

Our Identity, Responsibility and Biology

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Derek Parfit opens *Reasons and Persons* with the memory that ‘Seventeen years ago, I drove to Andalusia with Gareth Evans ... and put to him my fledgling ideas’, and records how much his philosophy owes to that episode. Seventeen years ago I read *Reasons and Persons* with Ian Macdonald, and that experience has been as influential on my work as a philosopher as was Parfit’s with Evans. Mac’s interest may have focused more on the ‘reasons’ while my fascination was with the ‘persons’, but the philosophical insight and wisdom that I saw at work were deeply impressive, and have ensured that my fascination has not waned since then. In this paper I will argue against a currently popular rival to Parfit’s views on personal identity, opposing its attempt to turn Parfit’s ideas against his own theory. And, as will emerge, reasons will play a role as well.

Section 1: The psychological view of identity and its support

The view espoused by Derek Parfit that personal identity is a matter of psychological continuity has come as close as any view to being the standard account of personal identity. The standard account holds that what is most important to your persisting over time are overlapping chains formed by (apparent) memories, continuing beliefs, desires, projects, emotional attachments, and so on (Parfit 1984: 205ff, 222). While Parfit’s may be the standard view, it has faced a fair amount of opposition. In the 1960s and 1970s Bernard Williams and Sydney Shoemaker argued instead that your persistence is a matter of some degree of physical continuity. The opposition I wish to consider has emerged in sustained criticism over the last ten years—most notably from Eric Olson—as part of an attempt to replace the standard view with

one in the Aristotelian tradition that our identity is a matter of organism or animal continuity. This opposition (the 'biological view') is importantly more radical than earlier versions in its rejection of the psychological features so prominent in Parfit's view as utterly irrelevant to our identity.

In this paper I will focus on arguments stemming from this more radical alternative to the standard view. I am not going to attempt a response to the direct case its proponents present against the standard view; for the time being I am prepared to accept that the psychological view faces some problems. What I will do is argue that even if this is the case, important points traditionally seen as favouring a psychological view still present a damning case against the biological alternative.

Ever since Locke, two things that have offered strong support to the psychological view are these. First are 'body-swap' thought-experiments. Influenced by arguments from the tradition of Locke's case of the prince's soul entering and informing the body of a cobbler (Locke 1694: II, xxvii,15) and Sydney Shoemaker's 'brain-state transfer device' (Shoemaker 1984: 108, borrowing from Williams (1970)), many philosophers have acceded to the view that these cases describe a person crossing from one body into another. Thought-experiments like these have usually been taken to confirm that physical continuity is not a necessary condition for survival, but that psychological continuity is. If persons can swap bodies, then they cannot *be* those bodies or be dependent in any crucial way on those particular bodies. At the least, experiments like these seem to suggest that, in our conceptual scheme, psychological considerations are more fundamental to identity than are physical ones.

Second, the psychological view neatly matches important moral intuitions. It would be wrong to charge someone who has no recollection of the crime and is by no means the sort of character to commit a crime like that with committing the crime. Absence of the psychological connections which this view makes primary between you and the individual committing the crime do militate against us holding you

responsible—or are at least a strong mitigating factor—even if we can match your fingerprints with those of the criminal. And if you do remember committing the act¹ and have the psychological disposition to do the same thing again in similar circumstances, then it seems that you *should* be held responsible. I am not making the claim that the psychological view provides an account of our metaphysics that matches *all* of our relevant moral intuitions. Parfit's account is openly a revisionist one—as will become important below, Parfit is arguing that some of our deep-seated ideas about our identity are misguided and must be given up; and he argues eloquently (1984: Ch 15) that some of our moral intuitions are grounded on those misguided ideas, and must likewise be revised. Nevertheless, the fact that Parfit's psychological view provides a metaphysical basis that makes sense of a range of important moral intuitions is a *prima facie* point in its favour.²

To make its case, the biological view must undermine both of these supports. I will try to show that this is a much more daunting task than may first appear from Olson's attempt.

Section 2: The transplant—conflicting descriptions

As will become clear, Olson takes on both problems at once. Let us begin—at the beginning—with body-swap thought-experiments of the kind used by Locke and other proponents of the standard view. Olson is not concerned, as traditional physical theorists are, to show that physical factors are relatively more important to identity than psychological ones despite these thought-experiments. Unlike those theorists, he insists that

1 Or at least if you have the experience as of remembering this—I am taking the point that actual memory illegitimately (in this context) presupposes personal identity.

2 A note on the connection between responsibility and identity. When Locke calls personhood a forensic concept, he is suggesting that there is a necessary connection between the two, and this idea is echoed by contemporary philosophers like Martha Nussbaum (Nussbaum 1995). But personhood and personal identity can also be seen as a purely metaphysical concept with a more contingent relation to moral issues. For the sake of being fair to the biological view and to avoid any question-begging, I will remain neutral on the point.

psychological factors are not merely less important than physical ones, but that they have no significance whatsoever when it comes to our identity.

To illustrate Olson's differences with both the psychological and traditional physical views, consider the following case, which I will call *The Transplant*.

You have been diagnosed with cancer in an advanced state, and you have nothing to look forward to but a few months of intense, worsening pain followed by certain death. Nothing, that is, until a brilliant young surgeon offers to transplant your cerebrum, which is still free of cancer, into the head of an accident victim whose own cerebrum is damaged beyond repair. The operation is very safe, she assures you, and in all likelihood the result will be someone whose arms, legs, face and other parts are different from yours, but who has your cerebrum and, most importantly, your memories, character and other mental features. The rest of you, a brainless being that can still breathe, digest, and do whatever a human being can do without being conscious, will become the property of the local medical school, and will likely be used for experiments. (Olson 1997: 52)

Supporters of the psychological view argue that you would accept the offer, thus showing that you believe that you will survive in the new body, and that the brainless body used for experiments will not be you. They contend that it is the transfer of your psychology that brings about your survival. Of course, they might prefer an argument which does not use a cerebrum as the transfer device, since supporters of a physical continuity view might argue that it is the cerebrum itself and not the psychology it contains which does the work. Nevertheless, this thought-experiment presented by Olson will better serve my purpose of explaining his particular opposition to the psychological view, and that is what is in question here.

Olson denies that this sort of thought-experiment offers any support to a psychological (or even a traditional physical) view of identity. He denies that it establishes any relevance of psychological factors to our persistence. In his view, as outlined, our persistence conditions are those of a human biological organism. Thus the truth of what would occur in

The Transplant is that you would remain in your body and be experimented upon while the accident victim would be the conscious survivor, albeit acquiring a new psychology during the operation. In arguing for this position, he presents arguments to the effect that a psychological view has unacceptable implications that count against it (Olson 1997: 73-123), but those will not be my concern here. Rather, I am interested in the case he is obliged to offer against the positive force of body-swap thought-experiments if he is to succeed in pushing psychological factors right out of contention (as required by his biological view).

Olson does not express the general qualms about what thought-experiment as a method can show that have become commonplace in the literature.³ Although he is out to completely undermine the status of one such experiment, he openly acknowledges that he strongly feels its intuitive force (Olson 1997: 44). He shares with the rest of us what he calls ‘the transplant intuition’: the intuition that should your psychology be somehow transferred into another body, you would go with it.⁴

3 Wilkes (1988) is the locus classicus of these complaints. More recently, qualms about the method have been expressed by Martin (1998) and Rovane (1998). I respond to these and other similar arguments in my (1992) and (2000).

4 This is an interesting point because it gives us cause to wonder about Raymond Martin’s breezy assurance that philosophers will always have different intuitive responses to puzzle cases and his ensuing recommendation that they stop trying to show that we all should respond in the same way (Martin 1998: 63). In this case, at least, Olson is correct that almost everyone responds intuitively as he does and as Locke did, sharing the transplant intuition. One notable exception to this rule is Peter Unger, who insists that his intuitive response is that he would stay put (1990: 159n7). But I suspect that this is mere dogma. Certainly the only other supporter he musters is Williams in his ‘The Self and the Future’ argument (Williams 1970); and there it is clear that Williams suggests he shares the transplant intuition (1970: 48-9), accepting that it is mistaken in the light of other theoretical considerations. Perhaps Frank Jackson’s response (in a slightly different context) is the wisest one here. We would be wrong to dismiss Unger as confused, rather what we learn is that he uses the terms ‘me’ and ‘same person’ to cover different cases from most of us. It would be misguided to accuse him of error, but he is ‘missing out on an interesting way of grouping together cases’—the way the rest of us do (Jackson 1998: 32).

That being said, we need to see how Olson plans to undermine all support for the centrality of psychological factors to identity if he accepts the intuition most widely seen as establishing that centrality.

Section 3: The transplant intuition and the ‘Parfit-Shoemaker’ thesis

What Olson does is to argue that the transplant intuition is based on principles about prudential concern and moral responsibility which do not coincide with identity and do not really support a psychological view of personal identity or count against a biological one. Olson asks us to reconsider how the sort of argument using The Transplant runs, which he reconstructs as follows. It is your selfish concern for the body that receives your cerebrum and its contents which leads to the conclusion that that is you. This is based on the principle that you are rationally required to have a special concern for your own future. You have this special concern for the receiver of your cerebrum and no such selfish concern for the brainless body, thus you are the receiver and not the brainless donor.⁵

But here Olson turns the psychological view on itself. He highlights other claims to which the view is committed which he argues are at odds with the principles used in the argument just outlined. These other claims stem from some of the most important recent work of the main proponents of the psychological view, work concerning the possibility and implications of personal fission. Parfit’s watershed contribution to the debate was his reading of a thought-experiment (‘My Division’) in which he was split into two (Parfit 1984: 254-256). Two persons survive who are psychologically continuous with him and have equal claim to being him. In these circumstances, Parfit argued, the question of ‘What happens to me?’ becomes an empty one—all of the possible answers are

⁵ For the purposes of this paper, I will go along with Olson’s account of the central role of intuitions of selfish concern or of moral responsibility in our response to the thought-experiments. Nevertheless, I think there is a case to be made that our intuitions about identity itself play a much greater role than he is prepared to acknowledge in our responses.

deeply flawed. What it shows, he said, is that it cannot ultimately be *identity* that matters in survival; the relation between each of the fission survivors and the original contains all that matters in survival, but it cannot be identity since there is more than one survivor. Personal identity is what we have when we have the relation containing all that fundamentally matters in survival (viz. psychological continuity) *and only one instance of that relation*: ‘the view which I accept can be stated with this formula: $PI = R + U$ ’ (1984: 263, where ‘R’ represents the relation containing all that matters, and ‘U’ represents uniqueness). We are obliged to give up the ‘natural view’ that ‘what is judged to be important ... is whether ... there will be someone living who will *be me*. On (this natural) view, this is always what is important.’ (1984: 215)

Olson points out that with his My Division argument, Parfit has put a gap between identity and prudential concern—for fission cases show that it can be rational to feel concern for someone who is *not* you—namely, one of your fission offshoots. Olson sums this up as the *Parfit-Shoemaker thesis*: ‘prudential concern does not always follow strict identity’ (Olson 1997: 54). If we are to follow Parfit, then, the whole case for a psychological view (and against a biological one) collapses:

Frankie, the person who ends up with your cerebrum, has what it takes, according to Parfit, to deserve your prudential concern. This is so whether or not he *is* you. So the sort of concern you would have, or rationally ought to have, for Frankie’s welfare does not at all suggest that Frankie would be you...The Parfit-Shoemaker Thesis also tells us that rationality does not always require prudential concern for oneself. In that case your lack of concern about what happens to your brainless offshoot does not support the claim that that animal is not you. (Olson 1997: 55-6)

Olson’s conclusion is thus that prudential concern for the recipient of your cerebrum provides neither support for the psychological view which says that is you, nor a case against the biological view which says it is not.

An argument from moral responsibility is also one which in Olson’s eyes persuades people to opt for a psychological view when faced with body-swap scenarios like The Transplant. You think that, after the transplant, the cerebrum recipient would be responsible for the actions

you performed before it, but not in any way responsible for the actions of the accident victim. Because you are responsible for all and only your actions, this is taken to show that you and not the accident victim will be the surviving cerebrum recipient. Olson's response is the same. The Parfit-Shoemaker thesis, inspired by personal fission, says you can be responsible for the actions of somebody else—responsibility does not imply identity. And so our intuitions about moral responsibility in the case of The Transplant suggest nothing about identity, and thus offer no actual support to the psychological view of identity.

Section 4: Why the 'Parfit-Shoemaker thesis' does not help the biological view

What hope body-swaps gave to the psychological view, fission has taken away. Or so Olson would have us believe. I think his argument moves much too fast, however, and that he cannot remove the sting from these thought-experiments that easily. The problem facing his solution to the difficulty they seem to pose is that his version of the 'Parfit-Shoemaker Thesis' which he wields with such effect is *not* what their responses to fission imply. If your fission offshoots are not you yet are responsible for your actions, that means that responsibility does not imply identity, just as Olson says. But that is only half of the story—for *non-responsibility nevertheless does imply non-identity*, barring some independent argument against this principle. Fission requires no change to that part of the moral principle. Olson writes, 'Reflection on these cases ... suggests that one might sometimes be accountable for someone else's actions *rather than for one's own*' (1997: 66—my italics). But it suggests no such thing—fission does not create a situation in which you are not responsible for your actions. What it allows is that you can be responsible for those of others suitably connected to you *as well as* for your own.

Being responsible for all your actions entails that non-responsibility implies non-identity, and that blocks a crucial part of Olson's response to the case for the psychological view he has outlined. That the surviving cerebrum-recipient is not responsible for the accident victim's actions

implies (according to this principle) that the post-operation recipient is not the person who suffered the accident, even if it does not imply that the recipient is you. And while the strong intuition that the recipient is responsible for your actions does not *imply* that the recipient is you (because of the possibility of fission), it is nevertheless very strong evidence that you think that is indeed the case. That means we are faced with an argument which devastates Olson's biological view (since the biological view holds—without any independent support whatsoever—that the surviving recipient is indeed the same person as the accident victim), and one which provides strong, if not conclusive, evidence for the psychological view. And that evidence appears even stronger when we reflect that fission cases only suggest that you can be responsible for someone else's actions in the case where there is *another person who, like you, is psychologically continuous with that person*—something that is not the case in The Transplant.

Similar things can be said regarding Olson's response to the argument from prudential concern. His response turns on his inferring from Parfit's work that 'reflection on (fission) cases suggests that rationality *may not always require that one be prudentially concerned for oneself*, and that the proper object of one's prudential concern might sometimes be someone else' (1997: 66—my italics). But it is only the second part of that which Parfit's work implies—that it can sometimes be rational to feel selfish concern for someone who is not you *as well as* for yourself; My Division and the ensuing argument in no way imply that you should not feel special concern towards your own future. So while concern does not imply identity, lack of concern does imply non-identity; and that rules you out from being the brainless offshoot. It also thus causes damage to the biological view, and in that way helps the case of the psychological view, while the presence of concern offers some positive (albeit in itself inconclusive) evidence for the psychological view.

Olson's case against the force of the transplant intuition is that (1) the ensuing argument for the psychological and against the biological view depends on the principle that you are responsible for all and only your

actions (and the parallel principle concerning prudential concern), and that (2) this principle is shown false by the possibility of fission. His case thus collapses if he fails to establish one of these two claims, and I have shown how he does not get close to establishing (2). At most he undermines appeal to the principle that you are responsible for *only* your actions; that you are responsible for *all* of them remains untouched. I stress that this is the structure of my argument in order to make it clear that I do not need to defend the principle that you are responsible for all of your actions; the onus is completely on Olson (by dint of his own argument) to show that this principle is not available to holders of the psychological view if they accept the possibility of fission. All the same, I think that the principle does have something to be said for it.

Section 5: Are you responsible for all of your actions?

Are you responsible for all your actions? To be a plausible moral principle, this does need a bit of sophistication, but nothing that would aid Olson's cause. There are two general ways of arguing that you are not responsible for an action. Either it was something that you did, but for which there were extenuating circumstances allaying your responsibility, or it was something that *you* did not do. The principle in the form that I have used in responding to Olson—that non-responsibility implies non-identity—reflects the second way only. It is clear that the first way is also important, though. If you were forced to do something then you may well not be responsible for it, even though you did it. But this does not undermine the core of the principle: it just means that it should be explicitly rendered as 'you are responsible for all of your actions where there are no extenuating circumstances'. It is difficult to see why anyone would take exception to this, yet it does not go to the extreme of being trivial. It is worth pointing out that your cerebrum receiving a new bodily housing does not in any obvious way count as an extenuating circumstance.

Perhaps this defence of the principle is too folksy (but bear in mind that I am not conceding that I need to defend it in the first place).

Joseph Raz has recently presented an account situated in contemporary meta-ethics which might appear to threaten it. Raz denies the Humean view that beliefs are passive impressions, and insists that they fall on the active side of the active/passive distinction (Raz 1999: 15). Yet we do not want to say that you are responsible for your beliefs; after all, you cannot simply choose what to believe and what not to believe. If Raz is correct then we seem to have a case of actions—believings—which are ours, but for which we are not responsible. And if the beliefs in question are ones which we see as central in making us who we are, then there is a case to be made for this being a telling counterexample to the ‘non-responsibility implies non-identity’ principle.

The appropriate response to this is to be found in Raz’s own account. By putting beliefs in the active part of our lives, he is not saying that they are actions in the required sense. ‘Active’ in his usage does not mark items as candidates for responsibility in the way required by this argument. What it means is this: ‘We are active ... when we think that we are (properly responsive to reason)’ (Raz 1999: 16). Beliefs are active in this sense, but only an equivocation between this sense of being responsive to reason and the sense of being the objects of choices would make them counterexamples to the principle that you are responsible for all of your actions.

Section 6: Concluding

It seems then that Olson’s attempt to remove the support offered by body-swap thought-experiments to a psychological view of identity fails. Even if Olson is correct about the role that our intuitions about prudential concern and moral responsibility play in these arguments for the psychological view, his response does not remove their sting. His case against the thought-experiments may well only make up a small part of his overall argument in *The Human Animal*, but it is a crucial step in setting up the programme for his biological view. And most significantly, the part of the argument from body-swapping which survives Olson’s attention completely unscathed is the part which does

the most direct damage to his biological view. Body-swap thought-experiments may not make a completely compelling case for a psychological view of identity, but they do make a powerful case against a biological one.

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