

Realism About Personal Identity Over Time*

Trenton Merricks

Noûs supplemental volume 2001 (*Philosophical Perspectives, 15, Metaphysics* edited by James E. Tomberlin).

I shall defend “realism about personal identity over time.” Realism is the claim that personal identity over time is never a matter of convention. Realism seems to be true. After all, who really believes that, when facing personal extinction, salvation could be found in effecting linguistic or conceptual revolution? (Cf. Chisholm, 1976, 111-112) And who among us honestly fears death by paradigm shift?

But—in spite of these rhetorical questions!—realism is controversial. Peter Unger, for example, rejects it. He says that any plausible approach to issues of personal identity over time “will treat questions of our existence and identity as being, in large measure, conventional matters” (1990, 66). (See also Unger, 1990, 168, 239, and 257)

And Robert Nozick endorses conventionalism—let’s use ‘conventionalism’ to mean the denial of realism—with:

What is special about people, about selves, is that what constitutes their identity through time is partially determined by their own conception of themselves, a conception which may vary, perhaps appropriately does vary, from person to person. (1981, 69)

A conventionalist could hold that one’s persistence depends on convention only sometimes, perhaps only rarely. Thus Mark Johnston:

It is important that [the conventionalist about personal identity] can allow that personal identity is not in general a matter of conventional fiat and can also allow that the constraints on the identity of human persons—for example, that human persons are in

their natural condition constituted by living human bodies—make facts of personal identity more stable and less a projection of context-dependent interests than the facts about the identity of artifacts. (1989, 452)

Note Johnston’s intimation that at least sometimes, although not “in general,” personal identity is a matter of “conventional fiat.”

And, finally, consider Derek Parfit’s response to the question of whether I would exist “if half of my body were simultaneously replaced”:

Suppose that I know the facts about what will happen to my body, and about any psychological connections that there will be between me now and some person tomorrow. I may ask, ‘Will that person be me?’ But that is a misleading way to put my question. It suggests that I don’t know what’s going to happen. When I know these other facts, I should ask, ‘Would it be correct to call that person me?’ That would remind me that, if there’s anything I don’t know, that is merely a fact about our language... Such questions are, in the belittling sense, merely verbal. (1995, 25)

Parfit thinks that in certain “puzzle cases”—such as half-body replacement—personal identity’s holding (or not) is itself a fact about linguistic convention. Thus Parfit thinks that there are cases in which the facts of personal identity are conventional.

Conventionalism about personal identity is alive and well.¹ But I shall argue that the metaphysics implied by conventionalism has an unacceptable consequence. Thus we should reject conventionalism and, therefore, accept realism.

I. Plasticity Theory

One attempt at providing a conventionalist metaphysics of personal identity has its roots in the claim that our concepts surrounding personal identity—and the meanings of the

words associated with those concepts—are plastic or malleable. I will call this way of interpreting conventionalism ‘Plasticity Theory’, and its defenders ‘Plasticity Theorists’. Eric Olson (1997) treats (what I have labeled) Plasticity Theory as one reasonable interpretation of conventionalism about personal identity over time. And Mark Johnston (1989) affirms conventionalism on the basis of Plasticity Theory.

Consider the sentence ‘P survives teletransportation’ and imagine, for the sake of argument, that that sentence has no determinate truth value. Plasticity Theory says that the indeterminacy is explained by ‘P’’s imprecision. This imprecision explains indeterminacy, Plasticity Theorists would claim, because (at least) one of the candidates for being the referent of ‘P’ survives teletransportation and (at least) one does not. The Plasticity Theorist would add that we could precisify ‘P’ in such a way that ‘P’ would determinately refer to a survivor of teletransportation. Or we could precisify ‘P’ in such a way that ‘P’ would determinately not refer to any survivor of teletransportation. Or we could leave it indeterminate.

The account of Plasticity Theory just given makes sense only if we understand what it is to “precisify.” Note that to precisify a term is not simply to change its meaning. For we could—trivially, setting aside the topic of precisification—change by convention the meaning of ‘P’ in ‘P persists’ so that that sentence would express a truth when, say, it actually expresses a falsehood. But this banal observation is irrelevant to conventionalism. For our ability to legislate by convention the meaning of ‘p’ does not imply that we can similarly legislate whether p is the case. (Zeus would not exist even if we made ‘Zeus exists’ true by using it to mean that $1+1=2$.)

So to precisify is not simply to change meaning. Precisification, rather, has to do with the idea that the actual meaning of the relevant expression—and that actual meaning is, uncontroversially, fixed by linguistic convention—is somehow malleable. So precisification won’t change whether ‘P’ means P; rather, it is supposed to somehow make a difference in whether someone is P. But how can this be?

Mark Johnston offers the best way I know of to make sense of precisification in the context of personal identity. Johnston's account focuses on self-concern and the claim that the object of one's self-concern could reasonably vary (1989, 454). What it is for someone to be P in the future, Johnston seems to say, is for that someone to be the reasonable object of P's future-directed self-concern.

So suppose that P's future-directed self-concern reasonably changed from not being determinately fixed upon one who survives teletransportation to being so fixed. According to Johnston, P will now determinately survive teletransportation; the person emerging on the "other end" of teletransportation will be P. But if that change in concern had not occurred, Johnston would add, P would not determinately survive teletransportation. Moreover, Johnston's position is that certain other changes in concern would have resulted in the survivor's being determinately not the same person as P. In this way, Johnston provides an account of how whether anyone existing after teletransportation is the same person as P could turn on facts about concern, which facts are themselves to some extent up to us, to some extent a matter of convention. And so he thinks that conventionalism about personal identity over time is true.²

But, pace Johnston, I deny that Plasticity Theory, even if it were true, would imply conventionalism. Indeed, I think Plasticity Theory implies realism about personal identity over time. For Plasticity Theory should be understood as implying that the various candidates for being the determinate referent of a name, or for being the determinate object of self-concern, persist non-conventionally. The idea behind Plasticity Theory is not that if there are n candidates for being P, then there are $n+1$ persisters, the candidates plus P. Rather, the idea is that there are exactly n persisters (relevant to the case in question), its being somehow a matter of convention which of them is the same person as P. But, as noted, each of the n candidates—and so every persister—persists non-conventionally. So, given Plasticity Theory, no fact of identity over time is a matter of convention; rather convention governs only things like future-

directed self-concern and reference. Thus Plasticity Theory, rather than undermining realism, instead presupposes it.³

Now the Plasticity Theorist denies that the ‘P’ candidates (or the candidates for P’s future-directed self-concern) are persons (Johnston, 1989, 449). He insists that each is only a candidate for being a person. So, he might object, although Plasticity Theory implies realism about the mere identity over time of every entity, it does not imply realism about whether those entities that enjoy identity over time are persons. And in this way, he might charge, Plasticity Theory avoids realism about personal identity over time.

I could respond that, supposing the “candidates” exist in the first place, they are really persons. After all, they look, act, think, speak, and behave just like persons. Obviously, this response threatens Plasticity Theory’s claim that, in the sort of case we are imagining, although there are many candidates, there is but one person. But this response, even if correct, is misleading. It is misleading because it takes aim at the wrong target. For it is realism about our identity over time—not our being persons—that is at issue between the conventionalist and the realist.

Debates about personal identity almost universally involve cases where the proposed relata of the identity relation are assumed to be persons. For example, Parfit, in the quote at the start of this paper, promotes a conventionalist answer to the question of “Will that person be me?” Here personhood is taken for granted. It is identity with himself that Parfit thinks, in certain cases, is “merely a fact about our language.” Similarly, the well-worn cases of teletransportation, brain transplant, and fission uniformly involve a person at one “end” of the process and a person (or persons) at the other; the question such cases prompt is always about identity.

Perhaps we are persons essentially. If so, then conventionalism about our continuing to be persons would secure conventionalism about our identity over time.⁴ But the Plasticity Theorist cannot invoke our essentially being persons to parlay the allegedly conventional nature of personhood into conventionalism about our persistence. For Plasticity Theory

requires personhood to be contingent. After all, Plasticity Theory implies that although person-candidates are not persons, each of them would be a person given the right precisification. Because the “right” precisification is possible, that implication makes sense only given the contingent nature of personhood.

So Plasticity Theory must concede that realism about our persistence is one thing, realism about our being persons another. It is realism about our persistence or identity over time, not our being persons, that is the primary locus of the realism/conventionalism debate in personal identity. And Plasticity Theory, we have seen, implies realism about the identity over time over every persister and, as a result, about the identity over time of each of us.

Plasticity Theory is a species of realism, given my account of realism. One might grant this, yet object in the following way: “Plasticity Theory seems to deliver something like conventionalism. For according to Plasticity Theory there are a number of equally good ways to talk about—and think about and care about—our identity. There are a number of equally good ways to ‘carve things up’ with respect to our persistence. That is, they are equally good prior to our plumping for one of them. But we can, by convention, render one way ‘best’ or ‘right.’ Thus we have something here that deserves to be called ‘conventionalism about our identity over time.’”

I respond that, even given Plasticity Theory, it is false that each of the competing ways of “carving things up” (or of describing the facts) is—setting aside our conventions—equally good. The best description is the most complete. And, if Plasticity Theory is true, the most complete description mentions all the candidates for being the person in question.

The best description is the most complete. More carefully, the metaphysically most complete is the best description if we want to know all about identity over time. But not everyone is primarily interested in the facts of identity over time. (And so not everyone is primarily interested in the central topic of this paper.) Some might be more interested in matters of practical concern. Given their interests—and the truth of Plasticity Theory—there may be not always be a single and wholly non-conventional best description of a case of

personal identity. I want to elaborate on this point, starting with some comments about ship identity.

Theseus once owned a ship. After Theseus's death, a series of plank replacements resulted in a ship composed of none of the planks that composed Theseus's ship during his lifetime. Suppose it matters, for practical purposes, whether the resultant ship is identical with the one Theseus owned. (Imagine the heirs of Theseus are trying to take possession of the resultant ship, currently in someone else's hands.) Add to all this that the "best description from the metaphysical point of view" is that there are many ship-candidates here, some of which were owned by Theseus, some of which not.

The "best description from the metaphysical point of view" may not be the best from the "practical point of view." Some other description might be more useful—might be practically better—such as a description that somehow settles who has rights over the currently existing ship. Given the metaphysics we are here imagining, it seems fair to say that how this should be settled is up to us, is a matter of convention. Once it is settled—suppose we find in favor of the heirs—it might be fine to say that, for practical purposes, the resultant ship is Theseus's, but only as a matter of convention. And so it might make sense, for practical purposes, to treat ship identity over time as somewhat conventional. The Plasticity Theorist might insist that something similar is true of persons and personal identity. The Plasticity Theorist might claim that we should, for practical purposes, treat personal identity over time as somewhat conventional.

Now it is not obvious that the realist about personal identity over time can blithely accept this "practical conventionalism" about personal identity. Indeed, I claim that if each of us persists non-conventionally, then it is a mistake to treat our identity over time as conventional even if only for practical purposes. I realize that my claim here—which perhaps boils down to the assertion that "identity matters in survival"—is controversial. Of course, its denial is likewise controversial. And as a result it is, at the very least, not obvious that "practical conventionalism" is independent of its metaphysical cousin.

At any rate, the metaphysical and the practical theses I've been disentangling are sometimes conflated.⁵ Some progress is made simply by clearly distinguishing one from the other. More progress comes with showing that Plasticity Theory fails to deliver metaphysical conventionalism. As far as metaphysics goes—as far as what entities exist and how they persist—Plasticity Theory delivers nothing like conventionalism. Quite the contrary. For, as I have argued, Plasticity Theory presupposes realism.

II. Persons as Conventional Constructs

Hume (1978, 261) famously compared persons to “commonwealths.” At least that much of Hume’s view of persons—and maybe more—is embraced by many conventionalists about personal identity over time. For one useful summary of a second, more common interpretation of conventionalism about personal identity is as follows: conventionalism about the identity over time of nations is true; persons are relevantly like nations; so conventionalism about personal identity over time is true.

Consider the question of whether the unified Germany of today is identical with the pre-partitioned Germany of 1948. Suppose that those who agree on all the other relevant facts are debating this question. It is plausible that their debate is really over how to speak, which conventions to adopt, or something analogous. And so—here is the conventionalism about identity—it is plausible that if all the relevant parties agreed to adopt conventions that sanctioned the identity, identity would hold; if they agreed to adopt conventions that precluded the identity, it would not.

All that is initially quite plausible. But it remains plausible only given some metaphysical assumptions. This point is illustrated by imagining (absurdly) that a nation persists just so long as its individual, unextended, substantial “nation soul” persists. If this were the case, conventionalism about national persistence and identity over time would imply that our conventions somehow sustain or snuff out a substance. This implication is

implausible. So a plausible conventionalism about nations cannot be completely neutral on the metaphysics of nations.

Given this, it is not surprising that a particular metaphysical picture is generally wed to conventionalism about national identity over time. According to this picture, a nation is nothing “in addition to” or “over and above” the persons, territories, and so on that “constitute it.” And, according to this picture, such things constitute a nation at least in part because of our conventions. According to this picture, nations are not independently existing entities discovered in the way that distant stars are. Rather our social, legal, and linguistic conventions create nations.

Let’s sum up this view of nations as the claim that nations are “conventional constructs” of persons, territories, and so on. This claim raises a lot of questions, the most central and difficult of which is whether conventional constructs really exist. Rather than defend an answer to that question, I’ll suggest two ways to understand the claim that nations are conventional constructs. The first of these “eliminates” nations, the second does not. Either understanding will allow me to proceed with the argument below. And I think everyone should find one, or the other, of these understandings an intelligible account of what it would mean for a nation to be a conventional construct.

One reading of the claim that nations are conventional constructs implies that there really are no nations, but rather only the relevant conventions and persons and territories (and so on). Now our eliminativist-cum-conventionalist will say that—properly understood—‘Germany exists’ is true. But, she will add, this is not true as a result of there being some thing, Germany. Rather, she maintains that this sentence is true only because certain territories and persons (and so on) exist and have certain features and are subject to certain conventions.⁶ Similarly, she must say that ‘Germany enjoys identity over time’ is, if properly understood, true; but, properly understood, that claim does not imply the existence or persistence of Germany, but only the existence—at various times—of the relevant kinds of territories, persons, and conventions. Conventionalism about a nation’s persistence, according to this sort

of eliminativist, is more literally described as conventionalism about whatever it is that makes sentences like ‘Germany enjoys identity over time’ true.

Other partisans of the “conventional construct” view of nations will reject eliminativism about nations. Indeed, they might even argue that the eliminativism just noted makes no sense, insisting that if ‘Germany exists’ is true, then of course Germany exists (cf. Hirsch, 1993). Just disquote! At any rate, some who think nations are conventional constructs also think nations really exist. But, since they believe nations are conventional constructs, they also insist that the existence of nations consists in certain persons and territories (and so on) having certain features and, moreover, being involved in the right ways with the relevant conventions.

Both of these interpretations of nations as conventional constructs agree that the deepest facts about persisting nations are themselves facts about persons and territories and conventions. That is, both of these interpretations agree that facts about a nation’s existence and identity over time amount to nothing other than facts about persons, territories, and conventions.

Obviously, given this view of nations, a change in persons or territories could lead to a change in whether a nation exists. Or, better, a change in persons or territories could be what a change in the existence of a nation amounts to. For the idea here is not that the change in persons or territories somehow causes the change in the existence of the nation. Again, the idea is not that there are two distinct events, one causing the other. Rather the idea is that certain changes in persons or territories just are the “corresponding” changes in the existence of the nation. There is nothing more to the second sort of change than the first. Similarly, if what the existence of a nation amounts to includes certain conventions, then a change in those conventions could be a “corresponding” change in whether that nation exists, that is, in whether it continues to exist. And this implies conventionalism about the identity over time of nations.

Such conventionalism about the identity of nations might seem quite plausible.⁷ But it lends plausibility to conventionalism about personal identity only if persons are “conventional constructs.” A person’s existence would then amount to there being the appropriate conventions regarding the “raw material” out of which the person is “constructed.” (Candidates for the “raw material” include, among other things, atoms and mental events.) If persons were conventional constructs, then—as in the case of nations—conventionalism about their identity over time would follow.

As we would expect, there are conventionalists about personal identity over time who claim that persons are conventional constructs. Mark Heller (1990, Ch. 4) defends a view of Manhattan along eliminativist conventional construct lines and then uses this to illustrate a similar view about human persons.⁸ And Derek Parfit (1984 and 1995) seems to defend the non-eliminativist conventional construct view of nations and an analogous view of persons.

III. The Argument for Realism

During our discussion of Plasticity Theory, we learned that genuine conventionalism requires that facts about persistence or identity over time—as opposed to, say, facts about personhood—can depend on our conventions. But even the staunchest realist should acknowledge that one’s enjoying identity over time can be beholden to certain conventions, as when conventions cause one to cease to persist. Realism allows, for example, that the conventions of the palace—in cooperation with the Queen’s yelling “Off with his head!”—could cause my ceasing to exist, my failing to enjoy identity over time, my no longer persisting.

Conventionalism demands that there is an important, presumably non-causal, sense in which facts of identity over time depend of convention. Thus I tender that conventionalism requires that our identity over time somehow amounts to, among other things, the relevant

conventions. This, in turn, requires that our very existence amounts to, among other things, the relevant conventions.

To see why I say this about existence, suppose that, for all persons and all times, neither a person P's existing at time t nor P's existing at time t* amounts to (among other things) our conventions. This implies that, for all persons and all times, whether P exists at both t and t*, a fact of personal identity over time, does not amount to our conventions. So if personal identity over time amounts to our conventions, then whether a particular person exists at a time likewise amounts to our conventions. I say that to exist at a time is to be such that, when that time is present, one exists simpliciter (Merricks, 1994, §IV). And so I conclude that one's existence at a time amounts to our conventions only if one's existence simpliciter amounts to our conventions.

To sum up thus far: conventionalism about personal identity requires that personal identity can, in some appropriate way, depend on our conventions; the appropriate dependency requires that personal identity somehow amounts to (among other things) those conventions; this in turn requires that our existence somehow amounts to those conventions. But, of course, to say that our existence amounts to (among other things) the relevant conventions just is to say that we are conventional constructs. And so we can see that conventionalism about our identity over time implies that we are conventional constructs. The view outlined in the last section of this paper is not just one way, among others, to get conventionalism about personal identity over time. It is the only way.

As an aside, note that we must exist before we can establish conventions. So the view that our existence amounts to (in part) our conventions seems to imply that we must exist before we exist. Thus the view that we are conventional constructs seems to be viciously circular. We could break out of this circle if the relevant thinkings and speakings—the ones that constitute the conventions in question—did not depend upon, but rather were “prior to,” us thinkers and speakers. I don't think there can be such thinkings and speakings, but I have nothing new to add to that debate.⁹ So, although I find the “vicious circularity” objection

compelling, I shall defend a different argument against conventionalism. But first I'd like to emphasize that conventionalism commits one to some very controversial metaphysics, complete with persons constructed by (arguably independent) thinkings and speakings. This should give those conventionalists pause who (mistakenly) think a virtue of conventionalism is that it, unlike realism, liberates one from burdensome metaphysical commitments.

To return to the main line of argument, we have seen that conventionalism about personal identity over time implies that persons are conventional constructs. If we are conventional constructs, then the existence of a fully developed conscious human organism would not be sufficient for the existence of an entity like you or me, else there would be no work left for conventions to do in bringing that entity into existence by construction. But the existence of a fully developed conscious human organism is sufficient for the existence of an entity like you or me.¹⁰ So it is false that we are conventional constructs. As a result, conventionalism, which implies that we are conventional constructs, is false; its denial, realism about personal identity over time, is true.

Note that this argument against conventionalism does not require that the existence of fully functioning human organisms is sufficient for entities like us being persons. Nor does it require you or me to be identical with any organism. Nor does it require that facts of our persistence are tied to the persistence of any organism (so the premises of the above argument are consistent with, for example, psychological continuity accounts of personal identity over time). The above argument requires only that the existence of a fully developed, conscious, and living human organism is sufficient for the existence of an entity like you and me.

One might wonder what exactly an "entity like you and me" is supposed to be. I won't suggest an answer here. For I don't want to beg the question by explicitly presupposing that we are not conventional constructs. Nor do I want to alienate needlessly those who might disagree with me about our nature. The above argument needs only the claim that the existence of a fully functioning conscious human organism is sufficient for the existence of one of us. And that argument is entitled to that claim, its silence on what sort of thing we are

notwithstanding. For this claim should be a datum that guides us in any self-ascription of kind-membership, not a casualty of some contentious view about natural kinds and our place within them.

Let's consider some objections to my argument for realism:

Objection One: The conventionalist need not deny that the existence of a human person is entailed by the existence of a fully developed, fully functioning human organism. Nor need she even deny that the persistence of such an organism, in everyday cases, is sufficient for the persistence of a human person. Conventionalism only commits one to the claim that biology underdetermines facts of persistence in some cases—for example, brain transplant or half-brain transplant or teletransportation.

Response: Right. So this paper could not start with the argument above, the argument whose central thesis is that the existence of a fully functioning human organism is sufficient for the existence of a human person. For this thesis does not directly or immediately or obviously imply the falsity of what many conventionalists say about personal identity over time.

But this thesis does—in a less direct, less immediate, and less obvious way—show that conventionalism is false. For it implies that human persons are not conventional constructs. And, I have argued, conventionalism about personal identity over time implies that we are conventional constructs. Thus conventionalism about personal identity over time is false.

Objection Two: Someone who believes that we are conventional constructs will deny your crucial premise: the existence of a human organism is sufficient for the existence of one of us. Because your argument requires a premise that all your opponents will reject, it is uninteresting.

Response: My opponents are not only those explicitly committed to our being conventional constructs. For I am opposed to conventionalism about personal identity over time in all its forms. And some who endorse conventionalism—some who think that, for example, our identity over time is a matter of convention only in odd puzzle cases—will not be happy to deny my “crucial premise.” Thus it is interesting that the “crucial premise” leads to realism about personal identity.

Perhaps my “crucial premise” will be denied by some initially committed, not just to conventionalism and the mere rejection of realism, but also to the view that persons are conventional constructs. Nevertheless, it is worth noting that the thesis that we are conventional constructs implies such a denial. For this shows that thesis to be less attractive than it might otherwise seem. It shows it to be less attractive than, for example, the claim that nations are conventional constructs, a claim that implies no similar denial.

Objection Three: The above argument presupposes that if the existence of a human organism is sufficient for the existence of a person, then the relevant conventions are not necessary for the existence of a person. But the existence of a human organism’s being sufficient for a person’s existence does not imply that nothing else (neither oxygen nor electrons nor conventions) is necessary. The above argument is therefore invalid.

Response: My point was not that if a human organism’s existence is sufficient for a person’s existence, then nothing else is necessary. Other things are necessary. But the existence of such “other things” must be entailed by the existence of the human organism. To see why I say this, suppose that it were possible for a human organism to exist although these “other things” fail to exist. Then it would be false that the existence of the human organism is sufficient for the existence of one of us and also that the “other things” are necessary.

Given this, we can see that my argument would be in trouble if, necessarily, there is a fully functioning human organism only if there are the conventions that construct human

persons. But my argument is not in trouble. For the existence of those conventions is not entailed by the existence of a fully functioning human organism. After all, it is surely possible that a human organism exist for, say, exactly an hour and yet during that hour fail to be associated with the conventions that (allegedly) construct a person.

Objection to the Response to Objection Three: Maybe human organisms are conventional constructs. If so, then the existence of a human organism would entail the existence of the constructing conventions.

Response: Human organisms' being conventional constructs would threaten my argument only if, necessarily, the conventions that construct those organisms exist only if the conventions that construct human persons exist. Otherwise, the (allegedly) conventionally constructed organisms could possibly exist even if the conventions that (allegedly) construct persons did not. Moreover, if the conventionalist insists that human organisms are conventional constructs, she should—by parity of reason—say the same about their near relatives and evolutionary forbears. But it is hard to see how this could be, since many of these organisms predated the existence of the relevant conventions. (I assume that even if the conventions that construct human persons are somehow prior to human persons, they are not temporally prior to, did not exist before, the first human organism.)

IV. Conclusion

Conventionalism about personal identity over time implies that persons are conventional constructs. This latter claim comes at one or another high price. One price involves denying that the existence of a fully functioning conscious human organism is sufficient for—or is a supervenience base for—the existence of one of us. This price seems, at least to me, too high. And it will seem too high for some who would otherwise be inclined to endorse conventionalism

about personal identity over time. So, for example, I suspect it will be too high for those who follow Johnston in holding that “human persons are in their natural condition constituted by living human bodies.” Moreover, consider conventionalists like Parfit who focus on puzzle cases, never hinting that the existence of a fully functioning human organism in ordinary circumstances fails to secure the existence of one of us. I suppose they too will find the price too steep.

A second way to pay for the claim that we are conventional constructs is to endorse the following. Human organisms are conventional constructs.¹¹ Our conventions construct some non-human organisms that predated those same conventions. And the existence of the conventions that construct human organisms (but not the existence of those constructing non-human organisms) entails the existence of the conventions that construct human persons. Again, this price seems, at least to me, too high. (Indeed, I would say that such an ontological picture is absolutely incredible.) And again, it will seem too high even to some who might otherwise incline toward conventionalism. For example, consider conventionalists who, like Nozick, are motivated by the belief that something special about persons—but not, I presume, organisms—makes their identity over time a matter of convention.

Conventionalism about personal identity over time has one of the two prices just noted. I say that both prices are prohibitively exorbitant. And so I conclude that conventionalism is false and realism about personal identity over time true.

Even someone who, in spite of the arguments above, embraces conventionalism ought to concede that her position has been shown to be less attractive than it might otherwise seem. To see why I say this, reconsider a claim that conventionalists about personal identity over time will be quick to endorse: conventionalism about the identity over time of nations (or clubs or universities or sports teams) is plausible. Now conventionalism about such entities implies that they are conventional constructs. But this implication about nations (and the rest) does not come at great cost. For nothing like my central argument in terms of human organisms can be run against the thesis that nations are conventional constructs. The existence of nations does not

seem to be entailed by the existence of things—such as fully functioning human organisms—whose existence is plausibly independent of the conventions that allegedly construct nations.

So my argument against our being conventional constructs does not tell against the claim that nations are conventional constructs. And we should have expected the claim that we are conventional constructs to be more problematic than a similar claim about nations. For nations are not the source of the conventions that construct them. (That is why the charge of “vicious circularity” applied to nations cannot even get off the ground.)¹² We are the source. If nations exist, it is because we create them by, among other things, our conventions. Thus we should not be surprised to find that it is far more costly—and so far less plausible—to maintain that we are convention’s product than to maintain this of our creations. Persons are not remotely like commonwealths.

References

- Chisholm, Roderick (1976) Person and Object, La Salle, IL: Open Court Publishing Company.
- Heller, Mark (1990) The Ontology of Physical Objects, Cambridge: Cambridge University Press.
- Hirsch, Eli (1993) “Peter van Inwagen’s Material Beings,” Philosophy and Phenomenological Research 53: 687-691.
- Hume, David (1978) A Treatise of Human Nature (eds.) L.A. Selby-Bigge and P.H. Nidditch, Oxford: Clarendon Press.
- Johnston, Mark (1989) “Relativism and the Self” in M. Krausz (ed.) Relativism: Interpretation and Confrontation, Notre Dame, IN: University of Notre Dame Press.
- Lewis, David and Lewis, Stephanie (1970) “Holes,” Australasian Journal of Philosophy 48: 206-12.
- Lowe, E.J. (1989) Kinds of Being, Oxford: Blackwell Publishers.
- Lowe, E.J. (1996) Subjects of Experience, Cambridge: Cambridge University Press.

- Merricks, Trenton (1994) "Endurance and Indiscernibility," Journal of Philosophy 91: 165-184.
- Merricks, Trenton (1998) "There Are No Criteria of Identity Over Time," Noûs 32: 106-124.
- Merricks, Trenton (1999) "Endurance, Psychological Continuity, and the Importance of Personal Identity," Philosophy and Phenomenological Research 59: 983-997.
- Merricks, Trenton (2000) "Perdurance and Psychological Continuity," Philosophy and Phenomenological Research 61: 195-198.
- Merricks, Trenton (2001) Objects and Persons, Oxford: Clarendon Press.
- Nozick, Robert (1981) Philosophical Explanations, Cambridge, MA: Harvard University Press.
- Olson, Eric (1997) "Relativism and Persistence," Philosophical Studies 88: 141-162.
- Parfit, Derek (1984) Reasons and Persons, Oxford: Clarendon Press.
- Parfit, Derek (1995) "The Unimportance of Identity" in Henry Harris (ed.) Identity, Oxford: Clarendon Press.
- Searle, John (1995) The Construction of Social Reality, New York: The Free Press.
- Shoemaker, Sydney (1997) "Parfit on Identity" in Jonathan Dancy (ed.) Reading Parfit, Oxford: Blackwell Publishers.
- Strawson, P.F. (1959) Individuals, London: Methuen & Co.
- Unger, Peter (1990) Identity, Consciousness, and Value, Oxford: Oxford University Press.
- Van Inwagen, Peter (1990) Material Beings, Ithaca, NY: Cornell University Press.

*Thanks to Anthony Ellis, Brie Gertler, Eli Hirsch, E.J. Lowe, Andrew Mills, Eugene Mills, Mark C. Murphy, Eric Olson, Michael C. Rea, Theodore Sider, Leopold Stubenberg, and Peter Vallentyne. I presented distant ancestors of this paper at Western Washington University (1996) and El Tercer Coloquio Internacional Bariloche de Filosofía in Bariloche, Argentina (1996). I presented more recent versions at Mighty [sic] Midwestern Metaphysical Mayhem [sic] III at the University of Notre Dame (1998), the College of William and Mary (1998), and the Central Division Meeting of the APA (1999).

¹For references to conventionalists other than those noted here, see Olson, 1997, 142

²Three worries about Johnston's view that I won't pursue: (1) Johnston analyzes being the same person as in terms of self-concern. But I say that the correct analysis—given the thesis that persons endure—is instead wholly in terms of the identity relation holding between a person and a person (see my 1999 and 2000). (2) Johnston's analysis implies that Parfit's claim that personal identity is not “what matters” is outright contradictory and so false. But below I suggest that Plasticity Theory might deliver something like conventionalism only if it is read as delivering “conventionalism about what is of practical importance.” And so, as will be clear below, I think Johnston's best shot at providing something like conventionalism requires Parfit's claim to be true. (3) Johnston's view, like all forms of Plasticity Theory, implies that now sitting in my chair, now wearing my shirt, are myriad beings that all think and act just like I do. But—I would insist—there is just once such being.

³This point applies even to versions of Plasticity Theory according to which the identity over time of the candidates is a matter of convention. For candidate C's persisting conventionally, according to Plasticity Theory, would turn on the imprecision of ‘candidate C’. But no matter how many levels “down” this kind of linguistic imprecision occurs, the number of persisters in the world remains the same. When it comes to the persisters themselves, Plasticity Theory does not imply that they persist conventionally. Indeed, it seems to presuppose just the opposite.

⁴Similarly, if one insisted that to be a person just is to have certain persistence conditions, then conventionalism about being a person would lead to conventionalism about personal identity over time. But if conventionalism about our persistence is linked in this way to conventionalism about personhood, my arguments against conventionalism about our persistence are arguments against conventionalism about personhood. Besides, there are

independent reasons to reject an analysis of being a person in terms of persistence conditions; see my 1998, §IV.

⁵Sometimes they are conflated. But not everyone who resists my “disentangling” is guilty of failing to note a distinction. Johnston, for example, doesn’t conflate the theses in question; rather, he argues that personal identity should be analyzed in broadly “practical” terms, in terms of self-concern. In this section, of course, I have claimed that his argument fails.

⁶For comparison, consider the eliminativist about holes who thinks ‘there is a hole in my sock’ is true since it means only that my sock has a perforated shape (see Lewis and Lewis, 1970). Or consider van Inwagen’s view according to which there are no chairs, yet ‘chairs exist’ ordinarily comes out true since it ordinarily means only that there are simples “arranged chairwise” (1990, §10).

⁷It seems plausible. But I think it is mistaken. For I think something is wrong with the claim that nations persist conventionally because they are conventional constructs. Let me note, but not pursue, a potential problem with each of the interpretations of what it is for a nation to be a conventional construct and thereby to persist conventionally.

The non-eliminativist interpretation trades heavily on the relation of consisting in. But it is unclear what, exactly, that relation is supposed to be. Admittedly, I characterize the claim that nations are conventional constructs in terms of what their existence “amounts to,” which is no clearer than “consisting in.” But this is no objection to my characterization, since—so I say here—the view I’m trying to characterize is itself unclear, at least when spelled out in terms of “consisting in.”

If, as the eliminativist interpretation would have it, nations do not really exist, then nations do not persist and, a fortiori, do not persist, in part, as a matter of convention. For this reason, I say

that one cannot secure conventionalism about a nation's identity over time by eliminating nations. (This objection seems right to me even if certain sentences that appear to say a nation exists and persists turn out to be true.) This is not to deny that 'Germany exists'—even if it is just plain false—has a lot more going for it than does 'Avalon exists'. Indeed, I eliminate nations but also think that there is practical benefit to speaking and acting as if nations exist and persist and do so in a conventional manner (see my 2001, Ch. 7).

⁸See Olson, 1997, §V for more discussion of this method of securing conventionalism about personal identity over time.

⁹For familiar arguments against the claim that thinkings and speakings are prior to thinkers and speakers, see Strawson, 1959, Ch. 3; Shoemaker, 1997, 139; Lowe, 1989; and Lowe, 1996, 25ff. Some conventionalists (e.g., Parfit, 1984, 223, 251, and 341) embrace independent thinkings and speakings in spite of those arguments

¹⁰Even the substance dualist should grant this, since I suppose she'll think there could be a conscious human organism only if there is a soul. But if she objects, we can run essentially the same argument on her terms. Suppose substance dualism is true. The existence of a conscious soul would be sufficient for the existence of a person, leaving no work for conventions to do in constructing a person. Thus persons are not conventional constructs.

¹¹And—given the “solution” to the circularity problem noted above—conventionalism about personal identity over time seems to imply that organisms are constructed out of independently existing thinkings and speakings. Perhaps the view that organisms are conventional constructs might be amenable to one who is an anti-realist of a fairly general sort. But that view cannot be absorbed into some sort of universal anti-realism. For it cannot be that each speaking and thinking depends for its existence on other speakings and thinkings, or else we face again the sort of circularity that independent speakings and thinkings were introduced to break out of.

¹²The conventions that give rise to the existence of nations might make use of the concept of a nation (see Searle, 1995, 52-54). But there is no problem with the concept of a nation being prior to both the conventions that invoke it and also the nation that results from those conventions.