

## Review of Lynne Rudder Baker, *Persons and Bodies*

Locke's view that continuants are numerically distinct from their constituting hunks of matter is popular enough to be called the "standard account".<sup>1</sup> It was given its definitive contemporary statement by David Wiggins in *Sameness and Substance*<sup>2</sup>, and has been defended by many since. Baker's interesting book contributes new arguments for this view, a new definition of 'constitution', and a sustained application to persons and human animals. Much of what she says develops this view in new and important ways. But in some cases she does not advance the position, and in others she takes steps backwards.

According to Baker, a person is numerically distinct from her constituting animal. One of Baker's leading arguments is surprisingly unconvincing. Persons differ in important ways from non-human animals. Only persons are moral agents, modify their goals, have wars, culture, etc. If persons were identical to animals — if we were "nothing but animals", as she puts it — then the manifest discontinuity between humans and non-human animals would be located "within the domain of biology". "But from a biological point of view, human animals . . . are biologically continuous with non-human animals." (p. 17) The argument fails: why should identifying persons with animals preclude saying that these particular animals have radically distinctive features that are of little interest to biologists?

The traditional case for non-identity (which Baker accepts) is more powerful: a person and her constituting animal differ by having different persistence conditions. If my memories

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<sup>1</sup> Michael Burke, "Copper Statues and Pieces of Copper: A Challenge to the Standard Account", *Analysis* **52** (1992): 12-17.

<sup>2</sup> Cambridge, MA: Harvard University Press, 1980.

were transferred to a new body and my old body destroyed, I the person might survive, but the human animal who constituted me would perish. Therefore, *before* the transfer, I and the animal that constituted me would be numerically distinct but extremely similar things located in exactly the same place.

This consequence — the central thesis of the Wiggins view — is surprising: so surprising that some reject the Wiggins view on that basis. The usual response, that the consequence is unremarkable because the animal *constitutes* the person, only invites the question: what is constitution?

Baker's definition, greatly simplified, is this: *x* constitutes *y* iff i) *x* and *y* are spatially coincident, and ii) necessarily, anything of *x*'s sort is spatially coincident with something of *y*'s sort (pp. 42-43). But constitution, thus understood, cannot explain away the oddness of spatial coincidence, since spatial coincidence is *built into* the definition. We all know Wigginsians think that certain objects (bodies, animals, lumps of clay, and so on) are, when in appropriate circumstances, necessarily co-located with distinct things; the question is how this can be. Labeling the relation of necessitated co-location 'constitution' is no answer. This issue is obscured by Baker's tendentious descriptions of constitution:

"constitution is . . . a *unity* relation; it is *not mere spatial coincidence*. . ." (p. 46)

"when *x* constitutes *y*, there is a *unitary* thing — *y*, as constituted by *x*" (p. 46)

"As long as *x* constitutes *y*, *x* has no *independent* existence" (p. 46)

"Constitution is as close to identity as a relation can get without being identity" (p. 55)

". . . it is not as if there were two *separate* things — my body and myself. There is a *single* constituted thing — me . . ." (p. 114)

The italicized phrases (my emphasis) misleadingly portray constitution as an intimate "identity-like" relation. But a quick look back to Baker's definition shows that the suggestive language is unjustified. Stripped of the veneer, constitution is simply necessitated co-location.

Baker's definition faces other problems. Imagine a strange possible world in which the laws of nature do not prohibit two things being in the same place at the same time. In this world, things on a collision course pass right through each other. In such a world, if some object *a* constitutes another object *b*, Baker's definition implies that *a* will also constitute any third object that is the same sort of thing as *b* and which happens to share spatial location with *a*, even if it shares no parts in common with *a*. This is completely contrary to the intuitive picture of constitution. A related problem emerges in worlds with things with no spatial location. The details depend on how exactly "spatial coincidence" is construed. If non-spatial things never spatially coincide then we get the result that no non-spatial thing could ever constitute another. This is an unwelcome result: assuming we can make sense of non-spatial objects being made up of some sort of non-spatial "stuff", the standard arguments for the distinctness of a continuant and its constituting matter would apply just as well to non-spatial as to spatial objects. On the other hand if non-spatial things always spatially coincide then any time non-spatial *a* constitutes non-spatial *b*, *a* will also constitute every other non-spatial thing of *b*'s sort.

Most Wigginsians construe constitution as requiring some sort of part-sharing, and with good reason: the counterexamples of the previous paragraph are avoided, and a more satisfying explanation of co-location is possible. So why doesn't Baker follow this tradition? The reason she gives is that she rejects standard mereology (179-185), for example the claim that if *x* and *y* have the same parts then  $x=y$ . But rejecting certain theoretical claims about the part-whole relation is no reason to refrain from speaking about parthood altogether!

Baker apparently disagrees with most Wigginsians over how many properties are shared by constitutionally related things (p. 57). For Wiggins, when a lump of clay constitutes a statue, only the lump has the property being a lump, and only the statue has being a statue. For Baker,

both the lump and the statue have both of these properties. The lump, however, has being a statue “derivatively” (pp. 46-58). At first glance this disagreement is superficial. Wigginsians admit an “‘is’ of constitution”, on which the statue “is” a lump in virtue of being constituted by a lump. Read Baker’s “is *F* independently” and “is *F* derivatively” for Wiggins’s “is *F* predicatively” and “is *F* constitutively” and the difference might seem to disappear. But Baker makes significant progress on this topic by giving an interesting account of *which* properties are instantiated derivatively and which properties are instantiated independently.

Baker argues that the nature and identity and essential properties of a thing may be determined by relational features (p. 24, 39, 44). When an artistic community treats a lump of clay as a work of art, there comes to exist an object that is essentially a statue, and so is essentially suitably related to an artistic community. Baker suggests these claims are radical, but I doubt it. Many claim that statues are essentially statues, and I suspect most would agree with Baker that statuehood is extrinsic. Moreover, “orthodox” views about essential properties include origin essentialism and the necessity of distinctness, each of which counts some extrinsic properties as essential.

Baker’s discussion of statues brings out one of the more implausible features of her ontology: what there is seems to depend on human interests. Everyone agrees humans can *select* certain objects from a pre-existing stock for their attention. For example, on the four-dimensional ontology I favor, a multitude of space-time worms exist regardless of human activity. Some fall under ordinary predicates: ‘statue’, ‘lump’, ‘person’, ‘animal’, and so on. But consider odd predicates we do *not* employ, for example Eli Hirsch’s ‘incar’, which applies only to sums of stages of cars that are contained within a garage.<sup>3</sup> The four-dimensionalist regards

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<sup>3</sup> *The Concept of Identity* (Oxford: Oxford University Press, 1982), p. 32.

these odd objects as just as real as statues and persons; humans simply ignore them. But for Baker, reality includes only the statues and lumps. (If Baker admits incars, and further admits objects corresponding to *all* possible trans-temporal tracing concepts, it can be argued that this would amount to admitting temporal stages after all, which she resists.) It is tempting to conclude that she thinks we create the world, that these continuants exist because we have concepts for them. Or is it a cosmic accident that reality just happens to contain objects whose histories match our ordinary concepts for tracing?<sup>4</sup>

Finally, Baker gives her own answer to several outstanding problems with the Wiggins account, including the following. Imagine a lump of clay created already in statue form, which is subsequently squashed. According to Baker, the statue is destroyed while the lump of clay lives on. Therefore there were, all along, a statue and a numerically distinct lump of clay, differing only in historical properties. Critics ask how they can differ in this way when they share the same parts, have the same intrinsic properties, and so on. What *grounds* the difference? Baker's initial answer is that they have different essential properties (pp. 169-171). But what grounds *this* difference? Baker replies that her theory is consistent with global supervenience of essential properties on non-modal properties, since the critics have not shown she is committed to a pair of worlds alike in non-modal properties but differing modally. This response is promising, I think, but more needs to be said. As I explain elsewhere, the viability of this response depends on distinguishing two often-conflated ways of formulating global supervenience.<sup>5</sup>

Baker's book contains much more than what I have been able to mention here: rich

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<sup>4</sup> I discuss this argument in more detail in *Four-Dimensionalism: An Ontology of Persistence and Time* (Oxford: Clarendon Press, 2001), chapter 5, section 3.

<sup>5</sup> "Global Supervenience and Identity across Times and Worlds", *Philosophy and Phenomenological Research* **59** (1999): 913-937.

discussions of self-consciousness, personal identity, the importance of persons, and more. It should be read by anyone interested in the metaphysics of persistence and material constitution.

Theodore Sider  
Syracuse University