1. Introduction

Most of the recent debate on personhood is guided by moral and judicial considerations. Questions like "When does personhood begin?" and "When is somebody no longer a person?" preoccupy the field of bioethical discussions in order to determine morally justified legal acts, for instance, whether one is justified in using fetal material for research or implantation, or whether people who presumably will never awake from a coma should be helped to die. These are serious questions which implicitly show that being a person or personhood is understood as a pre-eminent value – a value which seems to be considered as the very criterion of deciding over life and death. However, it is not very clear what a person or what personhood is, *i.e.*, on what's beginning and ending everybody in this debate is talking about. This is not to say that ontological reflections are absent. As far as I can see, the respective discussions deal with the following questions. First, what are the criteria of personal identity, especially, what are the diachronic persistence conditions of persons? Secondly, what are the defining features of personhood? Classical candidates are rationality, consciousness, self-consciousness, memory, free will of action, and responsibility for one's free actions. Thirdly, are persons *entia per se* or do they fall under a more general category of being?

There may be other important questions, but I shall not deal with them here. What seems to be a common presupposition of these and perhaps further major questions is the assumption that the paradigm cases of persons are very well human beings, but that human beings are not *eo ipso* persons. Personhood might therefore be regarded as a certain stage of a human being's biography, depending on how personhood is defined. Moreover, if the traditional equation of human being and person is given up or, at least, challenged, then the hitherto natural substrate of personhood, *i.e.* the human being, appears to be no longer a necessary condition for being a person. Doesn't one have to accept animals or artefacts of a specified kind as equally well appropriated bearers of personal features? Once the strict connection between human being and person is removed, the burden of explication hangs on defining personhood in a principled way without invoking human features.

In what follows I shall concentrate on the ontology of persons. Presumably the most widespread framework for categorising persons and personhood is some version of a substance-attribute-ontology. On this framework, persons are individual substances, *i.e.* independent entities, which have certain properties. The debate then might concentrate on the category of attributes and divide philosophers over the question of what the crucial attributes or properties would be which taken together are necessary and sufficient for being a person. As this ontological framework not only allows for focusing on the category of attribute, the dispute might shift to the category of substance and thereby acquire a different tenor: Either persons are sharply distinguished from other individual substances like bodies, animal beings, and human beings (Lynne Rudder Baker), or persons are conceived of as just a phase of certain organisms (Joshua Hoffman and Gary S. Rosenkrantz). The first option might result in admitting persons as *entia per se* (Roderick Chisholm), whereas the second is open for further naturalistic accounts.

One of the difficulties with the substance-attribute-view is, however, that the debate is stuck in a controversy over persons *versus* physical bodies.[1] Is there *one* substance with personal properties, or are there *two* substances – bodies and persons? If the latter, how are they linked together? It's the old tune of monism *versus* dualism in the philosophy of mind which is played once again in debating the ontological status of persons. Another difficulty – not only due to this particular although widespread ontological framework – concerns the fusion, if not confusion, of ontological and moral questions. Nearly everyone in this debate seems to be obliged to grant persons a grade A ontological status. One recent example is Lynne Baker's passionate account of persons being "essentially persons". The basis for this conception is that persons differ radically from "human animals", as she terms it, in virtue of having a first-person perspective. One might object, however, that this way of upgrading the ontological status of persons implies a problematic downgrading of human beings. Are human beings *simpliciter* just animals? And even if so, are animals simply physical bodies? Would it not be better to ally with David Wiggins whose analysis of personal identity is based on a Human Being Principle on which the identity of persons coincides with the identity of human beings?

I shall say a little bit more on the views of Baker and Wiggins and probably some others, but it is not the aim of this paper to critically rehearse recent theorising on persons. Instead I should like to analyse how persons and personhood fit into an ontological framework which is solely based on the category of Trope, i.e. the category of Particular Property or Individual Quality. One reason for this attempt is the supposition that this framework – a world of individual qualities – allows for a very smooth integration of personal traits. A metaphysic based on tropes or individual qualities seems very hospitable to intentional or mental states which are usually ascribed to persons, including phenomenal states or *qualia*. On this supposition persons are just trope complexes which differ from other such complexes in virtue of some tropes or sub-complexes of tropes. The trope view thus provides the picture of a continuum which includes besides other trope configurations such highly sophisticated trope complexes as persons. There is a bit of a holistic idea behind it: no essential divides, no problematic gaps (between organisms of different degrees of complexity, between mind and body, etc.). The other reason for confronting trope theory with the concept of person simply consists in testing a theory. If ontology is mainly an empirical science – and I presume that it is, then the fact that we encounter persons in the world and have experiential access to their personal features provides an important test case for any ontological theory. That is not to say that the different phenomena require ontological categories *per se*. But surely those "highly sophisticated trope complexes", as I have called persons against the background of a continuum of individual qualities, should gain a contour of their own. A first step will be to provide a ground-level on which all trope complexes are based, from which, in a second step, such trope complexes as persons are considered.

2. Rich Entities and Ontological Dependence

To begin with, I shall confront my reconstruction of persons with the classical view which presupposes the category of substance, "in the 'rich sense of substance'", as Wiggins put it (2001, 194), that is to say, not in the sense of bare particulars or non-qualified substrates. The equivalent of such a substance, *i.e.*, an individual in which qualities are supposed to inhere, is a rich trope

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[1] R. Chisholm (1996, 4), for instance, writes: "Material things are substances and persons are substances. But it is problematic whether persons are material things."

complex, *i.e.*, a composition of different individual qualities (tropes) which are linked together by being existentially dependent on one another. Before going deeper into the explanatory advantages and disadvantages of these categorial distinctions, it is interesting to note that metaphysical dependency plays a role in both of these conceptions, although in a different way. Whereas on the substance view qualities are dependent on (first or individual) substances, on the trope view it is the complexes that are dependent on the individual qualities (tropes) which constitute them. To be more exact, the mutual dependency of tropes which explicates that there be a trope complex is *eo ipso* the foundation base for an integrated whole or rich trope complex. The trope complex itself is then one-sidedly dependent on the tropes which constitute it. Briefly: Whereas the qualitatively rich or complex entity is somehow presupposed on the substance view, it is metaphysically reconstructed on the trope view.[2]

So far the analysis is on a very general and topic-neutral level: Both Substance and Trope Complex don't convey which qualities the different entities that fall under these categories might have. In order to track certain entities, e.g. horses, trees, human beings, one might ask whether further dependencies have to be taken into account. This question arises, at least and foremost, when the identity of the respective entities is being discussed. For whenever one asks, whether *a* is the same as *b*, and simply knows that for *a* or *b* any entity falling under the category of Substance or Trope Complex can be filled in, the perplexity of asking 'the same what?' arises, as David Wiggins has nicely pointed out. A response to 'the same-what-question'[3] seems to require information about the kind or species to which the respective entities belong. Therefore, or so Wiggins argues, it is sortal terms ('horse', 'tree', 'human being') that play an ineliminable logical role in determining the identity conditions of individuals, a condition from which one might deduce a substance's general ontological dependency on a kind or species. This line of reasoning which is at the core as Aristotelian as it is in the spirit of John Locke has also been taken up in a pronounced way by Jonathan Lowe. In his *Kinds of Being* (1989, 4) he writes: "[...] the notion of an 'individual' and of a 'sort' or 'kind' are opposite sides of a single coin: each is only understandable in terms of the other. Individuals are necessarily individuals *of a kind*, and kinds are necessarily kinds *of individuals*." This sounds very much like a mutual dependency of categorially different entities, whereas for Wiggins an individual substance seems to be one-sidedly dependent on a kind (or 'its' kind).

At this point, however, substance ontologists and trope ontologists might part company (a company which has been very loose, anyway), for a trope philosopher surely will ask what qualities are apt to make up a species or kind. How could there be natural (and perhaps also artefactual) kinds in the world – if they had not been constructed out of salient qualities of trope complexes in the first place? How can a species exist separately from the special exemplars or instances? In connection with these problems the traditional question of essences might emerge: Are there any 'essential tropes' which by constituting a class stand in for the ontological correlate of sortal terms?

3. Kinds, Essences and Determinables

Although it seems to be intuitively plausible to posit or assume such things as kinds, essences or determinables in order to provide a sorting principle, it is far from clear whether (a) these things

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[2] For a detailed account of ontological dependence in trope theory cf. K. Trettin (2001)

[3] This question was originally introduced into the more recent identity debate by P. Geach (1962). For Geach, however, sortal dependence is sortal relativity. Two individuals might be the same relative to one sortal and different relative to another. Generally on sortal dependence see also Ch. Rapp (1995) and more recently M. Quante (2002).

are ontologically necessary and, even if so, whether (b) they are to be construed as *entia per se* or, rather, as *entia per alio*.

On the substance-*cum*-kinds view, the response to (a) is surely in the positive. Kinds provide the necessary conditions of identity and identification. That is not to say that every philosopher who invokes kinds is a realist about this ontological category. There always is the possibility of sneaking out of this metaphysical commitment by taking kinds to be purely linguistic items (sortal terms) and combining this position eventually with a pragmatic theory of language use. Concerning (b) substance-*cum*-kinds proponents, be they realists or anti-realists, usually suppose that kinds are entities (or terms) of their own which cannot be derived from some other category (or term).

On the trope view, things are different. A response to question (a) would be twofold: *First*, kinds or species are not the ontological providers of a principle of identity of trope complexes. A trope complex T_i and a trope complex T_j are identical, if they are constituted by the same tropes. *Secondly*, however, kinds or species seem to be useful in epistemological respects. The question whether T_i is the same trope complex as T_j might be decided more easily and conveniently, if some salient tropes of each complex are gathered in a further, second-order complex of tropes, i.e., a kind. What the respective salient tropes are and whether they coincide with essential or necessary tropes (if there are any) is an empirical question. So, it remains to be seen whether one should be a realist concerning these higher-order trope complexes. The response to question (b) simply follows from the response to (a): If there are kinds, or higher-order trope complexes, then they are certainly derivative entities.

So far the reconstruction has just reached, in a very general and sketchy way, what I have called 'the ground-level'. Tropes constitute individual complexes in virtue of being dependent on one another and some of those tropes might constitute higher-order complexes. To recur to a prominent Aristotelian example, recast on the trope view, one would say, accordingly: The individual qualities of biped, featherless, and rational which have been discovered at a time as salient constituents of individual trope complexes, constitute a kind or species named 'human being'. Notice, however, that by citing Aristotle in a modified way, it has been left open whether all of these constituents are essences. And this for obvious reasons. For, surely, the (negative) quality of lacking feathers would not count as a necessary or essential feature of human beings, but as purely contingent. From this we may deduce that kinds or species are made up by a mixed selection of essential and contingent tropes.

Although, so far, a decided abstention from generally *naming* trope complexes (apart from *mentioning* examples) has been observed, the reconstruction is on the brink of a second step, namely, analysing two kinds of trope complexes: human beings and persons. This is so, because two decisive claims have been made: first, trope complexes are identical in virtue of the tropes that are their constituents; secondly, kinds or species are not *entia per se* but higher-order complexes which are constituted by some salient tropes derived of resembling first-order complexes, regardless whether of the salient tropes are contingent or essential.

 In order to further explain these claims and elucidate the sense of frequently applied concepts such as "constitution" and "dependence", it seems useful to have a brief look at a theory, not at all a trope theory, which has been proposed by Lynne Rudder Baker and which she calls "the constitution view of persons".

4. Constitution and Identity I – the Substance-*cum*-Kinds-View

In her recent book *Persons and Bodies* (2000) as well as in her essay on "The Ontological Status of Persons" (2002), Lynne Baker makes the remarkable claim that constitution is not identity. By 'identity' she means 'strict identity' in the sense that if *x* is identical with *y*, then, necessarily, *x* is identical with *y*. On her Constitution View, however, there is only room for 'contingent identity'. Nevertheless, Baker seems to be strongly committed to the modal notion of necessity, since she invokes 'primary kinds' or 'primary- kind properties' which are necessary features or essences. A primary-kind property is a property "a thing has essentially", *i.e.,* without which it could not exist; it "determines what a thing most fundamentally is" (Baker 2002, 372). Constitution is then "a relation that things have in virtue of their primary kinds" (373). So a "thing" – which is probably meant to be an individual substance – seems to be one-sidedly dependent on a kind or kind-property.[4]

As the introduction of the term 'primary kind' already indicates, there are probably also 'secondary' kinds in the offing. And so it is. This is made explicit when she turns to works of art and persons. What is the primary kind of a marble statue? Answer: Although a piece of marble constitutes the respective statue, the primary kind of the marble statue is not Marble but Statue. The marble constitutes the statue only "derivatively". What is the primary kind of a person? The answer deserves citing:

> Person is your primary kind. Human animal is your body's primary kind. You are a person nonderivatively and a human animal derivatively; and your body is a human animal nonderivatively and a person derivatively. Although you are a person and your body is a person, there are not two persons where you are: This is so because constitution is a unity relation. (Baker 2002, 374)

There are two claims involved in this explanation. First, what a *primary* kind is for *one* thing might be a *derivative* kind for *another* thing, and *vice versa*. Secondly, constitution is being construed as a *relation* which *unites* primary and secondary (derivative) kind-properties. Although the ontological strategy behind this construal is quite obvious, namely, that of saving persons from being reduced to merely material objects and, at the same time, of avoiding a conception of persons as totally immaterial beings or at least as totally disconnected from material things, these claims are open to objections or, at least, warranted demands for further explanations.

To begin with, I should like to say that I am quite in favour of Baker's non-reductive motivation. But I doubt that her suggestion really holds as a general ontological explication. A minor critical point would be that her splitting up kinds into primary and derivative sub-kinds is somewhat *ad hoc.* At least, there seems to be no way for empirical findings to demarcate the purportedly insurmountable border between "human animals" and "persons" in a new way. Although ontology as a science should be guided, *entre outre*, by our successful common-sense differentiations, it should not preclude scientific progress. Or, to put it in a more principled way, ontology should be methodologically guided not only by a *Principle of Phenomenological Adequacy* (PA), but also by a *Principle of Scientific Compatibility* (SC). Baker, or so it seems to me, is far too much on the side of PA. Therefore, I agree with Gary Rosenkrantz's objection to Baker's splitting up of kinds, because

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[4] From her examples – horses, passports, cabbages – one might deduce that "things" are individual material objects, be they natural or artefactual. Moreover, Baker does not distinguish categorially between Kind and Property. It is also left undecided whether kinds and properties are regarded as universals or particulars.

"many contemporary philosophers of biology reject the notion that biological species are natural kinds, along with the related notion that biological species properties are essences".[5] That is not to say that I endorse the Organism View of Rosenkrantz as a whole (which is labelled by Baker as an example of the so-called Animalist View), but I am inclined to demand a more empirical answer to the question of how species or kinds, provided there are any, are established in the respective domains. Baker's view seems to involve an oversimplified picture of "bodies" and "human animals". At least, it is an open question whether there are clear-cut species boundaries which are to be acknowledged in a general ontological theory.

The major critical point, however, is that Lynne Baker's cited statement seems to be circular. Persons, she says, are essentially persons – period. On her construal this means that an individual entity is a person if and only if it is one-sidedly dependent on a Person Kind, provided this kind is primary for the respective entity. If this is meant as a definition, then the term to be defined, the *definiendum* ("person"), recurs in the *definiens,* and nothing is gained by such a definition. The notion of 'person' would simply circulate from individuals to primary kinds and back. Perhaps Baker had just this in mind, namely to show that persons cannot be defined, *i.e.*, reduced to something more basic, because every definition would turn out to be circular (although she does not say so). If, on a charitable interpretation, we then rule out the circularity objection, there still remains the question how illuminating it is to say that persons are dependent on a Person Kind if and only if this kind is Primary. Apart from the fact that Baker is obviously committed to acknowledging an ontological category of Kind or Species, the crucial question is: Whence the primacy? What justifies a distinction between 'primary' and 'derivative' on the level of kinds? Isn't here eventually a second – and more hidden – circularity at work, namely that of tacitly harking back to the individuals which are to be elucidated by pointing to kind levels, from which we started – given that we start with kinds and kinds levels at all? Or, to put it another way, how is it to be explained that a kind has the – purportedly essential – attribute of being primary or of being merely derivative? Do kinds have different tags according to how they are related to individuals? Perhaps also here, circularity may be ruled out in virtue of some presupposed dialectic between kinds and individuals, but, nevertheless, one is thrown back on mere speculations.

Finally, constitution is supposed to be a *unifying relation*. Concerning persons, Lynne Baker argues that bodies and persons are united, because a body's derivative-kind properties and a person's primary-kind properties constitute a person. Both of these kind properties are supposed to be united in virtue of each being constituents of a person. The question here is, however, whether the notion of constitution implies the notion of unity. Although 'constitution' is surely to be regarded as a very basic concept in general ontology, because it challenges philosophers to find out the elementary categories of being, *i.e.*, the *constituents* of everything, it is an open question whether 'constitution' *per se* is apt to explain the *unity* of the constituents which are regarded as the ingredients of some integral whole, such as persons on the construal of Baker. If constitution has a unifying quality at all, then – or so one might argue – it depends on the very constituents themselves. At least some of them have to be such that they require other constituents or are 'unsaturated' in the Fregean sense in order to form a unity without requiring a further uniting relation.

To sum up, Baker's Constitution View is problematic in the following respects: (i) It cannot explain personal identity in terms of constitution, because the notion of identity which is usually implied by

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[5] Cf. G. Rosenkrantz (2002, 391) in his Commentary on Baker's 2002 essay.

the notion of constitution is rejected; (ii) Constitution is construed, instead, as a unity relation and cannot serve its metaphysical purpose, at least on a substance-*cum*-kinds theory. Substance and Kind, if taken seriously as ontological categories – and Baker is committed to taking them seriously, – are totally independent categories of being. How, then, can entities belonging to those categories unite without any further uniting relation? (iii) The logical and ontological ground for distinguishing *primary* from *derivative* kinds is not very clear. What is it that makes "bodies" or "human animals" *derive* from "persons"? It seems as if someone has put the cart in front of the horse. Why not say that persons are necessarily embodied and then try to figure out features which might be labelled as 'personal properties'? (iv) Explaining 'persons' by saying that they are 'essentially' persons and thereby invoking primary kinds, i.e. necessary properties, would be circular and therefore fail as a definition. In case the explanation is meant as an elucidation, it might state, at best, that the category of Person is to be taken as primitive, *i.e.*, as not further analysable. But then one might ask whether showing just this, the primitiveness of Person, has to be demonstrated by putting into operation a very special theory of kinds.

However critical my short assessment has been, there is a point in Baker's theory which might serve as a link to a different 'constitution view ', namely, the fact that properties figure greatly in her approach, since admitting properties is a promising starting point for trying out tropes. The question then is whether and how those 'kind properties' – be they 'primary' or 'derivative' – can be further analysed.

5. Constitution and Identity II – the Trope View

On the trope view, overt or hidden circularity problems do not arise simply because kinds or kind-properties are not presupposed. Moreover, the notion of constitution is preserved as a metaphysical concept which permits a definition of identity, according to Leibniz's *Principle of the Indiscernibility of Identicals* (necessarily, trope complexes T_i and T_j are identical if and only if T_i is constituted by the same tropes as T_j, and *vice versa*). In other words, trope constitution is equivalent to the identity of a trope complex. Last, but not least, a certain unifying aspect of constitution can be saved in virtue of the metaphysical fact that tropes are ontologically dependent entities. Let me briefly explain the implications and consequences of these claims, especially concerning change and persistence of a trope complex.

On trope philosophy it is not necessary to distinguish between the notion of full or 'strict' identity and identity 'in the loose or popular sense'.[6] All trope complexes – be they purely physical, be they physical and mental or be they purely mental (if there are any) – are each defined by their respective constituting tropes. On this construal changes within complexes can be easily explained, since change is nothing other than alteration of trope composition. But there might be problems concerning the persistence through change. A somewhat stereotyped example may illustrate the case.

Consider Mary. As a new-born baby, she could stare, yell and grope, suck and defecate, and possibly sleep for a while – at least these are the salient tropes of a complex called Mary at this stage. About three months later, another salient trope can be observed: a smiling in addition to the trope of purely staring. And everybody who observes Mary's smiling is very happy, because Mary seems to be responsive to her environment in a new way. As a two-year-old child, she has gained

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[6] Bishop Butler's prominent differentiation (1736) has been taken up by R. Chisholm (1976, 92-113) and is discussed by D. Wiggins (2001, 197-205) and M. Loux (1998, 226-230).

enormously in trope complexity: obviously, there is a trope of bodily stability which seems to allocate a whole slew of other tropes: creeping, sitting, standing upright, going, running, climbing, falling – while all the tropes which constituted her as a new-born are still in operation. At about the same stage, one can observe that Mary is talking and not merely babbling. Perhaps this talk is still very much guided by pointing to something and articulating words like 'yellow', 'car', 'dog', or 'hot' and 'cold', a language which, according to Quine, is constituted by oneword- sentences. At the age of eighteen, Mary is (at least according the German law) a full-fledged citizen. She has rights and obligations. She can participate in elections, acquire a driver's license – and she is fully responsible for her free actions. Suddenly she is 'independent' in a new way. Let's skip Mary's further career (a career which we shall imagine as a nice and brilliant one) and consider the tragic moment when Mary, at the age of, let's say, seventy-eight, loses her memory and is no longer able to definitely state who she is or where she is. Surely, even at this stage, a lot of the 'old tropes' which have constituted the complex called Mary from the beginning of her existence are still in operation, e.g., there might be tropes of moving and talking, as well as the smiling trope, but quite a lot of the physical and, especially, the mental tropes are missing.

On this scenario, Mary is changing all the time, physically and mentally, in virtue of gaining or losing individual properties (tropes). In which sense then – if in any sense at all – can one speak about Mary's personal identity? On the trope view, Mary obviously does not have a once and for all determined personal identity. Instead she is something like a plurality or aggregate of 'identities', which are temporally determined by the actual tropes which constitute the complex that is identical with 'her'. Whenever a trope is gained, or a trope is lost (which is due to a certain sub-relation of ontological dependency – namely – causality), Mary changes her personal identity. All that she is depends on the tropes which constitute her, including eventually the tropes she memorises or anticipates.

The first objection will probably be that on this construal there is no personal identity whatsoever. 'Mary' could be any trope complex constituted by the properties of staring, yelling, groping, sucking, excreting and sleeping. At least, Mary-as-a new-born human would be very similar to any nameless new-born calf, dog, or walrus and lots of other animals which have been classified biologically as 'mammals'. Is there no difference? How could one distinguish Mary, the human infant, from Mary, the new-born walrus (if some zoologists have baptised the animal Mary)? Or, is Mary considered as a person only from that moment on when she talks or even from the later moment on when she is regarded as responsible for her free actions? Finally, what about Mary, the human being, when she develops Alzheimer's? Is Alzheimer-Mary no longer a person? But even if she's not, what else would she be?

A short answer to these questions is that persons can flourish without requiring a strict borderline. Mary-the-human and Mary-the-walrus are constituted by tropes which are similar and which in virtue of being so gather in 'resemblance classes', in this case, in a class or kind called 'mammals'. What distinguishes Mary-the-human and Mary-the-walrus, however, are lots of tropes which assemble in different classes, two of which I shall discuss below, namely tropes of intentionality and tropes of normativity. And there I shall come back also to the problems concerning Alzheimer-Mary.

Another objection might be that whenever something changes, there must be a permanent or unchanging thing or at least core of features which remains stable – otherwise talk of change misses the subject of discourse , *i.e.* 'change', altogether. This would be the 'endurantist' reminder against a 'perdurantist' approach which also seems to be at work in trope ontology. If, on the trope

view, a complex is changing according to the tropes which actually constitute the whole complex, what we have – so the endurantists would say – is a mere sequence of different qualitative stages but no real change in *one* thing.

Although an appropriate response to this objection would require discussion which is beyond the scope of this paper, a short answer would be that trope theory, *i.e.*, a theory based on the ontological category of individual qualities, is neutral with respect to the different time ontologies mentioned. First, a trope theorist is not prevented from constructing a core of tropes, *i.e.*, a nucleus of (essential) tropes which remains stable as long as the trope complex exists, while changes are (accidental) alterations in the trope periphery which surrounds the nucleus.[7] Therefore, the endurantist option is not precluded. Secondly, also the perdurantist theory is open to trope theorists, for they can easily construct 'temporal parts', 'stages' or 'time slices' as temporal tropes. So, a definite answer depends on further arguments. My favourite option, until now, is that time is best reconstructed as *modes* depending one-sidedly on tropes, *i.e.*, I do not suppose that there are purely temporal tropes along with the rest, but, rather, that a trope might have a temporal mode of existence.[8] That means, to return to our example, that, for instance, Mary's different tropes of smiling persist each as long as these tropes actually constitute the complex called Mary. So Mary might smile, even if she has lost many tropes which have connected her to her social environment.

6. Intentionality

By 'intentionality' I understand mental activities like perceiving, thinking and feeling. They are classes of qualities which might overlap and which presuppose agents, such as animals, human beings and persons. Mental activities are, however, not representational. What a thought or belief 'is about' or has as 'its content' is a particular part of the world itself and not a particular representation of the world. Moreover, mental activities are qualities of some entities within the world and therefore as real as anything else. *A forteriori*, mental activities belong to the basic qualities, because they establish the access of agents to their own and many other qualities of the world.

This would be in a nutshell the *Credo* of a realist and particularist metaphysic of mind and body.[9] The interesting point here is the talk of 'agents'. Surely, the employment of 'agent' has to be elucidated, not only, because at least the following two queries will turn up. First, are trope theorists really entitled to employ this term? Isn't agent talk only conceivable, if clear-cut substances are presupposed? Secondly, even if this point can be settled in favour of trope theory, there still remains the question of why animals and persons appear in the list of examples – with just a comma between them. Are they really on a par? Aren't there enormous differences?[10] I shall discuss both of these objections together and try to clarify the notion of agent as applied within trope theory.

An agent is a trope complex which can act, *i.e.*, do something intentionally. Consider, first, a singular piece of marble (Aristotle's and Lynne Baker's example). Surely it is a nice solid trope complex, but it will not act in any way or do something. Neither can it intend to become a statue,

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[7] Cf. P. Simons (1994).

[8] Cf. K. Trettin (2002)

[9] For details see K. Trettin (2003).

[10] I owe the last question to conversations with Ulrike Ramming, University of Stuttgart.

nor can it plan to fall down in order to hit some hikers. Either there is the external causal power of an agent (an artist) involved, or some, equally external, entities (other non-intentional tropes or complexes thereof) cause the particular piece of marble to fall down and accidentally injure the hikers. An agent, in contrast, is a trope complex which is constituted not only by physical tropes but also by mental or intentional tropes. Mental or intentional tropes are such that they are individual qualities which might be summarised in a first approximation as a sentient appeal or direction towards the environment. This emotional groping for anything near can be noticed already in living beings far below the level of mammals. Whoever has come near a medusa, not always visible in the blue waters of a Mediterranean coast, will be convinced that her tentacles are surely directed towards something – although probably not at you personally, but at least generically at some trope complex which appeals to the individual medusa. What I want to illustrate by this example is that agency is not restricted to human beings. It covers a larger group of entities. The reason for this supposition is that species-borders are, as far as intentionality – conceived of in a very broad sense – is concerned, not major obstacles. Remember Mary-the-infant-human and Mary-the-infant-walrus. Surely, there will be enormous differences, but their resemblance is striking: both of these trope complexes are at least constituted by similar tropes of intentionality, for they act similarly towards their environment. And so, on the trope view – at least on my version – there is nothing wrong with gathering 'animal-tropes' and 'human being-tropes' in one and the same resemblance class of intentional tropes. So far, just one broad feature of agency, volitional and emotional intentionality, has been briefly touched on. How about cognitive intentionality?

By cognitive intentionality I understand a family of activities such as a perceiving, believing, thinking, or knowing, each of which is a trope, more precisely, a trope which has a temporal mode of existence.

If, for instance, Andrew is thinking of the Golden Gate Bridge, then what we have here, is a trope complex called Andrew (A), a trope complex called the Golden Gate Bridge (B), and a think-trope (T) which connects A to B in virtue of T's being ontologically dependent on both, A and B. But Andrew's thinking is not restricted to existent objects. He sometimes also thinks of a golden mountain or a mermaid. And there have been also moments when Andrew thought of a square circle, although he was quite aware of the fact that such a thing is an impossible object.[11]

The case of Andrew is not only presented in order to illustrate that cognitive intentionality such as a thinking involves more than straightforward directedness to something which exists, but also to emphasize that it involves imagination and fantasy. Moreover, I want to point to a feature of cognition which may be decisive for distinguishing some intentional trope complexes from others. The decisive feature may be that Andrew is able to differentiate between a real and a purely imaginative thought content, and nevertheless knows that his thoughts – whatever they are 'about' – are as real as himself. Or, to recast this statement in trope terminology: that Andrew's first-order think-tropes are supplemented by higher-order think-tropes which 'make Andrew aware' of the difference between the factual and the fictional. This sort of cognitive awareness may, surely, be regarded as a salient feature of rationality.

A further criterion for distinguishing between purely sentient, volitional and emotive trope complexes and those which are constituted additionally by cognitive tropes will be the faculty of learning and employing a language. Linguistic capability, in turn, seems to require as a

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[11] For a more detailed discussion on thinking about non-existent and impossible objects cf. K. Trettin (2003).

precondition a social environment, *i.e.*, probably no rational cognitive agent can exist all on its own. So, a trope complex which has cognitive tropes among its constituents is a rational, language performing, and social agent.

The salient intentional tropes taken together might then be regarded as specifying a class or kind of trope complexes – the class or kind of human beings. I should like to add, however, that talk about the presumably specifying features of human beings, at least against the background of a long philosophical tradition, has either a pompous ring or may be suspected of merely summing up platitudes. I am quite aware of this awkward situation, but it was not my intent to come up with totally new and original features. Rather, I wanted to indicate in very broad outline how kinds may be reconstructed by employing trope theory. That is not to say that every philosopher who admits tropes in her ontology is committed to a reconstruction of kinds along these lines or to any reconstruction of kinds. There may be a separate argument – neutral towards different ontological categorising – which simply presupposes the human kind.

7. Normativity, Personal Identity, and the Human Being Principle

The separate argument for constructing a class which has as its members salient intentional features is normative rather than logical or ontological. The supposition of a human kind seems to give us a fundamental reason, perhaps the only reason, for understanding what persons are. For without this supposition personhood would be either a totally alien concept or its application would be arbitrary. In either case, the normative and ethical consequences would be disastrous. Therefore I shall ally myself with David Wiggins and his Human Being Principle. The following passage of his *Sameness and Substance Renewed* is not only illuminating in itself, but also shows that Wiggins invokes this principle for logical rather than normative reasons:

> So, *given* the human beinghood of A and B, this furnishes a perfectly good covering concept for the identity 'A is the same as B'. 'Person' and 'human being' differ in sense. They may even differ in their extension. But that is immaterial. What matters is that here, in so far as they assign any, the concepts *person* and *human being* assign the same underlying principle of individuation to A and to B, and that that principle, the *human being* principle, is the one that we have to consult in order to move towards the determination of the truth or falsehood of the judgment that A is B.[12]

While Wiggins is looking for the appropriate kind term or sortal concept in order to determine the identity of persons and therefore his Human Being Principle serves as a principle of individuation, my appreciation of that principle has purely normative motives. As I have tried to show (§5), on trope theory there is no need for *presupposing* kinds or species in order to explicate the identity of trope complexes. I am not sure whether even Wiggins presupposes kinds in the strict ontological sense. He may refer in this respect only to 'covering concepts', hoping that his 'rich' substances will shoulder all the ontological work to be done. When it comes to being a bit more explicit on what human beings are, Wiggins is equally as platitudinous as I have been.

> Human beings are substances possessed of a specific principle of activity to which, in the course of life, each one of us gives his own yet more specific, more and more distinctive,

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[12] D. Wiggins (2001), Chapter 7, §1, 193f.

determination. Prominent among the specifically human activities is our exercise of cognitive faculties.[13]

I didn't quote this passage, however, just in order to show that the idea of human beings as cognitive agents coincides across categorial systems. The interesting point is that Wiggins conceives of his (human) substances as determinables which, in the course of their lives, gain in determination. This conception is interesting, because it may be interpreted in two different ways, each of which will throw light on the Human Being Principle and the concept of 'person'.

On the first interpretation, a human being starts its life as a mere stand-in or representative of a presupposed human kind. Although this sounds very plausible, if one has additional concepts in mind, such as potentiality and development, there seems to be a logical and ontological confusion at the outset. (1) Either the categories of 'individual substance' and 'generic substance' collapse and what we have here is just one category. But then the whole Thesis of Sortal Dependency, which David Wiggins has carefully laid out in his book, is in danger. Why should one pose 'the same-what-question' in order to judge whether A is the same as B, if A and B are nothing other than determinable kinds? Which further kind concept or sortal term would be needed or could be useful in order to decide the question of identity? (2) Or the categories don't collapse, but preserve a distinction – 'individual human substance', on the one hand, 'human kind', on the other. On this reading both categories would be understood as determinables of a different order, each of which allows for determinations. But then one is surely justified in demanding more details concerning the categorial distinction.

On a second interpretation (and with the pitfalls of the first one in mind), Wiggins' passage might be understood as a statement which implicitly indicates that trope theory would be a good solution, because then the problem of explicating 'enrichment' or 'growth of complexity' of 'individual substances' would vanish. Conceived of as trope complexes from the very start, an 'individual substance' would be as simple or as complex as it actually is, depending on which different tropes (with their dependent temporal modes) are the constituents of this complex. Moreover, trope ontology would have the advantage that sorts or kinds can be construed out of the salient features which intentional trope complexes convey. So the Human Kind Principle would not be based on common-sense intuition alone (which is surely in most cases a good intuition), nor would it be a mere conceptual or explanatory postulate. Whoever has followed the hermeneutic proposal (2) up to this point, will undoubtedly have noticed that at the very moment we switch to a consequent trope-theoretic interpretation, the logical considerations – which are, of course, necessary to guide any philosophical investigation – will no longer be the only guide concerning personal identity.

I prefer the second reading, because on this interpretation, the concept of 'person' would turn out to be a *normative* concept – a concept, however, that has a safe ontological and epistemical grounding – a Human Being Principle Renewed.

8. Conclusion

I have argued that 'person' is a derivative concept. It derives from the salient intentional tropes which constitute a class of entities – human beings. Surely, Person is not an *ens per se*. Moreover, 'person' is a normative concept based on a Human Being Principle. Consider once again the situation of Mary when she develops Alzheimer's. Is she still to be regarded as a person, although

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[13] D. Wiggins (2001), Chapter 7, §13, 226.

many intentional tropes, especially those of cognitive, rational agency, which once constituted her, are missing? On the trope view of constitution the answer is: Yes, she is. That Alzheimer-Mary is to be respected and recognised as one of us follows, first and foremost, from the fact that she is a member of the class of human beings. Notice, however, that on trope theory a 'human kind' is not an ontological category of its own, but a derivative, second-order category. It derives from salient features of trope complexes which are constituted by a whole family of intentional tropes. What is really basic, is intentional tropes. So, if they exist, and they seem to be existent in many trope complexes which we would assemble in the non-human animal kind, trope philosophy allows for a smooth connection between different kinds of intentional beings: from a Mediterranean medusa to Mary-the-walrus, and further on from Mary-the-infant to Alzheimer-Mary. All of these, which have served as illustrative examples, are wonderful trope complexes, as is Andrew-the thinker-on-impossible-objects. Therefore, 'person' is a normative and not a metaphysical or ontological concept, a concept, however, which can only be applied in a non-arbitrary way, if it is based on a Human Being Principle.[14]

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