

We can now return to the main argument. About the facts of both personhood and personal identity, there are two views. According to the first, these facts have a special nature. They are further facts, independent of certain more specific facts; and in every case they must either hold completely, or completely fail to hold. According to the second view, these facts are not of this nature. They consist in the holding of the more specific facts; and they are matters of degree.

Let us name such opposing views. I shall call the first kind 'Simple' and the second 'Complex'.

We can now turn to our question. Do the different views tend to support different moral claims?

I have space to consider only three subjects: desert, commitment, and distributive justice. And I am forced to oversimplify, and to distort. So it may help to start with some general remarks.

My suggestions are of this form: 'The Complex View supports certain claims.' By 'supports' I mean both 'makes more plausible' and 'helps to explain'. My suggestions thus mean: 'If the true view is the Complex, not the Simple, View, certain claims are more plausible.¹⁵ We may therefore¹⁶ be, on the Complex View, more inclined to make these claims.'

I shall be discussing two kinds of case: those in which the psychological connections are as strong as they ever are, and those in which they are markedly weak. I choose these kinds of case for the following reason. If we change from the Simple to the Complex View, we believe (I shall claim) that our identity is in its nature less deep, and that it sometimes holds to reduced degrees. The first of these beliefs covers every case, even those where there are the strongest connections. But the second of the two beliefs only covers cases where there are weak connections. So the two kinds of case provide separate testing-grounds for the two beliefs.

Let us start with the cases of weak connection. And our first principle can be that we deserve to be punished for certain crimes.

We can suppose that, between some convict now and himself when he committed some crime, there are only weak psychological connections. (This will usually be when conviction takes

place after many years.) We can imply the weakness of these connections by calling the convict, not the criminal, but his later self.¹⁷

Two grounds for detaining him would be unaffected. Whether a convict should be either reformed, or preventively detained, turns upon his present state, not his relation to the criminal. A third ground, deterrence, turns upon a different question. Do potential criminals care about their later selves? Do they care, for instance, if they do not expect to be caught for many years? If they do, then detaining their later selves could perhaps deter.

Would it be deserved? Locke thought that if we forget our crimes we deserve no punishment.¹⁸ Geach considers this view 'morally repugnant'.¹⁹ Mere loss of memory does seem to be insufficient. Changes of character would appear to be more relevant. The subject is, though, extremely difficult. Claims about desert can be plausibly supported with a great variety of arguments. According to some of these loss of memory would be important. And according to most the nature and cause of any change in character would need to be known.

I have no space to consider these details, but I shall make one suggestion. This appeals to the following assumption. When some morally important fact holds to a lesser degree, it can be more plausibly claimed to have less importance – even, in extreme cases, none.

I shall not here defend this assumption. I shall only say that most of us apply the assumption to many kinds of principle. Take, for example, the two principles that we have special duties to help our relatives, or friends. On the assumption, we might claim that we have less of a special duty to help our less close relatives, or friends, and, to those who are very distant, none at all.

My suggestion is this. If the assumption is acceptable, and the Complex View correct, it becomes more plausible to make the following claim: when the connections between convicts and their past criminal selves are less, they deserve less punishment; if they are very weak, they perhaps deserve none. This claim extends the idea of 'diminished responsibility'. It does not appeal to mental illness, but instead treats a later self like a sane accomplice. Just as a man's deserts correspond to the degree of his complicity with some criminal, so his deserts, now, for some past

crime correspond to the degree of connectedness between himself now and himself when committing that crime.²⁰

If we add the further assumption that psychological connections are, in general, weaker over longer periods,²¹ the claim provides a ground for Statutes of Limitations. (They of course have other grounds.)

IV

We can next consider promises. There are here two identities involved. The first is that of the person who, once, made a promise. Let us suppose that between this person now and himself then there are only weak connections. Would this wipe away his commitment? Does a later self start with a clean slate?

On the assumption that I gave, the Complex View supports the answer, 'yes'. Certain people think that only short-term promises carry moral weight. This belief becomes more plausible on the Complex View.

The second relevant identity is that of the person who received the promise. There is here an asymmetry. The possible effect of the Complex View could be deliberately blocked. We could ask for promises of this form: 'I shall help you, and all your later selves.' If the promises that I *receive* take this form, they cannot be plausibly held to be later undermined by any change in *my* character, or by any other weakening, over the rest of *my* life, in connectedness.

The asymmetry is this: similar forms cannot so obviously stay binding on the *maker* of a promise. I might say, 'I, and all my later selves, shall help you'. But it is plausible to reply that I can only bind my present self. This is plausible because it is like the claim that I can only bind myself. No one, though, denies that I can promise you that I shall help someone else. So I can clearly promise you that I shall help your later selves.

Such a promise may indeed seem especially binding. Suppose that you change faster than I do. I may then regard myself as committed, not to you, but to your earlier self. I may therefore think that you cannot waive my commitment. (It would be like a commitment, to someone now dead, to help his children. We cannot be released from such commitments.)

Such a case would be rare. But an example may help the argument. Let us take a nineteenth-century Russian who, in several years, should inherit vast estates. Because he has socialist ideals, he intends, now, to give the land to the peasants. But he knows that in time his ideals may fade. To guard against this possibility, he does two things. He first signs a legal document, which will automatically give away the land, and which can only be revoked with his wife's consent. He then says to his wife, 'If I ever change my mind, and ask you to revoke the document, promise me that you will not consent'. He might add, 'I regard my ideals as essential to me. If I lose these ideals, I want you to think that *I* cease to exist. I want you to regard your husband, then, not as me, the man who asks you for this promise, but only as his later self. Promise me that you would not do what he asks.'

This plea seems understandable.²² And if his wife made this promise, and he later asked her to revoke the document, she might well regard herself as in no way released from her commitment. It might seem to her as if she has obligations to two different people. She might think that to do what her husband now asks would be to betray the young man whom she loved and married. And she might regard what her husband now says as unable to acquit her of disloyalty to this young man – of disloyalty to her husband's earlier self.

Such an example may seem not to require the distinction between successive selves. Suppose that I ask you to promise me never to give me cigarettes, even if I beg you for them. You might think that I cannot, in begging you, simply release you from this commitment. And to think this you need not deny that it is I to whom you are committed.

This seems correct. But the reason is that addiction clouds judgment. Similar examples might involve extreme stress or pain, or (as with Odysseus, tied to the mast) extraordinary temptation. When, though, nothing clouds a person's judgment, most of us believe that the person to whom we are committed can always release us. He can always, if in sound mind, waive our commitment. We believe this whatever the commitment may be. So (on this view) the content of a commitment cannot stop its being waived.

To return to the Russian couple. The man's ideals fade, and he asks his wife to revoke the document. Though she promised

him to refuse, he declares that he now releases her from this commitment. We have sketched two ways in which she might think that she is not released. She might, first, take her husband's change of mind as proof that he cannot now make considered judgments. But we can suppose that she has no such thought. We can also suppose that she shares our view about commitment. If so, she will only believe that her husband is unable to release her if she thinks that it is, in some sense, not *he* to whom she is committed. We have sketched such a sense. She may regard the young man's loss of his ideals as involving his replacement by a later self.

The example is of a quite general possibility. We may regard some events within a person's life as, in certain ways, like birth or death. Not in all ways, for beyond these events the person has earlier or later selves. But it may be only one out of the series of selves which is the object of some of our emotions, and to which we apply some of our principles.²³

The young Russian socialist regards his ideals as essential to his present self. He asks his wife to promise to this present self not to act against these ideals. And, on this way of thinking, she can never be released from her commitment. For the self to whom she is committed would, in trying to release her, cease to exist.

The way of thinking may seem to be within our range of choice. We can indeed choose when to *speak* of a new self, just as we can choose when to speak of the end of Medieval England. But the way of speaking would express beliefs. And the wife in our example cannot choose her beliefs. That the young man whom she loved and married has, in a sense, ceased to exist, that her middle-aged and cynical husband is at most the later self of this young man – these claims may seem to her to express more of the truth than the simple claim, 'but they are the same person'. Just as we can give a more accurate description if we divide the history of Russia into that of the Empire and of the Soviet Union, so it may be more accurate to divide her husband's life into that of two successive selves.²⁴