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Is Locke's Account of Personal Identity Really Subjectivist?

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Abstract: The aim of this paper is to challenge the notion of subjectivism involved in Udo Thiel's and in other reconstructions of Locke's account of personal identity. Although subjectivism is often taken to be the hallmark of Locke's position, it is not entirely clear how we should understand this characterization. Thus, I will first address some general worries about this label. In a second step, I will discuss possible ways of construing Locke's account as subjectivist and show how they rely on objective and intersubjective features. I shall conclude with a plea to drop this label with regard to Locke altogether.

Keywords: Keywords: Personal Identity, Locke, Subjectivism, Intersubjectivity, Objectivity

John Locke's account of personal identity is one of the most significant and still widely discussed contributions to philosophy. However, despite its prominence it is often misunderstood. In showing how Locke favours a Ciceronian over the Boethian view on the identity of persons, Udo Thiel's careful reconstruction not only sheds light on the context, but also allows for a clear evaluation of its philosophical impact.¹ Like Charles Taylor, he calls Locke's account a "subjectivist" revolution.² According to Thiel's reconstruction, the revolutionary aspect of Locke's position is that one's personal identity does not coincide with one's physical or mental being, but is constituted by consciousness and memory. So it's not my body or soul that makes me the same person I was yesterday and twenty years ago. Rather, it is the fact that I consciously remember the things I've thought and done then that makes me the same person.

As far as Udo Thiel's discussion of Locke is concerned, it is hard to find anything to disagree with. So the aim of my paper is not to challenge his interpreta-

¹ See Udo Thiel, *The Early Modern Subject*, Oxford 2011, 26–28 and 129.

² See Charles Taylor, *Sources of the Self*, Cambridge/Mass. 1989, 172, where he attributes to Locke a "radically subjectivist view of the person".

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tions of Locke's account of personal identity and its reception. Rather I would like to concentrate on the notion of subjectivism involved in his reconstruction. For although Thiel obviously takes subjectivism to be the hallmark of Locke's account of personal identity, it is not entirely clear how we should understand this characterization. Thus, in what follows, I will first address some worries about this label. In a second step, I will discuss possible ways of construing Locke's account as subjectivist (and conclude with a plea to drop this label with regard to Locke).

1 Subjectivism and Personal Identity

As Udo Thiel's reconstruction makes clear, Locke's account of personal identity follows quite naturally from his theory of ideas.³ To put it briefly, since we cannot grasp the essences of things themselves, our knowledge does not reach farther than our ideas; so it doesn't come as a surprise that the only way to establish the identity of things is by means of ideas. This approach carries over to the identity of persons. Even if we often *speak as if* our identity were constituted by our physical or mental being, i. e. by the substance or the soul that might ground our thoughts and actions, our personal identity consists in our being conscious of them. As Thiel puts it: "This is essentially a subjectivist treatment of the issue where our own concepts are crucial rather than the things themselves ...".⁴ The identity of persons, then, is not an ontological but an epistemological matter. However, while intuitively obvious, the notion of subjectivism is not explained in any detail and thus might lend itself to unwelcome or unwarranted evaluations of Locke's position. Let me explain.

In the wake of Ryle's attack on the "Cartesian Myth", Wittgenstein's "Private Language Argument" and Sellars's attack on the "Myth of the Given", subjectivism has become suspicious. The assumption that I alone can immediately grasp, identify or memorize my inner states without recourse to any external standards has been shown to be incoherent. The suspicion that subjectivist theories might be inherently problematic easily carried over from narrower questions of epistemology and semantics to any account of the mind. If conceptual activity involves identifying something *as something*, how could I even begin to grasp anything, let alone my inner states, without recourse to a standard allowing for identifica-

³ See Thiel 2011, 102–126.

⁴ Thiel 2011, 102; cf. 72–81. As he points out with regard to earlier authors, Locke's subjectivist or "epistemologist" position follows on from a general trend in the 17th century, i. e. "a shift away from a primarily ontological to a more subjective treatment of the topic [...]".

tion in the first place? (Yesterday, I felt the same as today. Or did I? What would still count as the same and how could I tell?) Thus, a theory of personal identity or the self that builds on the first person perspective might be seen as doomed from the start. It is not surprising, then, that many contemporary theories reverse the order of explanation and see subjective concepts of the self or indeed the mastery of concepts *tout court* as grounded interactions with others.⁵ Our conceptualizations of the world and of our selves are explained through our cognitive development and participation in social practices rather than by reference to some supposedly immediate access to our inner mental activity. According to many post-Cartesian views, then, it is intersubjectivity that grounds subjectivity, not vice versa.

Now, if we assume that this kind of anti-subjectivism does enjoy some credibility, Locke and other early modern thinkers seem to appear as handy targets of the pertinent criticisms. To be sure, I don't want to claim that Locke is necessarily vulnerable to the common critiques of subjectivism. I simply wish to point out that labelling Locke's theory as a "subjectivist revolution" might motivate some people to quickly close the book. Given that the label of subjectivism is not always used as a compliment, it might be worthwhile to ask how it applies to Locke's account.

2 Recognitional and Constitutive Subjectivism

In what sense, then, is Locke's account a subjectivist one? Udo Thiel suggests that Locke's subjectivist treatment of identity in general smoothly carries over to personal identity. Although I generally agree with this reading, I'd like to add a distinction between two kinds of subjectivism. For if Locke's general notion of the identity of things is subjectivist, then his notion of personal identity must be *doubly* subjectivist. Take my body and my personality as an illustration: although my ideas or concepts provide the *criteria* that my body has to satisfy in order to *count or to be recognised as* my body, we can still assume that it is the *body as such*, the thing in itself, that satisfies these criteria. Let's call this *recognitional subjectivism*. If I define a thing like a human being or my body as being thus and so, then it's the *body's being thus and so* that constitutes its identity. Admittedly, this account is subjectivist in that the recognition of a thing's identity depends on

⁵ See for instance Michael Tomasello, *The Cultural Origins of Human Cognition*, Cambridge/Mass. 1999, ch. 3, and Robert Brandom, *Reason in Philosophy*, Cambridge/Mass. 2009, ch. 2.

concepts and definitions. This means that, had we defined the body in a different way, it would be these different properties that would account for its identity. But it is objectivist in that it's still the thing itself, as it exists independently of concepts, that has to fulfil these criteria.

By contrast, my personality is not only recognised but also *constituted* by consciousness. Let's call this *constitutive subjectivism*. To put it bluntly, my body can be assumed to be identical with itself even if nobody is conscious of it. Not so my persona; if I am not *conscious* of it, then there is *no* personal self. So while Locke's account of the identity of things is merely *recognitionally* subjectivist, his notion of personal identity is *constitutively* subjectivist. Thus, 'to constitute' has a metaphysical ring: there's no such thing as my personal self without my consciousness. The upshot is that things merely have to *satisfy* subjective criteria, while their identity is still constituted by their objective properties. My personal self, by contrast, does not have any identity properties over and above my being conscious. In this sense, Locke's account of personal identity is not only subjectivist, but doubly, namely constitutively, subjectivist.

Now, I'd like to ask whether the supposed subjectivity really entails a subjectivist account. After all, 'person' is a forensic term, as Locke famously puts it. As some commentators have already stressed, Locke's account of personal identity should be seen as one of moral accountability for our thoughts and actions. If this is correct, 'person' should be taken not (or not solely) as a subjectivist but as a social or intersubjective notion.⁶ However, as Udo Thiel argues, it is the other way round: moral responsibility does not ground personal identity but is grounded in personal identity, which, in turn, is constituted by consciousness.⁷ On the face of it, then, it might seem that it cannot get any more subjectivist than this. However, is consciousness really a subjective feature? As Udo Thiel points out, consciousness is an inherent feature of thinking, and the sole object of our thoughts are ideas. So consciousness is an inherent feature of our having ideas. As Thiel further elaborates, "consciousness constitutes the person and its identity by unifying thoughts and actions."⁸ If this is the case, then the subject does indeed seem to be the sole source of personal identity.

⁶ See Thiel 2011, 208–209, for a discussion of such views.

⁷ See Thiel 2011, 131.

⁸ See Thiel 2011, 121.

3 Objective and Intersubjective Features of Personal Identity

Despite Thiel's careful reconstruction, some doubts remain about the subjectivist status of personhood. I would like to highlight two issues.

Objective features

Firstly, one might ask how a completely subjectivist notion of person can ground moral responsibility. I might be drunk and commit crimes I cannot remember. Likewise, I might falsely memorize deeds I have not done. Since it is the conscious subject, i. e. the person, and not the physical being who is truly accountable, this immediately creates problems. I might feel unjustly punished by the authorities or suffer for crimes I have never committed. As Thiel points out, however, there is a solution once we review such cases in the context of the Christian doctrine of the afterlife. After all, on Judgement Day, God will prevent such misattributions by laying open "the secrets of all hearts".⁹

But this solution creates a serious dilemma for Locke. For either (a) there is an objective measure beyond my earthly consciousness that serves as a standard of correction on Judgement Day (but then consciousness does not really constitute personhood) or (b) there are two sets of consciousness, viz. my earthly and my purified one, and thus two persons. Let's first look at the first horn (a) and suppose that I once stole an apple when I was drunk and forgot all about it. Only on Judgement Day can it turn out that I was a thief (alternatively, one might assume that I falsely ascribe to myself a deed that I never did). Now, according to what measure can God *correct* me or purify my consciousness *appropriately*? If he knows something that I forgot, he must do so by referring to something whose identity does not solely reside in my consciousness. But if God's attribution trumps my own consciousness, the latter cannot be said to constitute my persona. Alternatively, we might say that God does not know more than I do but that he merely enhances my memory. On this account, we do not need to invoke an objective standard, since the correction does not rely on a different source of identity. It is still just my consciousness that is constitutive of personhood, albeit one that relies on an enhanced memory. But then we are left with the second horn (b), because then the question arises: *Whose* consciousness actually constitutes

⁹ See Thiel 2011, 132–133.

my persona? Am I still the same person when my memory is crucially enhanced? Or are we not forced to say that there are two persons, i. e. the earthly and the enhanced? So it seems that we either have to accept that God knows more than I remember by reference to an objective standard, or we have to accept that there is more than one person because we have different sets of consciousness. In the latter case we retain the subjectivist account, but this seems to create problems rather than offer a solution. In the former case we would have to acknowledge that the supposed subjectivism is ultimately trumped by objectivism.

Intersubjective features

A second issue arises if we take a closer look at Locke's theory of thought and nominal essences: what we are actually conscious *of* is determined not by the thinking subjects alone but by the social community. Let me explain. As stated above, consciousness is an inherent feature of our having ideas which our thoughts are made up of. The point I'd like to urge now is that more often than not our thinking is thinking in language. Yet language, as Locke clearly admitted, is not a subjective but an intersubjective or social device.¹⁰ As *nominal* essences, our ideas are bound up with names, and the relation between names and ideas is ultimately governed by conventions of our linguistic community. If this is correct, then the very elements our consciousness is an inherent feature of are governed not by individual subjects but by the community we are part of. Although Locke does not directly address this issue in his chapter on personal identity, it clearly suggests itself in the framework of the *Essay*.

What is at stake here? When we have the idea of an apple we are conscious of the apple, and when we steal an apple we are equally conscious of stealing an apple. But our ideas of apples, and especially of stealing, are not simply subjective givens. Ideas as such are hardly memorable but are fleeting and elusive. It is language that gives them stability and unity. How is this to be understood? Firstly, language stabilizes ideas in that it has a cognitive function. Locke puts this as follows: "He that has complex *Ideas*, without particular names for them, would be in no better Case than a Bookseller, who had in his Ware-house Volumes, that

¹⁰ See, for a more thorough exposition of Locke's account of language, Martin Lenz, *Lockes Sprachkonzeption*, Berlin/New York 2010. See also James Tully, *A Discourse on Property*, Cambridge 1980 for an intersubjectivist interpretation of Locke's account of mixed modes and morality.

lay there unbound, and without Titles ...”¹¹ To be sure, this kind of cognitive stability could be assumed to be entirely subjective. But this is not the case. The cognitive stability is ultimately rooted in the communicative function of language: “He that applies his Names to *Ideas*, different from their common use, wants Propriety in his language, and speaks Gibberish.”¹² Thus, it is the intersubjective acceptance of the relations between words and ideas, expressed in the common use, that governs the correctness standards of our thought and thus of the way we categorize things and actions.

Accordingly, it is the availability of the word “*apple*” that holds the complex idea together. And complex ideas, and especially ideas of actions, are categories (or nominal essences) whose stability depends on the *conventions* within a linguistic community. This means that the *stability* of what I am conscious of and the *categorizations of the actions* I ascribe to myself depend not so much on me but on the fact that *other people* use language and thus *consolidate* my ascriptions.¹³

Accordingly, Locke points out that if our ideas were not associated with language, we would quickly forget them: “unless a Man will fill his Head with a Company of abstract complex *Ideas*, which others having no Names for, he has nothing to do with, but to lay by, and forget again.”¹⁴ So, the stability of the ideas we are conscious of depends on intersubjective confirmation. The very ideas that

11 See John Locke, *An Essay Concerning Human Understanding*, ed. P. Nidditch, Oxford 1975, III, x, 27: 505.

12 See Locke, *Essay* III, x, 31: 508.

13 See for instance Locke’s famous ice water example in *Essay* III, vi, 13: 447: “But to return to the *Species* of corporeal Substances. If I should ask any one, whether *Ice* and *Water* were two distinct *Species* of Things, I doubt not but I should be answered in the affirmative: And it cannot be denied, but he that says they are two distinct *Species*, is in the right. But if an *English-man*, bred in *Jamaica*, who, perhaps, had never seen nor heard of *Ice*, coming into *England* in the Winter, find, the Water he put in his Bason at night, in a great part frozen in the morning; and not knowing any peculiar name it had, should call it harden’d Water; I ask, Whether this would be a new *Species* to him, different from Water? And, I think, it would be answered here, It would not to him be a new *Species*, no more than congealed Gelly, when it is cold, is a distinct *Species*, from the same Gelly fluid and warm; or than liquid Gold, in the Fornace, is a distinct *Species* from hard Gold in the Hands of a Workman. And if this be so, ’tis plain, that our *distinct Species*, are *nothing but distinct complex Ideas*, with *distinct Names annexed to them*.”

14 See Locke *Essay* III, v, 15: 437: “[...] for the most part the Names of mixed Modes are got, before the Ideas they stand for are perfectly known. Because there being no *Species* of these ordinarily taken notice of, but what have Names; and those *Species*, or rather their Essences, being abstract complex *Ideas* made arbitrarily by the Mind, it is convenient, if not necessary, to know the Names, before one endeavour to frame the complex *Ideas*: unless a Man will fill his Head with a Company of abstract complex *Ideas*, which others having no Names for, he has nothing to do with, but to lay by, and forget again.”

consciousness is an inherent feature of get their stability, if not their identity, through social interaction in a linguistic community.

This intersubjectivism can be shown to run even deeper when it comes to morally significant ideas and actions. For Locke clearly states that, without social customs and conventions, there would be no such thing as actions.¹⁵ Of course, this stands to reason: the fact that certain observable motions and processes are either *seen as* culpable murder or as manslaughter or even as a heroic deed in a war depends on the community that categorizes such actions in the first place. The deed of stealing an apple would probably not be memorable if it were not categorised as such; it would just be a process. Or do you remember what you had for breakfast a year ago? Well, you might if you had *stolen* something for breakfast. It's because certain processes carry weight within our society that we categorize and conventionalize them as morally significant and thus remember them.

The upshot is that Locke's account of language has repercussions for the supposed subjectivity of personal identity that he did not address explicitly in the famous chapter II.27 of his *Essay*. To be sure, we might still say that personal identity is subjective in that it is the epistemic agent herself that is conscious. But the *content* of my consciousness, i. e. the thoughts and actions that I remember, is shaped by attributions that depend on what carries weight within the community I am part of. However, if this is correct, then it is equally questionable whether morality is truly grounded in a subjectivist notion of personhood, as Thiel claims.

So if, as Udo Thiel puts it, Locke's account of identity is subjectivist because our own concepts are crucial, I would like to ask: *Whose* concepts are crucial, my very own or the ones consolidated in the common use of the community that I am part of? If the former is the case, then we must disregard Locke's theory of ideas and language. If the latter is the case, then we should refine the characterization so as to capture its intersubjective elements. In accordance with the distinction given above, personal identity might then be said to be *constitutively subjective* but *recognitionally intersubjective*.

The consequences of this second issue bring us back to the first issue regarding the role of God in establishing a purified consciousness on Judgement Day. For if the way we categorize processes and events *as (culpable) actions* is relative to what weighs with us as members of a particular society, then these categories might not hold water on Judgement Day. In other words, it is not clear whether

¹⁵ See Locke, *Essay* II, xxii, 6: 291: "Where there was no such Custom, there was no notion of any such Actions; no use of such Combinations of *Ideas*, as were united, and, as it were, tied together by those terms: and therefore in other Countries there were no names for them."

my earthly category of theft coincides with what God might make me consider culpable on Judgement Day. However, if we suppose the possibility of a mismatch between our earthly societal and the divine categories of actions, two further sets of questions arise.

Firstly, what happens to my earthly memories once God enhances my consciousness? Can I still be a thief on Judgement Day if God does not recognise my theft as a morally significant action? Given that my now culpable stealing of an apple might not be a morally significant action on Judgement Day, the moral *criteria* according to which the process of my theft is now a memorisable action might lose their grip and turn the process into something as morally insignificant as taking another breath. Would I not be bound to turn into a different person altogether, if my earthly morality were dispelled along with my earthly categories?

Secondly, what would we have to imagine as the standard according to which God categorizes actions? Would our earthly morality still count and provide criteria? Or would the criteria be provided by the divine natural law? Whatever the spectrum of answers might be, it is clear that the conventionality of categorizing (morally significant) events, actions and things puts further pressure on the issue of grounding personhood and morality.

Conclusion

It goes without saying that these reflections are not intended as a rejection of Thiel's interpretation of Locke's account of personal identity. The questions I highlighted rather relate to the label of subjectivism under which they are framed. In the light of the issues addressed, I would like briefly to summarize three worries about this label. Firstly, given the current tendency towards intersubjectivism, it is questionable whether the label does not invite undue criticism rather than suggesting the historically nuanced picture that Thiel's study actually provides us with. Indeed, it might feed the mistaken suspicion that Locke's 'subjectivism' lends itself to a fundamental misconception rather than a revolution. But even if we wish to retain some cognate of this label, we should take care to clarify exactly what we mean by it. Thiel's suggestion to take it simply as an "epistemologist" in opposition to a metaphysical account is by no means philosophically innocent. Secondly, the idea that subjectivist personhood grounds morality puts exegetical as well as systematic pressure on both Locke and Thiel. On the one hand, it is not clear whether the suggested objective and intersubjective features do not outweigh the supposed subjectivism. On the other hand, the subjectivist interpretation does produce new puzzles in addition to the ones that numerous com-

mentators have addressed in the ongoing reception of Lockean personal identity. In the light of these considerations, it might be better to drop the characterization of Locke as a subjectivist thinker altogether.

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