

Subjective Theories of Personal Identity and Practical Concerns

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ABSTRACT: This paper focuses on three theories of personal identity that incorporate the idea that personal identity is the result of a person's adopting certain attitudes towards certain mental states and actions. I call these theories *subjective theories of personal identity*. I argue that it is not clear what the proponents of these theories mean by "personal identity". On standard theories, such as animalism or psychological theories, the term "personal identity" refers to the numerical identity of persons and its analysis provides the persistence conditions for persons. I argue that if the subjective theories purport to provide a criterion of numerical personal identity, they fail. A different interpretation may suggest that they purport to provide a non-numerical type of identity for the purpose of providing plausible analyses of certain identity-related practical concerns. I argue that the criteria the subjective theories provide fail to capture several of the identity-related concerns. As a result, this interpretation must be rejected as well.

KEYWORDS: Compensation – identification – numerical identity – personal identity – responsibility – self-constitution – self-interested concern.

1. Introduction

In the current theory of personal identity, two strikingly different approaches can be distinguished in the attempts to define the notion of personal identity. On the one hand, there are theories according to which the relation of personal identity holds between persons if and only if there are

some other relations, such as biological or psychological continuity, which connect the persons. The definition of the identity relation takes the following form:

- (OI) Necessarily, for any x , if x is a person at t and something y exists at t^* , $x=y$ if and only if x at t and y at t^* stand in relation R , where R is the relation preferred by the particular theory.

Such a definition of personal identity provides a criterion of *numerical* identity of persons, because it states on what conditions a person identified at one time is the same entity as a person identified at another time, as well as implies answers to the questions of when persons begin to exist, what changes they can persist, and when they cease to exist.

However, there are some theories that use the concept of personal identity differently. These theories include M. Schechtman's, K. Korsgaard's, and C. Rovane's theories, and, for reasons to be specified shortly, I will call these theories *subjective* (as opposed to *objective* theories, outlined above). The idea is that personal identity is not a relation that holds in the lives of persons independently of their beliefs and attitudes. Rather, persons *determine* what their identity is and constitute themselves, and they achieve this by adopting a certain *attitude* to certain actions or mental states such as experiences, beliefs, intentions. As a result of this attitude, these mental states and actions begin to *characterize* the given person, or, in other words, by adopting this attitude the person makes them *her own*, or, in still other words, they become *part of her identity*. Each of the theories I discuss provides a unique analysis of this identity-constituting attitude. However, before I introduce the particular analyses, I will refer to the attitude as the attitude of *identification*.

We can now express the general idea behind subjective theories more formally as follows:

- (SI) Necessarily, for any x , if x is a person at t and there is a set of mental states and actions M at t^* , M will be part of x 's identity at t if and only if x at t identifies with M .

According to the proponents of subjective theories, they offer much more plausible grounding for certain practical concerns that have traditionally been taken to presuppose personal identity. It is widely believed, for in-

stance, that the notions of *responsibility*, *compensation* and *self-interested concern* presuppose personal identity. Proponents of subjective theories claim that it is their theories, as opposed to the objective ones, that best explain these concerns.

Most importantly, some statements of the proponents of subjective theories even seem to suggest that their criteria have implications for the *persistence* of persons, that is, for the *numerical* identity of persons. If the claims are taken seriously, subjective theories are further committed to the following thesis:

- (SIP) Necessarily, for any person x at t and any set M of mental states and actions at t^* , if M is part of x 's identity, then for any y at t^* , y is the subject of the mental states and actions M if and only if $x=y$.

This principle states that if a set of (possibly past or future) mental states and actions is *part of a person's identity* (in the sense defined by the individual theories), then whoever is (was, will be) the subject of those mental states and actions must be *numerically* identical to the person and vice versa. This statement seems like a truism, because it is hard to imagine a situation in which some characteristics were *mine* without their bearer being *me*. But it is, actually, an open question whether subjective theories are committed to it. This question along with the question if a person can make an action or a mental state part of her identity merely by identifying with them in the way that the discussed theories propose, will be the subject of this paper.

I will first explain what it means to say that personal identity is a subjective relation. Next, I will provide examples of subjective theories with detailed descriptions of their claims concerning the concept of personal identity. We will see that their proponents sometimes speak as if they were addressing the issue of *numerical* personal identity, because they seem to suggest that their proposed criteria have implications for the existence and persistence of persons. I will argue, however, that defining numerical identity by means of the criteria proposed by the theories leads to problems and paradoxes. I will then suggest that subjective theories might be addressing a *different* concept of personal identity: one which does not have implications for our persistence and is not committed to (SIP). I will call this notion *practical identity* and provide textual evidence to support this interpretation.

However, I will also argue that while this interpretation avoids some of the problems of the first interpretation, it faces new problems: the concept of practical identity covers a range of characteristics that cannot all be accounted for by means of identification. Thus, we should reject the conviction that the subjective theories provide an analysis of personal identity of any sort, even if they may be useful in analysing aspects of some particular practical concerns.

2. Subjective theories of personal identity

Before presenting the details of subjective theories it is necessary to define what I mean by the term *subjective*.

- (S) The relation of personal identity is *subjective* iff its exemplification constitutively depends on an attitude that the person has towards certain actions or mental states, such as beliefs, desires, experiences.¹

In the following sections we will look in a greater detail at the mechanism of identity constitution that the individual theories describe, including the particular forms of identification they propose as identity-constituting.

2.1. Narrative identity

I will begin my illustration of subjective theories with Marya Schechtman's narrative self-constitution view (see Schechtman 1996). Schechtman's motivation is to develop a theory of personal identity that captures our intuitions about the identity-related practical concerns listed above. Schechtman provides a *characterization* criterion of identity, which specifies under what conditions a mental state or an action characterizes, or is attributable to, a person. She develops a *narrative self-constitution* theory of characterization. This theory is based on the idea that persons are self-creating beings and that persons' lives have a narrative form. Persons constitute themselves by coming to think of themselves as persisting subjects who have had experiences in the past and will continue to have experiences

¹ This is an adapted version of Huemer's definition of a subjective property. See Huemer (2005, 2).

in the future, taking certain experiences as theirs by incorporating them into a self-told story of their lives (cf. Schechtman 1996, 94). An experience or an action characterizes a person as long as and to the degree that it is incorporated in a story that the person creates about her life.

This theory is committed to principle (SI), which takes the following form:

- (SIN) Necessarily, for any x , if x is a person at t and there is a set of mental states and actions M at t^* , M will be part of x 's identity at t if and only if x at t incorporates M into the narrative of her life.

According to this criterion, personal identity consists in the existence of a coherent story of a person's life, and that fact further presupposes that the person adopts a certain attitude towards certain experiences and actions, in which she incorporates them into her narrative and, thus, makes them her own. This makes it a subjective theory according to my criterion.

This conclusion can be supported by several of Schechtman's claims: According to Schechtman, personal identity is a product of a person's action:

I develop a view according to which a person creates his identity by forming an autobiographical narrative – a story of his life. (Schechtman 1996, 93)

That action has the form of attitude adoption:

An identity in the sense of the characterization question, is not, I claim, something that an individual has whether she knows it or not, but something that she has *because* she acknowledges her personhood and appropriates certain actions and experiences as her own. (Schechtman 1996, 95)

Personhood and personal identity thus rely crucially on an individual's inner life and her attitude toward her actions and experiences. (Schechtman 1996, 95)

So, personal identity is a subjective relation in Schechtman's theory. But what exactly does Schechtman mean by *personal identity*? In particular, does the concept have implications for the persistence of persons? Textual evidence suggests that it at least purports to do so. Schechtman demonstrates

this goal with an illustration of someone who has long been the victim of a violent, abusive spouse, which results in deep personality changes – the person becomes timid and fearful, suppresses her own desires and characteristics, severs crucial relationships, and may have trouble identifying with the teenager she sees in a high school photo. Schechtman argues that it would be appropriate to say that the person has “lost her identity”, that she “is no longer the same person”, and that “the person we knew is gone” (cf. Schechtman 1996, 88). She adds that these claims need not be considered entirely metaphorical (cf. Schechtman 1996, 88), and finally concludes that “the degree to which a person is alive, and hence survives, seems linked to the degree to which her actions, experiences, and characteristics are her own ...” (Schechtman 1996, 89).

The idea seems to be that if a person does not incorporate her past actions and mental states into her current narrative, those actions and mental states are not her own, that is, they are not part of her identity (according to (SI)), and, therefore, she cannot be numerically identical to the person who had the experiences and carried out the actions (according to (SIP)).

When I have presented further examples of subjective theories, we will see whether this idea is coherent.

2.2. *The unity of agency*

In an influential paper (see Korsgaard 1989), Christine Korsgaard develops a theory to challenge Derek Parfit’s theory of personal identity and its implications for our identity-related practical concerns.² A central notion in Korsgaard’s agential theory of personal identity is the notion of *authorial connection*. She states that the difference between actions and choices on the one hand and mere behaviour determined by biological and psychological laws on the other is the fact that the former require agents and choosers, i.e. they have a subject. The relationship of agents to actions and choices is essentially *authorial*. Unlike mere happenings, our actions and choices are essentially *our own* (cf. Korsgaard 1989, 121). Authorial connections stratify the class of our mental states into levels of differing impor-

² It would be beyond the scope of this paper to map the whole dispute. For an exposition of the main differences and objections see Shoemaker (1996) and Bělohrad (2014).

tance. According to Korsgaard, the mental states that we have an authorial connection to are much more relevant for personal identity:

This is because beliefs and desires you have actively arrived at are more truly your own than those which have simply arisen in you... (Korsgaard 1989, 121)³

Korsgaard illustrates the role of authorial connections in personal identity through a popular thought experiment involving a mad surgeon who drastically manipulates a person's memory and character. On a standard psychological theory, the severe discontinuity in the person's psychology causes the person's demise and her replacement by another person. Korsgaard, however, maintains that it is not the discontinuity itself that causes the demise of the person. Rather, it is the fact that the intervention is external and unauthorized by the person. In other words, even severe changes in psychology are consistent with personal identity, as long as those changes are the product of the person's own choice. Korsgaard concludes that "the sort of continuity needed for what matters to me in my own personal identity essentially involves my agency" (Korsgaard 1989, 123).

Korsgaard's theory has all the elements characteristic of a subjective theory of personal identity. The relevant identity-constituting attitude is authorial connection. Personal identity is a product of agency, and agency consists in authorizing mental states and actions. Only the mental states and actions that are authorized in this manner become characteristic of who the person is, that is, part of her identity. Criterion (SI) takes the following form in Korsgaard's theory:

(SIA) Necessarily, for any x , if x is a person at t and there is a set of mental states and actions M at t^* , M will be part of x 's identity at t if and only if x at t authorizes the mental states and actions in M .

Korsgaard discusses the implications of her view for several practical concerns, including self-interested concern and compensation. But again,

³ The subtle shift of focus from actions and choices to beliefs and desires in this paragraph is not my mistake in interpreting Korsgaard. I believe that it can be explained by the fact that Korsgaard states that one can view certain mental states as forms of action. See Korsgaard (1989, 103).

our question is whether the criterion purports to define numerical identity. It seems that if authorial connectedness is the identity-constituting attitude, it marks our boundaries and is a condition for our persistence. The mad surgeon case supports this claim, for it shows that Korsgaard believes that if person does not authorize anticipated experiences, those experiences are not her own. This means, according to (SI), that they are not part of her identity, and, according to (SIP), she cannot be numerically identical to the subject of the experiences. In contrast, a person can survive even drastic psychological changes as long as these are the product of the person's decisions, that is, authorized (cf. Korsgaard 1989, 123).

2.3. *Identity as a choice*

My final example of a subjective theory of personal identity is a theory developed by Carol Rovane (see Rovane 2009).

The central claim that Rovane defends is that the existence of a person is never a metaphysical or a biological given but is always bound up with the exercise of effort and will (cf. Rovane 2009, 96). To argue for the claim, Rovane first explains what she means by the concept of person.

Persons, according to Rovane, are subjects with the capacity for *rational agency* – they are able to deliberate about the reasons for action and to present reasons to others and thus influence their decisions. Further, the ability to respond to reasons constrains persons' behaviour in accordance with the *normative requirements of rationality*. These require of persons that they arrive at an act on the basis of an all-things-considered judgment about what it would be best to do in the light of all their beliefs, desires and attitudes. This requires that persons resolve contradictions among their beliefs, work out their implications, and rank their preferences in transitive order. In sum, persons must strive to achieve what Rovane calls *an overall rational unity* within themselves (cf. Rovane 2009, 105).

According to Rovane, the normative requirement to achieve overall rational unity makes an implicit reference to personal identity, because it defines what it is for an *individual person* to be fully or ideally rational. After all, we do not consider it a failure of rationality if several people have incompatible preferences; we only do so if one does (cf. Rovane 2009, 105). Thus, one can approach the issue of personal identity by considering under what conditions a commitment to meeting the normative requirements of rationality arises, because “[t]his is the condition in which we have a *person*

in the sense that goes together with the ethical criterion of personhood” (Rovane 2009, 105).

Unfortunately, Rovane does not explicitly state her criterion of personhood, so we must rely on an interpretation of her claims. Rovane says that the existence of a person is bound up with the exercise of effort and will. The effort and will seem to be related to the person’s activity of unifying her mental states into a coherent and consistent set. Thus, Rovane is committed to the following thesis:

- (EP) Necessarily, for any x , x is a person if and only if x seeks an overall rational unity within the set of her mental states.

Rovane’s criterion of personhood has interesting implications. Rovane claims that the commitment to achieving rational unity can also transcend the boundaries of a single human being.

[Human beings] can exercise their rational capacities together so as to achieve rational unity within groups that are larger than a single human being, and they can exercise their rational capacities in more restricted ways so as to achieve rational unity within parts that are smaller than a single human being. (Rovane 2009, 106)

In other words, there may be *group persons*, comprising several human beings, and *multiple persons* within a single human being.

The concept of *multiple persons* is illustrated by an imaginary situation in which we visit a friend at a company headquarters and see that our friend has “become” a bureaucrat who cannot recognize the demands of friendship (cf. Rovane 2009, 112). According to Rovane, his life seems to take up less than the whole human being and the rest of it literally belongs to the life of the corporation. Importantly, Rovane states that “this may not be mere ‘role playing’. This may be, literally, a fragmentation of the human being into relatively independent spheres of rational activity, with separate rational points of view that can be separately engaged” (Rovane 2009, 112). Rovane elaborates that we typically try to live our lives in rationally unified ways for the sake of more specific projects, such as relationships and careers. She stresses, however, that these are just projects and that they are optional.

It is possible for human beings to strive for much less rational unity than these projects require and still be striving for rational unity. And,

sometimes, the result may be relatively independent spheres of rational unity with a significant degree of segregation. (Rovane 2009, 112)

I believe that Rovane's arguments for the claim that personal identity is a matter of choice, rather than a metaphysical or biological given, prove that her theory is another instance of a subjective theory of personal identity. If, according to Rovane, personal identity consists in the commitment to achieving overall rational unity, it presupposes adopting an attitude towards a set of mental states, leading to their adoption or rejection. I believe that criterion (SI) takes the following form in Rovane's theory:

(SIC) Necessarily, for any x , if x is a person at t and there is a set of mental states and actions M at t^* , M will be part of x 's identity at t if and only if x at t seeks to bring the mental states and actions in M into rational unity with her other mental states and actions existing at t .

This is, then, how Rovane uses the concept of personal identity. And again, what we want to consider is whether this concept purports to be the concept of numerical identity, implying the persistence conditions of persons. Rovane's theory is less explicit about this, but her comment about the friend-bureaucrat example, according to which it may *literally* involve a fragmentation of the human being into separate rational points of view that can be separately engaged, at least seems to be addressing numerical identity. That is, some of Rovane's claims seem to commit her to the view that if a person at t does not seek a rational unity among the set of mental states she has at t and a set of states existing at t^* , she cannot be numerically identical to whoever is subject of the mental states at t^* .

I thus conclude my presentation of three subjective theories of identity. In what follows I will assess the plausibility of their claims. For brevity, I will often use the term (*an attitude of*) *identification* to refer to the mechanism of identity-constitution the theories employ.

3. Interpreting "identity"

We have seen that there is textual evidence that supports the belief that the subjective theories purport to define numerical personal identity. How-

ever, the belief that numerical personal identity could be defined by means of a subjective attitude to a set of mental states or actions leads to grave difficulties.

3.1. *The presupposition of numerical identity*

The first problem is that the theories presuppose that persons can be defined independently of the criteria that the theories propose. To see that, consider again the general form of the subjective criterion (SI). Obvious counterexamples show that, as such, this statement cannot be true, because a person is limited in the range of mental states and actions that she can plausibly identify with. For example, consider the desire to have a third child, the belief that whales are fish, or the action of executing Saddam Hussein, which may all have occurred at some places on December 30, 2006. Any theory that claims that if I identify with these mental states and actions, they are mine must be seriously mistaken. I never had that desire or belief, and I did not carry out that action, so their incorporation in my narrative, my authorization of them, or my effort to rationally unify them with my current beliefs and actions would not show that they are mine, but rather that I am seriously confused. This shows that I can only reasonably identify with a subset of all the mental states and actions that there are. These are presumably those that I have *objectively* had and carried out. But in that case there must be another criterion of personal identity that will establish which mental states and actions are objectively mine, and only then can I legitimately adopt an evaluative attitude and identify with them. But this further shows that identification cannot make these mental states and actions literally mine and, conversely, if I fail to identify them, they do not really cease to be mine.

This point can be elaborated with respect to the concept of existence. As I have stated, a criterion of numerical identity will imply an answer to the question of when persons begin to exist. If the subjective theories define numerical identity, they are committed to the claim that persons only begin to exist as a result of their identification with their mental states and actions. But if persons do not exist prior to the act of identification, they cannot have any mental states, let alone identify with them. Conversely, persons already have to exist and have mental states in order to be able to identify with them.

In a later work, Korsgaard takes up this “paradox of self-constitution” and argues that it is not a paradox at all (see Korsgaard 2009). Cases of self-

constitution are common in the natural world and there is no mystery about them. A giraffe's nutritive processes turn food into matter that replaces tissue that is in need of renewal. Thus, a giraffe constitutes itself by its own activity. "Being a giraffe is *doing* something: a giraffe is, quite essentially, an entity that is always *making* herself into a giraffe" (Korsgaard 2009, 36). Similarly, persons can constitute themselves by their own activity.

But it is questionable whether this analogy dissolves the mystery. The case shows that living systems can *maintain* themselves once they are alive. It does not show that they can *bring themselves into existence* by their own activity. A giraffe does feed itself, but a giraffe embryo does not start its own existence through its activity. But if the theories purport to address numerical identity, they must explain how persons begin to exist, not just how they maintain their existence. And it is clear that persons cannot begin to exist by identifying with their mental states and actions.

3.2. A paradox of identification

Another argument against the claim that personal identity is the result of a person's identification with certain mental states and actions is that it leads to a paradox. We have seen that if subjective theories purport to address numerical identity, they are committed to (SI) as well as (SIP). Taken together, these principles say:

(SISIP) A person x at t is identical to someone y at t^* if and only if x at t identifies with the mental states and actions of the y at t^* .

The problem is that identification is not a symmetrical relation. As a result, the person at t may identify with the anticipated mental states and actions of a person at a t^* , but the person at t^* may fail to identify with the mental states and actions of the person at t . This supposition generates a paradox: the person at t is identical with the person at t^* , while the person at t^* is not identical with the person at t .⁴

⁴ If subjective theories purport to define numerical identity, they also share a host of problems with psychological theories of personal identity, such as *the fetus problem* and *the thinking animal problem*. See Olson (2008).

3.3. *The wrong interpretation?*

The above arguments show that even though some claims by the authors reveal their intention to define numerical personal identity, this project cannot succeed. But perhaps my interpretation is mistaken. Perhaps when Rovane says that a human being can literally be fragmented into different persons, she does not mean *literally*. Perhaps when Schechtman states that our claims that a person who has been the victim of abuse is “no longer the same person” or “is gone” “need not be considered entirely metaphorical” (Schechtman 1996, 88), she is not implying they are to be taken *literally*. Taken at face value, these claims are about numerical identity. But, in any case, the authors also make claims that seem to contradict the above claims. Rovane, for instance, writes:

... we needn't infer that personal identity is distinct from human identity, in the sense that there is a distinct thing – the person – whose life is shorter than a given human being's life. We can suppose instead that personhood is a *status* that is sometimes achieved by a given human being and sometimes not, without introducing any distinct existence. (Rovane 2009, 101)

In a later work, Schechtman, describing several cases in which a person changes so much that she can no longer identify with her past mental states, comments:

... we might say that she has become a different person, but there is some sense in which we clearly do not mean it. The change is only remarkable *because* she also remains the same person. (Schechtman 2001, 98)

As a result of these confusing remarks, it is quite unclear whether or not numerical identity is the focus of these theories. But since the numerical interpretation leads to obvious difficulties, we should try to find a more plausible interpretation.

What could be a more plausible interpretation? I believe we can propose an interpretation according to which the theories attempt to define what could be called *practical identity*. All of the authors point out that the concept of identity they develop is deeply related to our practical lives. Schechtman proposes the notion in her attempt to analyse, besides survival, the concepts of responsibility, self-concern, and compensation. Both Kors-

gaard and Rovane maintain that the concept is closely tied to the notion of agency, which is crucial in our conception of ourselves as moral beings (e.g., Korsgaard 1989, 132). I believe that we could find an interpretation that emphasises the practical dimension of persons while it does not entail any claims about persons' existence and persistence.

In this interpretation the basic entities are human beings, whose existence and persistence is determined by a criterion of numerical identity. (It does not matter now which criterion it is). The concept of personhood refers to a status or a role that a human being may or may not assume. When a human being assumes this role, no new entity begins to exist; the human being merely becomes a person, that is, acquires an important cluster of properties which make it an appropriate target of our practical concerns. And this happens, according to the subjective theories, when the human being identifies with its mental states.

This interpretation deals with the paradox of self-constitution discussed above. Persons do not bring *themselves* into being, but are brought into being when human beings identify with their mental states. The act of identification in which persons begin to exist does not presuppose the existence of persons. It only presupposes the existence of human beings that have mental states and capacities to identify with them.

Further, on this interpretation, the concept of personal identity refers to the unity of this role. That is, it refers to a relation which has to hold in the life of a human being in order for the human being to be the same person in time. If the human being is the same person in time, we may legitimately attribute responsibility to it for past actions, compensate it for past harms, and it may legitimately express self-concern for its future well-being. And on this interpretation of the subjective theories, one would be the same person in time as long as one identified with roughly the same mental states and actions.

This interpretation enables us to provide benign paraphrases to the troubling implications of the numerical interpretation of subjective theories. For example, saying of someone who does not identify with her past mental states that "she is no longer the same person" does not mean that an entity has ceased to exist and a new one has arisen. It simply means that the human being that she is has begun to exemplify a different set of practically relevant characteristics. Saying that the past person has "not survived" simply means that the human being no longer has the set of practi-

cally relevant characteristics that she used to have, and that, as a result, we may not legitimately blame her for her past actions or needn't compensate her for past harms. On this interpretation, using the vocabulary of existence and persistence is merely a misleading way of speaking about (continuing) property exemplification. It is as misleading as saying of a president of a corporation who has become the president of a country that "she is no longer the same president" or "the president we knew is gone".

It is worth emphasising how this interpretation differs from the numerical one. The major difference is in that, on the numerical interpretation, if person P at t is not identical to person Q at t*, there are two entities. But on the practical interpretation P and Q denote complex properties which may be exemplified in time by a single entity, a single human being. And saying of a single human being that it is no longer the same person as it used to be only means that the practical concerns and attitudes that were legitimate with respect to the former one do not carry over to the latter one.

In what follows I would like to show that even if this interpretation is logically and ontologically more innocent, its practical implications are still extremely implausible.

4. Identification and practical identity

As I have indicated, the subjective theories are committed to the claim that being the same person amounts to identifying with the same set of mental states. At the same time, being the same person is a necessary condition for the legitimacy of the identity-related practical concerns. However, I will attempt to show that identifying with the same set of mental states is not a necessary condition for the legitimacy of the concerns. I contend that identification is only relevant for some *aspects of some* of our identity-related practical concerns, while others are not affected by it.

Let me first argue that identification is not a necessary condition for the legitimate application of several practical concerns. Rovane's example of multiple persons in one body is a particularly suitable example to illustrate this. As we have seen, Rovane claims there may be separate spheres of rational unity within one body, resulting in the existence of multiple persons. A single human being can be a friend (person 1), while on other occasions

she can be a bureaucrat who cannot recognize the demands of friendship (person 2). If personal identity in subjective theories is practical identity, we are led to the conclusion that a single human being can have multiple practical identities, that is, multiple roles relevant for the attribution of responsibility, compensation and legitimacy of self-concern.

However, this supposition is hard to believe. Suppose that my friend makes a promise to me. Are we really ready to accept that once he enters the headquarters and becomes a bureaucrat who cannot recognize the demands of friendship, it is not legitimate for me to insist that he keep the promise? Or suppose that the bureaucrat embezzles a large sum of money. Would the police really be unjustified in arresting my friend? Would we be willing to accept the friend's excuse that he is not responsible for the bureaucrat's actions because he is not seeking rational unity among his mental states and the mental states of the bureaucrat? Or take another example. Suppose the bureaucrat is compensated for work-related health problems. Would we really consider it a theft if my friend enjoyed the benefits resulting from the compensation? I doubt that we are ready to accept these claims. And since we are not, it shows that we do not think that the fact that a person does not identify with certain mental states or actions means that we may not legitimately compensate her or hold her responsible with respect to those mental states or actions.

But Rovane's example may be an easy target, because it is very difficult to take seriously the idea that one human being could really change her practical identities by walking into and out of her office. Also, Rovane's example seems to be special in that it is meant to be an example of a human being alternately assuming the role of two persons. The examples offered by Schechtman and Korsgaard seem to suggest, rather, the idea that a human being may forever cease to have the status of one person and, instead, assume the status of another. In such cases it may seem more plausible that our practical concerns directed at the former person may no longer apply to the latter one.

Even so, I would like to insist that these cases still fail to illustrate a situation in which a human being's practical identity changes as a result of her non-identification with her past mental states. To see this, it will be useful to consider a few more examples to stimulate our intuitions.

Schechtman gives an example of a carefree young woman who eventually settles down and becomes a serious matron. Schechtman describes her

as someone who can remember her wild days, but who cannot recapture the emotions and desires she once had. She is someone who fails to see how she could have made the choices she made and who is completely alienated from the past reasons that motivated the choices (cf. Schechtman 2001, 101). In the terminology we have been using, she cannot identify with her past mental states.

Korsgaard suggests that a person whose mental life has been changed by external forces in a way that has not been authorized by that person leads to a loss of identity. Her example of a mad surgeon is a far-fetched thought experiment, which may not satisfy those who are sceptical about using such examples as evidence. But some actual cases come close to this hypothetical scenario. A case that comes to mind is the life story of Phineas Gage. Gage was a construction worker who suffered a serious brain injury when a metal rod was driven through his skull, resulting in profound changes in his pro-social behaviour. Even though the extent of the mental changes in this case is controversial, what is important is that these changes were not self-induced. Let us suppose, without any pretence of historical accuracy, that a complete lack of identification with his past occurred after the accident. Let us now consider what our practical attitudes in these cases should be.

Take first the notion of responsibility. If the serious matron fails to identify with the mental states of the carefree young woman, then, according to the subjective theories, we should be inclined to say that she cannot be responsible for any acts the young woman carried out. But suppose that the carefree woman badly hurt the feelings of a good friend of hers and they now meet after many years. It seems quite obvious to me that an apology is appropriate and rightly expected and, therefore, that the matron is still responsible for the act. But if, as a result of her non-identification with the young woman, the matron is a different person, as subjective theories say, any expectation of apology is unwarranted. Even if the serious matron is the same human being as the carefree woman, they are different for the purposes of attribution of responsibility, so there should be no reason for the matron to deal with the consequences of the young woman's reckless behaviour. I find this implication of subjective theories hard to accept.

But it may be objected that I have ignored the fact that responsibility comes in degrees. Some actions can be attributed to an individual in the minimal sense that they occur in her history and it is true that an act of non-identification cannot erase them. The individual is responsible for

them in the sense that the actions are still hers. That fact, however, shows very little about the extent to which she should currently be blamed – and this aspect of responsibility *is* determined by the degree of the current person's identification with the acts. After all, the matron is mentally so different that she may not even understand the reasons that led to the past act, let alone identify with that act. She does not deserve the same degree of blame as someone who truly identifies with an evil act.

This argument has some force. It does seem that at least *the degree of* responsibility interpreted as blameworthiness depends on whether or not the blamed subject identifies with the act for which she is blamed. After all, we recognize this distinction in our different attitudes towards the online murders committed by ISIS as opposed to cases of unintentional manslaughter in traffic accidents, for instance. But responsibility is not the only practical concern that attaches to personal identity and I would like to show that non-identification does not play a role in other such concerns.

Take self-concern, for instance, and consider the idea that a lack of identification justifies a corresponding lack of self-concern. Suppose I do not identify with the person who will be in my body in 30 years' time, because I am a *bon vivant* who lives by the motto of *carpe diem*. Suppose, further, that due to my love of food, alcohol and tobacco I am badly damaging the health of that person. It does not seem obviously true to me that the fact that I do not identify with the future person who I (as a human being) will become makes it justifiable for me to ignore her well-being. But then, self-concern is a practical concern that subjective theories fail to fully account for, because identification is not necessary the appropriateness of self-concern.

Let us now turn to compensation, which both Korsgaard and Schechtman discuss. Schechtman, for instance, focuses on the question of *what constitutes adequate compensation* for past harm (cf. Schechtman 1996, 157), and she argues, convincingly, that the answer does depend on the degree to which one identifies with the mental states and actions that compensation affects. If I take myself to be a football-despising opera lover and someone compensates me for a past insult with Premier League tickets, I am not likely to consider that adequate. The more closely compensation targets mental states I identify with, the more of a compensation it is for me.

But there is a more fundamental question relating to compensation. It is the question of *when compensation is legitimate* in the first place. It does

not seem identification has any say here. We believe that a person is legitimately compensated for a past harm only if she is the same person as the one to whom the harm was done. If personal identity was analysed by means of identification, it would follow that a person is only a legitimate target of compensation if the person identifies with the mental states of the person to whom harm was done. But then, if we are supposing that the changes resulting from Gage's injury could have been so severe as to lead to his non-identification with his previous desires, actions, beliefs and decisions, we must conclude that he does not deserve any compensation, because, while being the same human being, after the accident he was a different person. If the reader finds this conclusion hard to accept, as I do, it may be because we actually believe that the legitimacy of compensation does not presuppose identification. Thus, there is another aspect of our practical identity that cannot be captured by subjective theories.

5. Conclusion

Personal identity is both a metaphysical and a practical concept. It provides the existence and persistence conditions for human persons, and it is presupposed in our attributions of responsibility, compensation, expressions of self-concern, and other everyday practical attitudes and concerns. Defining identity by means of an attitude towards mental states and actions fails to provide existence and persistence conditions for human persons. In several instances, it also fails to account for our intuitions as to when the identity-related practical concerns and attitudes are appropriate. Thus, subjective theories of personal identity fail in both of the interpretations and owe us a clear explanation of what concept of personal identity they purport to define.⁵

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