: if you could give one new brain your psychology, presumably you could give it to two! Remember the *Single Successor Principle*: nothing can preserve personhood that can be duplicated in a number of different successors. Assuming that the brain is a particular collection of cells in an individual's head that can only exist at one place at a time, maybe we should try:

Memory Criterion (same brain version): x and y are stages of the same person iff y *really remembers* x's experiences, etc. (the memories are caused "in the right way") either directly or indirectly, and x and y have the same living brain.*

This prevents duplication (unless you think that the brain could be split and both halves count as "the same brain"...). But remember two main advantages of the memory criterion:

- 1) It allows me to know who I am without inspecting my body.
- 2) It captures the idea that what concerns me in survival is the preservation of my psychological traits.

Both of these advantages are lost when we move to MC_{sbv} . Moreover, MC_{sbv} doesn't have some of the advantages of the body criterion either, since it requires psychological continuity and doesn't allow me to consist of both conscious and unconscious stages. Are we better off just dropping psychological continuity:

Brain criterion: x and y are stages of the same person iff x and y have the same living brain.*

3. Return to question of objectivity

Cohen argues that the Supreme Court may be fallible about matters of fact, but "they are the final authority on the development of certain important concepts used in law. The notion of person is such a concept." (p. 403) Gretchen maintains that it is the facts about *who I am* or *who I will be* that matter to us in this discussion, and the Supreme Court can't decide this. But suppose we allow that there are several different concepts at work in our thinking about human beings. E.g., the (biological) concept of a human being, the (forensic) concept of a person, the (psychological) concept of a self, the (spiritual/religious) concept of a soul. These might have different conditions of identity. And possibly there exist entities that correspond with more than one of these concepts (e.g., the living human being and the person may both exist—just as the statue and the clay of which it is made are two things and both exist). If so, then it may well be the job of the Supreme Court to decide which of these "person-related" concepts should apply in legal contexts when we hold someone responsible. On this view, it is partly a matter of convention what counts as a person before the law. But Gretchen will respond, presumably: Which of these "entities" is *me*?! Am I a living human body, a person, or a soul, etc? And isn't there a matter of fact which entity *I am*? What I am—what counts as my coming into or going out of existence—doesn't seem to be a matter that anyone can *decide*. It is a matter of fact to be discovered. Do you agree?

*In spelling this out, one could opt for either unity between brain stages or numerical identity.