

No Identity Without Agency

[1] **Outline** I should warn you at the beginning of my talk that the title may be misleading. I am not claiming that there are criteria of identity only for agents and actions, but that identifying agents and their actions is the whole point in identifying anything. We are interested in the persistence of bodies, organisms and artefacts only because we need to deal with intentional actions and the agents that are responsible for them. This constitutes a general viewpoint which will be shown to be of help when considering the “ship of Theseus” problem.

Since you have been attending a conference on “Identity — Ontological Perspectives” for some time now, you all will be familiar with the ship of Theseus problem. The ship with which Theseus used to sail to Crete was exhibited for a long time in Athens. Now and then, some planks were replaced, up to a degree that people started to wonder whether the ship should still be called “the ship of Theseus” (Plutarch, *Vita Thesei* 23).

Philosophers have subsequently added to this story in order to get the following more sophisticated problem. Assume that all the material constituencies of the former ship that are gradually replaced by new ones are stored in some place. Once every part of the first ship is replaced, these bits are used to build a second ship that is similar to the first in every conceivable detail. The first ship only has the same form as the original one. The second ship has the same form and consists of the same bits of matter (Hobbes, *De Corpore* XI). But if identity is transitive and symmetric, only one of these ships can be identical

with the original ship of Theseus, and if any of them is, we should say that it is the first one. The task is to find criteria for persistence that make this possible.

The general idea of my contribution is that in order to solve such problems, we have to ask why it is important to identify and re-identify anything in the first place. I am going to claim that the most important case of identification is also the clearest case: the identification of persons, insofar as they are responsible for their actions. I will then go on to contend that in order to identify agents, we always also need to identify organisms and artefacts. For this reason, there must be criteria for identifying material things. Once we realize this general connection between agency and identity, the ship of Theseus puzzle can receive a simple and principled answer. Material things persist through time insofar as they relate to agents and their actions. The ship of Theseus exists as long as there is something that is used for sailing and that was used by Theseus.¹

Let me now fill in some details. I will talk, in this order, about the physical universe as a whole, then about agents, organisms and artefacts.

[2] The physical universe What I propose is easily recognizable as a kind of Cartesian approach. All ontology, as it were, should start with the assumption of conscious minds. I believe that when Descartes spoke about thinking substances, he really meant *rational agents*. What I take to be Descartes' insight is that once we assume that everything is merely physical, there might no longer be anyone who does such things as making assumptions. For this reason, we must start with the assumption that there is someone who is able to make assumptions, whatever physics may then tell us about the world.

¹I will claim, more precisely, that the ship of Theseus exists as long as something (1) had the *generic* use of a ship throughout a period of time and (2) was once owned by Theseus. A broken ship can retain its generic use, but a heap of planks does not even have this generic use.

The problem is that at least according to early modern physics, particular middle sized physical objects do not have any stable criteria of identity. Physically speaking, there is no clear boundary between a table and the surrounding air. Descartes knew this. In the *Synopsis* preceding his *Meditations*, he writes that “absolutely all substances . . . are by their nature incorruptible and cannot ever cease to exist unless they are reduced to nothingness by God’s denying his concurrence to them.” He adds that “body as a whole is a substance, so that it too never perishes” (AT VII 14). In the *Principia*, Descartes defines “substance” as anything whose existence does not depend on any other thing besides God (I,51 2). But the only physical thing that has absolutely no cause besides God is the material universe as a whole.²

In the passage from the *Synopsis* quoted above, Descartes uses “body” and “substance” in a strict sense (*in genere*). Only a few lines later, however, he also speaks of particular human bodies, which are very much corruptible. “A human body”, he claims, “loses its identity merely as a result of a change in the shape of some of its parts” (AT VII 14). But Descartes does not want to say that *no* human body could survive *any* change of its matter. He believes that some material change of a human body may cause the soul to leave the body, which then will constitute death (*Passions* I,6).

He tells us more in a letter to Mesland (February 9, 1645). There he writes that in the general meaning of the word, there is only one bodily substance. Material things are only parts of this one substance, and they cease to be the same if they lose or gain parts. The *human body*, however, constantly loses and gains parts and still keeps the same. The reason is, according to Descartes,

²Cf. *Principia* II,23. See Hoffman (1986:347–9) for a discussion. Hoffman argues that since particular extended things are nowhere called modes of the one *res extensa*, they must also be full-fledged substances (349), into which the one *res extensa* divides. One such substance is man. But according to Descartes, human beings, insofar as they have both a soul and a body, cannot be treated scientifically (AT III 666). Thus one might say that at least from a rigorously scientific point of view, there is only one full-fledged extended substance.

that it is individuated *as* the body that is attached to this mind. Since there is always only one body attached to one mind, one can identify it at different times although its material constituents change (AT IV 166).

[3] Agents Thus according to Descartes, particular bodies can be identified only by virtue of being related to particular minds. Let me now say something about why we should be interested in identifying particular bodies. I will start with the identification of actions.

Actions tell us something about what we can expect from an agent; something more than, say, an earthquake could tell us about the earth. When we experience an earthquake, we come to know that such things are possible under such and such circumstances. When we see that a person does something, we can learn that such people are able to do that kind of thing under such circumstances. So far, we treat the behavior of a person in the way we treat earthquakes. But to know that someone is able or even inclined to do something is not to know that she *intends* to do such things. Intentions are not mere tendencies of kinds of people.

But why should we draw a distinction between tendencies and intentions, and why should we be interested in intentions? Wittgenstein's answer to these questions is that we are interested in intentions because we are interested in the characters of agents. Wittgenstein writes:

Why do I want to tell him about an intention too, as well as telling him what I did? — Not because the intention was also something which was going on at that time. But because I want to tell him something about myself, which goes beyond what happened at that time (*Philosophical Investigations*, §659).

Intentions go beyond particular actions. They tell us something about the char-

acter of an agent, just as the laws of nature would tell us something about the earth and the likelihood of earthquakes. But in contrast to the laws of nature, intentions are had by *particular* agents who can acquire and control them. And when we sanction agents for what they have done, we are not really interested in their past actions, but we want them to acquire and control future intentions. We want this particular agent to change her habits.

Thus we are interested in intentions because we need to deal with the particular agents that have them. Conversely, as Strawson has remarked, we can identify intentions only by identifying persons that have those intentions (1959:97). Intentions can only be the intentions of someone. Hence, if we are interested in actions as distinguished from mere events, we must be interested in agents.

[4] Locke I find this view already expressed in Lockes famous chapter on personal identity (*Essay* II,xxvii, henceforth cited by paragraphs). According to Locke, persons are individuated by their consciousness. This consciousness ties its bearer to certain actions and to the reward and punishment that these actions elicit. The all important question, as it were, is whom to punish. To ask whether person *A* is identical to person *B* is to ask whether one may justly punish *A* for what *B* did and vice versa (*Essay* II,xxvii,19). Two beings are the same persons if and only if they are responsible for the same actions.³ According to Locke, we are responsible for an action if and only if we are conscious of it. That is, being “justly accountable” (§16) for something and being conscious of something is the same.

According to the picture I have just sketched, Locke individuates persons by their responsibility for actions. The received view, however, is that Locke equates consciousness with memory. It would result that we are only respon-

³Vicarious responsibility is possible and sometimes legitimate. But no one could be responsible for *whatever* someone else does.

sible for actions that we happen to remember. It is true that in §25, Locke writes that the consciousness of a person is that by which she finds herself to be “the same self which did such an Action some years since”. But since “consciousness” is a word that Locke introduces into philosophers English in the very passages under consideration, we may be justified in claiming that consciousness is nothing but memory.

But this is not the case. When Socrates said that he knows that he knows nothing, the first “knows” referred to a knowledge of a different kind: *suneidesis*.⁴ The Latin *conscientia*, although it does not seem to be a translation of the Greek term, still indicates something very similar: it is not a kind of speculative knowledge. This would be the kind of knowledge that Socrates professes *not* to have. It is, rather, a kind of knowledge about one’s own capacities and liabilities. The knowledge that Socrates does have is a kind of *practical knowledge*. In classical and medieval Latin, *conscientia* referred to the moral conscience that ties us to our actions.⁵ When Locke coined the noun “consciousness”, it cannot have escaped his readers that he was implicitly referring to moral agency and responsibility, not only to memory. In the *Essay*, I would at least urge the reader to translate as “memory that someone *should have* of her own actions”.

It fits well with this reading that according to Locke, I do not automatically

⁴ἐγὼ γὰρ δὴ οὔτε μέγα οὔτε μικρὸν σύννοια ἑμαυτῷ σοφὸς ὢν (Apologia 21b). The reference to συνείδησις has a precursor in the Palamedes of Gorgias. Palamedes begins his defense with the assertion that he himself knows (“is conscious of”) that he has done nothing wrong. In conscious opposition to Gorgias, Socrates does not appeal to his own empirical knowledge. Cf. Coulter (1964).

⁵Cf. Schönlein (1969). Until the seventeenth century, *conscientia* appears almost exclusively in moral contexts. What we now call “consciousness” went under different names (compare, for instance, Aquinas’ treatment of consciousness in *Summa Theologiae* Ia 78,4 and 87,3 with his treatment of *conscientia* in Ia 79,13. *Conscientia* also did not exactly mean what we now call moral conscience. In Augustine, for instance, *conscientia* may refer to the knowledge that only God has of my actions (*Enarrationes in Psalmos* 76,18, SL 39:1063). This may explain why Locke did not use the word “conscience”—except in §22.

cease to be the agent of an action once I forget what I did. In §20, Locke only claims that I cannot be made responsible for something that I forgot “beyond a possibility of retrieving”. God will certainly be able to remind me of anything that I had better to remember. Further, Locke explicitly reminds us that on the Day of the Last Judgment, “the secrets of our hearts will be laid open” (§§ 22 & 26). Persons are individuated not by the consciousness that they happen to have now, but by the consciousness that they *shall have* on the Last Day, when their moral conscience accuses and excuses them.⁶ As a slogan: *persons persist because they are responsible for actions.*

I have now drawn attention to two Cartesian insights. First, individual bodies can only be identified by virtue of their being attached to individual minds. Being related to a mind is a necessary condition for a body’s being distinct from another body. Second, there must be at least one and more than one mind. If it is true that strictly speaking, there is only one corporeal substance, then this substance cannot be identical with any mind.

[5] Organisms Let me now proceed to discussing organisms by commenting on Peter van Inwagens account (1990). Inwagens metaphysics is in its essence Cartesian. Like Descartes, he starts by questioning the existence of persisting particular things in the physical world, but acknowledges the *cogito* argument for the existence of a distinct thinking substance. He argues that since thinking cannot be a merely cooperative activity, there must be some one unified thinker. But he then goes on to claim that therefore, at least one *living organism* must exist. This is how he states the conclusion of his variant of the *cogito*:

⁶Cf. *Romans* 2,14–16 and, among many other possible examples, Augustine’s *Enarrationes in Psalmos* 37,21, SL 38:396: *quando Deus iudex erit, alius testis quam conscientia tua non erit.*

I therefore exist. And yet I have parts (1990:119).

Of course, it is perfectly true that the thinkers we know happen to be organisms and that organisms have parts. But the claim that Inwagen makes is entirely unwarranted in this context. No one has ever *proven* that thinking things must have parts. Rather, Inwagen appears to have assumed the opposite. Even more than Descartes he has relied on the assumption that thinking cannot be a cooperative activity (118). Hence I may happen to have parts, but these parts cannot do the thinking. I do not have parts *qua* thinking thing. This means that if I only know that there some thinking thing, I do not yet know that it has parts.⁷

Peter Strawson has suggested an argument for the necessary materiality of persons. He argues that one cannot identify other persons without identifying at least some of their *physical* attributes. But one can ascribe states of consciousness to oneself only if one can ascribe them to others (1959:100). Hence, persons must have both mental states and physical properties. Note that Strawson does not thereby prove that persons are organisms.

Once we grant that thinkers are organisms, there is no good reason to deny that there are working criteria of identity and persistence for artefacts. Just as particular bodies can be distinguished and identified over time by reference to a mind (rational agent), artefacts can be individuated by reference to their design and use.

⁷For Descartes see Wagner (1984), to which I want to add two brief comments. Wagner distinguishes two different claims: (1) that the soul is not extended, and (2) that the soul does not have parts. At least for Locke, both must amount to the same, since to be extended is to have *partes extra partes* (*Essay* II,xii,15). Second, Wagner claims that Descartes is committed to the indivisibility of any substance. That cannot be the case. Descartes does not allow for a division of a substance (in the strict sense) into further substances (same sense). But he must admit that at least the extended substance can be divided into parts.

[6] Artefacts I do not have a good account of how we identify living organisms. But I am certain that we are able to do this, since otherwise, we would not be able to identify agents and their actions. And I think that the same method that we apply for identifying organisms over time must also apply, to a certain degree, to artefacts. There is no reason to claim that only organisms persist but artefacts do not, since there are no problems about the identity and persistence of artefacts that could not also become problematic for at least some kinds of living beings (such as some plants).

In §5, Locke explains the organization of organisms by referring to artefacts. Organisms are like artefacts that repair themselves. I am inclined to put it the other way round: Artefacts are, as it were, *extensions of organisms*. In giving an account of any form of life, we inevitably will refer to at least some non-organic compound things. Water figures in the life of fish. Some animals swallow stones in order to better digest food. Empty sea shells figure in the lives of hermit crabs and spider webs belong to the life of some kinds of spiders. At least the latter, finally, are artefacts, and I believe that we could not say what such a kind of spider is without referring to such things as spider webs.

Let me now briefly retrace my steps. I have said that if there are intentional actions, there must be the kind of thing that Descartes calls thinking substances: particular and persisting rational agents. This means that no picture of the world must ever lead us to the conclusion that particular agents do not persist. Such agents must have both mental and physical properties. As a matter of fact, they happen to be living organisms. Hence we discover physical, particular and persisting things with a view to intentional agency. Now I suggest doing the same with artefacts.

That is to say that artefacts are defined by their *generic use*. Not every ship is something that can be used for sailing. A broken ship cannot. Perhaps it does

not even have a disposition, tendency or propensity to be useful for anything like sailing. But it is a ship by virtue of being of a type that has this use. One may point to the ship of Theseus and say that “this kind of thing is used for sailing”, even when it is severely broken.

As you are now justified to expect, this will finally lead to my answer to the ship of Theseus problem.

That artefacts are identified by their generic uses leads to a radical difference between a ship and a heap of planks. A heap of planks is not a broken ship, since it is not the kind of things that is used for sailing. This is most obvious for the first plank. Planks are not used for sailing, but for building ships. Conversely, ships are not used for building ships but for sailing.

The point is not exactly that an artefact cannot survive any decomposition into parts. Consider, for instance, a folding canoe. While it is not built up, it still is of a type of thing that is used for sailing. One may point to an unfolded folding canoe and say that “this is used for sailing”. One may fold and unfold a folding canoe several times and it will still remain the same ship.

With the ship of Theseus, the case is not as different as one might think. Suppose that we decompose the Ship and pile up all its material constituents. Perhaps we are then not utterly unjustified in saying that “this is used for sailing”. What we mean is that this, the complete heap of planks, can easily re-acquire the generic use of a ship. But note that this is not how the story goes. We are to imagine that only one plank is replaced at a time, not that everything is replaced at once. In such a situation, we cannot point at the spare planks and say that “this is used for sailing”. There is no continued generic use. On the other hand, to repair something is to keep it in use. Therefore, the original ship must be identical to the ship that was continually repaired.

Let me conclude with a disclaimer. I have only argued for the overall plausibil-

ity of a certain necessary condition for the identity and persistence of artefacts. Insofar as something changes its generic use, it changes its identity. If an artefact completely loses its generic use, it ceases to exist. This does of course *not* mean that two artefacts are identical if and only if they have the same generic use. They are identical only if they have the same generic use. This, however, is a very weak claim. It amounts to saying that if $a = b$, then the generic use of a is the same as the generic use of b . But *if* $a = b$, every facts about a must also be a fact about b .⁸ In discussing the ship of Theseus problem, however, this weak claim suffices as a reason for opting for the repaired ship. For the problem is that too many ships seem to be identical with the original one. In this case, a merely necessary condition can do good work.⁹

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⁸Achille Varzi has pointed this out in discussion.

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