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Natural Kinds and Unnatural Persons

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Most people believe that extraterrestrial beings or porpoises or computers could someday be recognized as persons. Given the significant constitutional differences between these entities and ourselves, the general assumption appears to be that 'person' is not a natural kind term. David Wiggins offers an illuminating challenge to this popular dogma in 'Locke, Butler and the Stream of Consciousness: and Men as a Natural Kind'.¹ Wiggins does not claim that 'person' actually is a natural kind term; but he argues hard for the advantages of regarding it as something like a natural kind classification. The problem is that, whatever its merits, there are obvious and fatal objections to the view that person is a natural kind. My aim is to present a modification of the natural kind thesis which avoids these objections and retains the attractions of the basic position.

As I understand it, Wiggins's principal argument for regarding 'person' as a natural kind term has seven legs. The first major point is that attempts to provide a criterion for personal identity in terms of mental continuity must fail, although not for the reasons usually cited. This important claim is supported by two others. If we seek a criterion for identity among continuant persons, rather than a test for gen-identity among person-stages, then we cannot appeal to psychological continuity.² The following considerations, not all explicit, produce this assertion. If C is the criterion for personal identity, then C's holding between individuals entails that the relation of personal identity holds between them. But the latter relation is an equivalence relation. Hence, if 'Cab' entails 'a is the same person as b', C must also be an equivalence relation. Suppose that C is a relation of

¹ Wiggins's paper appears in both *Philosophy* 51, (1976), 131–158, and Amélie Rorty's *The Identities of Persons* (Berkeley, California: University of California Press, 1976), 139–173. Page references in the text are to the former source.

² A 'person-stage' is a temporal part or portion of an enduring person. Cf. John Perry, 'Can the Self Divide?', *Journal of Philosophy* 69, No. 16 (7 September 1972), 466–467. Two person-stages would be 'gen-identical' if they are parts of the same person. Perry calls the gen-identity relation the 'unity relation' and gives a clear explanation of this relation on p. 468. 'Gen-identity' is Carnap's term; cf. *Introduction to Symbolic Logic and Its Applications* (New York: Dover, 1958), 198–200. I use it because I think it is more widely known. In Carnap's system, gen-identity is an equivalence relation. In my discussion, I do not assume that gen-identity has this property.

Discussion

mental continuity. The oft-discussed possibility of mental fission demonstrates that C cannot be an equivalence relation. Suppose Alfred has undergone fission through brain bisection or duplication. We may call the resulting individuals, 'Al' and 'Fred'. If the fission was successful, both Al and Fred will be C-related to Alfred. Were C symmetrical and transitive, Al and Fred would be C-related to each other and, indeed identical, which is absurd (pp. 135–137).

One could challenge this line of reasoning, but I will press on to Wiggins's third central contention. John Perry and David Lewis have shown how a psychological continuity criterion could handle consistently victims of fission and fusion.³ The proposals differ, but they both avoid difficulties stemming from the logical properties of identity by shifting to the relation of gen-identity among person-stages. Without mentioning either by name, Wiggins completes his attack on mental continuity criteria by arguing that the shift from persons to person-stages is unacceptable. In effect, Wiggins's point is that mental continuity would be a candidate for the criterion of personal identity, if it were legitimate to talk about person-stages, but such talk is confused (pp. 144–149). I do not understand Wiggins's antipathy to person-stages, but again, I will press on to the later, constructive phase of the argument.

The fourth step is suppressed. The point deserves explicit mention, because it clarifies the structure of Wiggins's reasoning. Fission and fusion also imperil bodily continuity criteria. One case Wiggins envisions concerns a man who splits down the middle, with both sides surviving. Exactly the same considerations about transitivity and symmetry would apply against a bodily criterion. In what I see as the fifth phase of his argument, Wiggins draws the moral from the preceding reflections: we cannot find a satisfactory criterion of personal identity if it is possible for people to divide or coalesce. Since the consequences of admitting that there are no clear criteria for personal identity are intolerable, we must find a cogent reason for denying the possibility of personal fission or fusion (pp. 148–149).

At this point, Wiggins appeals to Hilary Putnam's important work on natural kinds.⁴ Very roughly, Putnam's idea is that natural kinds are sets of individuals which are grouped together by the most comprehensive true scientific theory. Superficial similarities do not determine natural kinds. If 'F' is a natural kind term, then in calling some object, X, an F, I classify X with other objects having the same deep-lying structure and obeying the same subset of natural laws. For Wiggins's purposes, the crucial aspect of Putnam's account is the dependence of natural kind classifications on the laws of nature.

³ Cf. Perry, op. cit., and David Lewis, 'Survival and Identity', also in Rorty, op. cit., 17–40.

⁴ Cf. 'Is Semantics Possible?', *Metaphilosophy* 3 (1970), 187–201, and 'Meaning and Reference', *Journal of Philosophy* 70, No. 19 (8 November 1973), 699–711.

Wiggins offers a hypothetical proposition as the sixth link in his argument: if 'person' is a natural kind term, then the fixing of its reference involves natural laws, and we are not required to consider situations in which the laws of nature fail to hold. Such possible worlds would lack persons (pp. 149–150). To complete his case for the merits of regarding 'person' as a natural kind term, Wiggins seems to need the claim that all cases of splitting and merging persons violate the laws of nature. In fact, the last stage of the argument is more complicated and left incomplete, but we may easily fill in the reasoning.

Allegedly possible cases of dividing persons fall into two categories: natural splitting and division produced by human intervention. Worlds in which 'persons' spontaneously split would differ from our own in the laws governing persons. Hence, if 'person' is a natural kind term, these cases may justly be ignored by the personal identity theorist. What about cases where persons are said to be divided by human intervention, usually a surgeon's knife? Let us consider an analogous case. Suppose a surgeon could switch the heads of two cats and the result is two live animals. We would be quite unclear about which animal, if either, was which cat. Yet, this hypothetical case does not undermine our confidence in the normal procedures for determining cat identity. Wiggins would claim that our attitude is justified, because the laws of nature imply a process of development for cats and this process stands behind our method of individuation (pp. 150–151). If 'person' is a natural kind term, then personal development will also be a matter of natural law, and we can, with equal justice, ignore cat and person monsters.

On my reading, this point completes Wiggins's major argument for regarding 'person' as a natural kind term. Construing 'person' as a natural kind term provides rational grounds for disregarding the possibilities of personal fission and fusion, which, if taken seriously, undo all proposed criteria of personal identity.

Whatever the benefits of assuming it is, 'person' is not a natural kind term—as Wiggins knows. By Putnam's lights, if 'F' is a natural kind term, then we can fix its reference by ostending exemplars. In saying 'that is F', we pick out a class of objects, the F's, which includes the exemplar and is collected together by the most comprehensive scientific theory. Applying this principle to 'person', we might indicate that George and Alice are persons. The problem is that, unless contemporary science errs radically, the class determined by this ostension is not 'person', but '*Homo sapiens*'. And, as Wiggins notes, 'person' is not a spelling variant of '*Homo sapiens*' (p. 151).

Since 'person' obviously fails to be a natural kind term, Wiggins advocates a weaker claim: the extension of 'person' includes *Homo sapiens* '... and members of other natural kinds who come near enough to us' (p. 152). The question is, 'near enough' in what respect? If nearness is determined by

Discussion

scientific considerations of evolution or chromosomal structure, then dolphins and aliens would be ruled out as possible persons. Wiggins may appear to resolve the issue in his concluding paragraph:

... a person is any animal the physical make-up of whose species constitutes the species' typical members thinking intelligent beings, with reason and reflection, and typically enables them to consider themselves as themselves the same thinking thing, in different times and places ... (p. 158).

Apparently, Wiggins holds that another species is near enough to us, if its typical members have the specified capacities.

This proposal for completing Wiggins's account of the classification 'person', and this interpretation of his words, face the same fatal objection.⁵ Wiggins himself exposes the weakness in partially defining 'person' by reference to specific capacities with a barrage of rhetorical questions: '... where, on this view, [do] we get the functional part of the definition of *person* from [?]' ; '... what constrains the list [of capacities]?'; 'Are we free, conceptually speaking, to shorten or lengthen this component at will?' (p. 153). I take it Wiggins finds the proposal unacceptable. Without support from science or a theory of distinctive personal capacities, Wiggins's claim that the class of persons includes *Homo sapiens* and members of closely related kinds becomes obscure, or worse, vacuous.

Although his specific account won't do, Wiggins's basic position that 'person' is very like a natural kind classification seems to me right and worth developing. Besides handling suggestions about dividing and merging persons, the view that the correct usage of 'person' is a function of the laws of nature would justify two deeply felt intuitions about persons. As Wiggins stresses, no one accepts the idea that the identities of persons could be a matter of social convention, or any conventional decision. I think we are equally repelled by the suggestion that convention or courtesy could determine whether a group of individuals are persons.

Given the reason why 'person' fails to be a natural kind term, I think there is an obvious way to modify the thesis. 'Person' is not a natural kind term because computers or aliens might be persons, and unless modern biology is seriously mistaken, these items will not be grouped with *Homo sapiens* by the most comprehensive true scientific theory. As Putnam and Wiggins rightly suppose, different theories determine different classifications of individuals. Let us say that F is a 'law-governed kind' if F's are grouped together by *some* true theory. Natural kinds would be a subset of the law-governed kinds. The basic idea is that there can be true theories whose classifications cut across the taxonomies provided by other true theories. In

⁵ I have been unable to find any interpretation of the cited passage which does not conflict with Wiggins's earlier remarks or attribute to him an implausible position.

particular, my claim is that person is a law-governed kind, because persons are collected together by common sense psychological theory, which cuts across the classes established by the physical sciences.⁶

According to the law-governed kind account, when we indicate that George and Alice are persons, what we mean is that they belong to a class of individuals who share a number of states, whose presences and successions are explained by a common set of laws. I suggest that the laws that govern 'person' are laws of common sense psychology, such as: 'An individual who has a painful experience with objects of a certain kind will tend to eschew objects of that kind'; 'An individual who wants a and believes that doing b will secure a, will usually do b'; and so forth.⁷ Some may question whether these platitudes deserve to be called 'laws'. The grounds for refusing the name could be either the aura of analyticity that surrounds the claims, or the profusion of *ceteris paribus* clauses. I believe the characterization is warranted, because these generalizations are universal in form, projectible from their instances, capable of supporting counterfactuals, and together they provide a standard method of explaining and predicting a certain group of phenomena. If it is felt that real laws cannot contain so many escape clauses, then I could be described as advocating that the classification 'person' is governed by a coherent set of true generalizations.⁸

The laws that govern 'person' pertain to states which are ascribed to individuals to explain molar behaviour, and which can be ascribed to individuals by others solely on the basis of behavioural evidence. Let us call any law fitting this description a 'behavioural law'. I can now state my view precisely: 'person' is a law-governed kind term, because even if we discover that the particular laws cited above or other, similar generalizations, do not hold for all persons, some coherent set of behavioural laws

⁶ The view that the categories of common sense psychological theory cut across physiological categories has been defended by, among others, Donald Davidson in 'Mental Events', *Experience and Theory*, Lawrence Foster and J. W. Swanson (eds) (University of Massachusetts Press, 1970), 79–101.

⁷ The connection between common-sense psychology and the concept of a person is exploited in a different way by John Perry in 'The Importance of Being Identical', which also appears in Amélie Rorty's anthology. I discuss this connection in more detail in 'The Crucial Relation in Personal Identity', *The Canadian Journal of Philosophy* 8, No. 1 (March 1978), 131–145.

⁸ I am not particularly worried about the charge of analyticity, because many uncontroversial laws also seem analytic. Even if they are analytic, the generalizations of common sense psychology might still be laws. For interesting discussions of the possibility that scientific laws may be analytic or quasi-analytic, cf. David Lewis, 'How to Define Theoretical Terms', *Journal of Philosophy* 67, No. 13 (9 July 1970), 427–438, and Henry E. Kyburg, Jr, 'A Defense of Conventionalism', *Noûs* 11, No. 4 (May 1977), 75–95. The possibility that the laws of biology might be analytic *a posteriori* is actually raised by Wiggins in *Identity and Spatio-Temporal Continuity* (Oxford: Blackwell, 1967), Appendix 5.1, 59–60.

Discussion

will collect together a set of individuals including George and Alice and you and me; or there are no persons at all.

The law-governed kind account of the classification 'person' shares all the advantages of the natural kind thesis. Unless actual persons divide or merge, we may ignore questions about whether clones would be persons, and if so, how many persons. Should we encounter strangers who seem to be persons, we can decide the issue by empirical investigation: do they share our psychology? The essential characteristics of persons would be determined not by fiat, but by studying persons. To return to Wiggins's original theme, what about problems of personal identity? I will illustrate the impact of the law-governed kind view by considering an uneliminable type of problem case, that of an individual who suffers total amnesia.⁹

Wiggins sketches the four possible ways of regarding the amnesiac: (1) he is not a person; (2) he is the same animal, but a different person from the man who suffered amnesia; (3) he is neither the same person, nor the same animal; or (4) he is both the same animal and same person as the pre-amnesia individual. Positions (1) and (3) are obviously incorrect. Wiggins endorses description (4), because if person is like a natural kind, then personal identity would depend on the continuity of a material entity with a certain type of constitution, and the rightly constituted material entity persists in this case (pp. 141 and 155–156).

Wiggins dismisses option (2) on the ground that it contradicts a principle he offered in *Identity and Spatio-Temporal Continuity*: for any sortal terms, F and G, if x and y are the same F, and either x or y is a G, then x and y are also the same G. But this principle is suspect. In his proof, Wiggins simply assumes that, like identity, the relation of relative identity, $\overset{x}{\underset{F}{=}}\overset{y}{\underset{F}{}}$ confers substitutivity in the manner captured by Leibniz's law. Once this is granted, the principle follows almost immediately. Moreover, I *think* there are counter-examples. Suppose a radical group stages a rally at the Arc de Triomphe and several demonstrators are killed. If the group later achieves power, the arch might become a monument to the martyrs. In this case, do we not have the same edifice, but a different monument? Any such case is bound to be controversial. My contention is only that Wiggins's principle is sufficiently debatable to justify us in regarding both positions (2) and (4) as possible.

⁹ The considerations I raise to resolve the amnesia case can also be used to settle identity questions in cases of artificially created splitting, such as 'Alfred' above. The answer would be that Al and Alfred before the split constitute a continuing person, and that Fred and Alfred before the split constitute a continuing person. In the articles cited in note 3, David Lewis and John Perry work out some details of this type of solution. If person-stages and overlapping persons are not tolerated, then the law-governed kind view could do nothing with these cases, but dismiss them as not relevant to identity judgments in normal cases (see above p. 543).

According to the law-governed kind view, the issue should be decided by psychology. Are the amnesiac's states best described by laws that pertain to neonate persons or by laws which apply to continuing persons? Given the enormous role of past experience in the principles we apply to adults, seemingly psychology will support description (2), by classing the individual with neonate persons. If, through disease or accident, an individual actually becomes a forty-year-old *tabula rasa*, then presumably his mental states would be described and explained by the principles governing *tabulae rasae*. This point is easily overlooked, because when considering amnesiacs we are tempted to consider historical cases—as Wiggins does with Nijinsky—in which the loss of memory is neither complete, nor regarded as irreversible.

Wiggins begins his paper arguing against Lockean criteria of personal identity. As we have just seen, the law-governed kind view upholds the Lockean position. Indeed, it justifies using a psychological continuity criterion, because common sense psychology implies that continuing persons will be, one and all, psychologically continuous. Wiggins's real target is not Locke, however, but any account of personal identity which implies that the usage of 'person' is a matter of conventional decision or social convenience. Among other points, I have argued that the traditional theory of personal identity can be defended against this serious charge.¹⁰

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¹⁰ I am grateful to Philip Kitcher and George Sher for helpful comments on an earlier draft.