


The identification question

Synchronic Identity





Three questions of personal identity

- **Synchronic identity:** What properties are necessary and sufficient for metaphysical personhood?
- **Diachronic identity:** If X is a person at time t_1 , then what are the necessary and sufficient conditions for Y to be the same person at t_2 ?
- **Characterization:** What are the necessary and sufficient conditions for being the person that you are rather than some other person?

Synchronic Identity

The **identification question** (or synchronic personhood) refers to the question of what properties, characters, features, etc. are necessary and sufficient to count as a person.

- Synchronic personhood has to do with personhood at a specific time t
- Not your personhood over time (this is diachronic personhood)

Synchronic Identity

The identification question (or synchronic personhood) refers to the question of what properties, characters, features, etc. are **necessary and sufficient** to count as a **person**.

1. What does it mean to say a property (condition) is necessary and sufficient?
2. What does it mean to say someone is a person?



Necessary and
sufficient
conditions

Synchronic Identity

What are the **necessary** and sufficient conditions for X to count as a person?

- A property P is **necessary** for S to be Y iff S **must** have property P to be Y.
- *Only* entities with P can be Y (since P is necessary to Y)
- If S lacks P, then S is not Y (since to be Y, P is required)
- If P is necessary for personhood, then any S that lacks P, will not be a person.

Synchronic Identity

What are the **necessary** and sufficient conditions for X to count as a person?

- **Example 1:** In order for a number to be an **even number**, it is necessary that that number be divisible (yielding a whole number when divided by 2) by 2.
- **Example 2:** In order for you to **receive an A in this course**, it is necessary you take the exams. *If you didn't take the exams, you would not get an A.*
- **Example 3:** In order for you to get an A in this course, it is not necessary that you attend every class. *If you do not attend every class, you still can get an A.*

Synchronic Identity

What are the necessary and **sufficient** conditions for X to count as a person?

- A property P is **sufficient** for S to be Y iff S's having P is enough to count as Y.
- All entities that have P are Y.
- If S lacks P, then S may still be Y; but if S has P, then S is Y.
- If P is a sufficient condition for personhood, then any S that has P will count as Y (but there may be some S's that lack P but are still Y).

Synchronic Identity

What are the necessary and **sufficient** conditions for X to count as a person?

- **Example 1:** A sufficient condition for you getting an A in this course is the following: *receiving 100 on every exam, attend every class, and get 100 on every quiz. You don't have to do all these things, but doing these is enough to receive an A.*
- **Example 2:** A sufficient condition for getting kicked out of class is *fighting the instructor. Doing this is enough to be removed from class.*
- **Example 3:** In order for you to get an A in this course, it is *not sufficient* if you *simply attend class every day*. Doing this is not enough to receive an A.

Synchronic Identity

What are the **necessary and sufficient** conditions for X to count as a person?

- A condition may be **necessary but not sufficient** for personhood
 - Example 1: It is necessary but not sufficient for personhood that you exist. *No non-existent persons!*
- A condition may be **sufficient but not necessary**
 - Example 1: It is sufficient but not necessary for personhood that you are an American. *If you are an American, you are a person (this is enough), but there are non-American persons.*

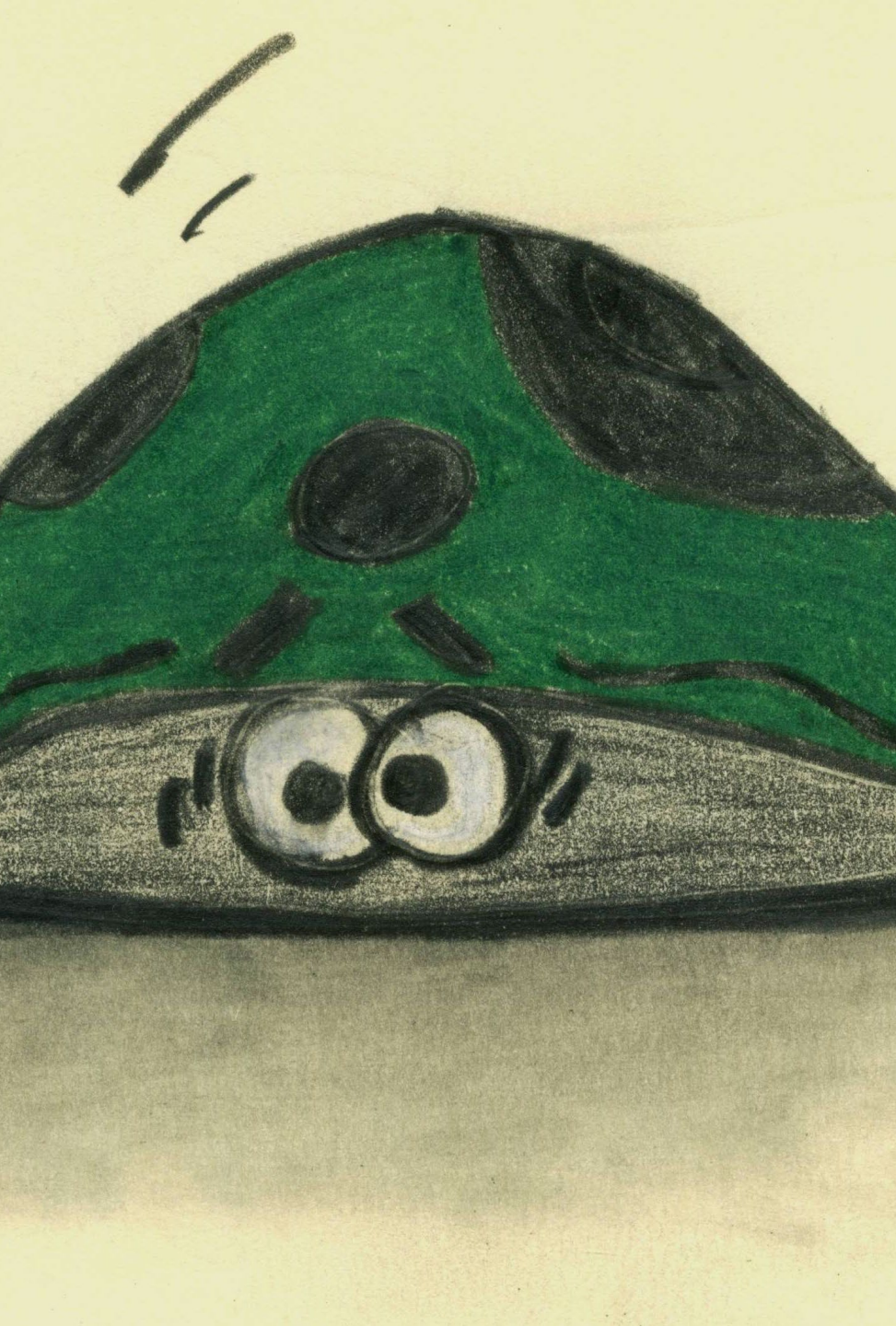
Synchronic Identity

- Specifying the necessary and sufficient conditions for X to count as a person gives us the conditions needed to determine who is and is not a person.
- If X, Y, and Z are the necessary and sufficient conditions personhood, then for *any* entity E1, E2, ..., En, these conditions will tell us who is and isn't a person.

Synchronic Identity

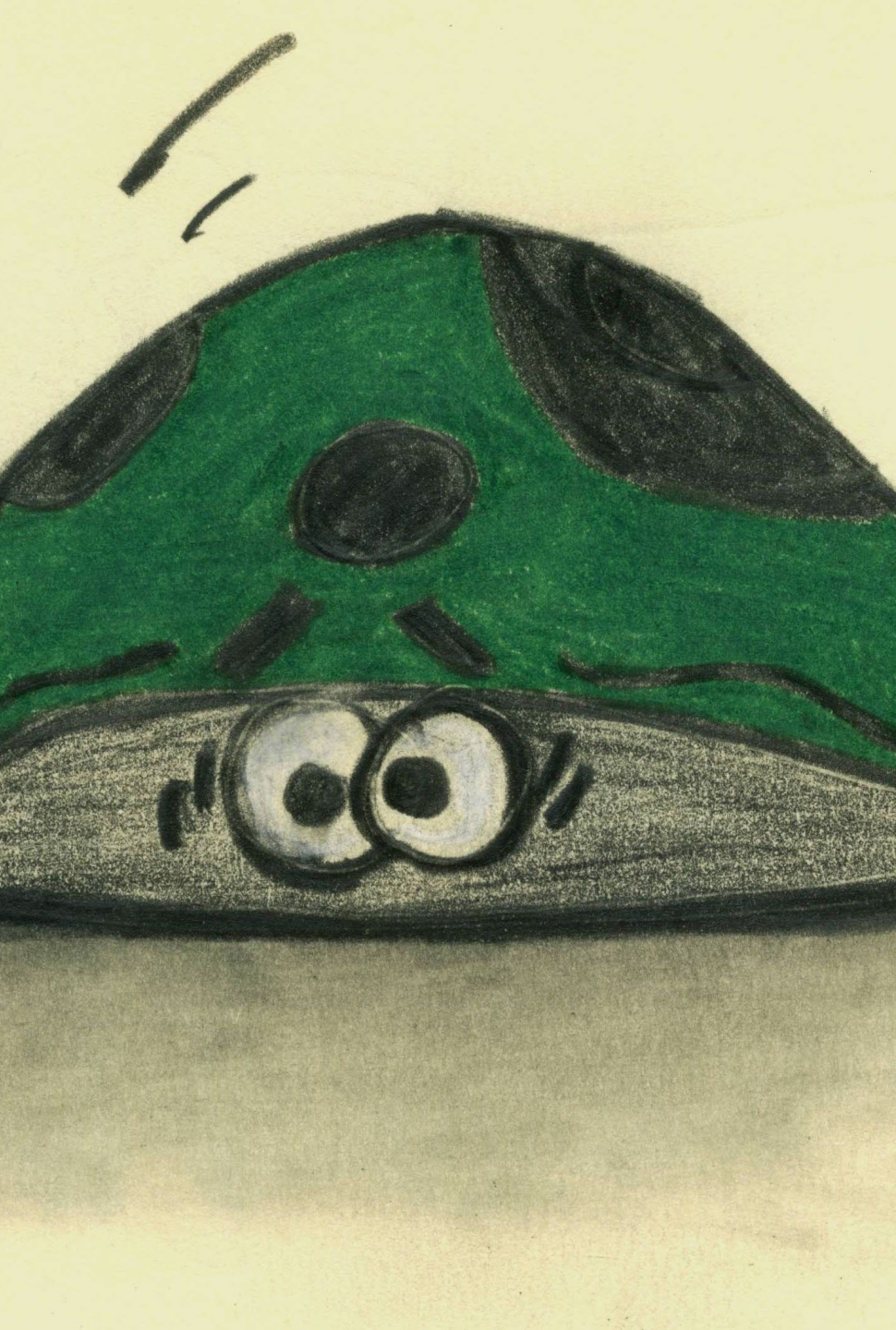
Problem: Necessary and sufficient conditions for X tend to have two problems:

- **They overdetermine** the number of beings that count as X (conditions are too loose)
- **They underdetermine** the number of beings that count as X (conditions are too strict).
- Example 1: A necessary and sufficient condition for being a **dog** is that **having four legs**.
 - *Underdetermine: Condition says my three-legged dog is not a dog. But she is!*
 - *Overdetermine: Condition says that my four-legged cat is a dog! But she's not!*



Determining the necessary and sufficient conditions to be X is difficult. Let's test this!

- Form a small group.
- On a piece of paper, write out the necessary and sufficient conditions for an activity to qualify **as a sport**. *Clearly identify if the condition is necessary or sufficient.*
- Put your names on the top of the paper



Time to test your definition

- Give your paper to another group.
- With your new paper in hand, do one or both of the following:
 - **Underdetermination:** Think of an activity that **is a sport** but lacks one of the necessary conditions on the paper. **Example:** If tackling is a necessary condition, then basketball is not a sport (but it is!)
 - **Overdetermination:** Think of an activity that is **not a sport** but meets a sufficient condition on the paper. **Example:** If competition is a sufficient condition, then my brother and I fighting in the backyard is a sport (but it isn't!)



Three types of persons

Synchronic Identity

The identification question (or synchronic personhood) refers to the question of what properties, characters, features, etc. are **necessary and sufficient** to count as a **person** at a time.

1. What does it mean to say a property (condition) is necessary and sufficient?
2. What does it mean to say someone is a person?

Synchronic Identity

There are three different types of persons:

1. The legal concept of a person
2. The ethical concept of a persons
3. The metaphysical concept of person



Legal Persons

Synchronic Identity

Legal person – to be a legal person it is necessary and sufficient to be recognized as a person with rights (legal privileges) or legal obligations (legal accountability) in a legal system

- Example: right to sue or be sued

Synchronic Identity

Note that this is a **proposed** account of the necessary and sufficient conditions of personhood

- Perhaps rights are not necessary to be legal person
- Perhaps obligations are not necessary to be a legal person
- Perhaps neither are necessary

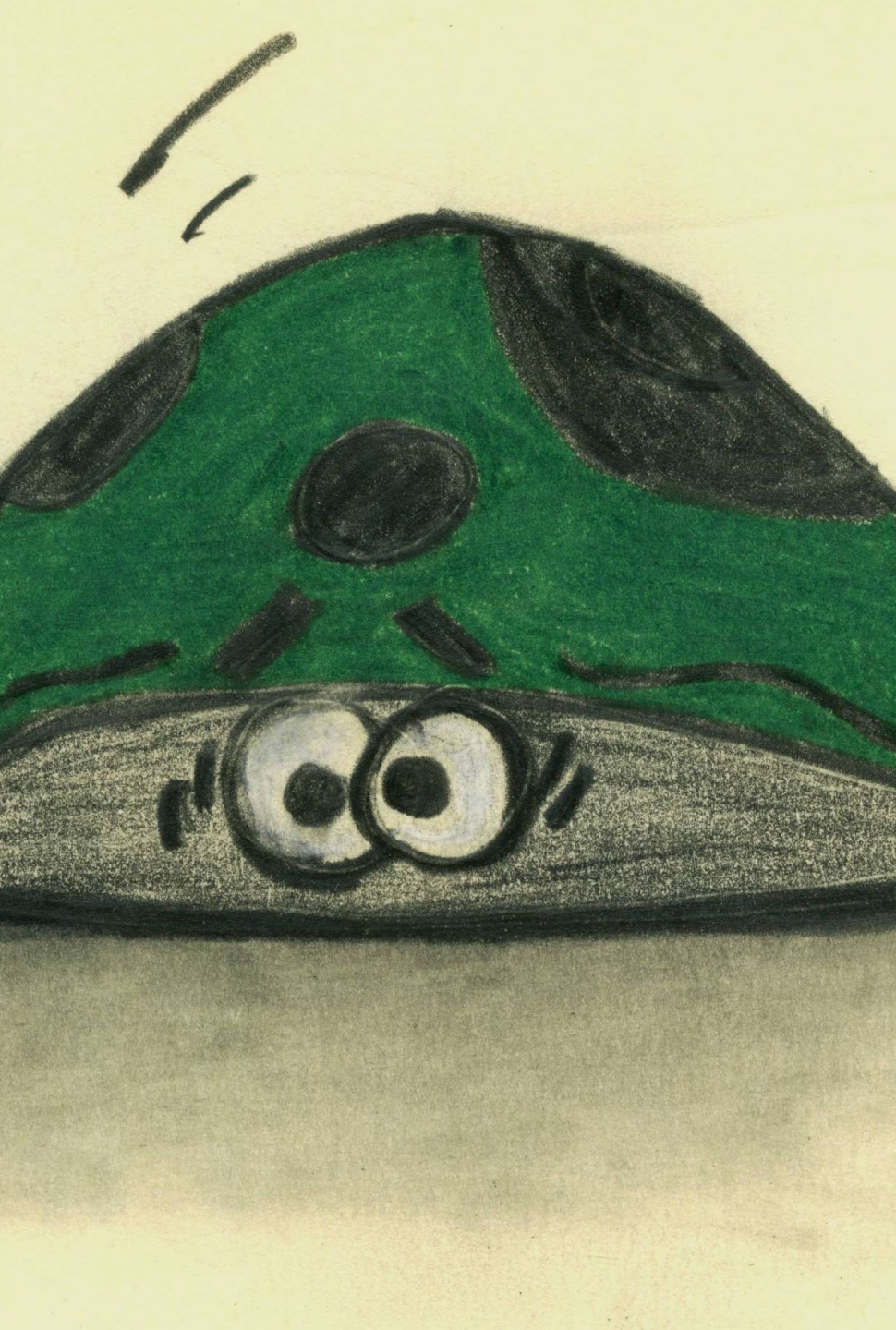
Synchronic Identity

One **proposed** account of legal personhood in USA is that one is a legal person if and only if they are a citizen of USA and one is a citizen if either (1) born in the USA or (2) naturalized in USA

- USA: Amendment XIV (Section 1). **All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.** No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Synchronic Identity

- Is **being human** a necessary or sufficient condition for being a legal person?



Synchronic Identity

- As a matter of practice, is being human **sufficient** for legal personhood?
 - Consider: Human slaves, women, human fetuses, tyrannical regimes
 - Should it be?
- As a matter of practice, is being human **necessary** for legal personhood?
 - Consider: Aliens, animals (e.g. apes), angels, artificial intelligence, corporations, communities, sacred buildings or landmarks, natural objects (e.g. rivers, streams, mountains)
 - Should it be?

Some key points about legal persons

- Being human seems **neither necessary nor sufficient** for being a legal person (perhaps having rights is not necessary as well)
- Being a legal person is **relational property**. You have the property of being a legal person relative to a legal system: X might be a legal person in the USA but not a legal person in Nazi Germany
- Being a legal person is also a **temporary property**: you can lose your status as a legal person after (1) legal due process (right to life) or (2) after a coup and regime change.

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Moral Persons

Synchronic Identity

There are three different types of persons:

1. The legal concept of a person
2. The **ethical** concept of a persons
3. The metaphysical concept of person

Synchronic Identity

There are at least two reasons why legal persons are not the same as moral persons:

1. Moral personhood is due to an intrinsic property of a thing
2. Morality and legality are not coextensive (there are illegal acts that are not immoral, and immoral acts that are not illegal)

Synchronic Identity

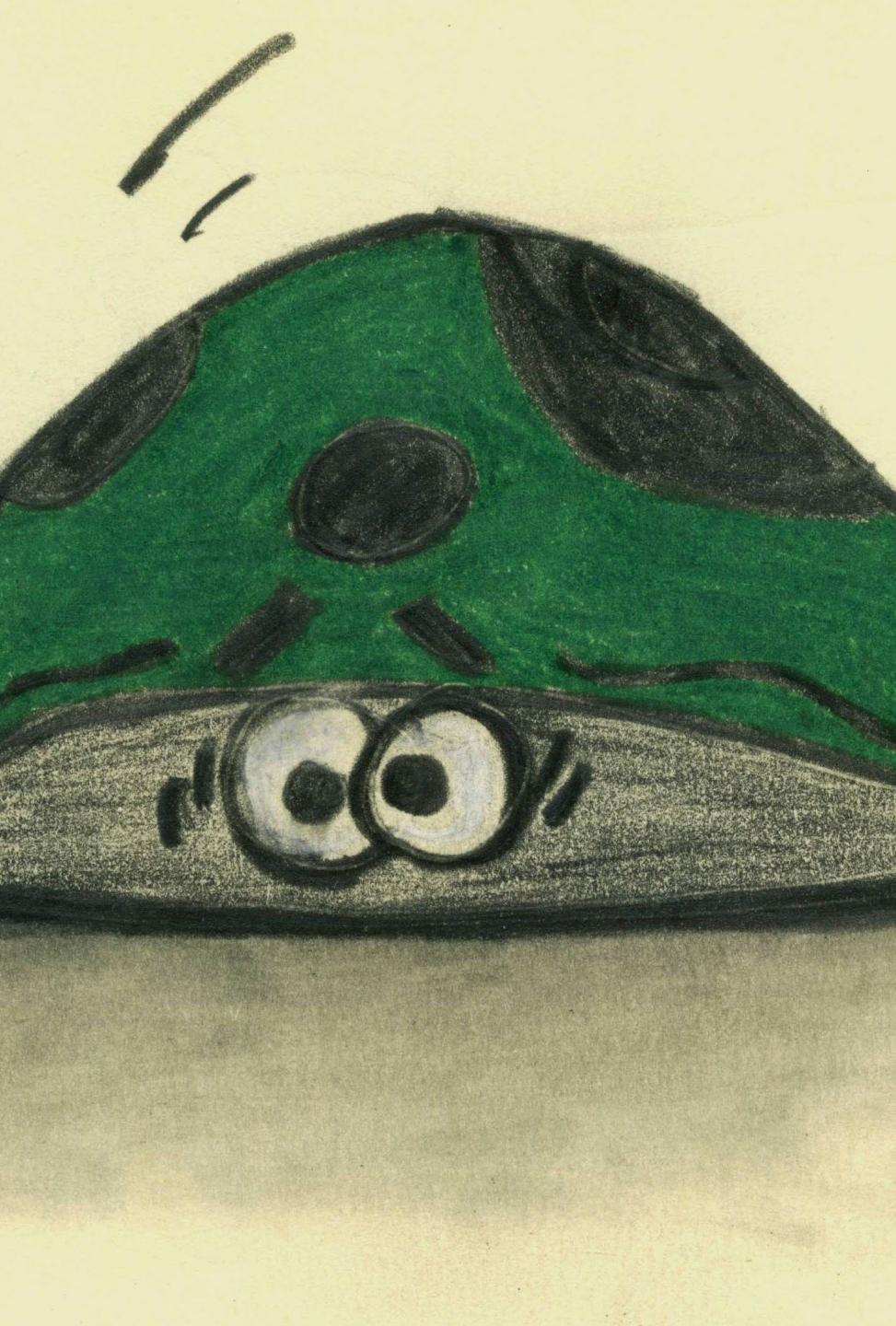
First reason: Whereas being a legal person is a **temporary relational property**, moral personhood appears to be an **intrinsic property**.

- Intrinsic property of X is a property X has in virtue of what X is (not in virtue of its relation to other objects)
- In other words: an entity is a moral person based on the **nature** of that entity
- An entity is not a moral person based on its **relation** to a legal system or community.

Synchronic Identity

Second reason: morality and legality are not coextensive

- Legal personhood and moral personhood are distinct
- Some people are deserving of moral consideration (or have moral rights) even if they are not legal persons
 - Jon may not be a legal person and so while it might not be **illegal** to kill Jon (in a particular system of laws), it may be **immoral** to kill Jon for no reason
 - A tyrant may decide that its citizens are not legal persons, but it is morally wrong for the tyrant to engage in genocide



Synchronic Identity

People sometimes **equate** what is legally wrong with what is morally wrong.

1. What are some illegal actions that are morally permissible?
2. What are some legal actions that are immoral?

Synchronic Identity

- Let's consider some possible theories of what it means to be a moral person
- We will do this by stating the necessary and sufficient conditions for being a moral person
 - Note 1: Discussion about moral personhood is controversial. So be respectful.
 - Note 2: We will look at some theories (some intentionally bad) of moral personhood and so you are free to disagree with them
 - Note 3: Sometimes it is not clear what a theory of moral personhood is supposed to do (e.g. is it a theory of what beings have moral rights or a theory of what beings need to factor into our moral equations)

Synchronic Identity

Species theory of moral personhood: An individual is a moral person if and only if they are a human being (a member of the species *homo sapiens*).

- Being a member of *homo sapiens* is both a necessary condition and sufficient condition for being a moral person
 - Only human beings are moral persons (necessary condition)
 - Every human being is a moral person (sufficient condition)

Synchronic Identity

Why **accept** the species theory of moral personhood?

- **Reason 1:** Human beings were created in the **image of God**. God endowed human beings with the power to rule over all other beings. On this account, besides human beings, everything in the world is to be viewed as a *mere thing* to be used, rather than a person to be respected.

Synchronic Identity

Why **accept** the species theory of moral personhood?

- **Reason 2: Intuitive.** Even if we don't believe in God, we behave as though human beings are the *only beings capable of being morally wronged*. Everything else is a thing to be used.

P1: X is a moral person if and only if X can be morally wronged.

P2: The only beings that can be morally wronged are human beings.

C: herefore, human beings are the only moral persons.

Synchronic Identity

Why **reject** the species theory of moral personhood?

- **Objection 1:** One would only accept the religious reason if one held the religious belief that God created humans in God's image. The latter view is not rationally defensible (justified by faith).

Synchronic Identity

Why **reject** the species theory of moral personhood?

- **Objection 2: Arbitrary.** There is no justification for making *species* (rather than some other category) the category for determining personhood. It is also explosive:
 - Sex – only men are persons. Sexism.
 - Race – only Caucasians are persons. Racism.
 - Nationality – only citizens of the USA are persons. Nationalism.
 - Species – only human beings are persons. Speciesism.



Synchronic Identity

Why **reject** the species theory of moral personhood?

- **Objection 3: False under clarifications.** There is no explanation for what it means to be morally wrong.
 - If to be morally wronged means to be capable of feeling pain, then several non-human beings can be morally wronged (pain feeling beings) and some humans may not be moral persons (anesthetized humans)
 - If to be morally wronged means to be capable of feeling pain and recognize that one is feeling pain, then several non-human beings can be morally wronged (e.g. sentient, pain-feeling beings).

Synchronic Identity

Mental capacity theory of moral personhood: to be a moral person is to have such-and-such mental capacity X where X is:

- self-consciousness,
- having an intentional stance (believe X, dislike Y, etc.)
- capable of verbal communication (speak a language)
- awareness that one's life were it taken away would result in a loss

Synchronic Identity

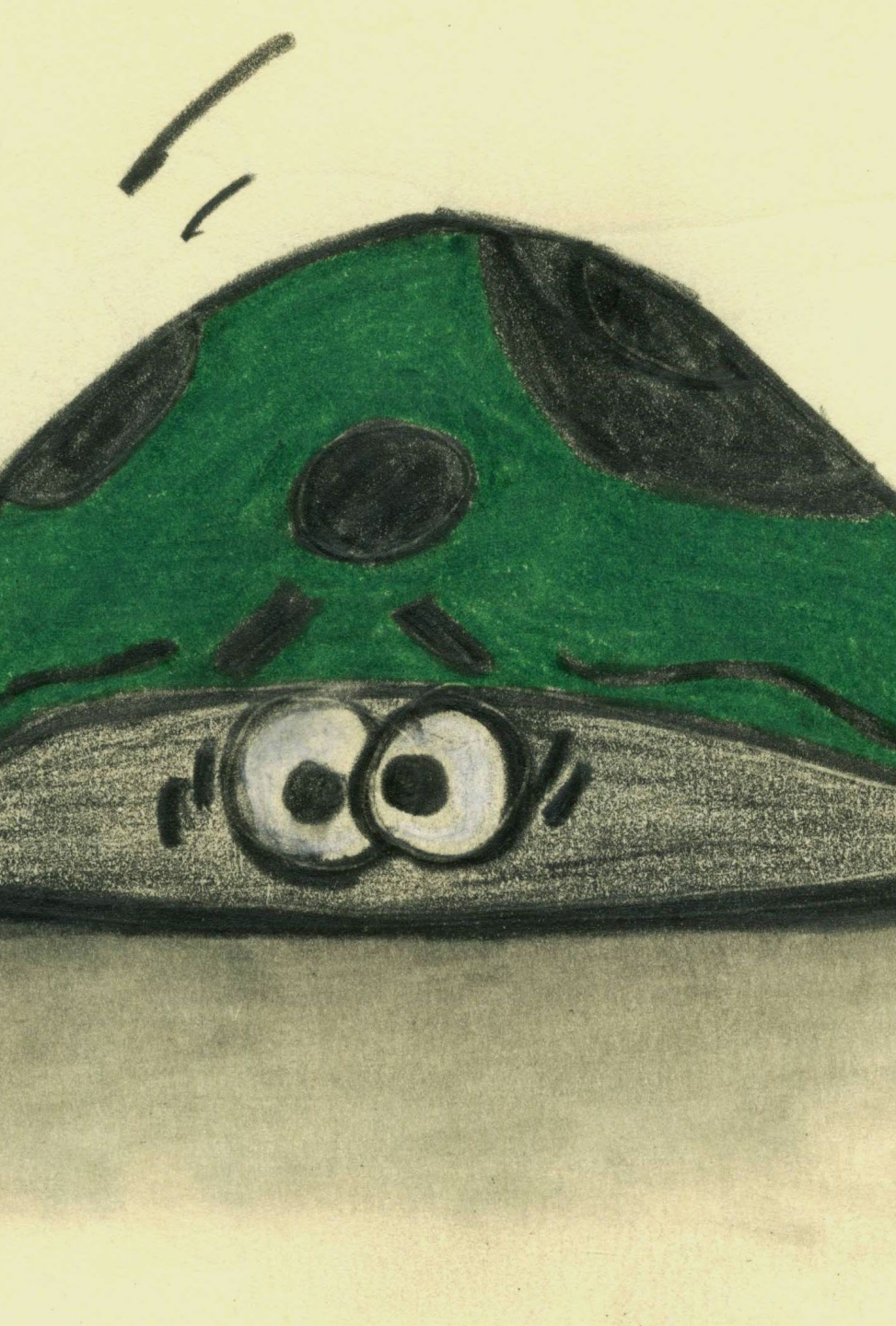
Mental capacity theory of moral personhood posit some intrinsic property P (a cognitive power or capacity) and having that property is necessary and sufficient for being a moral person.

- Only individuals with P are moral persons (necessary condition)
- All individuals with P are moral persons (sufficient condition)

Synchronic Identity

Mental capacity accounts seem to run into problems when they either **overdetermine or underdetermine** the number of things that are persons

1. **Overdetermine (these count as persons but maybe they shouldn't):** intelligent animals, intelligent aliens, maybe some sort of super-advanced artificial intelligence, animals that have a form of communication, et alia
2. **Underdetermine (these don't count as persons but they should):** mentally handicapped, human fetuses, perhaps young children, people in a coma, sleeping individuals, depressed individuals



Synchronic Identity

Mental capacity accounts of moral personhood contend that S is a person if and only if S has some cognitive power P (or the capacity for some cognitive power P).

- If P is too strict (e.g. must be capable of solving 10 unsolved math problems in 5 minutes), then you underdetermine the number of moral persons
- If P is too loose (e.g. must be a living thing), then you overdetermine the number of moral persons

In a small group, put your name on the top of a piece of paper, and devise some mental power (or set of mental powers) that is both necessary and sufficient for moral personhood.

Synchronic Identity

Relational theory of moral personhood: to be a moral person is to stand in a particular type of relationship with other beings

- What makes S a person is not having some intrinsic property P but have a relational property R.
- Only individuals in relation R are persons (necessary)
- All individuals in relation R are persons (sufficient)

Synchronic Identity

Relational theories are problematic since they run into overdetermination and underdetermination problems.

1. Suppose R is the *loving relation*
2. Thus, S is a person if and only if S is in some loving relation to at least one other entity.
3. **Underdetermination problem.** Suppose S is a normal human being (e.g. a child) and S neither loves nor is loved by anyone. Therefore, S is not a moral person.
4. **Overdetermination problem.** Suppose X is a rock on the ground and X is loved by an individual S. Therefore, X (the rock) is a moral person.

Synchronic Identity

Relational theories that rely upon subjective criteria run into overdetermination and underdetermination problems.

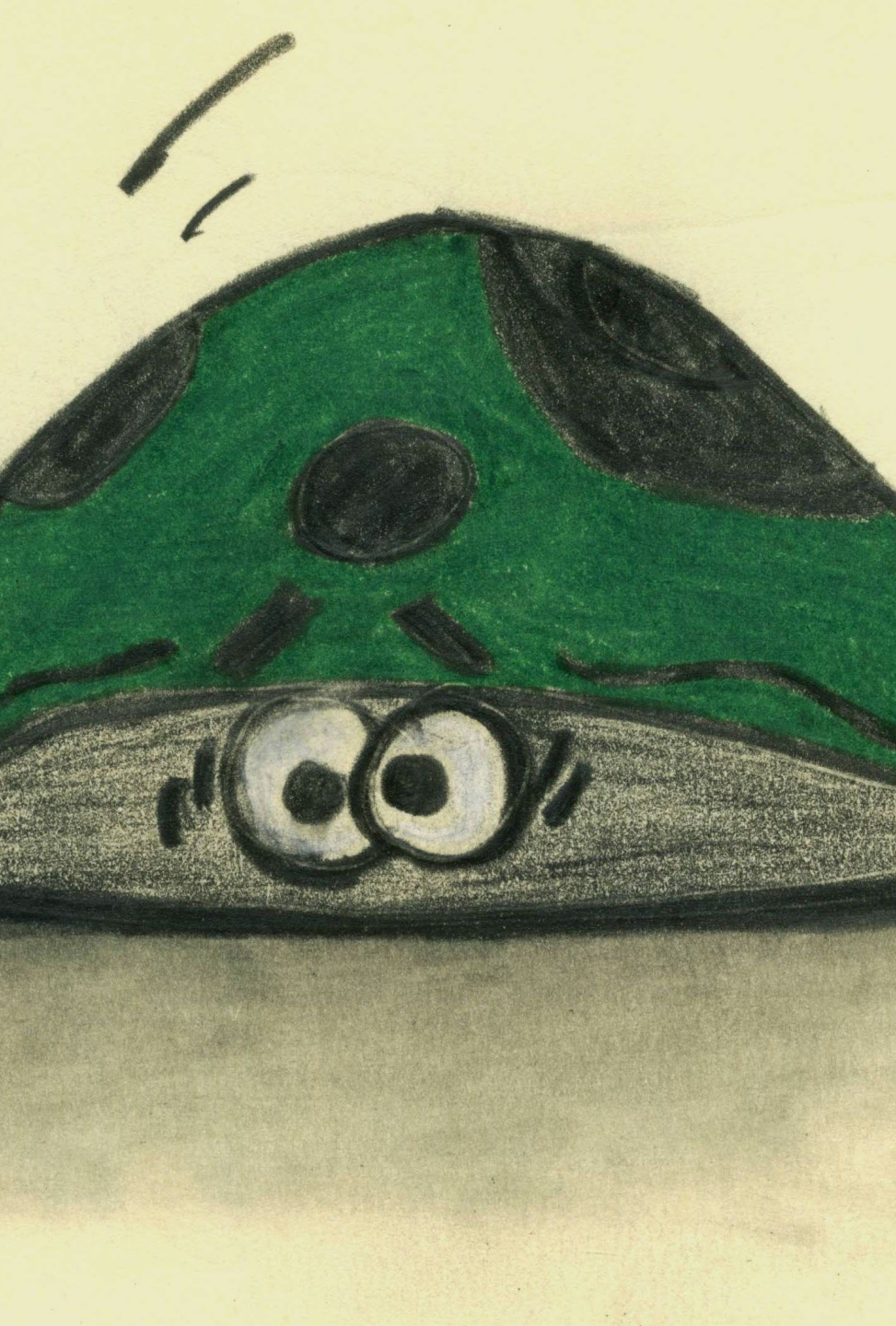
- S is a person if and only if **someone** recognizes S as a person (or if I say S is a person)

Overdetermination problem. I recognize my teddy bear as a person.

- S is a person if and only if **everyone** recognizes S as a person (or if I say S is a person)

Underdetermination problem. My ex-girlfriend does not recognize me as a person.





Synchronic Identity

The problem with relational accounts of persons is figuring out the right relation R for moral personhood. Consider the following relations and consider whether any of these might work:

- *Biological produced*: S is a person if and only if S is the child of some other entity
- *Friend of*: S is a person if and only if S is a friend of at least one other entity
- *Recognized as a person*: S is a person if and only if S is recognized to be a person by some entity.



Metaphysical Persons

Synchronic Identity

There are three different types of persons:

1. The legal concept of a person
2. The ethical concept of a persons
3. The metaphysical concept of person

Humans and persons

Ontology is a branch of metaphysics that aims to account for the types of things that exist. It tells us what exists and the structure of what exists.

- Do future times exist? Does time exist at all?
- Do physical objects itself?
- Do composite objects exist or just simples?
- Do mental entities exist?

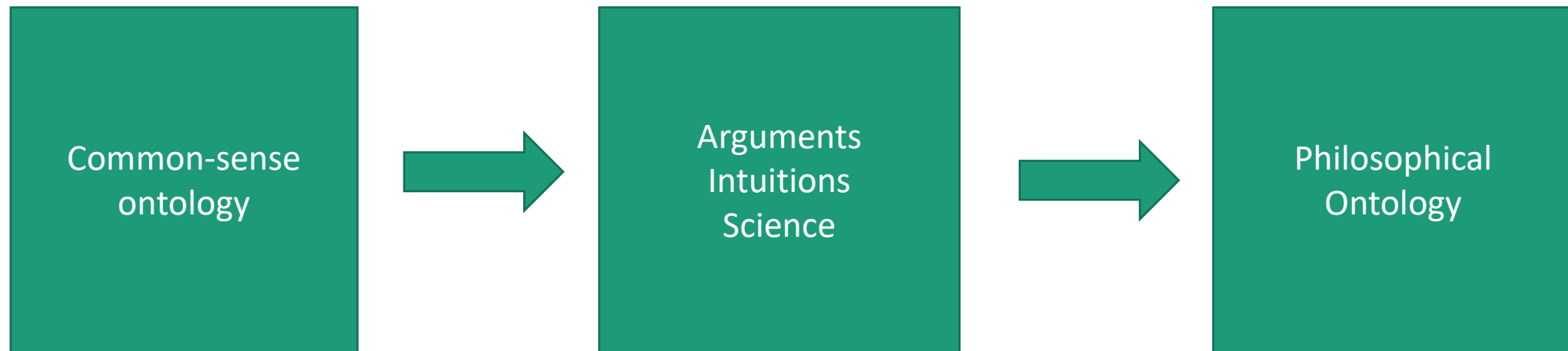
Humans and persons

A **common-sense ontology** consists of those things that people in general believe to exist:

1. Composite physical objects: animals, rivers, mountains, organisms, human beings
2. Simple physical (natural) objects: atoms, subatomic particles, electrons
3. Artefacts: cell phones, chairs, desks, buildings, roads, airplanes
4. Perhaps abstract objects: numbers, geometric figures, functions, equations
5. Perhaps spiritual objects: souls, spirits, ghosts

Humans and persons

A **philosophical ontology** is an ontology that critically examines arguments, intuitions, scientific practice, etc. in order to determine the kinds of things that exist (along with the structure of what exists)



Humans and persons

When developing an ontology, we try to isolate the **kinds of things that exist**

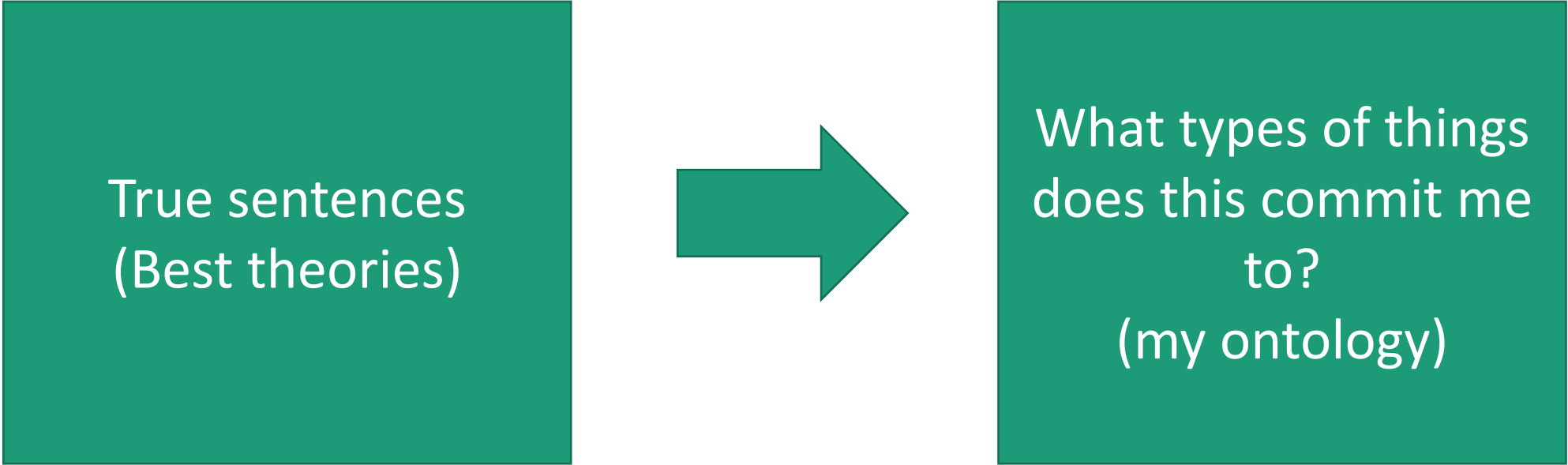
- Not concerned with *this particular phone or that particular phone* but phones in general (or technological artefacts in general)

There is also an aim to state the kinds of things that exist from a **general perspective**

- Dogs and cats exist but they are just *mammals*, and mammals are just *living things*

Humans and persons

Ontological commitment refers to the entities you must accept in order for a sentence to be true.



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graph LR; A[True sentences  
(Best theories)] --> B[What types of things  
does this commit me  
to?  
(my ontology)];
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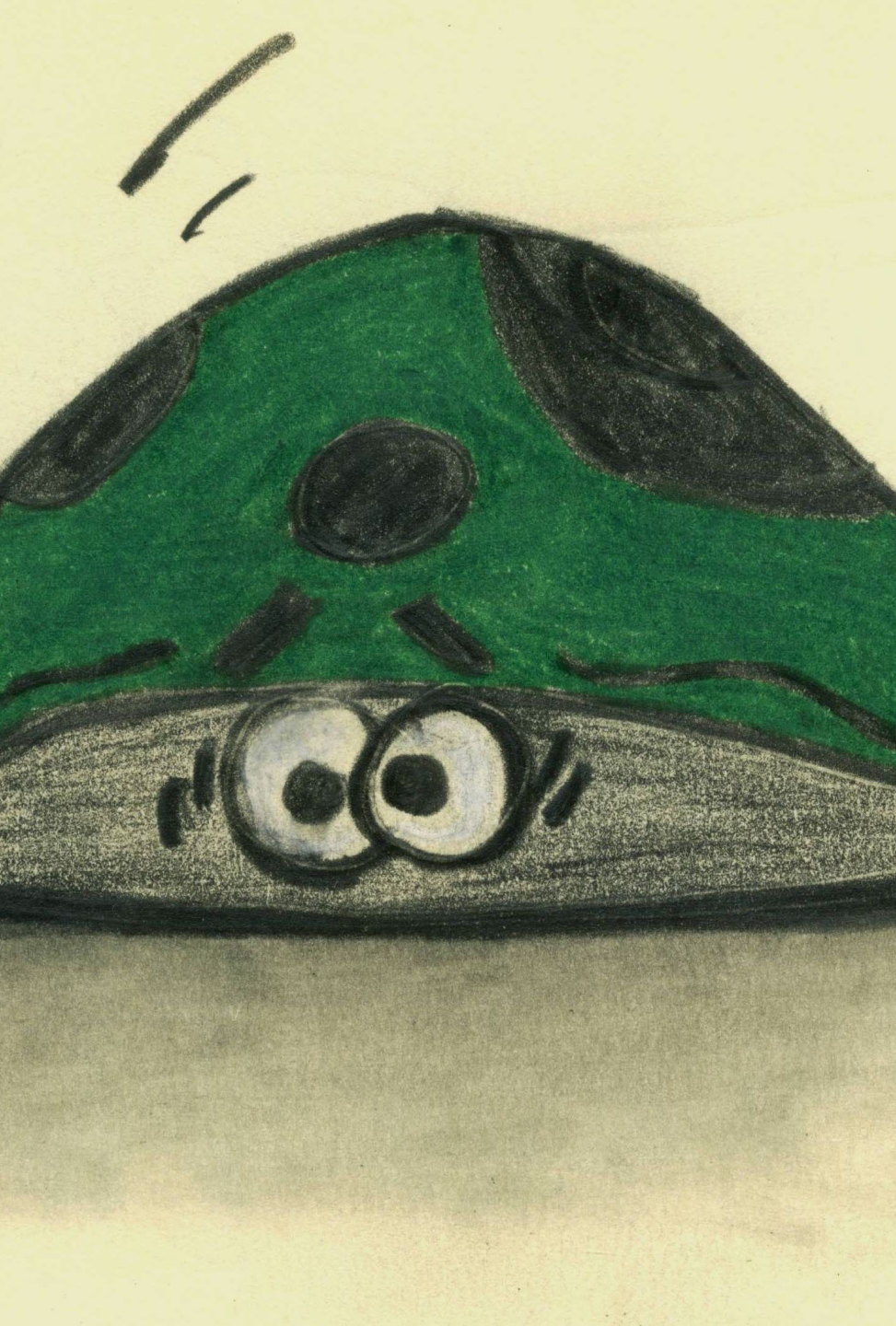
True sentences
(Best theories)

What types of things
does this commit me
to?
(my ontology)

Humans and persons

There are two general types of ontologies:

- Reductivist ontologies: these ontologies try to reduce various entities to other entities
 - Physicalist: all mental entities reduce to physical entities. There are no basic non-physical things
 - Biological reductionist: biological entities (e.g. cells) reduce to non-biological entities. There are no biological entities, just atoms and particles
- Non-reductivist ontologies: these ontologies think reduction is not possible
 - There are such things as mental entities (e.g. mind), biological entities (e.g. animals, cells, etc.)



Synchronic Identity

- What types of things exist? What is your ontology?
- Try to formulate your ontology from a general perspective
- Do you think there are such things as animals, cells, numbers, people, etc.

Humans and persons

One type of thing that might be added to your ontology (the types of things that exist) are **persons**

- You are not merely an aggregate of atoms, you are also a living thing (a new type of thing)
- You are not merely a living thing, you are an animal
- You are not merely an animal, you are also a **person**

Humans and persons

Ontologically we might say that there are things in the world that are **persons**. They *exist simpliciter*

- **Persons** are **just as real** as atoms, and cells, and animals, and humans
- Sentences like "John is a person" ontologically commit us to the existence of "John" and there being types of things we call "metaphysical persons"

Humans and persons

There may be important connections between:

- Legal persons
- Moral persons
- Metaphysical persons

But this doesn't mean they are the same concept

Humans and persons

Example of a relation: we might say that you can be a moral person only if you are a metaphysical person.

- Here we posit a relation of dependency
- Being a moral person depends on being a metaphysical person

Humans and persons

Two terms can pick out the same entities but have different meaning.

Extension of a term t: the extension of a term t are the entities to which a term applies or refers (range of denotation; set of objects)

Intension of a term t: the intension of a term t are a list of attributes or properties that describe the things t can refer to (the term's meaning or its conceptual content)

- Two terms can have the same extension but different intensions
- Example 1: “Creature with a heart” and “Creature with a kidney”
- Example 2: “Morning star”, “Evening star”, “Venus”

Humans and persons

“Moral person” and “metaphysical person” **may** refer to the same objects:

1. Have the same extension (refer to the same objects)
2. Have different intensions

Or maybe there are metaphysical persons that are not moral persons:

1. Have different extensions
2. Have different intensions

Humans and persons

Two reasons why moral persons and metaphysical persons differ in **intension**:

1. Metaphysical personhood is **merely descriptive**: being a metaphysical person doesn't come with any obligations on the part of other metaphysical persons
2. We can think of metaphysical persons that are not moral persons (the former is not sufficient for the latter)

Reason 1: Metaphysical personhood as basic

Legal and moral persons are both **descriptive** and **normative**.

- We can think of whether a person is (descriptive) a **legal person** and if they are a legal person, we have certain **obligations** to them (e.g. they are awarded due process). *States who is a legal person and what they are due*
- We can think of whether a person is (descriptive) a **moral person** and if they are a legal person, we have certain **obligations** to them (e.g. it would be wrong to kill them). *States who is a moral person and what they are due*

Reason 1: Metaphysical personhood as basic

The notion of a metaphysical person appears **wholly descriptive**.

- The identification of S as a person does not (on its own) require come with any obligations (no legal or ethical obligations)
- Being a metaphysical person is simply to identify another type of thing that exists (just like identifying atoms, animals, and abstract objects)

Reason 2: Metaphysical persons that are not moral persons

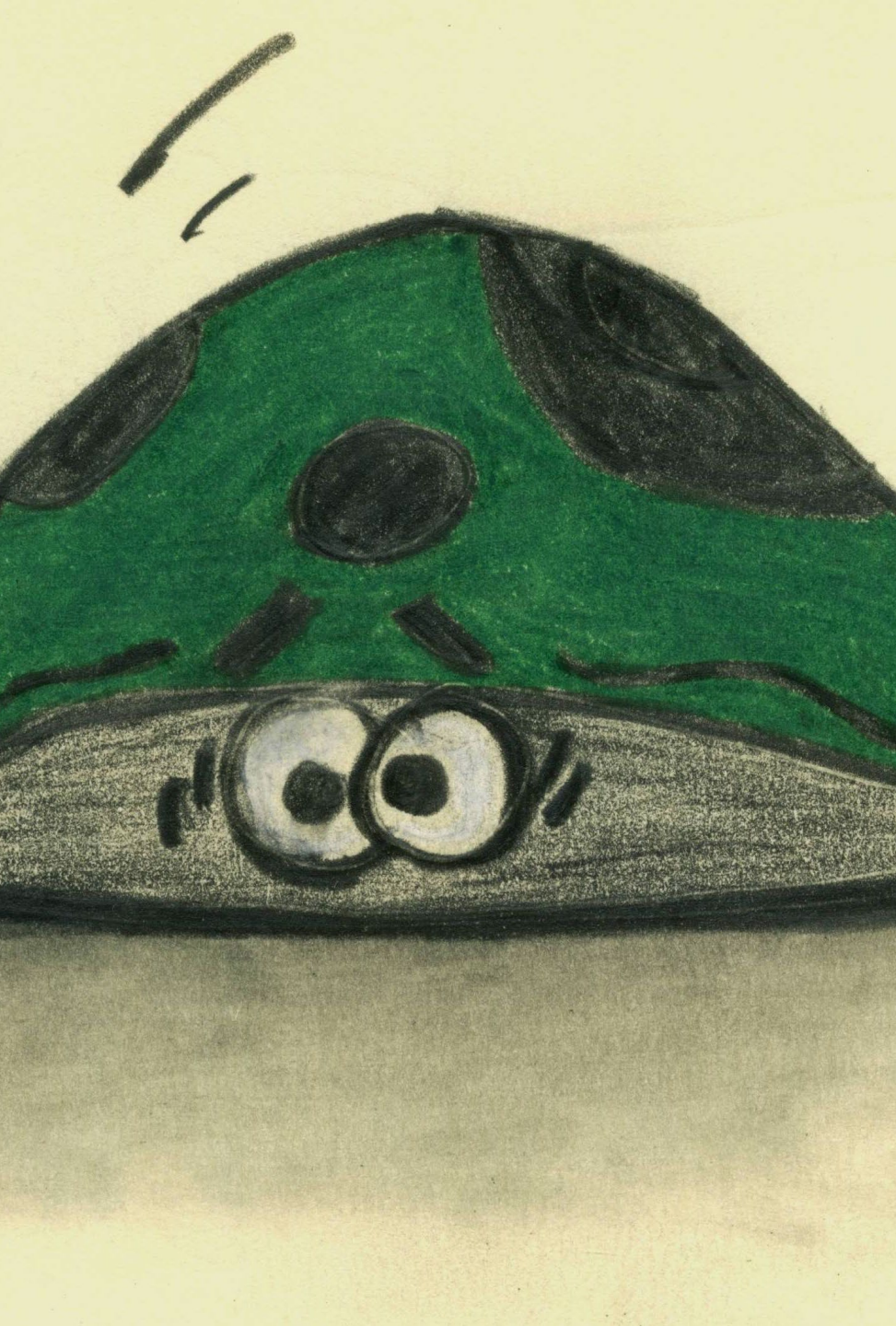
Suppose there are some highly intelligent agents that arrive from another planet.

- They have cognitive features very similar to us: conscious, self-conscious, have interests
- They have physical beings similar to us but noticeably different
- They have a moral system: a general theory of right and wrong
- However: these individuals have no intention of peace, they wish to wage war, and slaughter every last human being on the planet.
- We might say: *they are the t*

Reason 2: Metaphysical persons that are not moral persons

However: these individuals have no intention of peace, they wish to wage war, and slaughter every last human being on the planet.

- We might say: *they are the type of thing that gets classified as a person (metaphysical persons) but they are also not the type of thing that is worthy of any moral consideration (not moral persons)*



Synchronic Identity

Suppose you encounter a highly intelligent robot. The robot is:

1. Self-conscious
2. Conscious
3. Capable of using language
4. Has a moral system
5. Creative

Is this being a metaphysical person? Is this being a moral person?

Synchronic Identity

Let's consider some theories of metaphysical personhood:

1. Humanoid theory
2. Rational theory
3. Self-reflection theory
4. Rational and self-reflection theory

Synchronic Identity

The **humanoid theory of personhood**: the property of *looking like a human being* is necessary and sufficient for being a metaphysical person.

- Seems to include most entities we would count as persons
- Includes some problem cases that a species theory would exclude: human-looking artificial intelligence
- Allows for potential variation: humans may evolve to look somewhat different than they do now.

Synchronic Identity

This theory has **serious overdetermination and underdetermination problems:**

1. Underdetermination: having the properties of looking like a human is **not necessary** for being a person (e.g. a person who is disfigured, super intelligent aliens, maybe some animals like dogs, dolphins, cats, apes, a working brain in a vat)
2. **Overdetermination:** having the properties of looking like a human is not sufficient for being a person (e.g. a doll, mannequin, unintelligent human-looking robot)

Synchronic Identity

The **rational theory of personhood**: the property of *having the ability to reason* is necessary and sufficient for being a metaphysical person.

- *Distinguishing feature*: Gives us a quality to distinguish *persons* from other objects (e.g. rocks, sidewalk, buildings)
- *Intuitions*: Seems to include most entities we would count as persons
- *Problem cases*: Includes some problem cases that a species theory would exclude: human-looking artificial intelligence
- *Allows for potential variation*: humans may evolve to look somewhat different than they do now.

Synchronic Identity

Objection 1: This theory has a **serious overdetermination and underdetermination problem.**

1. **Underdetermination:** children, injured, permanent coma, mental impairment
2. **Overdetermination:** logic machines, Watson (IBM machine), crows

Synchronic Identity

Objection 2: Unclear. Part of the definition depends upon what we mean by "capable of reason"

- Capable of solving logic puzzles?
- Creative solutions to problems?
- Abstract reasoning?

If "creative solutions to problems", then it will include all sorts of animals





Synchronic Identity

The **self-reflection theory of personhood**: the property of *having the ability to* engage in self-reflection (self-consciousness, self-awareness) is necessary and sufficient for being a metaphysical person.

- Type of being that is not merely *aware* but *aware of itself*

Synchronic Identity

Problems: This theory seems to exclude logic machines and certain animals capable of solving puzzles but still has the problems

1. **Underdetermination:** children, injured, permanent coma, mental impairment, rational beings that are not self-conscious
2. **Overdetermination:** entity whose sole-property is self-reflection (lacks a body, perception of the external world, power to communicate). Imagine a being that whose sole existence was to be self-conscious for a split second.

Synchronic Identity

What if we combine the theories? A Hybrid theory! Increasing the conditions will fix the overdetermination problem.

The **rational and self-reflection theory of personhood**: the property of *having the ability to reason **and** engage in self-reflection* (self-consciousness, self-awareness) is necessary and sufficient for being a metaphysical person.

Synchronic Identity


Problems:

1. **Underdetermination:** children, injured, permanent coma, mental impairment, serious drug addicts, some mentally ill, robots that are highly rational and humanlike but are not self-conscious

Synchronic Identity

Summary of theories:

1. Humanoid theory
2. Rational theory
3. Self-reflection theory
4. Rational and self-reflection theory



Testing for Metaphysical Persons

Synchronic Identity

Even if we have a theory of personal identity, how do we test people to see if they are persons?

- Testing certain types of rationality is straightforward
- But how do you test self-reflection (self-consciousness)?

The mirror self-recognition test

One test that is used is the mirror self-recognition (MSR) test.

- Put an entity A in front of a mirror
- Determine whether the entity knows that the image of A (call it A_i) is a **representation of A** or if A thinks A_i is **a different entity, e.g. B**.
- The mirror test determines self-consciousness in terms of visual self-recognition.

The mirror self-recognition test

Who passes the test?

1. normal functioning human beings
2. Some chimpanzees, bonobos, orangutans, dolphins, killer whales, the Eurasian magpie (a bird), some elephants
3. Gorillas pass with some modification to the test

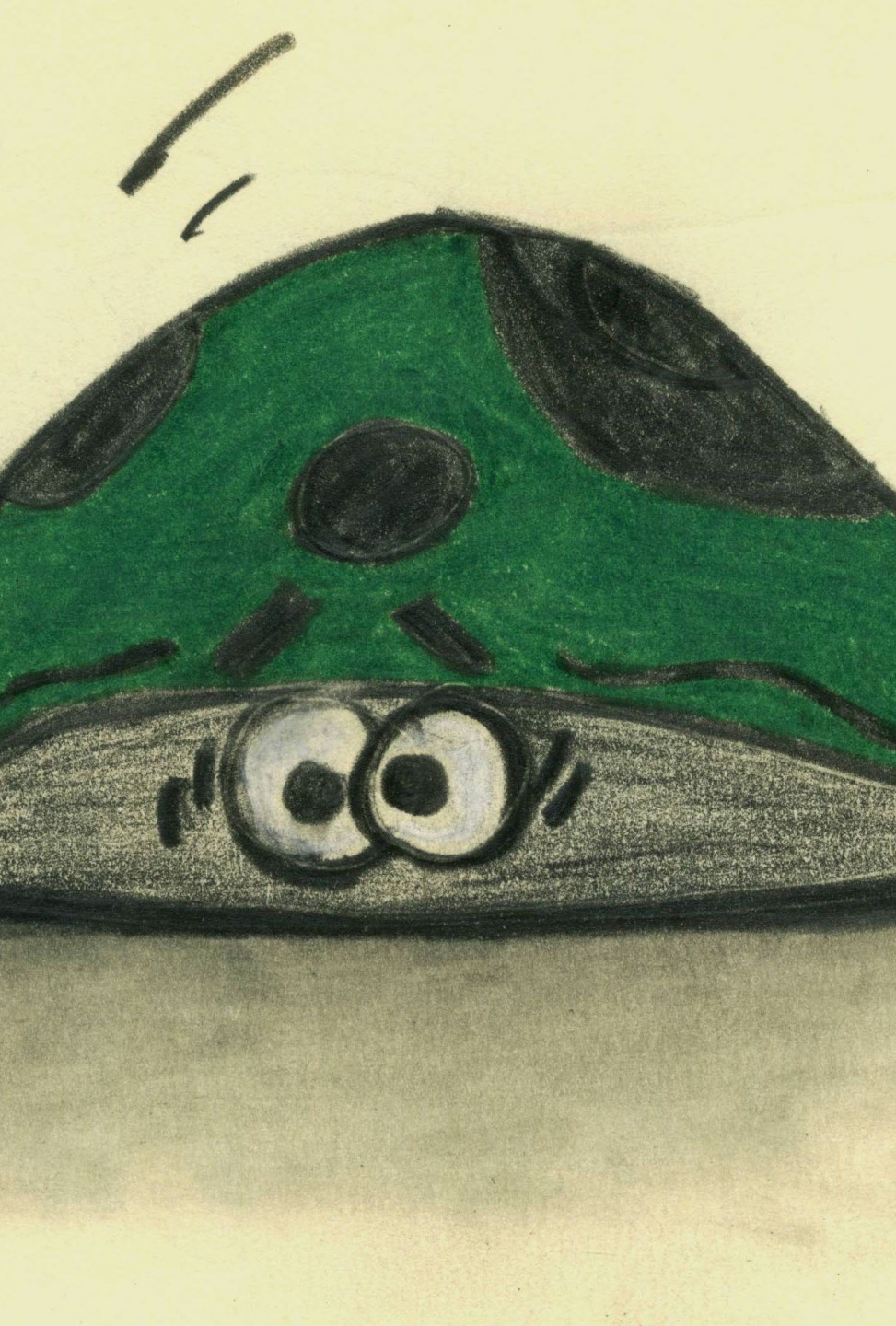


The mirror self-recognition test

Who doesn't pass?

1. Inanimate objects: obviously!
2. birds, dogs, cats, e.g. birds peck at the mirror
3. Small children: small children would think they were looking at a different child





Testing for personhood

Do you think the mirror test is a good test for

- Personhood?
- The power of self-reflection (self-consciousness)

Can you think of a possible person that would fail the mirror test?