

# ESTABLISHING PERSONAL IDENTITY IN CASES OF DID

STEVE MATTHEWS



**ABSTRACT:** In some recent criminal cases in the United States a defense has been mounted based on an affliction known as *Dissociative Identity Disorder* (DID) (formerly *Multiple Personality Disorder*). The crux of the defense rests on the proposition that a dominant personality was incapable of appreciating the nature and quality of wrongfulness of conduct caused by an alter personality. This defense has been successful in some cases, but not others, and so philosophers, lawyers, and psychiatrists are now in debate in an attempt to clarify the issues. One of the salient issues involves the question of personal identity between the individual who allegedly committed the offense and the individual who stands accused. Stephen Behnke and Walter Sinnott-Armstrong have recently put forward a test for establishing personal identity in these cases. In this discussion, I present reasons for rejecting their proposal.

**KEYWORDS:** dissociation, identity, person, responsibility, memory, personality.

## INTRODUCTION

**I**N THE CONDITION known previously as *Multiple Personality Disorder* (MPD), now *Dissociative Identity Disorder* (DID), patients manifest more than one distinct personality state, and often (at different times) many such states. In some cases, patients with DID have been alleged to commit criminal acts of which they later, while in a different state, deny any awareness. To convict a defendant in these cases what needs to

be shown, among other things, is numerical identity of personhood between the alleged past perpetrator and the defendant. This is because securing a conviction depends on establishing *criminal responsibility*, a concept containing a necessary presupposition of personal identity.<sup>1</sup>

In this discussion, I wish to criticize a recent attempt by Stephen Behnke and Walter Sinnott-Armstrong (2000) to supply the conditions sufficient for claiming personal identity in these cases. I begin by outlining two (of the possibly sensible) positions one may take with respect to the individuation of persons with DID. Those who hold the multiple persons thesis believe that patients with DID contain more than one person; those holding the single person thesis do not. For the former, no particular theoretical difficulties about responsibility are raised by the DID cases in question, because non-identity between alter personalities sufficiently grounds criminal innocence (in cases involving no accessory to the crime). But I would agree with Behnke and Sinnott-Armstrong that the single person thesis is to be preferred in DID cases. Personal identity between different so-called alter personalities is, of course, not sufficient for criminal responsibility, but they regard it as one condition of a pair that is. This discussion takes issue with their test for personal identity that constitutes one aspect of that pair.

## MULTIPLE PERSONS AND RESPONSIBILITY

According to the multiple persons thesis, a patient with DID has one body that contains quite literally more than one person. Acceptance of this view is motivated mainly by the idea that the various personality states appear to have a significant degree of independence: each one appears to have autonomous control of the body; each one appears to exhibit a unique set of personality features; and (quite often) the distinct personality states lack any awareness of each other due to memory gaps. If the multiple persons thesis is true, this would throw into doubt a whole range of beliefs and practical attitudes we have about persons and their role in social and moral life, given the ordinarily unquestioned assumption that where we have one body we have a single person. It would prevent us from establishing criminal responsibility in a case where the defending party and the party who acted are different persons in the same body. There are independent reasons for thinking the multiple persons view is erroneous, and indeed presupposing it may well be impracticable. But for those who accept that, at least in some cases, DID sufferers may be guilty of crimes committed by distinct body-sharing alter personalities, the multiple persons thesis has to be rejected in favor of what can be called the single person thesis.<sup>2</sup>

According to the single person thesis, individuals with DID have a disorder that has the effect of fragmenting one's existing personality. The patient is to be regarded morally and legally as a single person whose psychiatric symptoms, among other effects, cause delusions of identity. The alleged alter personalities are not to be thought of as literally separate persons, but rather states in which patients lose control of what they are doing, and are globally deceived about who they are.<sup>3</sup>

## TWO CASES INVOLVING DID AND RESPONSIBILITY

The upsurge in the number of cases of DID recently in the United States has divided philosophers, lawyers, and psychiatrists on the question of moral responsibility and legal culpability for

the crimes committed by individuals afflicted with DID. Some defendants have claimed innocence for a crime they say they do not remember, and that, they claim, was committed by a body-sharing personality. Skeptics regard such a defense as fundamentally flawed even in cases where the usual features of DID are present. The position is pithily captured by a judgment in 1982 involving a case of drunk driving.<sup>4</sup>

Robin Grimsley had been diagnosed with MPD in 1977 and underwent psychotherapy for 5 years. According to Robin, she received bad news of a lump in her breast and this caused her to dissociate into a personality named Jennifer who was “. . . impulsive, angry, fearful, and anxious. Jennifer has a drinking problem.” During this period, Jennifer was charged with driving under the influence of alcohol. Robin claimed in her defense that it would be unreasonable to hold her responsible for the offence because, while in the Jennifer state, she is “. . . unaware of what is going on, has no control over Jennifer's actions, and no memory of what Jennifer did. . . .” The court decided against Grimsley arguing that:

There was only one person driving the car and only one person accused of drunk driving. It is immaterial whether she was in one state of consciousness or another, so long as in the personality then controlling her behavior, she was conscious and her actions were a product of her own volition.<sup>5</sup>

Although they disagree with the test applied by the court, Behnke and Sinnott-Armstrong argue in support of the judgment against Grimsley.<sup>6</sup> On the whole they regard the position that excuses a person with DID as unsupportable, and so they are explicitly opposed to another ruling involving a patient who committed a rather more serious crime. In 1993 a woman, Denny-Shaffer, removed a baby, some blood, and a placenta from a hospital. She contacted her boyfriend and family in order to convince them that she had given birth to the baby herself, and over the next few weeks looked after it. Denny-Shaffer was later caught and charged with kidnapping. The defense rested on the claim that as a victim of DID the defendant lacked awareness of, and control over, the crime-committing party. The court found in her favor, ruling that:

... at the time of the abduction, her dominant or host personality was not in control so as to cause commission of the offence, [she] was not aware that an alter personality or personalities were the cognizant parties controlling the physical actions; that as a result of the defendant's severe mental disease or defect, the host or dominant personality was unable to appreciate the nature and quality of wrongfulness of the conduct which the alter or alters controlled.<sup>7</sup>

Behnke and Sinnott-Armstrong argue that in these cases two conditions sufficiently ground an attribution of responsibility: identity of self underlying the person-stages involved and sanity of the crime-committing agent. In short, if it can be established beyond reasonable doubt that the defendant and the crime-committing party are the same person, and the crime-committing party was sane, then (other things being equal) DID ought to fail as a defense.<sup>8</sup>

## THE SUFFICIENT CONDITION TEST AND BRAIN IDENTITY

We should agree with Behnke and Sinnott-Armstrong that in almost all cases of DID there are good reasons for thinking the individual concerned is a single person.<sup>9</sup> But the reasons they provide cannot be supported. Behnke and Sinnott-Armstrong do not put forward a general account of personal identity, but are concerned with providing a sufficient condition test for particular cases. Initially they argue that it is sufficient for two person stages to belong to the same person if one or more of the following conditions hold:

- (1) they share the same functioning brain
- (2a) they share the same experiential memory (one or more)
- (2b) they have an experiential memory chain that converges on numerically the same experience
- (2c) they could have (after appropriate therapy) shared experiential memories or experiential memory chains that converge on numerically the same experience

Because there are doubts about whether brain identity alone, or memory alone, suffices for personal identity, Behnke and Sinnott-Armstrong conclude that what suffices is some conjunction of brain identity and memory (of the varieties

mentioned). Now philosophers wedded to psychological continuity theories reject the idea that brain identity is necessary in personal identity, by raising Locke-like criticisms: Why do I care about my brain if another just like it could do the same job?<sup>10</sup> In fact, any piece of equipment would do, so long as it was operationally equivalent and preferably aesthetically unobtrusive. Behnke and Sinnott-Armstrong (2000, 309–310) have their doubts, however. They claim:

The only case that would cause trouble for the brain criterion would be if the mind switched bodies without the brain and then if personal identity followed the mind. But that is impossible according to many views of the mind, including most varieties of physicalism. One would suppose that Locke's example is possible *only if one thinks that the mind is a separate substance independent of the body and brain*. Since such views of the mind are questionable, so is Locke's argument against the brain criterion. [My emphasis]

The trouble here is that it is not necessary to include in one's arsenal of objections to Locke a substance-based criterion of personhood. In other words, all a Locke supporter needs to show as an objection to having-the-same-body/brain criteria of personal identity is the possibility that mental life might track *some* physical system. In particular, the Lockean possibility is that personal identity might be preserved over the lifespan of two different, but let's say, near-enough functionally identical brains.

The Lockean objection is devastating to an account that regards brain identity as conceptually necessary in personal identity. Still, Behnke and Sinnott-Armstrong are not claiming to provide a general account of personal identity, but are instead considering the issue of responsibility in people with DID (an issue in practical and legal ethics); perhaps we can agree, then, that in fact brain identity is always present in cases of DID. But this does not say very much, because the debate over personal identity in cases of DID proceeds against the undisputed background assumption that there is just one brain. Indeed, the presence of a single brain (within the same human) in individuals with ostensibly more than one personality is precisely what makes the issue of identity in these cases puzzling.<sup>11</sup> To put for-

ward brain identity as a condition of personal identity in these cases thus does not move the debate beyond the puzzling stage. The presence of a single functioning human brain merely settles the trivial issue of whether in fact *some* person is present or not, rather than the substantive question concerning this person's identity. This shows that the brain identity condition is one that misses its mark.

## THE NECESSITY OF MEMORY

It seems, then, that the conditions we should regard as doing the most work for Behnke and Sinnott-Armstrong are 2a–2c above. In this connection, it is so-called experiential memories we regard as important, memories of having had a certain experience or of performing a particular deed, as opposed to remembering facts or remembering how to perform certain actions. Experiential memories involve a relation between a remembering (or potential remembering) and a particular past personal episode, and so they connect intrapersonal stages of an individual by linking these person-stages' views from the inside, something Locke no doubt had in mind when he spoke of a continuity of consciousness. On the other hand, one can remember a fact or how to perform some activity without any such *particular* relation holding at the time of the remembering. To remember a fact is perhaps better described as having knowledge, and to remember how to perform an activity is perhaps better described as having a capacity. Whereas experiential memories are necessarily self-involving, having knowledge or possessing a capacity for an activity are not. In what follows when I talk about memories, I am referring to experiential memories.<sup>12</sup>

Behnke and Sinnott-Armstrong first consider whether appropriately connected sets of memories might constitute a necessary condition for personal identity. They claim they do not. The argument goes this way:

Experiential memories can fade just like other memories. I might not be able to remember [doing X]. A person can even suffer complete amnesia and lose all previous experiential memories. That would not show that he was not the same person as he was before

amnesia. He would still have the same parents, children, social security number, and so on, even if his character or personality did change. Consequently, experiential memories are not necessary for personal identity, and no lack of experiential memory can be used to argue *against* personal identity. (2000, 310)

I will not argue in detail here for the claim that I strongly suspect to be true—that the having of, *at some point*, experiential memories is indeed necessary in personal identity. To think otherwise implies that no experiences are necessary for personal identity, yet experiences are the building blocks of persons. What I do argue, however, is that the inference to the last sentence quoted above is a non sequitur. I of course agree that (1) a person's experiential memories can fade, (2) a person can suffer complete amnesia, and (3) the persons after these processes are not thereby disqualified from personal identity. It simply does not follow, however, that experiential memory is not necessary for personal identity. In these cases, experiences were laid down in memory prior to its loss, and it is this part of the process that (partly) entitles us in the first place to claim there exists a person. What these cases more accurately show is that the *retention* of some quantity of experiential memories is not necessary in personal identity. A central reason I might be prepared to think someone close to me retains their identity after the partial loss of memories is because this person bears certain other psychological relations to the earlier person-stage in question; in the case of the amnesia victim, it is because this person displays similarities of character from before and because the amnesia represents perhaps a temporary masking of the capacity to recall past personal experiences. To have amnesia is not inconsistent with possessing a disposition to remember made inoperative in the short term, and memory presupposes personal identity.

## THE SUFFICIENT CONDITION TEST AND MEMORY

Putting aside the question of the necessity of memories, consider now the claim that they might provide a sufficient condition for personal identity. Because memories fade, I now cannot re-

member many of my childhood experiences. In the future I may have no memories at all left of experiences I had as a 3 year old. As many authors point out, this would not make my future self and my 3-year-old self different persons, because we can trace a continuity chain that would link these different stages of my life. My future self will remember many experiences from the self the day before, who in turn remembers many experiences from the self the day before that, and so on, all the way back to the 3 year old. Because of the fickle nature of fading memories, it may happen that different stages of a person *X* and *Y* have a memory of an event that befell an even earlier stage *Z*, but neither *X* nor *Y* have memories of each others' experiences. When this happens, say Behnke and Sinnott-Armstrong, the memories of *X* and *Y* are said to *converge*. Perhaps my 90-year-old self and my 6-year-old self both remember something momentous that happened when I was 5, but the 90 year old has no memories of the 6 year old. Then they both have a convergent memory of the 5 year old. Behnke and Sinnott-Armstrong claim this would suffice for us to say that the 90 year old and the 6 year old are the same person. More generally, they say that,

. . . two experiential memory chains converge when each chain contains one of a pair of convergent experiential memories. Such convergence between experiential memory chains seems to be sufficient for personal identity, even between times when there are no current convergent memories. (2000, 311)

Applying this test to a fictional case of MPD, Behnke and Sinnott-Armstrong (2000, 312) ask us to consider the case of Mel:

Suppose Mel was born in 1990, goes to school for the first time in 1995, then develops DID in 1996. If each of Mel's alters has an experiential memory of something that happened to him during the first day of school or of any other experience before developing MPD, then there should be no doubt that these experiential memories are memories of numerically the same experience. The reason is that there was clearly only one person at the time of the experiences that are remembered. Since numerical identity of persons and experiences is not in doubt at the earlier time, the later memories seem sufficient for personal identity at the later time, when personal identity is at issue.

Behnke and Sinnott-Armstrong note that there may be cases of people with DID in which none of the current memories of the so-called alters concerned converge on a single experience that both claim to have had. Nevertheless, they say a counterfactual condition might well hold for such cases, that is, that were these alters to undergo therapy, they might well both come to have a convergent memory of numerically the same experience. Given the transitivity of identity, Behnke and Sinnott-Armstrong claim that these different alters would then count as the same person.

Let's be clear, then, about what Behnke and Sinnott-Armstrong are committed to. Two alters, switching between conscious control of the same body, may each have an apparent independence of will, an apparent separateness of character and disposition, and an apparent separate set of memories. Each alter may not be aware of the other, and certainly may not have the capacity to control what the other does. Nevertheless, these alters may be parts of the same person primarily because they share the same brain and have, potentially at any rate, memories that converge on the same experience. In virtue of this alleged identity (together with the sanity provision above), say Behnke and Sinnott-Armstrong, we would be entitled to hold one of the alters responsible for the bad actions of the other, and fully justified in punishing that alter.

As hinted at above, too much weight is here being placed on the condition of brain identity. The introduction of such a condition, far from settling the issue, merely reiterates what is puzzling about the issue. Still, the weight of the case, it might be claimed, could be placed on the memory analysis recounted above. It will suffice as an objection, then, to present a counterexample in which the set of memory conditions are present and no personal identity. Consider, then, the case of Gaz.

Suppose Gaz was born in 1990, goes to school for the first time in 1995, then has his brain split in 1996. The hemispheres are surgically implanted into two numerically different but qualitatively similar bodies. The hemispheres are equipollent for the purposes of personhood. If each of the resulting persons has an

experiential memory of something that happened to Gaz during the first day of school or of any other experience before the operation, then there should be no doubt that these experiential memories are memories of numerically the same experience. The reason is that there was clearly only one person at the time of the experiences that are remembered.

In this case we have two sets of memory chains converging on a single memory, but it is clear that the persons after the operation are different persons. So the conditions Behnke and Sinnott-Armstrong thought sufficient for personal identity do not exclude this other case where there is manifestly no personal identity. It follows that these conditions cannot be used to determine personal identity in cases of DID, except in a question-begging way. I conclude that Behnke and Sinnott-Armstrong are not entitled to claim that Denny-Shaffer and Jennifer are the same person on the grounds they put forward.

## AN EVIDENTIAL CRITERION

Still, Behnke and Sinnott-Armstrong might reply that in real-world cases involving responsibility, the use of science fiction cases is ruled out. They might insist that theirs is a sufficient condition test, not to establish something about the *concept* of personal identity, but to establish a workable solution for these tricky cases. Indeed, they say as much, for they claim at various points (2000, 312, 314) that even if the conditions they put forward as (conceptually) sufficient for personal identity are rejected, they may still count as *evidence* for personal identity. They point out that, given the motivation of establishing personal identity for the purposes of assigning criminal responsibility, the evidential point is quite relevant. In their case of Mel, they consider the problem of *circularity*, claiming,

. . . even if such memories are rejected as a criterion of personal identity, they can still be evidence . . . the fact that Mel's alters share some phenomenologically exactly similar experiential memories in 1990 is at least strong evidence that these alters are (parts of) the same person. (2000, 312)

The evidential point is applied also to the Grimsley case, and indeed to any of the relevant cases of DID. I have two objections to this move.

First, in ordinary (non-science fiction) contexts, establishing personal identity over short periods is usually a matter of establishing bodily continuity. In cases where we are establishing the identity of a person after a prolonged absence, we do so by a combination of similarity of appearance based on understandings of typical aging processes, as well as the sharing of memories, and perhaps some public records and documentation. In cases of serious bodily/facial mutilation the (evidential) criteria become skewed away from physical appearance, to rely on self-reports of past experiences.

Cases of DID, although not science fiction, are extraordinary, and indeed are used to problematize bodily criteria of personal identity in similar ways to what Locke originally intended. They are, then, a methodological equivalent of the science fiction puzzle cases. As such, it is illegitimate to claim for cases of DID that even if the sufficiency criterion fails, those very conditions might supply evidence in favor of identity instead. In *ordinary* cases it would be permissible to rely on a mistaken concept of personal identity as a way of underpinning a judgment about identity because such a concept suffices in practice, even if it might not when considering specially designed puzzle cases. So, for example, the use of fingerprinting might suffice to eliminate a suspect in a criminal proceeding. It would do so on the assumption that difference of fingerprint is evidence of non-identity, acknowledging that fingerprint identity is conceptually insufficient for personal identity.

Because ordinary assumptions about personal identity are absent in cases of DID, the usual standards of evidence required to determine personal identity should not apply. In particular, it would be illegitimate to think that the conditions in the case of Mel — in whom two person-stages seem to remember a single experience of a third — are sufficient evidence for personal identity. Think about how such evidence would support a judgment of personal identity in a nonpathologic case. If all we know is that a suspect's memory of an earlier experience is the same memory as a memory had by the alleged perpetrator of a crime, then other things being equal, that is evidence of

personal identity between them, because we are permitted (given this nonpathologic/non-science fiction background) to extrapolate from that one psychological connection to a set of ordinary robustly held connections supporting personal identity. In the case of DID, we know already that the paucity of psychological connections between the alter states may well be all there is, and so there is nothing to which we may reasonably extrapolate.

In ordinary cases, a shared memory back to a single experience may be enough to claim personal identity because, unlike DID cases, there is no background conceptual disagreement surrounding personal identity. Moreover, in the present context the point of the exercise is to provide a philosophical basis for personal identity expressly to inform those deciding what to say in certain criminal cases where the evidence is not in doubt, but the interpretation of it is.

My second response objects to the sufficient condition test taken either as evidence for personal identity or as providing a conceptual basis for deciding questions of identity. It is that memory convergence of the small magnitude suggested by Behnke and Sinnott-Armstrong is simply too flimsy to constitute the basis for personal identity. Conceptually it is too flimsy: a single memory, or two memories, or even a dozen memories, linking two individuals back to an earlier third individual just does not provide a worm of conscious access that is robust enough to do the job. The exact number of memory links (or, more broadly, psychological connections) that would suffice for identity raises a sorites paradox and few philosophers are game enough to be absolutely precise about it.<sup>13</sup> The one philosopher I know of who does venture into this territory is Derek Parfit. Parfit has famously set out in great detail the constituents of a psychological continuity relation and in specifying the robustness over time of the relation once said of this revised Lockean view,

Between X today and Y yesterday there might be several thousand direct psychological connections, or only a single connection. If there was only a single connection, X and Y would not be . . . the same person. For X and Y to be the same person, there must

be over every day *enough* direct psychological connections . . . there is enough connectedness if the number of connections, over any day, is *at least half* the number that hold, over every day, in the lives of nearly every actual person (1984, 206).

It is not clear how we should take the precision Parfit suggests here, but what is clear is that the sufficient condition test does not reach anything like an acceptable threshold if we take Parfit to be at least roughly correct. Certainly he is right that a single connection, or numbers of connections in that vicinity, can never suffice for identity.<sup>14</sup>

The robustness point can be applied also to the evidential interpretation of the convergence criterion. In nonpathologic everyday cases the theory of convergence offered *might* be applicable as a way of determining personal identity, but we need to be absolutely clear that in DID cases, the norms of ordinary judgment do not apply, and the bar is raised considerably in what evidence we may consider as properly supportive of the case. Given our background understanding of the DID cases in question, a convergence of, say, a single memory could not provide good evidence of the number of memories (or psychological connections) ordinarily required for identity as set out by the Parfitian (vagueness-adjusted) standard set out above. This is because it is *definitive* of DID cases that some of the alter personalities lack memory access to one another and to the host personality. As DSM-IV states it, the patient exhibits an “inability to recall important personal information that is too extensive to be explained by ordinary forgetfulness.” It seems that Behnke and Sinnott-Armstrong think small numbers of memories of common experiences could provide evidence of personal identity, but they are tacitly assuming the normal case applies where there is no disruption to psychological continuity. A disruption to psychological continuity is a hallmark of DID, so putting forward a memory of a common experience to support personal identity would constitute a misapplication of the evidence.

I conclude that the conditions put forward by Behnke and Sinnott-Armstrong are not sufficient as a ground for personal identity in criminal

cases involving DID understood either conceptually or even as a reason to think it probable such an identity holds.

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## NOTES

1. Stephen Braude (1996, 39–40) argues that questions about identity over time are irrelevant to ques-

tions concerning moral responsibility. I take it he would think the same applies to criminal responsibility. He argues we should instead focus on a metaphysical (causal) requirement involving an agent's control over his or her actions, and a cognitive capacity to rationally evaluate the moral features of action. Braude's point is consistent with thinking that establishing personal identity is never sufficient for establishing responsibility. However, personal identity is always necessary for responsibility because establishing the non-identity of an accused with the crime-committing party suffices for establishing the innocence of the accused. This might be disputed if one thinks X is partly responsible for the crime Y committed if X knowingly fails to prevent it. However, in such a case X's responsibility ought to be tied to the omission, and one may be charged with being an accessory to crime C. Being an accessory to crime C attracts a level and kind of responsibility separate from being a perpetrator of crime C. My point is simply that if our description of the crime-committing party is "the one and only person who A'ed," then establishing that I am not the person captured by this definite description eliminates me from the responsibility borne by the person who in fact A'ed. Thanks to an anonymous referee here.

2. As Sinnott-Armstrong and Behnke mention, both Elyn Saks (1997) and Jennifer Radden (1996) claim that the multiple persons thesis is true. Philosophers committed to psychological continuity views of personal identity broadly construed should be regarded as implicitly committed to the thesis, at least for that subset of cases in which the personalities go above a certain threshold for personhood. See Bayne (2001), who presents a comprehensive case for this commitment. Carole Rovane (1998) has defended the possibility of multiple persons within a single human body using an ethical criterion of personhood. Although she does not explicitly claim there are any actual instances of this, the possibilities she defends ". . . closely resemble the actual phenomena of . . . multiple personality disorder" (p. 7).

3. Representatives of the single person thesis (in one form or another) include Stephen Braude (1991), Mark T. Brown (2001), and Stephen R. L. Clark (1996), although I do not say these writers necessarily endorse my way of understanding it as set out herein. In addition, one would think that, generally speaking, those in favor of animalist accounts of personhood should regard the single person thesis as their default stance.

4. The two cases I consider, including quotes from the participants, are discussed in Sinnott-Armstrong and Behnke (2000, 302).

5. Cited in Walter Sinnott-Armstrong and Stephen Behnke (2000, 302).



6. Although their position provides a philosophical underpinning of the judgment, Behnke and Sinnott-Armstrong are equivocal in their support of the actual outcome because certain “crucial facts are not clear” (p. 322).

7. *U.S. v. Denny-Shaffer*, 2 F.3d 999 (10th Cir. 1993) at 1016. (NB. Quoted in Walter Sinnott-Armstrong and Stephen Behnke (2000, 302).

8. Elsewhere I have jointly argued there is good reason to think the person in these cases is not sane, and so bears no responsibility for the crime. See Jeanette Kennett and Steve Matthews (2002). We argue that DID severely undermines the agent’s capacity for self-control. However, although individuals may avoid responsibility for the act, they do have responsibilities to address their condition, once they are aware of its potentially harmful features.

9. Elsewhere I have jointly argued for the single person thesis. See Jeanette Kennett and Steve Matthews (2003).

10. John Locke (1984, *passim*).

11. I thank Jeanette Kennett for clarifying this point.

12. *Episodic memory* is also used to refer to what I call *experiential memory*. The crucial difference between experiential memory and the nonepisodic varieties is that with the latter the experiential source of the information may be deleted but the memory remains: I remember perfectly well an arrangement for Bach’s *Bourree*, and I remember how to play it, but asking me to name the episode in which this information was encoded presupposes a misunderstanding of the nature of these memory types. Let me stress that the fundamental distinction made here between experiential memory and the two nonepisodic varieties named perhaps disguises many more fine-grained distinctions within these categories, but they are superfluous to the purpose. For discussion of these distinctions see, for exam-

ple, C. B. Martin and Max Deutscher (1966), and a particularly useful discussion of the place of experiential memory within a larger autobiographical structure can be found in Mark T. Brown (2001). Finally, an anonymous referee notes that the viability of the distinction between knowledge-that and knowledge-how I deploy above has been challenged in the literature. See, for example, J. Stanley and T. Williamson (2001).

13. For nonphilosophers the sorites paradox may be expressed with reference to the grains of sand required to constitute a heap. Thus: a few grains of sand is not a heap, and the addition of a single grain is never sufficient to turn what is not a heap into a heap; it seems to follow from these true premises that, paradoxically, no amount of adding single grains of sand can create a heap of sand. One can express something similar *mutatis mutandis* with psychological connections and personal identity along these lines: a few psychological connections are not sufficient for personal identity, and adding one connection is never sufficient to turn a non-identity relation into one of identity; so it would seem, paradoxically, that no amount of adding single psychological connections can create a relation between two person-stages that would count as a relation of personal identity.

14. An anonymous referee worried that I was here presupposing a positive theory of personal identity, and that I had failed to provide such a theory. This is a misunderstanding of what I am claiming here. My point is metatheoretical: what I am arguing is that *any* theory (or sufficiency criterion) of personal identity must pass the test of robustness. So, I am not presupposing some *particular* view, nor do I need to, to claim this is a reasonable constraint on a theory (or sufficiency criterion) of personal identity. My point in the argument is that the Behnke/Sinnott-Armstrong account fails the constraint I suggest.