Persons Unlocked

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Declaration

I, Catherine Rebecca Dale, confirm that the work presented in this thesis is my own. Where information has been derived from other sources, I confirm that this has been indicated in the thesis.

Catherine Dale, 12th December 2018

Abstract

This thesis considers two elements of the contemporary 'personal identity debate' that find their origins in Locke. The first part is focussed on reasons for rejecting the 'personal identity' framing – I propose that we should instead ask 'What is it for something to be a person?' The second part of the thesis considers Lockean accounts of personhood. I assess the prospects of accommodating the personhood of infants on these accounts. I consider Locke's own account, arguing that it has two central requirements on personhood – forming episodic memories, and having a self-conscious, first-person point of view. I use the phenomenon of childhood amnesia to argue that infants will satisfy neither of these criteria. I then consider Neo-Lockean psychological continuity accounts, taking Shoemaker's functionalist account as my focus. I argue that infants do not satisfy the criteria of personhood that we find in Shoemaker, and that again this is due to a failure to have a self-conscious first-person point of view. I consider the possibility of a 'bridge principle' that would allow infants into the account, and reject such a move. In the following chapter, I turn to Rovane's account, which rejects Locke's conception of a point of view. Her account explicitly excludes infants, and I consider her account to identify why this is the case. I argue that, as well as having too high a conceptual demand, it implicitly relies on a self-conscious first-person point of view. In the last past of the thesis, I suggest that if a Neo-Lockean account of personhood is to accommodate infants, it will need a far more minimal conception of a point of view. I suggest that perhaps we can rethink Rovane's notion of 'mutual recognition' to aid in this endeavour.

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Chapter 1

Introduction

> It has been said that the history of western philosophy is a series of footnotes to Plato. Whatever truth there may be in this, there is surely much more truth in the claim that the history of the topic of personal identity has been a series of footnotes to Locke.
>
> (Shoemaker, 2008, p.314)

To work on the metaphysics of persons, is to take part in a debate of Locke's creation. In this thesis, I will engage with two strands of the Lockean origins and framing of this endeavour. Firstly, I will consider the questions that we ask when we think about the metaphysics of persons. These questions are framed in terms of the persistence or identity conditions of persons - Am I the same person I was yesterday? What kind of change can a person survive? I will suggest an alternative question, and reasons for adopting it.

As well as giving us the framing of the debate, Locke offered us the two answers that dominate the literature. Once I have established the question that I think we should ask, I will consider the prospects for answers that follow Locke's preferred conception of persons. These are views that treat persons as *psychological* beings, and they have an instinctive appeal. I will do so through the lens of a particular priority – acknowledging the personhood of cohorts that are ordinarily left out of these accounts. There are several such cohorts with whom I am concerned – infants and young children, those with profound and multiple learning disabilities (PMLD), and those with dementia. Considering all of these groups, however, is beyond the scope of

this project. The second cohort in particular, those with PMLD, is a deeply heterogeneous grouping, and one that cannot be given the attention it would warrant within in these pages. I shall instead focus in particular on infants, and consider the prospects of accounting for their personhood on a (Neo-)Lockean framework. This problem does not arise for the Animalist, and this speaks in favour of their account – I take resolving this problem to be a challenge the Neo-Lockean should take seriously in defending their view. I shall diagnose what I take to be the central barrier to the personhood of infants on these accounts, and suggest that this has its roots in a particular aspect of Locke's understanding of what it means to be a person (and in his priorities when giving his account.)

1.1 Why think that infants are persons?

Before I give reasons for thinking they are persons, let me be clear who I take infants to be. 'Infants' is used in a variety of ways, and I will take a broader interpretation than some – I will use this to refer to children up to the age of two. The younger children in this cohort will have fewer capacities than the older ones. By the top-end of this age range, children have ordinarily developed the ability to use 'names of familiar people and body parts', 'sentences with 2 to 4 words' and are beginning to show 'more and more independence.' They can follow some instructions (and defy some), and can play make-believe games. They will not yet understand the idea of 'mine' or use first-personal pronouns. (Center for Disease Control and Prevention)

The initial response to my concern with the personhood of infants may be to dismiss it. Perhaps the conclusion that infants are not persons is one that we are prepared to accept – it is a downside of Lockean views, but it is not an insurmountable problem. Infants are very different from persons as these accounts normally present them - they speak very little, their behaviour is far less predictable than ours and they often seem perplexed by the world. Little in the ordinary day-to-day life of a 2 year old bears a close resemblance to the day-to-day life of a twenty-something philosophy graduate student - why should I be concerned with contending that we are things of the same kind? Why think that infants are persons at all?
Let us consider the thought that infants are not persons from another perspective:

> ...it strikes me that a view of persons which has it that our interactions with two or three year old children are not properly interpersonal interactions is extremely counterintuitive (O'Brien, 2000, p.232)

To claim that an infant is not a person is to claim that when I interact with an infant, what I am doing is not properly described as interpersonal. This framing of the claim seems to me to be harder to justify than the straightforward denial that infants satisfy the conditions of personhood. A 6-month old 'responds to other people's emotions', a 1-year old 'is shy or nervous with strangers', and an 18-month old 'shows affection to familiar people' and 'points to show others that something is interesting.' (Center for Disease Control and Prevention) All of these appear to be interactions between persons.

Let me now identify a feature of our practices that speaks to an implicit assumption that infants are persons. In *Human Beings* (1987) Johnston contends that our account of personhood should explain a pervasive feature of our practices, that of reidentifying persons across time – it should be an account of the kind of things that can be reidentified in this way. I want to follow this approach, but focus on a different ubiquitous and central practice, namely *care*. It is uncontroversial to state that it is important that we care for infants. It is a practice that we encourage (rather than merely condone). We regard failure to properly care for infants as something worthy of disapproval at the very least, but often vilification and punishment. I contend that we should take seriously the import that we place on these practices, that we should hold them to speak to the way that we think of infants and young children.[1] I take it that these practices of care are related to the ways in which we show care for fellow adults. Our care for infants speaks to our taking them to be persons, albeit persons who are less able to 'fend for themselves.'

If neither of the above reasons is compelling, then let me turn to a third. Prior to becoming a Lockean person, each of us is as an infant. Under our current circumstances, it is a necessary condition for being an adult that one was once a child. If infants are not persons, there is a transformation that must occur, and it is a metaphysically substantive one. There must be a change in kind. To 'bite the bullet' with regards to infants, and accept that they are not persons, is to assent to the claim that there was a time at which I existed and was not a person. More than this though, it is to assent to the claim that there *must* have been a time at which I existed and was not a person for me to have been able to become a person. This is far more

[1] There is also a kind of care that we think it is important to direct towards non-human animals. Distinguishing between the kind of care that we afford these non-human animals and the care we afford to infants and those with PMLD is outside of my current scope. See Carlson (2010), for arguments in favour of holding these to be importantly different practices.

worrying – it appears it is necessary that one is first not a person if one is to be ever be a person.

Even if one is unconvinced that infants *must* be included in our account, it remains worth considering whether they *could* be. So I shall proceed to do this - to consider whether Lockean and Neo-Lockean accounts can include infants in personhood.

Chapter 2

Personal identity and personhood

2.1 Preliminaries

In this chapter, I will consider the questions that we attempt to answer in giving an account of the metaphysical nature of persons. I will begin by considering the Lockean origins of these questions. The contemporary discussion is particularly focused on diachronic identity conditions and persistence conditions - this is why it is ordinarily termed the 'personal identity debate.' This stems from and is closely engaged with Locke's framing. I will suggest reasons that we should be wary of asking these questions, both because of differences between our priorities and Locke's, and because of the answers that these questions incline us to give. I will then consider and advocate an alternative question, one that I will call the 'personhood question.' This is the question of what it is for something to be a person.

2.1.1 What is the question of personal identity?

Ordinarily, when considering the metaphysics of persons we develop identity conditions. Given a person P at time T_1 and a person P' at time T_2, we ask 'what is involved in them being one and the same person?' We consider changes that a person could undergo (often through thought experiments about brain transplants and transportation) and decide (a) whether they would remain the same person, and (b) if so, what continuity this is in virtue of. This continuity is then taken to be that which gives us personal identity. I will refer to this as the 'personal identity question.'

In this chapter, I will discuss the origins of and problems with the personal identity question, and reasons for asking a different one. I will call this alternative question 'the personhood

question.' This is the question 'what is it for something to be a person?'

2.2 Locke's questions and methods

Contemporary philosophical discussion of personal identity originates in Locke's *Essay Concerning Human Understanding* (1975). In Book II, Chapter XXVII – 'Of Identity and Diversity' – he considers the question of persistence both generally and as it applies to persons. I think it central to understanding the personal-identity question and its limitations that we turn to this origin point. In particular, we should see that the question that we ask today is in many ways unchanged from the question that Locke posed:

> ...the question being, what makes the *same person*... (Locke, 1975, Book II, Chapter XXVII, §10, emphasis mine)

This is the question that is central to his analysis of personal identity, although he adds supplementary questions –

> Whether, if the same substance, which thinks, be changed, it can be the same person; or, remaining the same, it can be different persons? (§12)

Locke also initiates the long tradition of thinking about personal identity through considering thought experiments. His 'Prince and Cobbler' is the beginning of many of the brain- or mind-transfer experiments, and he also asks us to reflect on cases of amnesia.

In the following section, I will consider in more detail Locke's question, and why we might be wary of using it for our metaphysical inquiry.

2.2.1 Why does Locke care about personal identity?

Locke considers the three kinds of identity we might apply to the kind of things that we are –

> [i]t being one thing to be the same Substance, another the same Man, and a third the same Person (§7)

He treats each of these ideas in turn. Having considered the principles of individuation and reidentification of substances in §2, Locke discusses the identity of living things in §§3-4. Being the same living thing involves the parts 'partaking in one Common Life' – individual matter can vary and the shape and size of the entity in question can change, but it remains the same

entity in virtue of the continued life. This is how we get the identity conditions of the 'Man'. He then considers the identity of Persons.
A person is described as:

> a thinking intelligent Being, that has reason and reflection, and can consider it self as it self, the same thinking thing in different times and places.

with the diachronic identity of a person given

> as far as consciousness can be extended backwards to any past Action or Thought.

Not only does the framing of the question find its origins in Locke, so too do the answers that we provide. Neo-Lockean accounts are inspired by this, whilst the Animalist solution involves taking the identity conditions of 'man' to be the identity conditions of persons. Not only does the framing of the question come from Locke, so too do the answers we give. In the second part of this thesis, I will consider in depth Locke's answer to the personal identity question, and the answers that are modelled on it. At this point, however, I want to instead consider Locke's reasons for asking this question, and for giving the answer that he did.

In §18, Locke explains why he thinks the personal identity question matters –

> In this personal Identity is founded all the Right and Justice of Reward and Punishment; Happiness and Misery...

and in §26 emphasises this further, with his claim that it is a 'Forensick' term 'appropriating Actions and their Merit.' For Locke diachronic identity is important because we need to be able to tie actions to agents so that we can appropriately punish and reward. He provides an answer that allows him to do this – the individual that takes the action to be their own is the one that deserves the treatment that we see suited to the responsible agent. Locke has a particular political and moral concern, rather than a metaphysical one. He has a particular non-metaphysical priority in shaping his account and approach, one that we are not necessarily inclined to share. The framework in terms of persistence conditions is set up partially for resolving this specific issue of accountability. Often the contemporary debate is not engaged with this concern, explicitly or at all, so inheriting his framing is not necessarily useful. In §2.5.3 I will suggest that it *should* be engaged with the practical, but I take it that the narrow conception of it we inherit from Locke is inadequate. Moreover, many contemporary philosophers in this field do not share this belief in the importance of the practical. Given this, there is more reason to push

on the framing that we inherit from a practical concern.

This is not sufficient to reject the personal identity framing. The lesson might just be that we should critically reflect on our practice as metaphysicians, and attempt to remove the unacknowledged assumptions. Perhaps we can move forward to provide an account in terms of persistence conditions that does not fall into these traps of Lockean framing. Some have developed accounts that provide identity conditions without using either of the conceptions of persons that Locke suggests (Braddon-Mitchell & Miller, 2004; Schechtman, 2014). I will now consider another reason to be wary of the personal identity framing, before suggesting another approach.

2.3 The Concern to Survive

One defence that could be mounted of the personal identity methodology is that we are particularly concerned with our own survival. This is present in the titles of works on the topic - *Surviving Death* (Johnston, 2010) and *Staying Alive* (Schechtman 2014), for instance. We care deeply about our own survival, and make decisions on the basis of what will avoid our ceasing to exist. Perhaps in light of this it makes sense that we want to understand what is involved in our survival – the question of personal identity is intimately related to this concern. We ask questions of personal identity because the answer matters to us – we want to know how and when we will survive, what it takes for us to exist across time. The metaphysics of persons may be best considered in these terms because our survival is of tantamount importance to us.

There are two questions that we should consider at this juncture, and if the answer to either of these is negative, then we lose this motivation for thinking about persistence conditions (that is, about the personal identity question)

1. Does an account of our persistence conditions allow us to develop an account of our survival?

2. Can *thinking about* our survival help us understand our persistence (or our survival)?

For Parfit, thinking about our persistence conditions is a distinct endeavour from thinking about our survival, and '[p]ersonal identity is not what matters.' (1984, p.217). He considers the question of personal identity to be conceptually distinct from that of survival, and thus

approaching the latter concern via the former is going to be uninformative. It is wrong-headed to look for our identity conditions if we want an account of what it is for us to survive if our survival is not dependent on our persistence. Parfit contends we can survive in ways other than identity of persons. If his arguments are successful - if we answer (1) in the negative - then thinking about persistence conditions cannot be motivated by wanting to understand our survival, because we will simply not obtain what we are looking for.

Wiggins (1979) argues that the conception of survival that Parfit considers is, in fact, secondary on a conception of identity – that it matters to a person not just that she survives at all, but that she survives as the person that she is. An understanding of who she is, of the kind of person that she is, the features of herself that she values, will be part of 'what *made [her] into* something [she] thought it was *worth* caring about the survival of' (p.420). He takes it that the phenomenology of the concern to survive involves this focus on 'what would survive' (p.419) in a variety of situations. The conceptual distinctness that Parfit appeals to is not borne out once we think about the concern. I do not wish to adjudicate between these two answers, but if Wiggins is right, I hope to show that there is good reason for not thinking about ourselves via thinking about our diachronic identity. I want to suggest that this concern to survive leads us to bad answers to the question of our identity.

Unlike cases in which I have a reflective and engaged perspective that affords me epistemic privilege, I do not care about survival because I understand it and have thought long and hard about it. I have what I am going to dub 'survival-panic', which surfaces when we ask about personal identity.[2] As Campbell notes,

> ...looked at from our immersion in our ordinary activities, death is something terrifying, something it is *hard to think about with clarity* (1992, p.381, emphasis mine)

If we consider the presentation of personal identity thought experiments, one crucial thing to note is that we assume the person must 'go somewhere'. When bodily and psychological continuity come apart, the person that was in existence before this split must go with one of them - our answers take the form of 'body' or 'psychology' and never 'ceasing to exist.' The possibility that we are sufficiently fragile to go out of existence at this point is one that we do

[2]Wiggins (1979, §10) claims that '[w]hen the desire not to cease to exist comes to accept its own long-term futility, it can be commuted into all sorts of distinctively different sorts of desires to leave traces.' The desire to survive is ultimately futile. I think that the 'coming to accept' that Wiggins speaks of is not often achieved, and instead there is a only a recognition of the futility that leads to a discomfort and panic

not ordinarily bring to the fore. We want persons to be robust things. When we ask where the person goes, the answer that they are not longer there is one we find distasteful, and one that engages (on some level) with an existential angst about our mortality. We may well be inclined to avoid giving it, to insist on our robustness. This would suggest that we can answer question (2) with a resounding 'no' - thinking about our survival is not helpful in understanding about our persistence, *and yet it seems unavoidable*.

This concern tends to leave us with accounts where we have a drastically reduced version of what we are looking for, that we keep in virtue of wanting to account for survival in as many cases as possible.[3] These questions hold sway in adapting accounts, and if we look to the way that each of the two options we inherit from Locke is developed, this is writ large - objections are presented by suggesting that a theory cannot account for a particular case of survival, and then the view is adjusted. Starting with Reid's (1983, pp.217-8) 'Brave Officer' and the problems it raises regarding transitivity, we have refined the memory criterion to account for ever more cases, so as to allow the Neo-Lockean to provide survival. Similarly, concerns with brain-transplants and fission lead Animalists to refine their accounts, to suggest that they can accommodate our survival in these instances. When we come to a view by this kind of tweak and modification, we can go seriously awry if we let our desire for survival guide us into maintaining we survive in extreme cases.

For Parfit, the centrality of this concern, and the implication it has for the accounts of survival we present, leads him to the other extreme - to reject thought of identity at all. In fact, the kinds of accounts that we are left with through this method of modification, those that purport to be of our identity, often really leave us with less that survival – with Parfit's attenuated version of it. Neither camp really seems left with what we started out looking for –

> it is not obvious that a man's acceptance of [Parfit's survival] would tell us anything at all about that which motivated the original desire to survive - the desire as that exist among actual human beings. (Wiggins, 1979, pp.421-422)

We will settle for something less in these cases precisely because we want it to be that we still exist, and so we develop accounts of persistence that are clouded by this concern. It seems

[3] Views are also rejected for taking us to persist in cases when we think we do not survive - but this seems compatible with my claims. It just indicates that we have an idea of what our survival is and should be, and this guides us in considering our identity conditions.

that thinking about our persistence is guided by our desire to continue to exist, and thus we should step back from this question. Thinking about what it is to be a person will allow us to identify what would be involved in our survival, without *leading* with this question and the concomitant concern to survive.

2.4 The personhood question

I have indicated the ways in which the personal identity question is tied up with Locke's particular concerns, and the limits that it might put on the answers we can give. I will now turn to presenting and defending an alternative methodology.

2.4.1 Distinguishing questions

To identify the question that I want to engage with, I will consider a variety of ways we might approach the topic of 'persons' in metaphysics. Following A.O. Rorty (1976) we can identify the following questions:

Class differentiation 'What distinguishes the class of persons from their nearest neighbors, from baboons, robots, human corpses, corporations?'

Individual differentiation/Individuation 'What are the criteria for the numerical distinctness of persons who have the same general description?'

Individual identification 'What sorts of characteristics identify a person essentially as the person she is, such that if those characteristics were changed, she would be a significantly different person?'

Individual reidentification 'What are the criteria for reidentifying the same individual in different contexts, under different descriptions, or at different times?' (This is the personal identity question)

The personhood question is closest to the one Rorty terms 'class differentiation,' with the proviso that the class of persons could include some or all the things that she takes to be their 'nearest neighbors.' Rather than framing my question as asking what it is that distinguishes persons from other things I want to ask what it is that makes things persons. I suspect this is mainly stylistic rather than substantive, but it is worth emphasising nonetheless. Instead of considering what it is that keeps things out of personhood, I propose that we ask: **What is it**

for something to be a person? – this is what I will call the 'personhood question'. The absence of these features may well be how we distinguish instances of the class of persons from other kinds of entities, but I do not want to frame my investigation in these terms.

I take the identification and reidentification questions to be more intimately related than Rorty does, and to amount to the conditions that make something a particular person. Either way, I take it that these questions are secondary on the question of what it is for something to be a person whatsoever. We cannot ask about the conditions for differentiating entities of a particular kind until we have decided on the criteria for identifying any entity of that kind. If we want to consider questions within the domain of persons, we need to work out the boundaries of this domain. This will also give us the ways in which the question of particular persons can be answered, which kinds of properties and conditions it is relevant to turn to. I take it that the personhood question is primary, then, and the question of particular persons will give us the materials we need for answering the personal identity question.

2.4.2 The importance of the practical

I have identified the question of personhood, and in doing so I not only step away from traditional metaphysical framing but I also use terminology that is more readily found in moral discussions (Kittay, 2005, for instance). I do this partly to intentionally evoke this second debate. Unlike Olson, I do not contend that the metaphysics of persons is 'more or less unrelated' (2007, p.16) to the ethicist's consideration of the concept of personhood - I think the two discussions are far less distinct than we ordinarily treat them as being.

Before challenging the distinction we incorrectly draw between the metaphysical question and the moral question, I want to note the parallels with a distinction drawn *within* the personal identity debate. Schechtman identifies the problem that arises from the separation of the concerns with the animal and the psychological that manifests throughout the debate:

> What results is a sharp dichotomy between, on the one hand, "person-making" capacities like moral agency, reflective self-consciousness, and reason, and on the other, "animal features" which we share with many other animals, i.e., "merely biological" factors. In both views, this distinction is given a metaphysical significance.

> For neo-Lockeans, it leads to two distinct entities: persons and human animals. For animalists, it leads to a sharp division between the practical concerns that go with personhood and the austere metaphysical facts (facts with no practical admixture) that go with animality. (Schechtman, 2010, p.277)

The array of available options is almost entirely constricted to those that this conception suggests. Rovane (1998) claims that to take a side in the personal identity debate, is to declare whether you take seriously this distinction between the animal and the personal.[4] The distinction between the metaphysical and the practical echoes this distinction between the animal and the psychological. As Schechtman goes on to argue, we cannot draw these sharp lines quite so readily - we are something of a kind that is both animal and that develops psychological and moral capacities. Moreover, a far greater range of practical capacities and concerns are central to the kind of things we are than either standard answer ever acknowledges – I have already suggested that our practices of care are something we should consider when we develop our account.

Those working on personhood identify that they are engaging with a different question from the metaphysician - Elliott (2003) points out that ethicists, particularly when considering questions about the profoundly impaired, ask "What is a person?" and Kittay (2005) claims 'questions of personal identity, or who "we" are, may not be identical to questions of personhood'. I want to maintain that *the ethicist's question is a metaphysical one*, albeit not the one that the metaphysician ordinarily asks. Asking about the criteria of falling under a certain concept or kind is part of metaphysical practice. Just because the questions about the concept of person are asked in moral philosophy, it does not follow that they are not metaphysical. Considering the practical is crucial for answering the metaphysical question, because the two are not as straightforwardly distinct as the ordinary debate suggests. The ethicist provides us with a model that we should adopt for asking the metaphysical question.

2.5 Why personhood?

Now that I have identified the 'personhood question' - what makes a person a person? - I will motivate why we should ask it. I will first consider its relationship to personal identity, before considering other related questions.

[4] In Ch.6, I will explore Rovane's response to this distinction.

2.5.1 Personal identity depends on personhood

> One would think that the definition of a person should perfectly ascertain the nature of personal identity, or wherein it consists, thought it might still be a question how we come to know and be assured of our personal identity (Reid, 1983, p.217)

We have some grasp on the persistence conditions of persons which we engage with in asking about personal identity. We have ways of trying to ascertain which person someone is. This is not to say that we have a fully fleshed out conception of our diachronic identity that we apply in each of these instances, but that we are asking about what exactly this conception would be. As Johnston puts it, the question is

> [w]hat sort of thing is such that things of that sort can be reliably and unproblematically reidentified over time in just the way in which we reliably and unproblematically reidentify ourselves and each other over time?(Johnston, 1987, p.63)

Ordinarily, we would take the personal-identity theorist to be asking what the nature of our persistence must be, if these are the ways that we can pick the same person out at two times. What must our diachronic identity conditions be for these to be our reidentification conditions? There is, however, another question that Johnston is suggesting in this passage: What kind of thing must we be for these to be our reidentification conditions –

> ...what is at issue when we ask whether x is the same person as y is to be understood in the light of the question of what a person is. (Wiggins, 1996, p.244)

This question can be seen underlying theories of personal identity. The 'Thinking Animal Problem' (Olson, 2007) that is used to motivate animalism is a problem about the nature of an entity, rather than about its persistence. Snowdon goes further than most in acknowledging that this is the problem that is being tackled:

> All animalism tells us is that our persistence conditions are the same as those of the animal we are... We get from this claim a theory of our persistence conditions only if we can articulate a theory of animal persistence and apply it to ourselves (Snowdon, 2014, p.172)

He does not take the (natural) next step – to ask why, if the answer he gives is in terms of the *nature* of a person, the question we ask continues to be posed in terms of personal identity? He claims the Neo-Lockean answers the question by providing persistence conditions, suggesting

an asymmetry between the two central kinds of account. I contend that this asymmetry is in terms of presentation rather than the substantive nature of the answer. Their answer may be structured in terms of diachronic identity conditions but it does not follow that their question is fundamentally different from that of the Animalist. They are giving the answer that persons are psychological entities. At best the question of personal identity is answered by giving the nature of persons - we are told what kind of thing a person is, and therefore that they persist in the way that things of this kind persist.

This concern with the personal identity framing is not a new one - the quotation from Reid with which I opened this section comes in a passage in which he questions Locke's decision to give criteria of personal identity that are distinct from his account of the nature of a person. Given that persistence conditions cannot determine the nature of persons, there are two possibilities for how the questions of personal identity and personhood are related. It seems that for Wiggins, the two questions are on the same conceptual level - they are one and the same question:

> what an entity is determines what shall count as the continuance and persistence of that entity, and ... what determines the continuance and persistence of an entity determines what it is to be that entity (Wiggins, 1980, p.60)

Either the two questions are on a par, or the question of the nature of persons is explanatorily prior. I am inclined to the latter, but it does not matter greatly which is the case for my claim that we should pursue the personhood question. Neither relationship produces any in principle reason to pursue the question of personal identity instead.

2.5.2 What are we?

In *What Are We?* (2007) Olson approaches the question of 'personal ontology.'[5] He considers the metaphysics of persons by thinking about the nature of a person. It might seem that he and I are proposing the same thing. However, there are crucial differences between his approach and the one that I am advocating. The framing of a question can encourage particular answers, and I will detail reasons to prefer my question to Olson's.

[5]The distinction between personal identity and personal ontology is one he attributes to Thompson (2008)

Olson glosses 'what are we?' as 'asking what a human person refers to when he or she says 'I'' (p11). He claims that investigating our nature as individuals and our nature as part of a group of persons is one and the same. There are two ways that we could build up this claim. I take Olson to contend that asking about the nature of persons as a plural is unnecessarily complicated, and we should instead ask about what we, considered individually, have in common. We can see this in his desire to 'avoid irrelevant worries about plural reference' (p10). However, there is a second way of developing the thought that 'what are we?' is importantly related to asking 'what am I?' Perhaps thinking about 'us' and thinking about 'I' are importantly the same because the 'I' is the kind of thing that it is in virtue of the 'us'. Consider the relationship between leaves and plants. To understand what a leaf is, we need to understand what a plant is (and vice versa). We cannot make sense of the nature of a leaf without understanding the role it plays in the functioning of a plant. It is only the thing that it is in virtue of being a part of the larger plant. If the relationship between 'I' and 'we' is like that between a leaf and a plant, then I cannot understand what I am without understanding what we are as a group.

I do not want to assume that questions about the nature of persons can be asked by looking to persons in isolation, or properties that are entirely intrinsic or realised non-relationally. I am making no commitments to the claim that we *are* inextricably part of the 'us', just that we do not not want to preclude this possibility. We can understand 'what are we?' as asking what we are collectively, or about the nature of our joint endeavour. This need not involve a rejection of an Animalist framing - accounts of animals as interdependent are not unfamiliar, although they normally apply to insects and birds rather than higher primates (Rosenberg, 1988, p.169, for example). That we might be the things we are in virtue of being part of a group of things of this kind does not entail that we are not fundamentally biological, just that looking to this fundamental and individual level may not tell us what we want to know. If we follow Olson's approach, then, we may fall short of a full understanding of the nature of persons.

Olson takes his question to be about what we are 'most generally and fundamentally' (2007, p.8). He declares himself to be considering only the nature of 'you and me and the people we know – we *human* people' (ibid). He acknowledges there might be nonhuman people, but claims they could be of a different metaphysical kind, since our metaphysical nature may depend on our being organisms. He wants to investigate the fundamental nature of human persons, whilst I am interested in the kind 'person' as it could apply more broadly. I am not

claiming there *are* nonhuman persons, or that our nature does not importantly include our animality. However, our reasons for thinking that artificial intelligences could perhaps obtain personhood come from seeing our nature as more than simply biological. Therefore, I would rather not assume our personhood and our humanness are connected, or that the latter tells the whole story of our metaphysical nature. Perhaps personhood could be manifested by something non-biological, perhaps we are only contingently persons. Unlike Olson, I do not take it that we should ask only about our most fundamental nature. Rather than asking 'what we are', I contend that asking 'what is it for something to be a person?' leaves open far more possibilities.

2.5.3 What am I?

Another potential question is 'what am I?' When we ask this question, we bring with it particular presumptions about our nature. As Schechtman (1990) notes, we have a dual-perspective on ourselves - both as objects, and as subjects of experience - and we can be inclined to overemphasise one of them when we pose the question this way. In answering this question, I am likely to be drawn to the answers that conceive of me as centrally the kind of thing that can ask this question.[6] It does not follow that I cannot give a different answer, but it becomes less likely. As Boddington and Popadec note

> professional philosophers, in general, are highly articulate academic specialists who make a career, and quite possibly a whole life-style, out of high culture, rationality and intellectual kudos. (Boddington & Podpadec, 1991, p.184)

This conception of ourselves does not mean that we are destined to conclude that an infant is not person, but if philosophers think particularly about the kind of thing they themselves are, it may well encourage answers suggesting that infants are not the same kind of entity.

By asking the personal identity question, and by asking 'what are we?' or 'what am I?,' I focus on the personhood of things that are like me. Olson claims to be asking about 'you and me and the people we know' (2007, p.8), which indicates this risk. When philosophers think about persons, philosophers really think about philosophers. I contend we should be spreading the net wider to try to capture the personhood of the people that are not like us, at least in the

[6] Many thanks to Lucy O'Brien for this thought.

ways that we ordinarily think of our nature. Particularly on Lockean accounts, we are drawn to prioritising certain features, and this is an especially easy trap to fall into when we think about people that are 'like us' in this way.

Even when we look backwards and consider my possible identity with things that are unlike us, we reach *past* the point with which I am concerned. We ask whether we were ever foetuses (Olson, 1997, for example) far more often than we consider whether we were young children. It is worth noting that the questions we ask may well impede our ability to accommodate the personhood of infants, even if it is not ruled out entirely. The way that these questions can guide us to particular answers again returns me to the personhood question – What is it for something to be a person?

2.6 Considering responses

I have motivated thinking about the metaphysics of persons in terms of conditions of personhood. However, with a change in methodology of this kind, objections are likely to be raised. I will now briefly consider some potential concerns

2.6.1 Is personal identity a misnomer?

Perhaps I am misrepresenting the role of thinking about persistence in the ordinary consideration of the metaphysics of persons - maybe it is far less central than I have suggested. This seems to me just fuel to my claims that we should step away from framing it and discussing it in this way. Maybe we are all always asking about what a person is, rather than what is involved in a person's survival. The topic is nonetheless taught and discussed under the heading of 'personal identity.' Perhaps I am just encouraging us to make explicit what is implicit, but this is still a claim worth making.[7] I would contend that thinking about persistence is more pervasive than this, since at the very least we use personal identity to assess and develop our theories, but nothing I have said is undermined if it is not. Even if we do not actually answer Locke's personal identity question, we still instinctively ask it in doing the metaphysics of persons.

[7] Madden (2015) has adopted the framing 'metaphysics of the human self'. I prefer the to use the term 'metaphysics of persons', as it does not rely (a) on humanness or (b) on a commitment to 'the self'.

2.6.2 Extension and persistence

One might also want to argue that, since we are temporally-extended things, we should think of ourselves in terms of diachronic identity. How can I claim that we can assess something as a person without understanding its persistence conditions given that persisting is an inherent part of what it is to be a person? The concept of a person is going to involve that we are temporally-extended. Persons are things that engage in temporally-extended behaviours and processes, and that have habits and characters – features that only make sense if they exist across time (Wagner & Northoff, 2014). Perhaps this means that our account of persons will (at least) implicitly rely on an account of their persistence - rather than the personhood coming first, we need an understanding of personal identity to get there.

I would not dispute that (a) we are temporally-extended or that (b) some understanding of that temporal extension will play a role in articulating the concept of personhood. We have an understanding of what goes on in something reaching the status of an adult person, and that this involved a continued existence as a person.[8] Assessing that something is a person ordinarily involves assuming that it is caught up in temporally extended processes, that begin before the time of encounter and that we have good reason to think will continue after. My claim is not that we should not be aware of or engage with this in making sense of the concept 'person', but that we should not proceed by ascertaining either what needs to hold for someone to be the same person continually between two times, or what the exact boundary conditions on a person's existence are.

We do not need to work out in detail the temporal boundaries of a person to proceed in understanding what they are, and that we work with some implicit understanding of them does not lead us to conclude that the personhood question is *really* asking about identity conditions. Our being temporally-extended means our characterisation of our nature should include this, not that it should be provided in terms of what the boundaries of our temporal extension involve. This is much like how our concern with survival means characterisation of our nature should acknowledge that we are so concerned, not that it should be centred around resolving this concern.[9]

[8] I suggested this as a reason for taking infants to be persons in §1.1

[9] It is not a desideratum of our account of persons that it soothe our survival-panic. We should not be concerned (as perhaps Parfit is) with developing an account that leaves us no longer worried about when we survive. That this kind of angst is a feature of persons should be reflected in our account of persons. Our account should not, however,

2.7 Summary

I have identified the question I think central to understanding the metaphysics of persons, which I have called the personhood question - What is it that makes something a person? I have done so by first considering the standard framing of this debate - the 'personal identity question'. I have shown the Lockean roots of this approach, and identified the particular priority that Locke was addressing in asking his question. I have provided reasons for being wary of Locke's framing, suggesting that it limits the answers we might provide, and that it clouds our ability to think clearly about the nature of persons. I have also considered potential responses to my framing.

Having motivated the decision to ask the 'personhood question', I will now proceed to use it in the rest of this thesis in addressing my second theme - the personhood of infants. In the subsequent chapters, I will consider what accounts stemming from Locke's solution to the personal identity problem tell us about the nature of persons, and consider whether they allow personhood to be something that an infant can have.

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be a tool for getting us out of this angst - the metaphysics of persons should not be something we do to try to change the nature of persons by removing this worry.

Chapter 3

Locke and personhood

In this chapter, I shall introduce the second theme of this thesis, and the second central influence of Locke's account on the personal identity debate. Throughout the following chapters, I will consider accounts that fall under the heading of 'Lockean' or 'Neo-Lockean' accounts of personal identity, and whether they can accommodate the personhood of infants.

3.1 Locke's account

I have already begun to consider Book II, Chapter XXVII of Locke's *Essay*, which is concerned with the question of personal identity. Throughout these chapters, part of my work will be in reconstructing accounts of personal identity so as to answer the personhood question. By doing this, I will find criteria of personhood that I can use to consider whether the account provided will allow for the personhood of infants. At some points, however, Locke turns more explicitly towards considering the nature of personhood. In §§21-22, he considers the relationship between 'man' and 'person', as opposed to the identity conditions for each of these kinds. In §§23-25 he claims that 'consciousness alone makes self' which is best understood as a claim about personhood, since the notions of person and self are intimately related in Locke's account. In §§26-27, he sets out claims about 'Person' as a 'Forensick' term, but in doing so he also gives us a clear statement of what he takes 'Person' to mean, what is required for something to fall into the category of personhood:

> *Person*, as I take it, is the name for this self. Where-ever a Man finds, what he calls *himself*, there I think another may say is the same *Person*. It is a Forensick Term appropriating Actions and their Merit; and so belongs only to intelligent Agents

> capable only of a Law, and Happiness and Misery. This personality extends it *self* beyond present Existence to what is past, only by consciousness, whereby it becomes concerned and accountable, owns and imputes to it self past Actions just upon the same ground, and for the same reason that it does the present. All of which is founded in a concern for Happiness the unavoidable conconmitant of consciousness, that which is conscious of Pleasure and Pain, desiring, that that *self*, that is conscious, should be happy. (Locke, 1975, §26)

Since Locke's purpose at this point is partly to explicate the non-metaphysical aspects of the concept 'person', I will supplement this quotation with one taken from earlier in the chapter:

> ...we must consider what Person stands for; which, I think, is a thinking intelligent Being, that has reason and reflection, and can consider it self as it self, the same thinking thing in differents times and places; which it does only by that consciousnesss, which is inseparable from thinking, and as it seems to me essential to it: It being impossible for any one to perceive, without perceiving, that he does perceive. (§9)

Firstly, to follow Mackie (1976, p.173), I will note that Locke takes the subject of his discussion to be not just the referents of explicit uses of the term 'person', but also of uses of personal pronouns. We can see this is the first quotation, where a person is identified as 'what [a man] calls **himself**' – the referent of someone's use of a self-referring pronoun. Locke is not providing an account only of those times when we think of ourselves *as persons*, but of those times when we think of ourselves at all. This choice of pronoun, a third rather than first personal one, suggests that Locke is not simply investigating himself as the subject of his own awareness, but a broader category – all those to whom such pronouns are appropriately applied. This group of entities is that for which we should take Locke's account to provide the persistence conditions, and thus the conditions of personhood. I will now proceed to consider how we should understand these passages, and the account of persons that they are used to develop, before turning to the prospects of accommodating the personhood of infants.

3.1.1 Persons and men

A distinction that is crucial to understanding Locke's account of personhood is that between persons and men, which I touched on briefly in §2.2.1. He takes it that

> [w]here-ever a Man finds, what he calls himself, there I think another may say is the same Person (§26).

A person is what a man refers to when he self-refers - the two are intimately related. In §6 he explains:

> wherein the Identity of the same *Man* consists; *viz* in nothing but a participation of the same continued Life, by constantly fleeting Particles of Matter, in succession vitally united to the same organized Body.

Both the unity of the matter that makes up a man, and the identity between the same man at different times, rests in the *life* of said man. In this way, then, 'man' is a term like those for other animals, and even for plants (this is much like the account Locke gives of the identity and unity of an Oak.)

This principle is supposed to account for how 'an *Embryo*, one of Years, mad, and sober' (§7) are the same man – a relation of identity that will hold between these successive stages because they stages in the life of one man. In this passage, Locke is particularly concerned with dispelling the claim that the identity of immaterial substance, that is, of soul, is what would unite these stages into the same man, but his response does not need this particular religious account as its target. He takes it that 'the Word *Man*, applied to an *Idea*, out of which Body and Shape is excluded' (§7) would be 'a strange use' (§7) of this term – the physical form of the entity in question is relevant to its being a man. An animal, and thus a Man, is 'a living organized Body' (§8) or it is 'the same continued Life.' These two claims do not appear to amount to the same thing, but this is not important for our current purposes. What matters is that we see the focus on the biological and physical entity as the thing that is picked out by the term 'Man', and contrast this with Locke's claims about 'Person.' What it is important to note is that a person is not merely a human animal – that is, a man. An infant will be a man on Locke's account – it is part of the continued life of one. We should, however, note that the ways in which something is afforded the status of 'man' will not work for attributing them the status of 'person.' The identity conditions for persons are different from those of men, and thus the criteria of personhood are different to the criteria of being a man.

3.1.2 Points of view

A person, unlike a man, is fundamentally a 'thinking intelligent Being' (§9). To be a person is to be something with particular psychological properties and capacities. This is why the identity conditions of persons and men are different. Personhood is characterised in terms of thought, and especially in terms of the consciousness that 'always accompanies thinking' (§9). This consciousness is the consciousness that one *is* thinking. In this section, he contends that we cannot think or perceive without awareness of ourselves as thinking or perceiving. The more minimal claim is that we are aware of the perceiving or thinking itself at the time that it happens. However, there is a stronger claim than this - it is not just that we are aware of these instances of thought or perception, but of ourselves as the things that are having these thoughts and perceptions. A person is something that has a conception of itself as itself - it is aware of itself as the subject of its experiences – it is self-conscious. This does not commit persons to any particular understanding of the metaphysical nature of persons, just to the idea that they are entities that think and perceive. Locke's claim, then, is that a person is, primarily, a thinking thing, and one that is aware of itself as a thinking thing. ***To be a person is to be something with a 'self-conscious, first-person point of view'***. This is the kind of point of view that allows us to self-refer in the way that O'Brien describes as follows:

> The kind of first-person reference with which we are concerned requires us not only to make sense of the subject referring to herself reflexively, but also referring to herself self-consciously, aware that she is both the subject and the object of her reference. (2007, p.9)

Self-reference depends on possession of a self-conscious first-person point of view, and illustrates the nature of such a point of view well. However, Locke does not tie possession of this perspective on oneself to any particular linguistic capacity – I do not want to suggest that he thinks we need to be able to speak about ourselves in order to think about ourselves in this way. We need to be able to have thoughts of this kind – thoughts of which we are the subject and the object – and awareness that they are thoughts of this kind.

Locke also refers to action when considering this kind of self-consciousness. In the previous chapter, I have considered the centrality of the 'Forensick' concerns in Locke's account – his is an account of action attribution, partly for the purpose of punishment. For Locke, we are not simply thinking things - we are *acting* things. The self-conscious first-person point of view is

an agential one. We do not need a detailed or committed account of agency to make this claim. Consider the following passage from §26:

> . . . whatever past Actions it cannot reconcile or appropriate to that present *self* by consciousness, it can be no more concerned in, than if they had never been done.

Here, then, we can see that the consciousness that Locke has deemed so central to personhood is important for the way that we can use it to identify the 'owners' of past actions. It is those that remember carrying them out that are properly held responsible for them. This holding responsible is what Locke takes to be the key role of the concept 'person' – we identify the person in order to identify who to punish or reward. Memory is the tool that allows us to do this and consciousness the crucial feature of this memory. It is because we remember from the inside that we are rightly attributed the action.

When the Prince's consciousness enters the body of the Cobbler, 'every one sees, he would be the same Person with the Prince, accountable only for the Prince's Actions.' (§15) Here, Locke is drawing out the contrast between sameness of man and sameness of person, and he does this by emphasising the way in which sameness of person is tied up with attribution of actions. Similarly, he considers situations in which there is sameness of Soul, but 'no consciousness of any of the Actions' (§14) of the past possessor of the Soul, to distinguish between this and sameness of person. Again and again the importance of action attribution surfaces in this chapter, showing us that this is the primary purpose of Locke's account of personal identity, and thus the way in which we should understand the consciousness of which he writes. When we see that Locke takes 'person' to be a Forensick term, we should see that he is emphasising the role of action attribution in understanding it, and thus the role of our self-conscious first-person point of view of ourselves as agents.

3.1.3 What is it for consciousness to be continuous?

It is from this picture of persons as thinking, self-conscious, entities that Locke develops his account of personal identity. He takes the term 'personal Identity' to be equivalent to 'sameness of a rational Being' (§9) and then characterises it as follows:

> as far as this consciousness can be extended backwards to any past Action or Thought, so far reaches the identity of that Person; it is the same self now it was then; and 'tis

> by the same *self* with this present one that now reflects on it, that that Action was done.

If sameness of person depends on continuity of consciousness, then we need to understand what continuity of consciousness involves. If consciousness is instantaneous, as Locke seems in other places to suggest, what is it for it to be continuous? Moreover, how can it be 'extended backwards' if it is instantaneous? It follows, then, that it cannot be a case of the same instance of consciousness that continues throughout our lives. The continuity must be between *instances* of consciousness.

The first possibility is that Locke is suggesting a constant and continual awareness of oneself as oneself. This would mean that continuity of consciousness involves something active and continuing, an always-ongoing thinking about oneself. Moreover, this would be a conscious thinking about oneself as the thing that had all these previous consciousnesses. This is an almost dizzying image, our minds ever active and our thoughts ever connected. However, this cannot be Locke's claim. In §10, he acknowledges that:

> [we spend] the greatest part of our lives, not reflecting on our past selves, being intent on our present thoughts, and in sound sleep having no thoughts at all, or at least none with that consciousness which remarks our waking thoughts.

He describes these as cases when our consciousness is 'interrupted' but does not conclude that this causes problems for continuity of consciousness – that we sleep does not mean that we cease to be for six to eight hours each night. More importantly, it does not mean that we wake up each day a new person in virtue of our ceasing to be conscious of ourselves as conscious in the intervening time, and of ourselves as conscious in the moments before we went to sleep.

The second option is that we have a present consciousness that can extend back to the earlier ones. Perry suggests that we understand it as follows:

> Person-stages belong to the same person, if and only if the later could contain an experience which is a memory of a reflective awareness of an experience contained in the earlier.[10] (Perry, 2008, p.15)

[10] Perry gives his analysis in terms of person-stages. I avoid this framing, since I contend that infants are persons rather than something appropriately related to person-stages.

That is, we have a present consciousness that has access to the earlier states. It is awareness of them as the past experiences of the conscious individual. On this picture, my consciousness extends back as far as I can have memories of my past experiences as my past experiences. I have transitioned, then, to understanding 'consciousness extended backwards' in terms of memory[11] – in the next section I will say more about the nature of this memory.

3.1.4 Memory

Let us return to the claim I considered in the previous section:

> ...as far as this consciousness can be extended backwards to any past Action or Thought, so far reaches the identity of that Person...(§9)

This is primarily a claim about backwards-looking identity. That is, it is a claim about which past persons are the same as a given present person, or about which present person is the same as a given past person.[12] Let us understand the claim as follows:

Consider a person P_1 at time T_1, and a person P_2 at a later time T_2. Then, P_2 is the same person as P_1, if P_2's consciousness extends backwards to P_1's consciousness at T_1. That is, if P_2 has memories of P_1's experiences at T_1.

In order to see what personhood will amount to, I need to say a little bit more about how we should conceive of this kind of memory. Given Locke's practical concerns, the kind of memory that matters is the kind that means it is correct to punish you or reward you for what you remember. Locke goes on in §26 to consider the role of God in doling out reward and punishment for the unremembered and unattributed actions, throughout emphasising that when we track actions to selves in the mortal realm, we do this through memory. What kind of memory is this?

There are two crucial elements of this memory. Firstly, the kind of memory that Locke has in mind is memory 'from the inside' (Shoemaker, 1963), that is, memory of actions and experiences from the perspective of agent or subject of experience. This is the kind of memory

[11] The problems with memory-based accounts are well rehearsed, and began to appear in the literature almost as soon as Locke published the second edition of the *Essay*. These fall into two broad kinds - concerns with forgetting and gaps in memory (and thus with transivity) such as Reid's 'Brave Officer' and concerns with circularity. Let us set these aside for the time being, and instead focus on what Locke's claim amounts to, on the assumption that the problems can be resolved.

[12] This is understandable, given Locke's forensick concerns.

that is analogous to the account that Locke gives of us as conscious of our present actions and experiences, the kind that we have of things *as experienced*. That is, it is memory that involves having a self-conscious, first-person point of view on the thing remembered[13]. Secondly, this memory is fundamentally *episodic*. Episodic memory[14] is memory of (identifiable) events or experiences. Things that I remember that do not take this form - skills, a friend's fears, or how to get to a certain library, for instance - do not fit this model[15]. My memories of the first time I cooked a certain recipe, the trip on which I discovered a friend's fear of spiders, or the first time I went to a certain library, instead, are the kind of memory that Locke has in mind. Baier (1976) frames this as the difference between memory and memories. Although the nature of this distinction may be a little obscure (since memories are an instance of memory), it is a useful basic framing. At least in non-philosophical conversation, it seems that the second term ('memories') is used only to refer to the kind of memory that we dub episodic – memory of particular episodes.

What it is worth dwelling on at this point is the way that this kind of memory is related to the kind of self-consciousness that Locke has identified. Locke does not take the uses of 'self' to be ontologically-laden. [16] Instead it means that there is consciousness of the actions or experience as the actions or experience of oneself. They are the things that this individual would self-ascribe. To be able to form these kinds of memories, or at the very least to be able to remember things in this way, one must be able to consider oneself as oneself. It is the kind of memory that Burge describes as being *de se* in three ways:

> It is indexed to my having experienced the act or event, to my having been the agent or subject of it, and to my perspective as agent in the past act or event. (Burge, 2003, p.292)

This is the perspective that someone must take to her actions and experiences in recollecting them to have the kind of memory that Locke is proposing makes her identical with the earlier person.

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[13] It also involves having a first-person self-conscious point of view *in the memory*

[14] 'Episodic memory' is the terminology used by philosophers for this phenomenon. In other fields it is also termed 'autonoetic memory.'

[15] These are instances of semantic and procedural memory

[16] In particular because he goes on in §10 to reject claims that sameness of substance is part of sameness of consciousness

Backwards-looking identity takes a central role in Locke. Forwards-looking identity can be framed in terms of backwards-looking identity from a future person to a present person[17]. If we wanted to develop a full analogous account for forwards-looking identity, we would follow Neo-Lockeans[18] and focus on intention. The claim that the self-conscious first-person point of view is agential is key for this. It is important that we are things that plan to act and have reasons for acting, and then carry out these plans. Very roughly, if I form intentions to act, the person that can be correctly described as carrying out those intentions is the same person as me. This would sit with the account of personhood I have already elucidated. Since we are concerned with the earliest stages of our lives, however, the backwards-looking picture will give us a sufficient account of personhood.

3.2 Considering himself as himself

Let me, then, make explicit what it is that I take to be necessary for personhood on Locke's account. He emphasises consciousness, and memory that involves consciousness. Only if a being has the perspective on itself of 'considering himself as himself' is it the kind of thing that can be a person. That is, being a person necessarily involves having a self-conscious first-person point of view, and having memories involving this point of view. If a being does not see itself in this way, it is not the kind of thing that we can attribute actions to. If we did not see our experiences as our own, and thus could not see our actions as our own, it would be wrong to attribute us responsibility for them. This is not a claim about our capacity to act, but about our responsibility for our actions. Locke makes this clear when he claims that:

> to punish *Socrates*[19] waking, for what sleeping *Socrates* thought, and waking Socrates was never conscious of, would be no more of Right, than to punish one twin for what his Brother-Twin did.' (§19)

Candidates for things that you have done must be things that you have access to. If someone does not have the correct kind of access to a particular experience or action, then it cannot be theirs. If my consciousness does not extend backwards to that action, if I do not have a self-conscious, first-person point of view of it, then it is not mine. Since waking Socrates does not have this perspective on these actions, then they are not his. This is not because he did

[17] For instance, the suggestion that a person P_2 at a time T_2, later than the present, is the same person as P_1 at the present moment T_1, by being the person that remembers the experiences of person P at T.

[18] (Parfit, 1984; Williams, 2008, for example)

[19] Take 'Socrates' to refer to the man

not intend to act this way, but because it is not him that acted this way. That we think it is the same person initially is only because of the sameness of man between the two persons.[20] We should not hold someone responsible for an action of which they are not self-consciously first-personally aware. If, moreover, someone does not have such access to any actions, then we cannot attribute any actions to them.
In this section, Locke is supporting the following claim about personhood:

> If the same[21] *Socrates* waking and sleeping do not partake of the same *conscious*, *Socrates* waking and sleeping is not the same Person.' (§19)

Sameness of person is sameness of consciousness, thus personhood depends on this kind of consciousness. To be a person is to be something that considers itself as itself - that has a *self-conscious* first-person point of view. Moreover, we need persons to recognise their own actions from this perspective. That Locke's concern with fairness of punishment is not our priority does not in and of itself invalidate the account, much as it did not in and of itself undermine Locke's choice of question. We should, then, move forward to considering to whom we can attribute personhood on this account.[22]

3.3 Locke and infants

Given Locke's purpose is in considering punishment and reward, it is unsurprising that he does not dwell on infants. He does briefly touch on the idea of personal identity as it applies to this cohort, however, and I will take this as my starting point. It comes in a passage in which he considers the possibility that personal identity and identity of man could amount to the same thing. He takes this to be something that might be suggested in response to his account, and in particular in response to the seemingly bizarre case of multiple persons in one man.[23] Locke states:

> ..so making *Humane Identity* to consists in the same thing wherein we place *Personal Identity*, there will be no difficulty to allow the same Man to be the same Person. But then they who place *Humane Identity* in consciousness only, and not

[20] Hence the analogy with twins, since here we have a physical similarity that could lead to us making a similar mistake.
[21] Where the sameness is of 'man'
[22] Note a potential consequence of the case at the end of the previous paragraph - the individual to whom we cannot attribute any actions. This may well be a case of someone to whom we cannot attribute personhood.
[23] That is, the case of waking Socrates and sleeping Socrates.

> in something else, must consider how they will make the Infant *Socrates* the same Man with *Socrates* after the Resurrection. (§21)

Locke is contending that, were these the conditions of identity of man, we would struggle to identify an individual considered as an infant with the same individual considered at the resurrection. If there is a problem with this relation holding, then there will be a problem with making one of these two a potential relatum. The individual, considered at the resurrection, will be the continuation of the consciousness (united with the immaterial substance that is the soul) of the adult individual. We can see this in Locke's claim that the attribution of actions will be unproblematic at this point – after the resurrection, we will have the appropriate consciousness of our actions (§26). The concern, then, cannot be that we could not use consciousness to identify the individual considered after the resurrection. The problem must instead rest with the infant. Personal identity does not reach back to infants. Perhaps, then, Locke is explicitly ruling out the possibility of attributing personhood, as he understands it, to infants.

However, I will not simply assume that this is the case. I will in the following sections consider the prospects for the personhood of infants on Locke's account.

3.4 Infants and episodic memory

There are two possible ways of understanding what it would mean for something to count as able to have episodic memories. If personhood depends on this capacity, then persons will have to satisfy one of these two criteria:

(M) P is a person if, at a later time, P can have episodic memories of the conscious experiences of P[24]

(M') P is a person if P can form episodic memories of the conscious experiences of P

Assessing whether an individual satisfies (M) will require that we consider them at another time – the potential personhood of an infant will be assessable only from the perspective of considering them later in life. The appropriate point from which to assess this is unclear – is it

[24]The formulation of (M) is problematic, as it rests on the identity of P now and later – that is, it presumes personal identity. This kind of circularity is a central problem for Lockean accounts of personal identity. I have, however, already noted that I will set these worries aside for the purpose of this project. Given I am considering a criterion of personhood, rather than of personal identity, this circularity is less problematic.

sufficient that there is a memory if we ask five minutes later?[25] Moreover, this is not a criterion that can be straightforwardly used. It may turn out that someone was a person in infancy, but this will only be something we can see retrospectively – from seeing that later they can recall this earlier experience. It is also a stronger criterion than (M') – if memories are formed, but inaccessible, criterion (M') would be met, but (M) would not. For these reasons, then I will proceed to use (M') when considering the possibility of accommodating the personhood of infants on an account of this kind. The question, then, becomes whether infants can form episodic memories.

3.4.1 Childhood amnesia

I will now consider the possibility that infants do not form the kinds of memories that Locke needs them to if they are to be persons. To do this, I will turn to the phenomenon of *childhood* or *infantile amnesia*. It is well documented (Hayne & Jack, 2011, for example) that adults do not have many (if any) episodic memories of their early years. In the following sections, I will consider the research on this phenomenon, and the implications that this has for Locke's account of personhood (and its potential application to infants.)

Although the exact point at which episodic memories begin to be formed is disputed, and concerns are raised over some of the research methodology, it nonetheless seems to be agreed that we have far fewer memories of early childhood than we have of any later time in our lives. There is good reason to think that we do not have any memories of the first two years of life – that we do not have episodic memories of infancy. (Hayne & Jack, 2011) The question remains whether this means that infants are unable to satisfy condition (M'). This depends on whether the memories are formed, but inaccessible, or if they are not formed at all. In the former case, which is a case of *forgetting*, the individual would satisfy (M'). In the latter, they would not.

The conception of childhood amnesia that involves the memories being formed but inaccessible is not widely accepted. There are calls to acknowledge the role of forgetting in this phenomenon (Bauer, 2015, for example). However, these theorists are not suggesting that forgetting provides the entire explanation. What is desired is that it is recognised as a factor. Even on these accounts, the origins are taken to be a combination of several related features of

[25] There is research suggesting that perhaps memories formed in early childhood are accessible in early childhood, before being lost or becoming inaccessible (Peterson *et al.* , 2011)

infancy, and of our development. Of particular importance for our purposes is the role that the sense of self is taken to play in this phenomenon. In the following sections I will explore the nature of childhood amnesia further, and consider its explanation. Through this, I will show that this phenomenon prevents infants from attaining personhood on Locke's account.

3.4.2 Amnesia and autonoetic memory

The kind of memory that we are concerned with is most often referred to as 'episodic memory' by philosophers, but is also known as 'autonoetic memory.' That is, memory that involves self-knowledge, knowledge of oneself as the thing that one is. This does not necessarily mean that those who do not have autonoetic memory have no conception of themselves, but that they do not have a conception of themselves as related to their past and future selves in the appropriate way.

Tulving (1985) considers the relationship between memory of this sort and consciousness of the kind that we are concerned with, focussing on a patient that he refers to as N.N. The patient in question is an adult with amnesia developed after a head injury. Tulving takes this patient to have procedural memory (memory of how things are done) and semantic memory (memory of how the world is) but to lack autonoetic memory – he cannot remember his past experiences as his own.

> N.N.'s knowledge of his own past seems to have the same impersonal quality as his knowledge of the rest of the world... [and he] seems to have no capability of experiencing extended subjective time (Tulving, 1985, p.4)

This means that, although N.N. in many way functions as a 'normal adult', he lacks the capacity that the Lockean account takes to be central to personhood. His consciousness does not extend back to his own past experiences, and he has no capacity to plan. He does not have a self-conscious first-person point of view on his past experiences. Tulving continues to describe N.N. as follows:

> Even if he feels that he has a personal identity, it does not include the past or the future: he cannot remember any particular episodes from his life, nor can he imagine anything he is likely to do on a subsequent occasion. He seems to be living in a "permanent present" ... Although N.N. is conscious in most ways, he does not

> perceive the present moment as a continuation of his own past and as a prelude to his future (Tulving, 1985, pp.4-5)

It seems that N.N. lacks a lot of what is needed for personhood on Locke's account. So much of what this involves depends on understanding the current moment as a point in your own continued life. How can I consider myself as myself if I have no sense of my earlier experiences? I cannot extend my consciousness back to them, and I cannot project them forward to my expected future actions. When we consider in particular the role of action in this point of view, the problem intensifies. I cannot intend to act if I do not see the present moment as leading to my future. Perhaps, then, Locke's account will have to conclude that N.N. is not a person.

The initial response to this may well be a general scepticism about the Lockean account of personhood – N.N. sounds a lot like a person, so perhaps we should be wary of an account that seems to suggest he is not one. However, the capacities that he is lacking, although in some ways not central to his functioning, do mean that he is drastically unlike us. He cannot reflect on his experiences, he cannot plan for the future. He has no conception of himself as a temporarily extended entity, whereas our concern that we continue to exist, the one that spurs the debate in which I am engaging, shows that this is in some ways central to how we understand ourselves. When he tries to think about tomorrow, N.N. describes his state of mind as 'like being asleep' or '...a big blankness.' (Tulving, 1985, p.4). This seems, to me, almost nonsensical – I cannot comprehend what it would be to be unable to imagine tomorrow or to plan what I might do. I remain reluctant to deny N.N.'s personhood, but considering whether an amnesiac adult satisfies Locke's criteria is not my purpose.

3.4.3 Childhood amnesia and the sense of self

At this point, then, let me return to *childhood* amnesia. If this description of N.N. approximates what it is like to be without episodic memory formation, then it seems probable that it in some way echoes the experiences of infants. We cannot ask them to describe their states of mind in this detail, so our understanding of the phenomenon is primarily through the later lack of recall of experiences of early childhood. If it is the case that infants fail to form episodic memories (rather than form and then lose them)[26], then they too are unable to understand themselves as temporarily extended continuing entities, to have ownership over past actions

[26] That is, if they fail to satisfy condition (M')

or to plan for future ones. This would exclude them from Lockean personhood - they lack the very capacity that he positions as central.

We should then, turn to the question of the source of childhood amnesia. The explanation of the phenomenon *entirely* in terms of inaccessibility of formed memories has been rejected, so let us consider the other explanations. Hayne and Jack (2011) review studies that they take to support (a) the two-stage understanding of childhood amnesia, and (b) explanations of this phenomenon other than repression. Claim (a) is that

> 'childhood amnesia is best characterised as a two-stage phenomenon, comprising **an early absolute amnesia from birth to around 2 years of age**, followed by a relative amnesia, which lasts until around 6 years of age.' (Hayne & Jack, 2011, p.138, emphasis mine)

Although children over the age of 2 have some episodic memories, those under this age are taken to have none whatsoever. This would align with the idea that infants do not satisfy the Lockean criterion, if claim (2) supports the idea that they also do not satisfy condition (M'). In the second part of the paper, Hayne and Jack consider five mechanisms of childhood amnesia:

1. Neurological Maturation
2. Development of Sense of Self
3. Language
4. Parent-Child Conversations about the Past
5. Forgetting

At this point, I am particularly interested in mechanism (2). They cite studies by Howe and Courage (1993) that suggest that children lack a 'cognitive sense of sense around which to organise their memories' (Hayne & Jack, 2011, p.139) before the age of 2. They take 'visual self-recognition'; which is followed by uses of pronouns (in particular, the self-referring pronouns 'I' and 'me')[27] as the 'critical mass' of self-concept that is needed for organising and regulating experience into episodic memories. Before this, in early infancy, the child simply

[27]Which develop between 18-24 months according to Hayne Jack, but other sources suggest do not appear until later (Center for Disease Control and Prevention, n.d., for example)

does not have the necessary framework or understanding for this way of conceiving of themselves and thus of the world.[28]

There are two possible reasons that infants might fail to be persons on Locke's account. They could fail to satisfy either:

1. Infants form memories – they satisfy (M'), or

2. Infants have the self-conscious first-person point of view

These are the two central threads of Locke's account, and thus satisfying both of these is necessary for being a person. It seems possible that an infant satisfies (1). If an infant satisfies (M'), and can form episodic memories of some kind, but they are inaccessible, then they have met condition (1). This is not sufficient, however. The infant needs also to satisfy (2), and if we consider Howe and Courage, it seems likely that they do not. To have a self-conscious first-person point of view requires the kind of capacities that their research suggests infants lack. They do not have this kind of point of view.

Failure to satisfy (1) and (2) are independently barriers to the personhood of infants on the Lockean account. However, these are likely not independent factors. It seems that satisfying (2) - possessing a self-conscious first-person point of view - is a necessary condition for satisfying (1). To form episodic memory may well require this perspective on oneself. Being able to consider oneself as oneself (which is Locke's framing of condition 2) is needed to be a person on this account. We have reason to think that infants do not have such a perspective, and childhood amnesia means that they do not satisfy (1), so they will fail to count as persons on this account.

3.5 Summary

In this chapter, I have considered the prospects for accommodating the personhood of infants on Locke's account of personal identity. I have considered in particular the centrality of a self-conscious first-personal point of view, and its relationship to episodic memory. Through the phenomenon of childhood amnesia, I have argued that infants lack both this point of view, and

[28] Even if we dispute or question the claim that a self-concept is necessary for autonoetic memory (Hayne and Jack consider the possibility that it is less crucial than Howe and Courage take it to be), the absence of a self-concept in early infancy would be problematic for the Lockean framing.

the capacity to form episodic memories. I have, therefore, concluded that infants cannot be accommodated by Locke's account of personhood.

Chapter 4

Neo-Lockeanism and psychological continuity

In the previous chapter, I considered the account of personhood that Locke develops in his *Essay*. I argued that it cannot accommodate the personhood of infants. In this chapter, I will turn to contemporary views that are influenced by Locke's – the Neo-Lockean accounts. Both because of the issues with memory based accounts, and because they do not share Locke's forensick priorities, these accounts tend to involve a wider conception our psychological nature. They broaden Locke's initial presentation of the claim that psychological capacities are central to personal identity (and thus to personhood.) I will focus on the account that Shoemaker has developed in several places, as I see it to be the richest of these broader psychological continuity theories.[29]

4.1 Brown and Brownson – A case of psychological continuity

I will take the essay in *Personal Identity* (1984) as my starting point in elucidating the details of Shoemaker's account, although I will at times turn to other texts to clarify certain details. Central to his discussion of personal identity, and of this account in particular, is the 'Brown-Browson' thought experiment that he first proposed in *Self-Knowledge and Self-Identity* (1963) , and returns to throughout his work. This example is a variation of Locke's 'Prince and Cob-

[29]My decision to focus on Shoemaker rather than Parfit (1984) may strike the reader as strange. I have made this decision for two reasons. Firstly, Parfit's account involves less focus on the particular psychological capacities that personhood resides in than Shoemaker's. Secondly, Parfit is not particularly concerned with the nature of persons. His is an account of survival, not of identity. The kind of relation he considers is not one that needs to hold between the same person. This means that the prospects for an understanding of personhood based on Parfit's account are poorer.

bler,' a purported case of a person moving to a different body. Rather than using Locke's vague formulation, Shoemaker develops a story that involves an explanation of how the movement is supposed to occur. By doing this, he gives the thought experiment some plausibility – the reader takes it as a conceivable series of events – which makes the response to it a better guide to our concept of person. What we would take to have happened matters more if we think it is plausible – if it is something that we think we can imagine having to use our concepts for.

Shoemaker considers several variations on the example, but they primarily involve the transferral of brain matter[30] from one body to another, and the stipulation that the original body no longer manifests the brain states that it did prior to the operation. That is, Brown's and Robinson's brains (or cerebrums) are removed from their anaesthetised bodies, and (accidentally) returned to the 'wrong' body, rather than the bodies from which they were taken. We take the brain from the body of Brown (B-brain from B-body) and place it in the body of Robinson (R-body). We also take the brain from the body of Robinson (R-brain from R-body) and place it in B-body. B-body dies without regaining consciousness, but the R-body wakes up from the anaesthetic. The person that awakes is assumed to continue the psychological 'life' of the originator of the brain matter. We take it to have psychological continuity with Brown, prior to the operation. Would we take the person that wakes up, who we call Brownson, to be the same person as Brown, identified prior to the surgery? Shoemaker answers in the affirmative, describing what he takes to be evidenced of psychological continuity with Brown (1963, p.24). There are several distinct (albeit related) elements to this purported incidence of psychological continuity, which I will identify:

> *When asked his name he automatically replies "Brown."...*

(1) Name-identification

Brownson takes himself to be Brown – when reflecting on who he is, he thinks that he is Brown. Moreover this is something he takes to be the case *without reflection*, an answer he offers 'automatically'

> *He recognizes Brown's wife and family (whom Robinson had never met)...*

(2) Identification of relationships

I take this to mean that he recognises them *as his relatives*. Brownson takes himself to be

[30] In later papers (2004a) he considers a variation on this example, where an individual's brain states (rather than brain matter) are transferred to replicants of their bodies.

married to Brown's wife and father to Brown's children, he takes himself to be the person who stands in relations to other people as Brown did, to occupy Brown's role in the web of interpersonal relationships.

> *...and is able to describe in detail events in Brown's life, always describing them as events in his own life. Of Robinson's past life he evidences no knowledge at all...*

(3) Episodic memory
Brownson remembers things that happened to Brown and things that Brown did 'from the inside' and as if he did them himself.

> *Over a period of time he is observed to display all of the personality traits, mannerisms, interests, likes and dislikes, and so on that had previously characterized Brown, and to act and talk in ways completely alien to the old Robinson...*

(4) Character, personality, mannerisms
Brownson's deliberative processes and actions are guided by the same preferences and characteristics as Brown's. Brownson 'carries himself' in the same way as Brown, and interacts with the world and others in the same way, using the same speech patterns and walk[31]

All of these are descriptions from the point of view of the observer. They are the external indications of the psychological continuity. Shoemaker takes it that the way we should understand what has happened is that there is, from the perspective of Brown, no perceptible change. It is, for Brown, as if he has woken up from the anaesthetic and is going on with his life as he was before the procedure.

There is a fifth category that is not explicitly identified in this passage. Elsewhere, he states that

> psychological states are inseparably involved in intentional actions. (Shoemaker, 2008, p.321)

I will set out this component of Brownson being psychologically continuous with Brown, then describe the role that this plays in Shoemaker's account.

[31] Although likely impacted by occurring in Robinson's body - Shoemaker later notes the role of physiognomy in identity and considers an alternative formulation in which Brown and Robinson are identical twins (2004a) to avoid this.

(5) Action

Brownson acts in the same way that Brown did, combinations of mental states will lead him to the same actions that they would have done if they were held by Brown in analogous circumstances.

A crucial part of being a psychologically continuous entity is being something that acts, and whose mental states coordinate in ways that lead to that action and stem from it. Let us construe 'action' broadly - I do not take it that Shoemaker would deny that someone ceased to be the same person after developing paralysis because they were no longer able to engage in physical action. Instead, let us understand this as a claim about deliberation and intention. To use Shoemaker's example, simultaneous beliefs about it being raining and desires not to get wet, when instantiated by the same person, can, given other mental states, lead to that person taking an umbrella with them when they leave the house. More crucially, it can lead to them desiring to take an umbrella with them, or intending to do so - if they turn out to have lost their umbrella, the later, rained-on person, is nonetheless psychologically continuous with the earlier person that wished to avoid this outcome.

He explicitly denies the idea that memory continuity is of especial importance or centrality in the kind of psychological continuity he is considering. Memory is (ordinarily) a feature of being a psychologically continuous entity, but Shoemaker states that:

> psychological continuity is constituted no more by these [memories] than it is by the evolution and execution of plans of action, by deliberation and reasoning and by countless other mental processes. (Shoemaker & Swinburne, 1984, p.96)

Being a psychologically continuous entity is being something that has mental states, and whose mental states play out over time. We could emphasise memory and intention, but Shoemaker does not do so - he instead sees these as part of a broader web of interrelated states — including 'beliefs, desires, preferences, intentions, hopes, anxieties' (Shoemaker, 1997, p.295) amongst others. He contends we should see all of these states interacting to form persons and their continued existences. In the next section, I will elucidate how Shoemaker conceives of these existences as unfolding.

4.2 Functionalism

There are two related components of Shoemaker's view that we need to understand before we can unpick his account. Firstly, he takes psychological continuity to demand a causal component – current psychological states and traits are appropriately causally related to past experiences and actions. This is to avoid cases like the 'quasi-memory' he considered in 'Persons and their Pasts' (1970) from bringing about psychological continuity in the absence of personal identity. It also identifies the ways in which our psychological states are integrated with the physical world. This is achieved through the second related stance, his functionalism, which allows us to conceive of the causal efficacy of mental states in a materialist vein.

Functionalism, as characterised by Shoemaker, is the claim that:

> every mental state is a 'functional state', i.e., a state which is definable in terms of its relations (primarily its causal relations) to sensory inputs, behavioural outputs, and (especially) other functional states. (1984, p.92)

This means that the same psychological state could be manifested by different biological systems — Shoemaker notes his account could allow for Martian's having the same psychological states as us (1984, p.106). What makes something a particular psychological state is the way it relates to other psychological states. There are two important pieces of terminology for understanding this. For two states to be ***copersonal*** is for them to be had by the same person. For a mental state to be the ***successor state*** of some collection of mental states, is for it to be the outcome of their being copersonal and simultaneous. Consider again the example of the umbrella. Assume the desire not to get wet and the knowledge that it will rain are copersonal (and simultaneous), and are copersonal with other relevant mental states. Then, the intention to take an umbrella will be a successor state. We can individuate and identify psychological states using these relations – the way that copersonal states interact to produce successor states is how we individuate them. They are entirely characterised by these features, not by any phenomenological or biological feature.

This has an added advantage for our endeavour – there is a very clear sense in which there is no need for self-description of psychological states in order to attribute them. Since they are individuated by their functional roles, they can be attributed from the outside. We do not need someone to describe their mental states in order to attribute them. This is not necessarily

something that any account would demand, but here it is explicitly not needed. The value of this is that we could attribute psychological states to children that lack the conceptual framework to identify them. All we need is to see that there is something playing this functional role. Any kind of 'self-identification condition' on having psychological states is ruled out. The prospects for accommodating the personhood of infants may well be better than those of accounts that do not have this component.

4.2.1 Functionalist psychological continuity

> [P]sychological continuity is just the playing out over time of the functional natures of the mental states characteristic of persons. To the extent that it consists in psychological similarity between different person-stages, this is due to the fact that in many cases what is required as the successor state of a mental states I just another token of the same state. To the extent that it consists in 'memory-continuity,' this is because it belongs to the nature of certain states (sense experiences and intentional actions) that they give rise to... memories from the inside, and because it belongs to the nature of these to perpetuate themselves, i.e., to produce successor states having the same or closely related contents. (Shoemaker & Swinburne, 1984, pp.95-96)

Here, Shoemaker identifies wherein personal identity lies - in the causally connected mental states that we individuate by their functional properties. Concerns have been raised for the prospects of a functionalist psychological-continuity theory[32] but I shall set them aside and consider the role of functionalism in Shoemaker's account. He argues that functionalism leads to the question of the nature of mental states and the question of what is involved in mental states being copersonal being closely related (1984, p.94). It is when mental states are copersonal (and simultaneous) that they will jointly lead to effects, and it is in virtue of their jointly leading to effects in the way that their functional characterisation suggests, that we can attribute to them copersonality. Whether two mental states should:

> ...count as belonging to the same person, or mind, would seem to turn precisely on whether they are so related that they will jointly have the functionally appropriate sorts of effects. (1984, p.94)

[32] (Árnadóttir, 2010; Olson, 2002, for example)

Shoemaker makes this claim in the context of considering so-called 'split-brain' cases, but it is a broader point than this – copersonality of mental states *is*, for the functionalist, their being related so as to bring about the effects that their functional characterisation predicts when they are combined.

This also indicates how functionalism characterises personal identity – what it will take for diachronic mental states to be copersonal. Simultaneously copersonal mental states bring about other mental states. The successor states are those properly considered to belong to the same person as the earlier ones. The continued existence of a person is the continuing of their mental states and the effects of their mental states, their successor states.

Let us return to the Brown-Brownson case. In virtue of the transplant procedure, there is personal identity – the later states have the appropriate causal connection to the earlier ones. We judge the Brown-Browson case to be a case of one person continuing across two bodies because of the relations that hold between Brown's mental states and Brownson's. The psychological states that occur in Brownson are the functional successors of Brown's. An entity at time T is a particular person in virtue of bearing the appropriate causal and functional relations to that person at earlier and later times. This is identifiable by the functional relations that their mental states would bear to the mental states of the person at T.

4.3 Could infants be psychological persons?

I have considered what Shoemaker's account takes personal identity to involve. To be the same person across time is for later mental states to be appropriately causally related to their earlier mental states. Thus, ***to be a person is to be the subject of (functionally-related) mental states***. (Shoemaker & Strawson, 1999, p.300) A person has multiple mental states simultaneously. The interaction of these mental states brings about successor mental states and behaviours. The functionalism of Shoemaker's position uses these relational features to individuate mental states – their potential for combination and their outcomes when combined determine what they are. An important feature of the combinatorial possibilities of mental states is their role in producing behaviours – they are action-guiding.

To identify personal identity on a psychological continuity account requires that we attribute

psychological personhood to two stages of a continuing entity. Let us consider what it would take for an adult person to be considered to be identical to an infant. These two[33] individuals would need the appropriate relations to hold between their mental states. Some collections of states S_1 of the infant at T_1 must be appropriately connected to a collection of states S_2 of the adult at T_2. Let us return to the traits that were taken to identify Brown with Brownson. These were sufficient for us to conclude personal identity held between the two stages. This list of traits are the marks of personal identity on the account. If they are marks of being the same person, then they must be marks of personhood. This, however, is only going to work as a test if we can characterise both relata in these terms. Ideally, for Shoemaker, we would be able to simply attribute these (or sufficient of these) to the infant at T_1 and thus determine that they are, properly speaking, a person. Let us, then, consider them in turn to see the prospects for this option:

(1) Name-identification

When asked his name he automatically replies "Brown."

Prior to the ability to use or recognise language, this option is a simply a non-starter. Let us, then, consider the child that cannot speak, but can nonetheless respond to their own name. This is something that seems to be beginning to take hold at 4.5 months (Mandel *et al.* , 1995). The evidence pointing to this is not, however, automatically sufficient to say that the child can identify their name in the desired manner.[34] For, we need more than that they recognise the sound and that they associate with it a set of behaviours. Unless, for instance, Shoemaker wants to conclude that a pet dog can identify their own name as their name, rather than respond to a noise that they associate with the satisfaction of basic desires, he will distinguish between the behaviour of the young child and Brownson. Moreover, his functionalism seems to commit him to this - the patterns of behaviour associated with the two differ. It is not simply that the child cannot provide their name on demand but that the pattern of behaviours associated with it is much more limited. They might respond to their name, used in isolation, in basic behaviours (moving to another room, looking towards the speaker, for instance), but they are less likely to recognise it in other situations. Adults, for instance, manifest the 'cocktail party phenomenon' (Moray, 1959; Wood & Cowan, 1995), the capacity to recognise one's name as one's own when uttered elsewhere in a room, to pick up on other people talking about us. To

[33] Of course, if they are identical, this is in fact one individual considered at two times.
[34] Something that is acknowledged in the research.

know something as 'my name' requires more than what an infant can do on hearing it. Far more varied behaviour is associated with knowing one's name so it seems a stretch to attribute the appropriate kind of self-identification to an infant.

(2) Identification of relationships

> He recognizes Brown's wife and family (whom Robinson had never met) [35]

Much as with name-identification, an infant manifests at best a diminished version of identification of relationships. They will recognise their parents and/or primary caregivers, but they will not recognise that they are their parents. Perhaps by the point at which an infant can use the terms 'mum' and 'dad' (or equivalents) they can be seen to have a weaker version of the grasp on the relationships that adults have to their respective relationships. A baby may be able to call out to their mother and to respond to her on sight, but this is not the same as being able to see themselves as situated in a web on relationships and to understand their role in it. The ability to recognise those that one is related to is not the same as the ability to identify the relationships. Yet again, this distinction bears out in the functionalist framing - the behaviours that the infant manifests with respect to these relationships are markedly different from those that the adult does. The requirement has to be more than being appropriately related. It has to be being aware of these relationships.

(3) Episodic memory

> [Brownson] is able to describe in detail events in Brown's life, always describing them as events in his own life. Of Robinson's past life he evidences no knowledge at all.

In the previous chapter, I argued that we cannot attribute episodic memory to infants. The phenomenon of childhood amnesia indicates that we do not have episodic memories before the age of two, and minimal episodic memories before the age of six. Infants cannot provide these kind of detailed descriptions of their past experiences.

[35] We take it that he recognises them *as* his wife and family

(4) Character, personality and mannerisms and actions

> ...he is observed to display all of the personality traits, mannerisms, interests, likes and dislikes, and so on that had previously characterized Brown, and to act and talk in ways completely alien to the old Robinson.

The extent to which we can attribute these to infants is questionable. The initial barrier is the dependence on language use that this requires. It is true to say that infants have preferences. These will, however, be limited in kind[36], and will not exhibit the predictability that we ordinarily associate with preferences. Since infants have limited capacity to express their preferences, we could perhaps suggest that there is a hidden consistency and a logic to their apparently inconsistent and unpredictable behaviour in this regard. However, this would be a move dependent on (a) a great deal of imaginative generosity and (b) abandoning the functionalist understanding of mental states that we have been relying on. If we were to do this, we would lose the value of functionalism in this project - the explicit ruling out of a 'self-identification criterion' for mental states.

(5) Action

> psychological states are inseparably involved in intentional actions.

An infant, then, would need to be able to act intentionally. This, perhaps, is something infants can be said to do. The have desires (such as hunger) and they do things in order to satisfy these desires (such as crying for a parent, or later in their development, asking for food.) We probably cannot attribute to them the ability to respond to second-order desires, but they seem to engage in this more basic kind of action. However, it seems to be of a kind with the actions of a cat that goes to its food bowl when hungry, or wakes a sleeping owner to feed it. We can attribute a kind of intentional action, but only a minimal one, in virtue of the limitations in kinds of psychological state that an infant manifests.

The prospects for an infant meeting the sufficient conditions detailed above is poor. This option for attributing infants personhood on Shoemaker's account is blocked. This does not rule out the possibility that we can accommodate their personhood. However, there is a second

[36] Partly due to the limited experiences available to infants, partly due to the limitations in their capacities for experience and preferences

problem. There is an apparently *necessary* condition for personhood that is not open to infants. Shoemaker takes the following claim to be 'plausible':

> ...unity of consciousness in the [copersonal] sense in some way involves... self-consciousness (1984, p.102)

We require more, however, than that an infant have individual psychological states. We need *integration* – that which moves us from a collection of unrelated psychological states to those that are copersonal. Integration is what facilitates the interaction of mental states, the combining of beliefs to bring about actions, for instance. Here, we hit a stumbling block familiar from the previous chapter. To be a fully-fledged person on a functionalist psychological continuity account, to have the kind of relationship between mental states that a person does, requires self-consciousness. We are, again, back at the demand that persons have self-conscious first-personal points of view.

4.4 Bridge principles

Shoemaker explicitly refers to 'newborn infant[s]' who he sees as 'retaining psychological capacities that have not yet begun to be exercised.' (1984, p.96) He claims that his account will be able to accommodate them. In the previous section, I considered the possibility that they are 'proper' persons on Shoemaker's account, and have shown that this fails. Perhaps, then, they are 'derivative' persons. If we can develop a bridge principle, that connects them to the 'proper' persons in such a way as to allow them to stand in personal identity relations, then they could be accommodated on this account. In this section, I will assess the prospects for this option, by considering potential formulations of such a principle.

4.4.1 Development

Our first option is to suggest that infants count as persons because they develop into persons. The reason that the exclusion of young children is a particularly problematic case is that all adult persons begin their lives as infants. Perhaps it is in virtue of this very development that infants are able to stand in personal identity relations. The infant grows into the adult that satisfies the requirements for Neo-Lockean personhood, and is the same (quantitatively) as the adult. Moreover, it is the kind of thing that has the potential to develop into the adult that it becomes. Retrospectively, we can attribute to the infant her capacity to develop into the adult

she matures into. In virtue of this we could argue that the child has, projectively, the capacities needed for becoming a 'proper' Neo-Lockean person.

There are two barriers to this option being viable, both of which depend on cases where development does not take 'the normal course'. Firstly, there are adults that never develop the capacities of Neo-Lockean personhood – those with PMLD. If this is due to a congenital issue, there is no real sense in which we can claim that the child 'could have' become a Neo-Lockean person. If the issue that prevents this development is there in infancy, then the potential is not present and unutilised, but entirely absent. These cases only pose a problem in so far as the Neo-Lockean is concerned to attribute personhood to these adults – they may be happy to bite the bullet and conclude that these adults, although humans, are not persons. If they wish to accommodate the personhood of these individuals, their personhood as infants is a problem that could be resolved analogously to the problem of infants generally. Whatever principle applies for infants that develops into persons with all Neo-Lockean capacities will be applicable also in these cases – there is no specific problem with infants in these cases.

The second barrier is more of a problem. These are the cases where the infant can properly be said to have the 'potential' to develop into Neo-Lockean persons, but this potential is never realised. There are a variety of ways that this could happen, but they fall into two broad categories: cessation and delay. In cases of cessation, an infant dies[37] before they develop any of the capacities that the Neo-Lockean requires for 'proper' personhood. There is in this case, then, nothing that the infant stands in identity relations with that is a 'proper person', but is qualitatively like infants that do stand in such relations. The infant cannot be considered a person in virtue of development, unless we engage in counterfactual thinking to such a degree that the personhood does not reside in any aspect of the child herself. The second category consists of cases in which there is a developmental delay in infancy of the capacities needed for Neo-Lockean personhood. A developmental delay is a failure to reach a particular developmental milestone by the expected point - to progress slower than is expected **?**. The term 'delay' does not mean that the progress will nonetheless happen – a developmental delay may be such that the development in question does not occur. This means that there are cases in which the infant never reaches the capacities that the psychological continuity account requires of personhood. Again, we have a case in which an infant does not go on to develop the capacities necessary

[37] Perhaps we would also consider slipping into a PVS as a case of cessation.

for a bridge principle of this kind to allow them to stand in personal identity relations to their adult self, for there is no adult self that can stand in these relations. Again we have a point *before* the onset of this delay at which the infant is not developmentally delayed and is 'of a kind' with their peers that do develop into Neo-Lockean persons.

A bridge principle that depends on development is one that relies on a kind of retrospective projection - in virtue of their properties at time T_2, we can determine that they were, at time T_1, a person. Thus, at time T_1, they are a person, because they develop into the person at time T_2. This will not work, however, in cases where the development does not follow this trajectory. Moreover, there are cases where nothing about the individual at time T_1 is the reason for the developmental cessation or delay – situations where some external event is responsible for the changes. These are cases in which we would consider the infant to be a person, or something that *could* stand in such relations, given infants with the same properties do. We would not, however, be able to use a developmental bridge principle to account for this.[38]

4.4.2 Proto-capacities

Our second option is to suggest that infants, although they do not have fully-fledged psychological capacities, have 'proto-capacities'. This option has a surface similarity to the first option, but is importantly different. Rather than locating the personhood in the developmental futures of these infants, we locate it in the capacities they themselves have. The developmental option means that the infants have personhood in virtue of later stages of themselves, whereas this option takes the capacities that precede those they have in adulthood, and sees these as sufficient for personhood. This may be what Shoemaker's description of the newborn as 'retaining psychological capacities' alludes to.

In §4.3, we have seen that the infant does not have the fully-fledged capacities that Shoemaker takes psychological personhood to depend on. However, we have also seen that they have weaker versions of these capacities, ones out of which the stronger forms develop. The infant can recognise their name, even if they cannot identify it as 'their name'. They have familiarity with and fondness for their caregivers. They have preferences and perhaps even 'personalities' of a sort. Infants have, for instance, an understanding of some sort of humour from a young age

[38] As well as excluding some infants, we run the risk of casting the net too wide with this principle. If we consider a zygote that develops into a Neo-Lockean adult, it is hard to see how we will exclude it from derivative personhood as characterised here.

- they will find things funny, and attempt to elicit repetition of that which they have laughed at. These kinds of proto-capacities are one of the things that gives immediate plausibility to the claim that infants are persons. We identify these displays of personality and see them as important stages in the development of a baby into "one of us". This plausibility is not what as issue. We are instead interested in whether this claim can do any work for the psychological continuity theorist. Can we build a functioning bridge principle to account for the personhood of infants through focussing on these proto-capacities?

The proto-capacities *themselves* must be the reason that the infants are accommodated by the bridge principle – not anything that develops out of them. It seems likely that this is simply too weak a requirement for the Neo-Lockean to embrace. To echo O'Brien

> it seems [to me] easier to envisage a move to thought of some apes as persons than away from thought of young children as persons (2000, p.233)

but this is not necessarily a view that most will be happy with. Even if they are happy with conceding that some higher primates might attain personhood, it is a big step from this to what would have to be accepted on this account. This is a condition on personhood that is weak enough to make whole hosts of non-human animals persons. The domesticated animals with which I have drawn analogies are likely to have behaviours that, on a functionalist account, count as of the same kind as those demonstrated by the proto-capacity-having infant. If we try to separate out these cases from those of infant humans, whilst maintaining a Neo-Lockeanism, we are going to slip into the developmental option, which we have already seen to be flawed.

4.4.3 Class co-membership

The third possibility is to consider infants to be persons in virtue of class co-membership with 'proper' Neo-Lockean persons. The thought is that we can define some class of persons, using a central or paradigmatic case, and in virtue of being a member of this class, the 'atypical' persons will also be Neo-Lockean persons. Shoemaker indicates an analogous method for accounting for the personhood of those who differ physiologically from the typical cases:

> Cases that fall short of paradigmatic embodiment, e.g. cases of paralysis and radical sensory deprivation, count as cases of embodiment because of certain sorts of similarity to cases of paradigmatic embodiment... The case in which a person is

> paradigmatically embodied is not only the conceptually central case of embodiment, but also the conceptually central case of the existence of the sorts of mental states characteristic of human beings.(Shoemaker & Strawson, 1999, pp.287-8)

Although in this section Shoemaker is considering the relationship between his views and Animalist accounts, and the role of the body in our identity, he nonetheless makes claims that are valuable in understanding how he might account for the personhood of infants.

For this formulation of the bridge principle, we would take the idealised rational agent as the paradigmatic Neo-Lockean person. We need not be able to point to any particular actual individuals, so much as to what the perfect reasoning agent would be like according to this account. The paradigmatic person would be functionally definable in virtue of the outcomes of their rational capacities. Shoemaker considers the way in which his view will account for abnormal psychology,' stating that:

> The functional roles that constitute psychological continuity include all of the causal features of mental states that are in any way constitutive of their nature, not just those recognized in folk psychology. So they include those that contribute to irrationality and perversity as well as those that contribute to reasonableness. (Shoemaker, 2004b, p.531)

Although he rejects in this section the idea that idealisation of psychological capacity is *defining* of the kind of psychology that he attribute to persons, this does not mean that it cannot play a role. The 'irrational and perverse' psychologies are arguably best understood as psychologies in virtue of their similarities to the rational ones. Perhaps, then, we can make a similar move for the infant - to attribute to them personhood through the similarities they have to the idealised psychology. It is important that this does not become an animalism - that we do not do this through membership of the same biological species. The class of which both are members must be a class of Neo-Lockean persons rather than human animals[39], so it cannot be because of similarities in embodiment or in biological capacities. Instead, it must be due to a similarity in their psychological capacities. Thus, we find ourselves back with the two previous options - either using development or the proto-capacities. These two options will fail for the reasons I have already laid out.

[39] At least, they can only be a class of human animals in virtue of their being a class of Neo-Lockean persons

4.5 The problem with potential

In the previous section, I considered three broad strategies that the psychological continuity theorist might use to bridge the gap between infants and adults. It seems to me unlikely that we will be able to develop a bridge principle that does not fall into one of these types, and thus does not fall foul of one of these problems. However, it may transpire that there is a strategy that falls outside of those I have suggested. In this section I will, then, turn to the problems with developing any such principle.

If we rely on a bridge-principle to accommodate the personhood of some cohorts, we will be left with a two-tiered account - there are 'proper' Neo-Lockean persons and there are those that are persons only through the bridge principle.[40] There are is a broad problem with this kind of approach that makes it untenable, which manifests in two ways. The issue as a whole is that it puts different cohorts of persons on different footing. The paradigmatic cases, those that are persons in virtue of exhibiting the psychological traits and capacities that this view takes to be needed for continuity, are instances of 'personhood-proper'. We will then have the instances of personhood that are brought under the concept in virtue of the bridge principle, in virtue of standing in personal identity relations to the first class - the cases of 'derivative' personhood. This is an unsatisfactory situation for the following reasons:

(1) It requires a metaphysically puzzling commitment

If the psychological continuity theory is a claim in the metaphysics of persons, then to state that P is a Neo-Lockean person is a metaphysical claim - it tells us something about the nature of P. It is something of the kind NL. If this is the case it seems we cannot be making the same metaphysical claim about those that instantiate derivative personhood. They do not have the same properties as the members of NL, else we would not need the bridge principle, and thus they cannot be members of this class. It may be that there is some broader class of which NL and DP (the class of derivative persons) are both subsets. If there were a psychological property that was shared by all and only members of these two classes, then we would not need the bridge principle. We are left with a situation in which the two classes, all the members of both

[40] The strategy is likely analogous to the one to that Shoemaker will use to include 'abnormal' psychologies. If this is the case personhood will be a matter of degrees since the groups included by it will vary greatly in psychological capacities.

we take to be cases of personhood, are metaphysically distinct. Why, then, are they supposed to be cases of the same thing? Moreover, an individual person P moves from the class DP to the class NL as they mature, and we want identity relations to hold between these stages. This will involve a change in metaphysical nature that is left unexplained.

(2) It opens the door to the suggestion that only we are *really* persons

The second problem can be framed as a response to the worries raised in the previous section. Perhaps if the claim is metaphysically bizarre and if the baggage that comes along with trying to resolve the issues is too great, the best solution is to embrace the unevenness. Perhaps only members of NL are *actually* persons. This is exactly the claim that I am trying to avoid, but solutions of this kind, ones that suggest a difference in the way that infants and adults are persons, point us back towards it.

The problem is that these kinds of solutions will make the personhood of infants (and perhaps other cohorts that are non-perfectly rational) somehow counterfactual or dependent on a notion of potential. It is because they *could* develop into adults that exhibit these capacities that they get to count as persons now. In the cases of adults with PMLD, we suggest that if things had been otherwise they would be instances of Neo-Lockean personhood, and thus they count as persons in virtue of this. The infant that dies before developing the capacities, *could* have developed them, and in virtue of the possible world in which they did, they count as persons. It is because they have the potential to be persons 'proper' in a counterfactual situation that they count as persons. It is a very short step from this to claiming that only those who exhibit personhood-proper in the actual world are in fact persons. It seems that this option will inevitably loom large if we adopt a strategy of this sort, one that relies on a two-tiered approach to personhood. If the personhood of these cohorts is at most counterfactually constituted, then it is at threat of being denied.

This is particularly troubling because the cases that I am considering are not cases of 'abnormality' but are instead entirely typical and unavoidable. Infants are not simply incidental cases on the fringes of personhood. All actual Neo-Lockean persons begin life as infants, this is why a bridge principle that worked on the basis of development of capacities was a potential solution. Treating these cases as derivative, counterfactual, or atypical instances of personhood, as this approach implicitly does, is to ignore the way in which infancy is a standard and

central case of personhood.

4.6 Summary

In this chapter, I have considered whether contemporary Neo-Lockean views can accommodate the personhood of infants. I have shown that they cannot meet the criteria of personhood given by such an account. Although the focus has been on the strand of Locke's views that characterise personhood in terms of psychological states, including memory, the failure is partly due to infants lack of *self-conscious first-personal point of view*. Since they cannot satisfy the conditions of personhood these accounts provide, I have then considered options that rely on a bridge-principle to include infants in the class of persons. Ultimately, this approach is unsatisfactory.

Chapter 5

Surveying our progress

In the preceding chapters, I have considered two central features of (Neo-)Lockean accounts of personal identity - possession of a self-conscious, first-person point of view, and connectedness of mental states. Moreover, I have argued that the latter feature is importantly dependent on the former. I have argued that accounts involving these features will fail to accommodate the personhood of infants. In this section, I will review why accounts that rely on these conditions fail to accommodate infants. This will then lead to considering an account that rejects the ordinary Lockean approach.

Possessing a self-conscious, first-person point of view involves a kind of self-knowledge. The knowledge in question is that which a person has when he 'considers himself as himself.' This is the understanding of oneself that is involved in seeing oneself to be the subject of one's experiences, the agent of one's actions, and the thinker of one's thoughts. Underlying all of this is the special kind of knowledge of which one is both subject *and* object. This seems lacking in infants. That is not to say that a toddler does not understand they exist. They do not, however, have the substantive self-conception that is needed for self-consciousness. What level of self-conception they have is unclear, and hard to ascertain, since much of our access to this kind of information is linguistic. However, it seems likely that prior to being able to pass the mirror-test, infants do not fully understand themselves as temporally-extended objects. They may understand that they have experiences, but they do not have the capacity to reflect on themselves as the things that have these experiences - they do not have thoughts of which they are the objects. To be able to do this requires some level of conceptual thought, the ability to see oneself as a thing of a certain kind. This is outside of what we can reasonably attribute to

infants

What is being demanded is that, in order to count as a person, an individual must be able to see herself as a person. This need not be done explicitly, the term 'person' need not feature in her thoughts, but she needs to see herself as a thing of the kind to which this term is applied. To be able to see oneself in this way, is something that has a significant demand in terms of the capacity for conceptual thought. The point from which we can attribute this to infants is unclear, but as suggested, the capacity to pass the mirror-test is a good minimum requirement. I think we can place it later than this - until an infant has developed the ability to use self-referring pronouns, it seems likely that they do not have the self-concept that we require.

One of the aspects of this kind of point of view that seems crucial is that we understand ourselves as temporally-extended, as something that has a history and that (hopefully) has a future, and that my current experiences are situated in this extended existence. This is not to say that (a) I need to have in mind at any time this thought, explicitly stated, nor that (b) I need to have any particular (episodic) memories or expectations for the future. I simply need to be aware that I am something that exists for more than just the present instant. This is what enables me to plan and thus to act. If I cannot see that I have an extended existence then I cannot do something now with the intention or hope of it having an effect later in my life. To lack this is to fail to understand oneself as the kind of thing that we are. The reason that infants are a particularly pronounced problem, as I have noted, is that they *become* things of the kind that I have just described - these non-self-conscious beings develop into self-conscious beings. More crucially, all self-conscious beings[41] begin as an infant - to be thing that satisfies this condition, one must first be a thing that fails to.

In the next chapter, I will consider a Neo-Lockeanism that does not centre either of these features. Through doing this, I will elaborate on how we might be able to accommodate infants in a Neo-Lockean account of personhood.

[41] This is not to say that there could not be other ways of bringing persons into existence, but just that this is the only way that any of the persons of which we are currently aware come into being.

Chapter 6

Rejecting the Lockean first-person

In chapters 3 and 4, I considered the ways in which accounts that depend on the Lockean conception of a person – something that has a self-conscious first-person point of view – exclude infants from personhood. By demanding the capacity for this kind of self-conception, these accounts place too a high an intellectual burden on candidates for personhood, and thus exclude infants from this category. In this chapter, I will turn to an account that explicitly rejects this requirement.

6.1 Rovane's exclusion of infants

Rovane has, in several places (1998; 2004; 2012), presented an account of personhood and of personal identity. It is of particular interest at this point in my project due to the way in which she engages with Locke's distinction between personal and animal identity. Locke characterises this as the distinction between the identity of the self-conscious being (the thing that can consider himself as himself) and the identity of the human being. Rovane conceives of the dispute between the Neo-Lockean and the Animalist[42] as being a dispute between those that take it to be a substantial distinction and those that deny this. She goes on to claim:

> the dispute leaves out of account all non-psychological analyses of personal identity that fail to equate personal identity with animal identity. That is, it leaves out of account all analyses that support a distinction between personal identity and animal identity, but without supporting Locke's distinction (1998, p.36)

[42] That is, the personal identity debate

Rovane sees space in the debate for a position that is Neo-Lockean, in the sense that it situates personal identity somewhere other than animal identity, but that differs from Neo-Lockean views that adhere to Locke's original *psychological* construal of personal identity – from those that centre self-conscious first-person points of view. Before I detail her account, there is an important feature of Rovane's account that I must acknowledge – she is *explicit* in her claim that infants are not persons on her account:

> The reasons why some human beings cannot engage in agency-regarding relations are various. But they are all quite obvious. Some human beings cannot engage in them because they cannot act intentionally at all. This would seem to be true of human beings who are severely brain damaged and/or irretrievably comatose. But of course there are human beings who can act intentionally, and who nevertheless lack the capacity to engage in agency-regarding relations. Usually, such human beings simply lack the conceptual sophistication to form attitudes of regard for another agent's rational point of view, as is true of all human infants. But autistic human beings seem to lack a capacity that even infants possess, which is the capacity to engage in any significant social relations at all. Thus by the lights of the ethical criterion of personhood, none of these human beings qualifies as a person. (1998, pp.99)

It might strike the reader as odd that I choose to consider Rovane, if she is explicit in the exclusion of infants. However she centres her account on the rejection of the Lockean framing of the first-person perspective. Since I have suggested that this is the aspect that excludes infants from the traditional Lockean accounts, I want to attend to why this account falls into the same trap as the others – why it is that it fails to accommodate the personhood of infants. There are several cohorts included in this list, and how concerned we are by the prospect of their exclusion from personhood is likely to vary. We might be less concerned by the fact that those in permanent vegetative states are excluded from class of persons than that some of the other groups that she mentions are. The claim that those with autism do not count as persons flies in the face of what most of us would be likely to want to say. It seems to me that Rovane's conception of autism is an overstatement. Although autistic children do 'not understand or interact with other persons in the species-typical manner' (Tomasello *et al.* , 2005, p.684) to entirely deny that people with autism have the capacity to engage social relations is a mis-

take.[43] Similarly, Rovane suggests that the notion of 'legal competence' and that of the age of 'full majority' distinguish those that we take to be rational agents (Rovane, 2004, p.555). This seems to suggest that anyone under the age of 10[44] (or perhaps as old as 18) would not be a person. These might be claims that she should adjust given the actual competencies of the relevant groups, so I will not dwell on these extreme conclusions. I will, however, contend that whatever adjustments are made in light of the facts, Rovane is committed to the claim about early years infants. To include them within the class of persons would be to lose much of the substance of her view of personhood. To see why they are excluded, I will now proceed to consider her account of personhood.

6.2 First-person points of view

Rovane frames her account of personhood in opposition to the Lockean understanding of the first-person point of view. She construes Locke's general understanding of persons in the following way:

> (1) a person is something with a first person point of view; (2) the identity of a person consists in the unity and continuity of such a first person point of view; and (3) the first person point of view of an individual person need not coincide with an individual soul or an individual animal (Rovane, 1998, p.14)

Rovane agrees with Locke about persons at this level of characterisation. The distinction between them lies in how they understand the notion of a 'first-person point of view'. Rovane dubs Locke's conception of it as 'phenomenological' in that it operates on

> the assumption... that each person has a separate centre of consciousness, which is the site of its deliberations, and which constitutes the point of view from which it acts. (2012, p.20)

For Locke, a first-person point of view is understood as a first-person perspective rooted in our experiencing of ourselves as experiencing things. Rovane describes the phenomenological first-person point of view as the 'epistemic relation that each person, qua self-conscious thing, bears only to itself.'(Rovane, 1998, p.14). It manifests a 'Cartesian immediacy'(Rovane, 1998,

[43] For instance, the National Autistic Society provides resources to help with developing social relations and communications, thus presuming the possibility of engaging in them .

[44] The age of criminal responsibility in the UK

p.209) – a direct and privileged access that a self has to itself. These descriptions all reflect the self-conscious first-person point of view that we have seen to be central to Locke's view, and that is retained in Neo-Lockean psychological continuity accounts of personhood. Moreover, I have argued, it is the feature that causes problems if we are satisfactorily to account for the personhood of infants.

Rovane presents an alternative to this phenomenological conception of a point of view. She contrasts a Lockean point of view with what she calls a 'rational' point of view. She takes the latter to be central to personhood. To be a person on her account is to be a thing with a rational point of view. She characterises the rational point of view as follows:

> it is a point of view from which the agent not only acts; it is a point of view from which the agent can also reflect upon various reasons for action, and assess their relative merits (Rovane, 1998, p.85)

This means that a first-personal point of view is, for Rovane, centrally an *agential* one. It is one from which something can give and take reasons, and act according to them. This is intended to avoid the epistemic requirement on the first-person perspective, and thus on personhood. That is, it is intended to avoid the requirement that a person be something that thinks of itself in a certain way, or that has a particular kind of knowledge of itself. It is, nonetheless, fundamentally a Neo-Lockean account of personhood, for it (a) distinguishes between personal and animal identity, and (b) situates personhood in something other than biological nature. Thus, it is valuable to consider Rovane's account in our attempt to find space in Neo-Lockeanism for the personhood of infants. I shall turn in the next section, then, to the details of her account.

6.3 Agency-regarding relations

Rovane claims that ***'persons are agents who can engage in agency-regarding relations.'*** (Rovane, 1998, p.72, emphasis mine) . Clearly, we need then to understand what an agency regarding-relation' is. She defines the notion as follows:

> the notion of an agency-regarding relation figures as a relation which arises between agents when one agent attempts to influence another; and yet aims not to hinder its agency (Rovane, 1998, p.75)

She provides a list of examples of agency-regarding relations — 'conversation, argument, criticism, competition, bargaining and promising.'[45] (Rovane, 2012, p.20) as well as detailing a selection of relations that do not count as agency-regarding. (Rovane, 1998, Ch.3) I will consider these in order to bring out the central features of these relations (and the capacities they depend on).

We can fail to stand in agency-regarding relations in a variety of ways. Firstly, we can simply fail to recognise the other is an agent at all, and instead treat them as we would something non-agential. Once we recognise something is an agent, there are still several ways in which we can fail to stand in agency-regarding relations to them. We can acknowledge that someone is an agent, and nonetheless hinder their capacity to use their agency. Rovane suggests hypnosis as a clear example of failing to regard someone's agency. If someone acts in a certain way, only in virtue of their hypnosis, then we have removed their access to their agential capacities. They do not act because of their deliberative or reason-responsive capacities, but because we have forced them to do so in a way that bypasses these. We exert 'direct causal control' (Rovane, 1998, p.77) over events that would otherwise not be in our control. This is a hindering that uses *nonrational* means, when we consider the impact on the hypnotised agent.[46] Their capacity to exercise their rational faculties is hindered.

I can allow someone to use their rational faculties and nonetheless fail to stand in an agency-regarding relation to them. I can be aware of someone's agency but use this awareness to deny them full use of it – by misleading or lying to them. These methods of agency-hindering depend on denying someone proper access to the information from which to reason. These are cases of giving reasons for action, but not reasons that the agent would use without being influenced, because they are inaccurate or untrue. This is a kind of hindering of agency that uses rational means, for the influenced agent's capacity to reason is unimpaired — they just have the wrong information to reason from. There is a related kind of 'rational' hindering, typified by coercion and threatening. If I do something as a result of a threat, my reasoning in agency is hindered because I will put extra weight on the option that I choose as a result of the threat. In fact my agency is hindered even if I do not actually give in to the threat; if I put extra weight on some options in my reasoning, as a result of the threat, that is enough. Thus, my capacity

[45] She provides an abridged version of this list in (Rovane, 2004, p.554))

[46] From the perspective of the hinderer, this may be a rational way to act.

to reason is unimpaired, and I am correctly informed as to the reasons that I should consider, but they are weighted otherwise than they would be without the external influence.

I stand in an agency-regarding relation to another entity when I am aware of it as something that has agency of its own, and engage with it on the basis of that. I have shown that Rovane requires more than this. She requires we do not hinder the agency of another, even if we attempt to influence it. The paradigm of 'influencing without hindering' is what Rovane calls 'friendly advice.' A person giving friendly advice uses rational means, 'purely' and 'openly.' It is pure because it only uses the normative force of the reason, rather than anything additional (unlike cases of threat). It is open because the actual end of the influence is the end that is presented to the influenced individual. That is, there is no misleading about the purpose of the attempts to influence (unlike cases of lying.)

Rovane requires that we *respect* the agency of the other, rather than just acknowledge it. The phrase 'agency-regarding' involves an ambiguity - 'regarding' can mean both 'concerning' and 'respecting.' Many relations that satisfy the former understanding do not satisfy the latter. We can hinder someone's agency in virtue of our awareness of it. Lying and misleading are relations that 'regard' someone's agency in the sense of 'concern', but they do not respect it. Rovane requires that agency-regarding relations satisfy this second, more stringent, demand —they must show respect for someone's agency, not simply acknowledge it. In the next section, I will step back from the relations to consider the pre-conditions of being able to engage in them.

6.4 Rovane's normative criterion, and why infants do not meet it

Rovane describes the kind of agents with which she is concerned as follows:

> First of all, it has emerged that agents who can engage in agency-regarding relations must be *rational, reflective and social*. Second, it has emerged that they are *capable of wielding rational (as well as nonrational) modes of influence* on one another. Third, it has emerged that *they are agents who recognize that they stand in an ethical relation to other agents*, because the choice they face concerning whether and when to engage in agency-regarding relations is an ethically significant choice (Rovane, 1998, p.114, emphasis mine)

Let us, as Rovane does, take in turn each of these criteria. She goes on to consider what she takes to be the 'single underlying trait' that brings about these features, and I will in time discuss this. Before doing so, however, I think it is worth considering these criteria independent of this – I will want to suggest a different underlying trait, as well as reframe her understanding of the one she suggests. To get to this point, we need to elaborate on the criteria themselves. Doing this will also allow us to consider why they exclude infants.

She describes persons as 'rational, reflective and social.' The first element on this list (that is, rationality) is something she considers in detail elsewhere as a notion that involves 'commitment to carrying out... unifying projects.' [47] This is not a condition that we can take infants to satisfy – having a 'unifying project' is too high a conceptual threshold for infants to satisfy. I will thus set aside this option. 'Reflective' cannot straightforwardly be a demand that an agent have a phenomenological self-conscious first-person point of view – the reflection cannot be on oneself as oneself. Rovane explicitly rejects this conception, so she cannot then demand it be an element of personhood. Instead, it will have to be reflection on something related to the conception of us as agents. Since the first-personal point of view with which she is concerned is a rational one, the kind of reflection that she is referring to here is what goes on when we 'reflect upon various reasons for action, and assess their relative merits' (Rovane, 1998, p.85) How she understands the idea that we are social is something she details a little further in other places, stating that:

> [Persons] are the sorts of things that can treat one another specifically *as persons*, by engaging one another in distinctively interpersonal ways — such as conversation, argument, criticism, competition, bargaining and promising. (Rovane, 2012, p.20)

Agency-regarding relations, as characterised by Rovane, provide a very narrow conception of the ways that we treat each other, and the nature of our social interactions with other persons. Nonetheless, at this point, I will take these to be the paradigmatic cases of what Rovane is referring to by the term 'social' Our social interactions are taken to be (a) highly linguistic, and

[47] In chapters 5 and 6 of *Bounds of Agency*, she argues that the following condition is both necessary and sufficient for personhood:

> There is a set of intentional episodes such that: 1. these intentional episodes stand in suitable rational relations so as to afford the possibility of carrying out coordinated activities; 2. the set includes a commitment to particular unifying projects that require coordinated activities of the very sorts that are made possible by (1); 3. the commitment to carrying out these unifying projects brings in train a commitment to achieving overall rational unity within the set (Rovane, 1998, p.164)

She is concerned with showing that group and multiple persons are possible, but she does this by showing that they satisfy the criteria of rationality as she understands it.

(b) highly rational. All three elements of the first statement (rational, reflective and social) are criteria that an infant will fail to satisfy.

The second statement concerns the capacity that persons have of 'wielding rational...modes of influence on one another.' Rovane's 'agency-regarding relations' are all examples of this, but so too are lying, manipulation, and threats. What is important is that it engages the rational capacities of the *influenced* individual. It seems that infants succeed in satisfying this this element. Imagine an infant that cries out to its parent for food. She does not need to use her rational capacities in this cry to wield rational influence on said parent. The parent is aware that the child cannot carry out the task that she requires by herself – if the parent does not provide the food, the infant will go hungry. Given they do not want the child to go hungry, they feed them.[48] Being in possession of rational capacities does not appear to be necessary for wielding rational influence — much as an infant can demand to be fed, so too can a pet cat. This second criterion seems satisfiable in virtue of the rationality of the influenced alone, regardless of the nature of the influencer. Thus, infants satisfy this if they succeed in exerting influence on persons.

Let us now consider the third statement, which adds an extra commitment to the claim that persons can influence others. Rovane states that they are 'agents who recognize that they stand in an ethical relation to other agents'.[49] This means that being a person involves being aware both that there are other agents like oneself, and that one stands in particular kinds of relations to them. Imagine again the infant that wants their parent to feed them. Do they satisfy this criterion? They would have to have 'apprehension of a common nature' (Rovane, 1998, p.115) between themselves and their parents. This is where '***mutual recognition***,' the trait that Rovane sees as underlying (and stemming from) these three criteria comes into the equation.

6.4.1 Mutual recognition of agency

Mutual recognition is a term that she understands in a very particular way, one that is different from how we might ordinarily interpret it. She says:

[48] Note that it does not matter, for this condition, that the parent's ability to reject the influence is reduced – because they know the child cannot get the food themselves, so even if they would not otherwise want to provide food at that time, they still will – since the claim is framed only in terms of 'influence.' It does not matter if it is also hindering.

[49] This is the criterion that brings in the demand for agency-regarding relations — these arise in virtue of the 'ethical relation,' which is the obligation to respect another's agency.

> Clearly, the agents who can engage in agency-regarding relations are agents who mutually recognize one another as such... they mutually recognize each other as agents who not only occasion, but also face, the same ethical choice concerning whether and when to engage in agency-regarding relations. (Rovane, 1998, pp.114-5)

What does this come to? It is more than simply the ability to recognise conspecifics – something that we can attribute to infants. To be a person, I must be able to recognize other persons, and recognize them *as persons*, in Rovane's sense. In order to be a person, I must recognize that other persons are 'things like me', where the kind of thing I am is primarily something that can engage in agency-regarding relations. I must see them as agents of this particular rational and complex kind - ones that can be concerned with how their actions impinge on and interact with the agency of others. So I must:

1. see[50] myself as able to act
2. see my actions as affecting others
3. see that others are able to act
4. see that others see their actions as affecting others

This is, Rovane notes, something that 'involves an abstract apprehension' on the part of the agents involved. This is because persons must 'conceive of themselves as members of a class that includes *all* relevantly similar agents' but need not have any concrete relations to the other members of the class. This requires high-level conceptual thought on the part of persons – the ability to think of oneself under a particular description, and to conceive of others as falling under it. There is no particular way in which this description must be formulated to count, but some conception of oneself as a thing of this kind is needed. Moreover, one must conceive of others as conceiving of themselves as things of this kind:

> It requires...that one conceive oneself as a member of a class of similar agents *who also* conceive themselves, and one another, as members of the same class. (Rovane, 1998, p.115)

[50] I use this with no particular reference to visual perception, but instead to avoid any substantive claim about the mental process involved

This is a high intellectual demand, that requires complex conceptual thought well outside of the scope of what we can expect of infants. Thus it is clear that they will not and cannot count as persons on this account. One possibility is that we develop a more minimal set of demands based on Rovane's. Let us take the conditions in reverse order to consider the prospects for this option. Satisfying condition (4) clearly depends of possession of Theory of Mind[51], which does not develop until after infancy.[52] It is likely that more than simply understanding others as minded is needed to meet (4), so the age will be higher still. If we remove this condition, and consider (1-3), Theory of Mind is again something that will be required by condition (3) if we understand action in a substantive sense. Perhaps we can have a far more minimal understanding of others as 'able to act', one that involves aware of others as changing, without any need for understanding this as intentional. Then, perhaps, younger children could satisfy these criteria. Although they would not meet the fourth condition, they would still have a kind of mutual recognition, and a kind of agential point of view. It would, however, be a non-self-conscious one. In the conclusion, I will suggest a possibility that is related to this one. In the next section, however, I will argue that Rovane is, in fact, committed to a picture of persons as self-conscious, which will rule out infants meeting this more minimal construal of her account.

6.5 First-person points of view: revisited

In the previous section, I have shown why it is that Rovane's account cannot allow for the possibility that infants are persons. There is too high an intellectual demand involved in being something that can engage in 'agency-regarding relations', and thus in being something with a 'rational point of view.' She presents this account in opposition to the Neo-Lockean accounts that she sees taking Locke's conception of the distinction between animal and personal identity to involve the notion of a 'phenomenological point of view', which is a kind of self-conscious first person point of view. The need for a point of view of this kind is, I have argued, central to the exclusion of infants from personhood on Neo-Lockean accounts.

In laying out what is needed to stand in agency-regarding relations, Rovane refers to a particular 'self-conception' (1998, p.115) as necessary. In this turn of phrase, I see the seeds of what I take to be the central problem with Rovane's account – it does not go far enough in shaking

[51] That is, understanding that others have mental states that differ from ones own.

[52] When exactly Theory of Mind is acquired is unclear. Wimmer and Perner (1983) suggests that it is not before the age of 4.

the Lockean commitment. Although the kind of self that must have this self-conception is a *rational* self, it seems to me that it must also be a Lockean self. Her rejection is of the claim that what she call the 'phenomenological' point of view is necessary –

> the assumption... that each person has a separate centre of consciousness, which is the site of its deliberations, and which constitutes the point of view from which it acts. (Rovane, 2012, p.20)

Although Rovane rejects *this* conception of a point of view, she takes as central the idea that persons have a point of view of some kind – one that she describes as 'rational'. A feature of this point of view is that it is 'reflective'. The particular kind of reflexivity she is concerned with must be an agential one. This is not the sense in which we ordinarily describe the point of view of a person as reflective. It is normally a claim about their capacity to think about oneself – it is the attribution of a *self-conscious*, *first-person point of view*. This is a more minimal condition that possession of the 'phenomenological point of view.' I contend that Rovane's account implicitly involves the attribution of a self-conscious first-person point of view.

Consider the following claim about reasoning:

> I cannot take *any* thought as a basis for my deliberations without appropriating it as, quite literally, *mine* in a sense that implies strict identity. (Rovane, 2012, p.29)

If I 'appropriate a thought as *mine*', then I must have a conception of what it is for something to be mine. This necessitates that I have some kind understanding of myself – as something that can have thoughts. I cannot appropriate thoughts as mine if I cannot see myself as a thinker - as the thing that has those thoughts, as the subject of them. Similarly, the reference to a 'self-conception' that I picked up on earlier belies the assumption that persons are things that can think about themselves in particular ways. To be able to take myself to fall into a particular class, I need to be able to see myself not just as the subject of my thought, but to have thoughts of which I am the object. Thus, I need to be able to consider myself as myself – to take myself to be something to which I can attribute certain properties and as falling into certain categories. This means that I must have a self-conscious, first-person point of view.

Rovane may have positioned herself in opposition to one Lockean commitment about points of view, but there is a more insidious one that she has not shaken – the assumption that a person

is something that 'considers itself as itself.' This has, throughout this thesis, been argued to be the barrier to the personhood of infants in Lockean accounts. Although there are more explicit barriers presented by Rovane, the failure of infants to satisfy her conditions depends on their failure to satisfy the Lockean condition. Although this is not sufficient for being a person on Rovane's account, it is necessary. Moreover, the further conditions are shaped by the presupposition that we are this particular kind of thing – all the interpersonal conditions, and the way in which she describes 'mutual recognition', depend on the assumption that those involved in these relations are particular kinds of things. The things that stand in 'agency-regarding relations' to one another must satisfy the Lockean criterion - they must be able to think of themselves in certain ways, and their ability to stand in these relations is dependent on this. Even if we remove Rovane's stringent cognitive criteria, then, we need to do more if an account of this kind is to allow for the personhood of infants.

6.6 Persons generally, and rationally competent persons

Whilst Rovane is explicit in her exclusion of infants from personhood, there is reason to think that she is not as fully committed to this claim as it appears. In the postscript of *Bounds of Agency*, she considers the ethical implications of the claims of the text – in particular, of the claim that there might be 'group' and 'multiple' persons. She considers what we might owe to such persons, and states:

> ...we ought to accord them whatever treatment and consideration our ethical views dictate we ought to accord to persons generally — or rather to those persons who (unlike fetuses, infants, and the insane) are rationally competent. (1998, p.244)

This quotation reads as if we should take 'persons who are rationally competent' to be a *subclass* of the class of 'persons generally'. Moreover, it seems that 'fetuses, infants, and the insane,' are part of this broader class. The class of 'rationally competent' persons are to be accorded different ethical treatment to these other cohorts, according to this passage, but it seems that Rovane has some conception of persons under which infants fall. Even if we read 'persons who are rationally competent' as equivalent to the term 'persons generally' in this passage[53], it is nonetheless telling that Rovane feels it important to list the other cohorts at this point.

[53] Which charity perhaps suggests we should.

There seem to be two possible explanations of this passage. Perhaps Rovane is concerned by the exclusion of these cohorts. This would indicate at least an instinctive feeling that failing to accommodate these groups is a mistake, or at least something that should not be taken lightly. The second possibility is that she actually has a theoretical commitment to the existence of a broader class of 'persons generally.' This would mean that her account is not of persons *per se*, but a particular rational subclass of persons. If she has this commitment, then she most likely has a notion of personhood that is not Lockean. There is no evidence to suggest she has a more minimal Lockean view in mind to accommodate these groups.

On either of these possibilities, my contention that infants should be included in our account of personhood appears to be supported by Rovane to some degree. It is nonetheless clear that her account cannot accommodate them – it, like the others I have considered, relies on persons having a self-conscious first-person point of view.

6.7 Summary

In this chapter, I have considered Rovane's account of persons as things that stand in 'agency-regarding relations.' As I noted, she is explicit in the exclusion of infants from her account, as they cannot satisfy the intellectual demands that she places on personhood. However, it is an account that centres on the rejection of a Lockean point of view, which I have argued is the barrier to the personhood of infants on the other accounts I have considered. In virtue of this, I explored why it was that infants could not satisfy her criteria, and whether they could perhaps meet a weakened formulation. I have argued that although she explicitly rejects the 'phenomenological' point of view in place of a rational one, she nonetheless implicitly relies on a self-conscious, first-person point of view. Unless this is demand is removed, we cannot account for the personhood of infants.

Chapter 7

Conclusion: Prospects for Lockean infants

In this thesis, I have considered two central ways in which Locke has shaped the metaphysics of persons. First, I looked at the questions that we ask – questions of diachronic identity and persistence conditions – and suggested an alternative approach. I identified the ways in which Locke's purpose in asking these questions was different from that of the contemporary metaphysician. Moreover, I argued that by asking an alternative question – the personhood question – we would be better positioned to accommodate the personhood of a broader array of individuals.

The concern with who our accounts include leads us into the second Lockean influence on the metaphysics of persons. I considered the prospects of accommodating infants on accounts of personhood that engage with the Lockean conception of a person. By considering Locke's account, and contemporary Neo-Lockean accounts, I argued that by requiring that persons have a self-conscious first-person point of view, these accounts inevitably exclude infants. I turned to Rovane's account as one that deliberately rejected Locke's conception of a point of view. Her account explicitly excluded infants by placing a high intellectual threshold, but it also implicitly relied on a self-conscious first-person point of view, and in virtue of this it could not resolve the issue. A positive account is outside the scope of this project, but I will now consider how we might use insights from her account to begin to develop a Neo-Lockean account of personhood that does do this. These are (a) focussing on a different kind of point of view, and (b) considering the role of mutual recognition in personhood.

The first problem to address is the one that has haunted accounts throughout this thesis. In-

fants cannot satisfy the requirement that they have self-conscious, first-person points of view. If a Lockean account is going to accommodate infants, then it is going to need a far more *minimal* account of a point of view. A first-person point of view is going to be needed, but this does not demand first-person content. In *Mirror of the World* (2014) Peacocke develops a conception of points of view that may meet the more minimal criteria that we are looking for:

> Subjects of consciousness exist also solely at a more primitive level, with mental states and events that have only nonconceptual content, and without necessarily having any capacity for reflective thought (Peacocke, 2014, p.78)

What we need is the kind of first-person content that is built into being a subject of experience, without demanding that this be self-conscious. There needs to be 'something it is like' to be the subject in question – that is what it is to have a point of view. This conception of a point of view does not place the same demand on the subject of the experience – infants would satisfy it without needing to meet the demand that they 'consider themselves as themselves.' We can follow Rovane in contending that we should reject the Lockean conception of a point of view without adopting her rational conception. Instead, I have suggested we need a ***non-self-conscious first-person point of view.***

Persons are likely not the only beings to whom we can attribute this kind of point of view. However, I think that we can use Rovane's second central insight to develop the account further, once we have fleshed-out the notion of a non-self-conscious first-person point of view.[54]

In considering Rovane's agency-regarding relations, I noted that she invokes the notion of 'mutual recognition,' but interprets it in a particular way. For Rovane, the important kind of mutual recognition is standing in agency-regarding relations. The interactions that she takes to exemplify mutual recognition 'conversation, argument, criticism, competition, bargaining and promising' which she describes as distinctively interpersonal.' (Rovane, 1998, p.115) If this is simply the claim that these are all interactions that must be interpersonal, I agree.[55] However, I take it that her claim is stronger than this – these are distinctively interpersonal in that they are emblematic of what an interpersonal interaction involves. These are purportedly central interactions that occur between persons, they typify what it is for persons to interact as per-

[54] Something I do not take myself to have done

[55] We may make promises to ourselves, and the notion of self-criticism is familiar, but these intrapersonal relations work on the model of the interpersonal. Moreover, they depend on an individual considering herself as a person.

sons, to mutual recognise one another's personhood.

First, let me acknowledge that there are attenuated versions of these interactions that can occur between an infant and an adult, or even between two infants. Learning to engage in these is part of what an infant does as they develop, as they progress through childhood towards adulthood. However, I still would deny that these are the *central* cases of interpersonal interactions. Instead, let me return to an idea with which I started this thesis - patterns of care. When we think about the ways in which we interact with other persons, we do not turn to these oppositional and combative kinds of interactions as central. We do not think of interaction between persons as primarily for the purpose of the management of egoism.

The demand for a self-conscious first-person point of view can be thought of as the demand that a person 'considers himself as himself.' However, in this problem for the personhood of infants lies also the space for a potential solution. For, in considering myself as myself, I engage in the capacity that makes me a person, according to these views. I, as a person, am aware of myself as a person. Perhaps, then, we can suggest that act of being taken to be a person need not be internal. Perhaps I can be taken to be a person by another person, in an act of recognition, and I can take them to be a person. This mutual recognition of one another's personhood is exactly what the relationships of care that I have alluded to latch onto. It is because we recognise the personhood of infants that we treat them in the ways that we do. Clearly, this is a bold claim, and not one that I intend to argue for - my suggestion is simply that in this direction lies the best prospects for a Neo-Lockean account of the personhood of infants. That a relational aspect can play a role in an account of this kind is something that Rovane has shown us - her account ties up the personhood of any individual with their recognising the personhood of others.

Moreover, there are reasons to believe that us being the things that we are is something that inherently dependent on others being things of the same kind - on the ways in which we are related to persons. Consider, for instance, the suggestion that I briefly mentioned in chapter 2 - that parent-child conversations about the past play an important role in a child's ability to develop episodic memories (Hayne & Jack, 2011). This means that communication and engagement with caregivers is crucial in developing the very capacities that the Lockean accounts centre on. More broadly, the role of interaction between children and adults in development is

discussed by Lindemann in chapter 3 of *Holding and Letting Go*. She suggests that:

> ...it's infants connections with their caregivers that provide the basis for thoughts and language – especially creative symbolic thought... [which] requires learning to adopt at least one other person's perspective...' (Lindemann, 2014, p.72).

She argues that these interactions play a role in our development of our 'second natures'. Becoming things with self-conscious first-person points of view depends on these interactions. Moreover, Lindemann and Schechtman (2014) argue that these recognitional and social dynamics play a role in personhood throughout our lives – this is not a claim that can only be made for infants. A caregiver recognises their infant as a person, and the infant responds to their care – these are *inter*actions between persons. Considering mutual recognition without the heavy intellectual component may well open up the door to a Lockean account that does not exclude infants.

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