

A philosopher's reflections on Lisa Siraganian's *The Problem of Personhood*¹

The author of this bewildering book holds a chair in the Department of Comparative Thought and Literature in the Johns Hopkins University in Baltimore, USA. The book deliberately combines and mixes approaches and fields of study: „moral philosophy, legal history and case law political theory, current political and ethical debates“ (14 sqq.) in the US (which for the author goes without saying). A final 'field of study' treated of is modern art², its theory and cultural debates connecting to it.

Its undertitle >Giving Rights to Trees, Corporations, and Robots< gives one hint to where the alleged >problem of personhood< lies, according to its author. By giving rights to the non-human entities listed there we are said to bestow a kind of personhood upon them – >a kind of<, because it is shown to be a truncated one, leaving out duties and the capacities to follow norms generally that are characteristic of natural persons.

But the identification of the source of all evils remains insecure and uncertain. Sometimes it also seems to be suggested that the Roman legal sense of 'person' itself, according to which an individual human being can have or 'play' multiple >personae<, sets off the „small but significant divergence“ out of which „expansive personhood“ – meaning the extending von the concept of a person to non-human entities – „eventually will bloom“. (5) Another train of thought has it that the decisive move was the forging of the legal concept of an >artificial person< and the ensuing demarcation of moral and legal personhood. (cp. 41 sq.)

In my following remarks I am going to argue that the author mislocates the problem of personhood in what really is a problem of representative action³, and that, if there is a problem

1 London/New York (Verso) 2026.-- My conception of philosophy as reflective conceptual clarification is outlined in >Philosophy<, on academia.edu. It is defended in the paper >Philosophy: In Defense of the Narrow Conception<, *ibid.*

2 The end of the *Introduction* (27-34) discusses Laurie Anderson's art project *Habeas Corpus* and Michael Fried's *Art and Objecthood* with its commentary to this kind of art. I was much enlightened by it.

3 In one of the consulted fields of study, political theory, there is a prominent position taking a stand against all (political) representation – that of Jean-Jacques Rousseau's *Du Contrat Social* (cp. Bk II Ch.1; III, 15). Behind it was the principle that the will cannot be transferred (II,1), but must be acted on immediately. The idea was that in order to be capable of being represented it must be somehow transferrable in the first place. Siraganian is inspired by a comparable (personalist) immediatism through Simone Weil's essay on >Human Personality< (16; 156) and her preference for the 'solidarity' of 'comradeship' (cp. 192 sqq.) over political representation. (3: „Weil's revelation guides my book.“) She refuses the (liberal) political insight that relations of representation are unavoidable in any 'body politic', into which communities bigger than the ancient city-states might be organized. *Ad vocem* cp.

of personhood at all, it could be seen in the question of why we have our concept of the person at all. This >problem< is not even seen by Saraganian, because she starts already with an upper layer of our ordinary concept – treating the person as a bearer of rights and duties. This, however, can (and has) been shown⁴ to rest upon a more basic layer of the concept of person as >speaking (a propositional language commanding) animal⁵<, which, in our ordinary conceptual system, is taken to be one of two basic kinds of individual entities (the other being >objects< in general). Because of two conceptual links a priori laid down already at the most basic level and continued from there through all further developments the basic notion of person as >speaking animal< cannot be gotten rid of. It is no coincidence that in the many fields of study Saraganian consults semantics is conspicuously missing. But let's proceed step by step.

I

I stumbled upon what I take to be the most fundamental articulation of our ordinary conceptual system by contemplating two sayings of the late American logician and philosopher Willard Van Quine. One is ontological and reads: „To be is to be the value of a variable.“ The other is his observation that the variable he exclusively considers – a variable for objects in general – has an >Urbild< (a prototype) in the indefinite pronoun >something<. Being parochial to my mother-tongue, German, I could not but realize that it contains an indefinite pronoun which seems of equal importance to our normal understanding, which is >jemand<. And, of course, English contains such a pronoun too, viz. >someone; somebody<. The next step was the attempt to determine the differences. Both, 'something' and 'someone', are indefinite pronouns for which terms can and have to be substituted in order to say something specific. Grammatically the three kinds of admissible substitutions are pronouns, descriptive characteristics, and definite descriptions (in the Russellian sense: >the so-and-so<). But for 'someone' the substitution of paramount importance seems to be the personal name of the person being spoken of. This is where the questions >what?< and >who?< come

Benjamin Constant's discourse *De la Liberté des Anciens comparée à celle des Modernes* (1819).

- 4 My first layout of the results of my research into our basic conceptual system was presented 2005 in my German online-book >Das verstandene Leben<; my youngest daughter produced an English version, >Understanding Life<, available both on www.emilange.de and on academia.edu. My German monograph on the concept of a person (>Wer wir sind – Begriff und Ideen der Person<) is not translated, but my paper >The Concept of a Person and the ontology of Common Sense< gives an abstract.
- 5 It should be a matter of course that >animal< here means >living thing<, not the narrower >speechless brute<.

apart and the basic conceptual divergence of >object< and >person< is institutionalized. The substitutive connection between 'someone' and the personal name of the individual being spoken of is the first conceptual link which seems to be (contradictorically) empirical and a priori at the same time. It is an empirical fact that all human newborns (baptized in some religious confession or not) are given a personal name shortly after having been born, but it is a priori as well, because it is what makes individual humans to be persons as >speaking animals<. For a personal name essentially is a linguistic instrument to address or refer to a human individual. This link is the second element a priori without which a concept of a person is not to be had. Even the 'expanded' persons anathema to the author have names and can be linguistically addressed (in the proxies or representatives acting in their name) and referred to. (It is because of the parenthetical elucidation that I believe that Saraganian's problem really is that of acting by proxy or through a representative.)

In our ordinary understanding we seem to differentiate between >object< and >person< as the two basic kinds of particulars by following two rules: 1. What is merely an object, never is a speaking animal. 2. What is also a speaking animal, never is merely an object. The second, because, of course, persons are in many respects objects themselves, the logical respect being that they are as particular as are many inanimate things. (This is why I believe that, if there is a problem of personhood at all, it is the question of why, for heaven's sake, we do have the concept of a person at all. Logically, the category of object suffices for being able to account for particulars.)

III

Why then do we have the concept of a person? In order to begin to answer this question one must elaborate on what is implicit in conceiving of a person as speaking animal. Early on I complemented the attribute in this definition by elucidating that what is important about speaking is speaking a language which essentially is propositional (and not merely signalling). Speaking a propositional language makes possible as well as unavoidable an orientation towards truth, for it is sentences used as asserted propositions that presuppose the alternative of truth or falsity. (Sentences used in any of the other modes of speech are located in a polarity of satisfiability vs. non-satisfiability. In both cases the polarities are constituted by the fact the sentences/propositions as being structured by suitably connected elements – words –

essentially can be negated.)

In taking on the orientation towards truth persons deliberately make themselves dependent on something they are not themselves – we call it >reality< or, misleadingly (but that's another story), >the world<. For though we do make (i.e. determine) our concepts, we do not simply make the concatenations of concepts in the words combined into a sentence or proposition true – we let this being decided by reality or the world, by how things really are. (That the US at the time being have a President which does not seem to be able not to lie, does not falsify these conceptual determinations. Perhaps he is, although speaking a propositional language and carrying a personal name, in some sense not really a person, definitely not an adult one.)

Reflecting on the unique peculiarities of a propositional language goes quite a bit towards explaining why we can feel our concept of a person to be indispensable. Commanding a propositional language is the most eminent way our intentionality – our reaching out beyond ourselves – is effective. But is it really compelling?

My claim is that it is. But this may seem just another claim and unavoidably so. Others may claim otherwise. Quine, for one, in opting for a conceptual system without accentuating the concept of a person, seems to have done so (and to have defended it by his brand of naturalism.) At this point of impasse one may find consolation in the admonition of Leibniz that reasons for actions generally can only incline and never compel⁶.

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⁶ The French expression used by Leibniz was >incliner sans necessiter<, the latter literally meaning >make necessary<. (*Nouveaux Essais sur L'entendement* Liv II, Ch XXI, § 8)