THE PROBLEM OF OTHER POSSIBLE PERSONS:

DOLPHINS, PRIMATES, AND ALIENS

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ABSTRACT

A content-free formulation of *Persons* is constructed that can be applied to nonhuman individuals. The focus is on the concept of "Person" and on the detection of persons. My approach is primarily conceptual rather than empirical and so I do not argue that there are, in fact, nonhuman persons, but what is said has bearing on whether, for example, dolphins, nonhuman primates, "aliens," or computers could be persons. The formulation and arguments elaborate on thoughts found in the writings of Ludwig Wittgenstein and Peter Ossorio. The basic topics examined include intentional and deliberate action, language, self-consciousness, and "real worlds." The categories of potential, nascent, primitive, defective, former, created, and super persons are also formulated.

The problem of other possible persons is a long-time favorite of science fiction writers. Related interests may have helped instigate Descriptive

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Psychology. Peter Ossorio once told me that some people at NASA asked, "If green gas on the moon speaks to one of our astronauts, how do we know whether or not it's a person?" The answer, of course, depends on what we mean by "persons," and in the following essay I will attempt to spell out that concept. Please notice that this essay first requires of its readers that they see that a specimen of Homo sapiens is only incidentally a person. I will not be grounding the concept of "person" on our species or on our biological form.

But what else could possibly be persons? Current thinking offers these candidates: dolphins, and especially John Lilly's favorite, *Tursiops truncatus,* the bottlenose dolphin (Lilly, 1975); certain nonhuman primates who have been given special training, notably chimpanzees, orangutans, and lowland gorillas (see, for example, Premack, 1976, and Rumbaugh, 1977); and science fiction's aliens or spacemen. My goals here, however, are primarily conceptual and I will not be arguing the empirical question of whether there are, in fact, nonhuman persons. I don't know. But I will keep an eye on empirical concerns as I develop concepts, and after constructing a conceptualization of persons, I will indicate some methods of person detection.

My interest in this essay is not with the concept and detection of mere intelligent or intentional activity, biological or otherwise. Rather, I will be concerned with those intelligences to which the term "person" can appropriately apply. I take it for granted that the world is full of instances of intentional actors other than ourselves.

For example, as I write this paragraph, I can see my cat stalking a bird through last fall's unraked leaves. She leaps but the bird flies in time to escape her teeth and claws. My cat turns and looks at me through the window. She approaches and meows until I let her in. I have no doubt that I have just described the intentional activities of three actors, although I'm the only person present.

Whether there are persons other than ourselves is neither a trivial nor a purely academic question. We should remember that, from time to time, successful attempts have been made to strip the status of person from some of us. Where the line is drawn has real consequences. If, in reality, dolphins and other *Cetacea* are persons, then we are currently committing murder and genocide against them. If Koko, the gorilla, is a person, then there are legitimate questions about the state of her civil rights.

Special issues arise when we are dealing with persons, although these matters are often overlooked or denied by the sciences. Fortunately, the special status of persons is often recognized and explored within the humanities. Ethics, politics, law, religion, and esthetics sometimes subscribe to a more adequate view of persons than does conventional psychology with its physiological, biological-behavioral, or ecological bent.

In this essay, I will work with person concepts rather than with concepts that are more properly at home in a biological science. Person concepts are those that can be used to describe our special state of affairs, most notably our ethical and esthetic acts and responsibilities. Those concepts follow from our status as persons and not from our human biology; although, as will be seen below, biological facts have a significant place here, too.

It is an empirical question whether we are, in fact, persons, at least as I will describe them. We might not be, but in that case it would also be true that the elements of the fabric of our social order—contracts, laws, and the like—are without a proper subject. Our legal language, with its concerns with negligence and responsibility, makes sense only in recognition of the special status of persons. No mere biological language would be adequate as the vehicle of explanation in regard to "legal acts." Other examples of concepts inappropriate to biological discourse include "I-thou" relations and the notion of ethical and moral responsibility. "I-thou," "moral," and "just" are concepts whose very meaning precludes translation into electrical, mechanical, or magnetic forces or others "of equal dignity." The Helmholtz program (Bernfeld, 1944), still a dominant compulsion in science, will not do. Person concepts have not been shown to be reducible to physiology, and there is every reason (Ossorio, 1971/1978) to think such a program to be fundamentally misguided.

Besides their nonreducibility to physiology, my claim is that persons are nondeterministic, but this is not to say that person concepts cannot be used within a science. Person concepts have a place in rule following inquiry and explication. That they are out of place and negated in a deterministic universe is not to argue that as persons, we cannot act scientifically. As I will indicate later, *only* persons can behave scientifically.

CONCEPTUAL FORMALIZATION

Historically, "persons" has not had a single basic meaning in either philosphy or ordinary use. But this is not a major problem for us since the tack I am taking is basically conceptual rather than historical. There are, however, certain historical traditions that are in many ways compatible with the aspects of persons that I'm interested in here, that is, with what is unique to, or paradigmatic of, persons.

Four of the first five subheadings under "Persons" in The Encyclopedia of Philosophy (Edwards, 1967) offer good examples of what I wish to underscore as considerations should we encounter nonhuman persons.

1. *Persons and things.* Kant's (1787/1933) position is instructive. He said that, unlike other things, persons are of unconditional worth. Persons

are distinct from mere things in that respect is an attitude which has application only to persons.

2. *Persons are ends-in-themselves.* Persons, Kant said, are "ends-in-themselves and sources of value in their own right." Hence ethical considerations apply to persons that do not apply elsewhere. "Murder" versus "killing" is this sort of distinction, in that only persons can murder or be murdered. Persons can also kill and be killed; but when a person kills another person with premeditation (that is, deliberately), the act of killing is murder.

3. Accordingly, we have entry three, *legal persons.* Persons have responsibilities and are considered agents. This is a status that can be gained and lost. Consequently, some of us, sometimes, might not be legal persons.

There are two meanings of responsibility which need to be examined here. The first is simply an indication of mere agency as in "I felt that way" or even "last night I dreamt." By saying mere agency, I mean to exclude deliberate, premeditated, or other chosen activity. Emotion and free association are examples of activity that fall within the sphere of mere agency. Emotional behavior and dreams are ordinarily nondeliberate phenomena, although sometimes persons might hold themselves accountable for their expression or may be held so by others. A crime of passion, a shout of fear, or a perverse dream will customarily be considered beyond self-control. Even so, persons may be held accountable in the sense and to the extent that they are accountable for their personal characteristics and their expression (Aristotle, 334–323 BC/1941; Freud, 1925/1975; Schafer, 1975; Schwartz, Note 1). But as often as not, the person will not be held responsible, since the optional or chosen nature of these cases is extremely problematic. Moral responsibility, on the other hand, is usually identified with the domain of choice and deliberate behavior (although not invariably so).

The aspects of the second meaning of responsibility, moral attribution and the acts that follow from deliberation and choice, are the ground on which the question of responsibility *always* arises. Legal persons are considered to be those who can choose or refrain from a legally given range of behaviors, and do so knowlingly. They are agents able to exercise adequate self-control. The *moral* and the *legal* are not necessarily in a formal correspondence, but they are linked through the concepts of choice and responsibility. From these concerns follows the *Encylopedia's* next subheading.

4. *Self-consciousness.* Persons are morally responsible agents and can be so because they are at least sometimes self-consciously aware of their actions, options, and choices (see Natsoulas, 1978, and Plotkin, 1981).

In line with the above, the personalist philosopher Edar Brightman (Edwards, 1967) provides the definition that "a person is a complex unity of consciousness which identifies itself with its past self in memory, determines itself by its freedom, is purposive and value seeking, private yet communicating, and potentially rational."

P. F. Strawson's (1958) conceptualization of persons, involving M-predicates and P-predicates, is probably the best known of the modern formulations. The M-predicates concern the embodiment: the material body or object that happens to be the person in question. The P-predicates are those special concepts that apply only to persons. For an object to be a person there must be at lest one P-predicate as part of its description.

With the above in mind, let's turn to the conceptualization of "persons' found in Peter Ossorio's work (1971/1978; 1970/1981), on which I will elaborate.

OSSORIO'S "PERSONS"

As presented by Osssorio, "persons" is a concept that requires for its articulation an understanding of the kindred and interdependent concepts of "language," "reality," and "action." No one of these four concepts can be understood without full reference to the other three.

Ossorio provides a conceptualization of persons that rests on particular classes of action and eligibility. In Ossorio's work, two connected sets of concepts identify the actions and eligibilities that are paradigmatically those of persons. The first set of concepts is used in descriptions of paradigm cases of the acts of persons. By paradigm cases I refer to the use of the full, typical, complex, or archetypical elements descriptive of the entity in question. These must include attributes that would not be ascribed to entities that are not at issue. The paradigm case for persons would include the elements that Strawson appears to have in mind with his "P-predicates." The second set of concepts concerns the formal structures or standing conditions that are necessary for the actions in question to occur. For persons, the salient form of action is *deliberate* (Ossorio, 1969/1978) and the standing conditions involve the potential for self-regulation, including *linuistic self-regulation* (i.e., language). Deliberate action and linguistic self-regulation are interdependent concepts needed in the articulation of P-predicates. This is also to say that any notion or theory of humans-as-persons that is not capable of generating, describing or accounting for particular deliberate actions and verbal expressions is inadequate as a theory of "persons" or "personality." (For a paradigm case formulation of "persons" see Ossorio, 1982.)

In a formal presentation of "personality," Ossorio (1973; 1970/1981) indicates that three behavioral roles can be used in mapping out the behavior of persons. Persons are able to engage in intentional action, to observe and describe their actions, and to criticize, sometimes *deliberately,* their descriptions. Note that giving description and critique are just special cases of intentional (or goal-directed, purposive) action. Also note the distinction between deliberate action and intentional action. Deliberate action is intentional action in which the actor's behavior follows from an appraisal of behavioral options. Specifically, he considers the options corresponding to his descriptions. In the present context deliberation is a concern with one's own possible actions. In deliberate action, the agent does not merely distinguish actions but also chooses among alternative actions.

This format of an intentional actor who can *observe and describe,* and who can *observe and criticize,* makes up a negative feedback loop and is enhanced if linguistic behavior is one of the actor's possibilities. Description and critique are dependent on the scope of possible representations of behavior, and language provides the actor with the widest range.

Intentional action does not, per se, require any linguistic competence. Only if the actor is also eligible to describe and criticize behavior does language become useful. In this fashion, goal-directed and purposive nonhuman, animal behavior can be seen as intentional action but not as deliberate action. Persons, too, do not always act deliberately. But when the issues of option, choice, decision, and renunciation are taken into consideration, then deliberate behavior is automatically at issue. A person *sometimes* acts deliberately, but not always.

This conceptualization of persons is permissive in several ways. First, not all of the deliberate actions that the person performs need involve deliberation. Second, there are no specific demands made in regard to what particular deliberate acts must be performed. Further, since Ossorio's formulation is "body-neutral" and does not designate specific embodiments or individual differences, it is an ideal tool in considering the personhood of nonhuman beings.

DELIBERATE ACTION, SELF-CONSCIOUSNESS, AND REAL WORLDS

Ordinarily, when persons enage in deliberate action, they know what their motives in the real world are. Since deliberate action is action in which the actor chooses on the basis of the merits of alternative behaviors, deliberate action typically involves self-awareness in that the actor

is proceeding with consideration of *his or her own* reasons to behave. In deliberate action one does not merely act in relation to an intended goal. Deliberate actions involve deciding from among one's options an appropriate course of behavior. Accordingly, such behavior implies values, self-awareness, language or language-like representation, and a real world (Plotkin, 1981).

The real world is the context in which the behavior occurs. "The real world" refers to the full set of distinctions that the actor might in any way act upon (Wittgenstein, 1921/1971). The emphasis on "real" underscores the fact that persons have an intrinsic interest in the outcomes of their actions, and consequently, with the implications of their values and concepts. This is implicit in reality testing. Not just any action will do since the recognized context of behavior, the real world, involves both varied and individually different opportunities and constraints. Without the options and limitations that the real world carries, there would be no weight given to intention, deliberation, and the kindred concepts of rationality and responsibility. It is a person's pragmatic concern with the real and the true that characterizes the real world as an arena different from the domain of fantasy and dream. It is a person's actions in the real world that defines his or her words.

The real world is the primary context for the development of meaningful expression even though the worlds of fantasy and dream, like the worlds of poetry and art, allow for a wider range of possible representations, which include the impossible, the absurd, and the nonsensical. The real world is inherently a domain of both *formal* (logical) and *historical* (factual) constraint, and these shared and recognized limits must be encountered before, logically before, the worlds of dream and fantasy can have any meaning. Words and meanings are stable because they are shared and because the world of action has stability and structure. The intrapersonal worlds of dream and fantasy require the public and social world for their meaningful content and *not* the other way around. In another context, this is the reminder that there are no private languages (Wittgenstein, 1953).

Persons have contingent status as actors in a real world. It is therein that the outcome of deeds counts. Persons are enabled to negotiate with standards of rationality, effectiveness, and quality because they can share meanings, practices, and language. Effectiveness and rationality are public and can be appraised by competent judges able to use common concepts in their sharing of social practices. Without some weighing of quality or effect, people would have no grounds for evaluating either themselves or others and no practical locus from which to determine if their utterances are understood.

LANGUAGE

> Thought, language, now appear to us as the unique correlate, picture of the world. These concepts: proposition, language, thought, world, stand in line one behind the other, each equivalent to each. (But what are these words to be used for now? The language-game in which they are to be applied is missing.)
>
> *Essence* is expressed by grammar. (Ludwig Wittgenstein (1953, pp. 44, 116)

Language instructs us and allows us to represent what is not present and has the capacity to identify and describe the elements of the world. In what can be seen as a formal unpacking of Wittgenstein's language-game, Ossorio (1970/1981) has given a formula for verbal behavior as involving concepts (C), locutions (L), and behaviors (B). To quote, "C is a concept, L is a locution which stands in a one-to-one relation to C, . . . and B is the class of behaviors which consist of acting on the concept C. Uttering L is thus a special case of B" (pp. 80–81). This pramatic view of language and verbal behavior reminds us that, as Gregory Bateson (1972) said, "information consists of differences that make a difference." Concepts, distinctions, and language have meaning only insofar as they can make a difference in behavior. Concepts, articulated or not, serve as our guides to action (Schwartz, 1979a).

Linguistic self-regulation should be distinguished from physiological feedbacks on the one hand and from mere communication on the other, (although language contains many instances of mere communication). The concepts that are represented in language are sometimes arbitrary and artificial ones which have combinatory possibilities that allow for novelty. Contrast this with the direct communication of a lion's growl. Language provides varied and irregular forms of expression and is not just an automatic self-regulation or response. Instead, it is self-regulation that can be refrained from or deliberately overridden. The structure of utterances is ordered not by automatic necessity, but by allowed possibility. There are different ways of talking and thinking about the same thing. A person can understand the rule-following and orderly flow of a shared language, even though the style of presentation is highly idiosyncratic. Getting the drift is central among the implications of linguistic competence.

Several defining principles can be extracted from this concept of language in regard to the traditional linguistic categories of syntactics, semantics, and pragmatics.

1. The syntactic structure of a language must allow for novel expression and for varied expressions with equivalent meanings.
2. The semantic structure of a language *may* contain iconic, analogic,

or part-for-whole representations, but it *must* contain arbitrary symbols.

3. Meanings follow from use.

Both images and words can be semantic elements of linguistic structure. And images, like words, require a grammar when they are part of deliberate thought. (See, for example, Arnheim, 1969.) Simple pictorial representation, as Freud (1900/1925) indicated when he discussed dream imagery, is not enough. An image by itself does not tell how it is to be evaluated. But in one who is *already* competent with language, visual imagery can be part, or even the bulk, of a critical understanding.

SYMBOL, SELF, SOCIETY, AND SELF-REGULATION

Personal understanding and self-control go hand in hand with a competent recognition of the concepts one acts upon. Self-control involves, in part, conceptual mastery in being able to represent one's own actions to one's self. In this way, a person's self-control can be said to range within the conceptual scope given by that person's mastery of his or her native tongue.

Representations of the self and ways of recognizing the personal nature of action are linked in the phenomena of self-consciousness and deliberate action. It is self-consciously and deliberately that we make the judgments that mark us as persons, apart from the rest of nature. Representation of the self, whether in the form of icon, part-for-whole, or replica, or in words like "I," "me," and "mine," are basic possessions and achievements of the self-aware person. These symbols and their transformations are employed consciously and unconsciously in self-regulation and reality testing. Deliberate acts correspond to and are sometimes anticipated by deliberate self-conscious thought. The way we see ourselves in our thought and behavior provides a great deal of the motive and feedback that determines what we do. If we don't see ourselves as authors of our actions, then our behavior is not *self*-regulated. Instead it is regulated by our "nature" and our social life. Nature and social life are the great regulators of organizations as diverse as beehives and baboon colonies. In the social lives of persons, mass hysterias, crowds and mobs may be driven more by the social and the natural than by individual deliberations. What I am trying to emphasize in these remarks is that what typifies a person as a person is his or her individual self-conscious and deliberate acts, and not the acts that follow directly and solely from his or her natural and social context. If the person is an organism, he lives within the organism's natural constraints, but to say that the organism is a

person is to say that he or she may also act deliberately within those boundaries.

Despite my emphasis here on the person as individual, the individual person can only occur where there is also social life. Persons are language users and language requires social practice for word meanings (Wittgenstein, 1953). Social practice and discourse is the kettle that brews self-aware individuals. Selves require others. For the self to have meaning there must be recognition of the other. "I," "me," and "mine" are only meaningful expressions in a world of "you" and "yours."

Linguistic self-regulation and reality testing can only arise insofar as the individual is eligible for *social action, dialog,* and *negotiation.* Negotiation is the central concept. Social practice requires that actors starting with different initial positions are able to find a footing on which they can relate to each other. Negotiations are social practices that involve appeal to shared standards (i.e., shared grounds for action) through which different actors may resolve disagreements and find a common ground (Ossorio, 1969/1978). I am arguing, in summary, that the potential for negotiation enables a social group to produce persons. This corresponds to saying that the broader context of language in self-regulation is language in social regulation. The paradigm case of the regulatory use of language is dialog and negotiation. The self-regulating person's role as critic is calibrated by the verbal and nonverbal acts of other persons. Persons can deliberate with themselves and weigh their own options to an extent that corresponds to their eligibility to negotiate options with other persons. To deliberate with one's self, one must be eligible to negotiate with others, even if one refuses to do so. Social dialog and negotiations make up a paradigm case from which deliberation may be derived.

Four principles can be distilled from these remarks:

1. Reality testing requires shared access to phenomena.
2. Language requires shared access to the significance of actions and reality.
3. Negotiation and dialog require the recognition of the shared domain.
4. If "persons" is a concept dependent on "language," "reality," and "action," then persons can exist only in a social context where negotiation and dialog can also exist.

DOLPHINS, PRIMATES, AND LANGUAGE

Please tickle, hug hurry. (Washoe, in Gardner & Gardner, 1971)

I have no present interest in either claiming or denying that primates other than ourselves have actually spoken as proper language users.

Whether any but ourselves have been successfully taught language (as vocal utterance, handsign, or whatever) is an empirical matter. The current evidence seems indecisive as a demonstration of language in dolphins and nonhuman primates. (See, for example, Ristau & Robbins, 1979, and Savage-Rumbaugh, Rumbaugh & Boysen, 1980). It is unclear whether any of the attempts to teach human languages to chimpanzees, orangutans,or gorillas have effected a transformation from mere intentional animal behavior to deliberate action. It does seem to me that we have little reason to suspect that nonhuman primates already possess their own languages, or that they will use language if we don't teach them.

I am not concerning myself with whether language use requires an innate competence. Whether, as Chomsky (1972) claims, innate linguistic competence is needed for language is an empirical matter (Piattelli-Palmarini,1980). Similarly, it is an open empirical question whether we humans are the only entities with this possibly innate feature.

Humans are primates, and so it seems sensible for us to try out one of our basic attributes with others of our kind. We teach our children to use language; perhaps we can teach other primates as well. In this fashion it can be argued that we also teach our children to be persons.

A kindred interest has centered on teaching dolphins human language. In the case of these aquatic mammals however, the question is also sometimes asked whether they already speak and are accordingly persons whose language has not yet been recognized or translated. John Lilly (1975), for one, calls them the "humans of the sea."

It seems to me that under certain circumstances, and with a clear concept of person in mind, it should be possible to demonstrate that a nonhuman being uses language and is indeed a person. It is also the case, however, that even with an articulated notion of person and language we still might fail to recognize that the other is one of us. What is at stake is recognizing shared "forms of life" through successful social exchange. To have good reason to see the other as a person, we must see ourselves doing something with that person that one can do only with another.

Again, it should be understood that there are no formal grounds for limiting the possibility of an entity being a person to its also being a member of our species, even if we are the only people we know. Since demonstrating that another entity is a person rests on the demonstration of its facility with language, what I am arguing is that the problems involved in talking with other possible people are logically no different from the problems that generally attend translation and cross-cultural conversation. *N'est-ce pas?* Cross-species or cross-entity conversation is a problem of similar scope, in which the formal difficulty is in establishing common ground that would allow us to share social actions with

other species. I am arguing that when Wittgenstein (1953, p. 226e) claims that "What has to be accepted, the given, is—so one could say—forms of life," he has in mind intentional forms or classes of action rather than types of embodiment or biology. Types of action can be shared even if we don't share the same body parts.

THE PROBLEM OF TRANSLATION

> We also say of some people that they are transparent to us. It is, however, important as regards this observation that one human being can be a complete enigma to another. We learn this when we come into a strange country with entirely strange traditions; and, what is more, even given a mastery of the country's language, we do not *understand* the people. (And not because of not knowing what they are saying to themselves.) We cannot find our feet with them.
>
> If a lion could talk, we could not understand him. (Ludwig Wittgenstein 1953, p. 223e)

Just what would we have to say to dolphins, primates, and aliens? Of course, if Wittgenstein is correct about lions the issue is moot, since reasonable understanding would be out of the question. But is it? Wittenstein (1953) also reminds us that "a child has much to learn before it can pretend" (p. 229e) and that "false moves can only exist as the exception" (p. 227e). In other words, lions must know the ordinary meaning of their expressions and sometimes mean what they say if the lions are to be *saying anything at all*. It should not be the case, on formal grounds, that humans cannot have dialog with talking lions (never mind the risk). To say that in principle we cannot speak with lions, whether it requires speaking a foreign language or talking in our native tongue, is to argue that we do not share with them in common activities or forms of life. Of course, there must be shared forms of activity for there to be shared social practices, since dialog and translation are contingent on the eligibility to share in social practice. Can we play games with lions? While scratching a lion's back where it can't reach, can we not imagine understanding the lion's request for us to scratch harder and to the left? Here biology does matter, and as I will argue later, our compatibility with lions is an empirical one based on our similar bodies. Lions are one of us animals and we have a host of animal issues that we can discuss with them. The same is true for dolphins and nonhuman primates. Aliens may be another matter. Unless we could identify a shared sense of, for example, danger, coercion, provocation, wrongdoing, or other notions which have nothing intrinsically to do with embodiment, we might truly fail to connect with them.

Partly what is at issue here is that if a lion or anything else uses language as language, it demonstrates competence as a person. As I have

been claiming, central to our recognizing that another individual is in fact a person is believing that the other is a language user. And the best test of language use is successful dialog. If it is true that the lion's talk is either untranslatable or totally unreliable, then we could not recognize it as talk and we would not treat the lion as a person.

BODIES

> Anatomy is destiny. (Sigmund Freud, 1924/1975, p. 178)

> . . . everyone is much more simply human than otherwise. Man—however undistinguished biologically—as long as he is entitled to the term, human personality, will be very much more like every other instance of human personality than he is like anything else in the world. (Harry Stack Sullivan, 1953, pp. 32–33)

Our bodies provide us with endless subject matter and are at times our major preoccupation. Certainly a vast array of our acts and deliberations follow from the facts of our bodies. Much of the scientific study of our behavior, our developmental psychologies, physical anthropologies, ethnologies, psychobiologies, some linguistics and a good deal of psychoanalysis, medicine, and psychiatry rest on embodiment foundations. So we're on familiar ground.

But it is in regard to our bodies that our deepest prejudices lie. For most if not all of us, our embodiment carries with it empathic limitations. All the individual differences and personal characteristics that we attribute to the persons we know are those of one single species. We may be empathically unable to relate to the personal characteristics that stem from an embodiment different from our own. We have enough trouble relating to ourselves. Many of our behaviors grow out of our body's pains, pleasures, and jeopardies, and we are ready-made to react with empathic sensitivity to those sorts of feelings. It may be very difficult for us to relate to an entity with different feelings or perhaps no feelings at all. A silicon-based alien would probably have its vulnerabilities, but we might be hard pressed to see them.

Persons have bodies and it is our object status in the real world that gives some of our effectiveness its experiential and causal force. We can affect and are affected by a world of other objects, processes, and events. This is part of Quine's (1960) reminder when he tells us that Dr. Johnson demonstrated the reality of a stone by kicking it.

So what sort of object are we? Phylogenetically we are human, then primate, then mammal, then vertebrate, and so on, and our empathic capacity seems reactive to just that sort of ordering. We are likely to attribute P-predicates, or better said, anthropomorphize, following a sliding scale of phylogeny. The more ways a thing can be said to look and

act like us, the more likely are we to speak of it, correctly or not, as a person. Dolphins are the exception here, but even so, until recently, most humans thought of them, if at all, as just another "fish."

Are there formal constraints on the type of object that could be a person? I don't think that there are, and so the following remarks are offered as good bets rather than exclusive formulations. I suspect I will be overly "bio-centric," because I believe that the best candidates for persons are objects developed in organic evolution. But this is my prejudice. I know of no formal grounds that exclude nonorganic forms from consideration. Consequently, some of the following is theory.

There are, however, two almost certain features of any embodiment potentially a person. The first is that it possess structures that allow or generate self-governed movement and the second is that it have a varied and integrated perceptual system. Both attributes are needed for reality testing and effective action. Persons are able to wonder, "What's happening?", can find empirical answers, and can act on what they sense to be the case. Knowledge of the real world is gained and enhanced by motion and complex perception.

Our being mammals in a walkabout world certainly contributes to our experience and potential as persons. Remember that the only other serious candidates presently on the scene are also mammals (unless you happen to know some spacemen). Could a rock or a plant be a person? Could green gas on the moon speak meaningfully to an astronaut? I don't think personal consciousness can develop without effective action as a co-occurrent. Rocks, liquids, and gases, and by these I mean either inflexibly stable or shapeless and nonrigid forms, seem to me unlikely candidates for personhood. Their potential for creating effects and their scale of variability and self-regulation seem lacking in sufficient complexity (although this, too, is a questionable assumption). But I suppose that given a time scale orders of magnitude different from our life span, perhaps. As individual humans, the limited amount of time in which we live governs much of our sense of what is active "doing." Geologists see time and effect in different spans. Contrast our short period of seventy or so years, our weak attentions and short memories, our living day to day, hour to hour, minute to minute, with the eons of a mineral's sojourn from igneous to metamorphic, finally ground down and sedimentary.

VARIOUS PERSONS

Within the one species, Homo sapiens, people vary greatly in body, consciousness, knowledge, competence, and motive. As a thought experiment, contrast this within-species variation with the possibilities if another species also produced persons. Then contrast this between-species variation, a variation of biological forms, with the possible differ-

ences between biological and other sorts of structures. I find that the further my thought experiment drifts beyond the organisms I'm acqainted with the more my imagination fails. Fortunately, we have science fiction.

Let me offer a somewhat sketchy and overly simplified view of the structure of person variability. Our best example of persons, advanced and mature Homo sapiens, provides the paradigm case. We have self-mobile and information-gathering bodies, are social, language using, deliberate, and self-conscious of ourselves as individuals. Among humans, these aspects vary, but only more or less. Ignoring for the moment the specifics of consciousness, the dimensions of formal variability appear to be as follows: Persons are objects and may vary the way that objects vary. Persons are deliberate and may vary in the way that a natural language allows. Deliberate action and the range of natural language are interdependent.

Before we proceed to a classification of persons, recall classes of motive particular to both persons and other intentional individuals. Here I am thinking that whereas we human persons share common motivations with other members of the animal kingdom, we also have some motives that do not naturally follow from our animal membership. Specifically, our primate embodiment provides us with particular hedonic and prudential motives and perspectives, whereas our status as responsible deliberators provides us with additional esthetic and ethical concerns. (And maybe additional hedonic and prudent ones, as well.) Esthetics and ethics are conceptually different from hedonics and prudence. Our bodies are a ground for the latter, whereas the fact that we are persons generates the potential for the former. Human persons and other animals may be motivated by pleasure, pain, adaptation, and self-protection, but only persons are in a position to act self-consciously with a sense of ethics and esthetics. Justice, fairness, beauty, simplicity, truth, rigor, objectivity, and elegance are a list of some of the ethical and esthetic standards that are at issue only in the world of persons. As matters of judgment, they require that the judge be able to deliberate. One could describe a person who lacked an ethical or esthetic perspective but that person would be a deficit case or a caricature, or would suffer a pathology. Again, whereas pain, pleasure, and fear, as psychological states, make sense in the general and animal world of intentional actions, only where there is *also* deliberate action will there be clear cases of esthetic and ethical motivation.

CLASSES OF PERSONS

Nonpersons

Nondeliberate individuals, processes, events, and states of affairs are nonpersons.

Potential Persons

These are the classes of nondeliberate intentional individuals that could become deliberate if given special training or circumstances. This possibility would apply to the gorilla, Koko, if she has indeed been taught to use language and to deliberate. In general, cases of potential persons would involve the attempts of paradigm case persons to teach complex intentional individuals language and self-representation. For persons like ourselves, primate persons, the most obvious candidates for potential persons would be our near biological and evolutionary kin, the other primates, and any other behaviorally complicated organism capable of socially exchanging varied and comples communications, for example, the *Cetacea*.

My emphasis on biological family and class is deliberate. Here I am underscoring that persons arise within a class or group of communicating individuals. That is, they occur where shared social practice can occur. Isolates, singularities, and anomalies are not good possibilities for potential persons. I suspect that at a minimum, persons arise *as* and *within* a dyad. Persons occur where there are already other persons. If there are not already others then their genesis is dyadic. Two arise together. There is no Adam-person before Eve.

Nascent Persons

This category contains the infants and to some extent the children of persons. Infants are not yet deliberate and children's deliberations range within their immaturity. Since these deficits limit the domain of appropriate responsibility, they are significant considerations in the designation of legal persons as is seen in the specification of tort and criminality (Prosser, 1971).

Nascent persons are different from potential persons. As a rule, potential persons do not become persons and they *never* become persons without having encountered special circumstances. Nascent persons under the usual expected circumstances do become persons. Nascent persons are the progeny of those who are already persons; potential persons are not.

This category is not a formal claim that all persons have a childhood. We Homo sapiens do; that fact is Weston La Barre's (1954) starting point in his discussion of how members of our particular species became persons. Neoteny and our long-term dependency on the presence of nurturing and protecting adults give our species both the necessity for a complex social context and the sufficient time to learn our language and ways. We come into the world with a fairly generalized and nonspecific behavior potential and we pick up many of our particulars as we go along. This helps us establish a flexible set of behavioral options,

unlike what is apparently the case in organisms that reach their maturity far faster than we do.

In the animal kingdom it is generally found that the more extended the period before the organism's maturity, the smarter the adults of that species appear. Similarly, large brain/body ratios correlate positively with the duration of the species gestation and childhood as does the apparent scope and flexibility of the adult's behavior. Dolphins and primates show the pattern of fairly long gestations and childhoods. By and large, animals whose behavior is rigidly stereotyped grow up quickly.

I. S. Shklovskii and Carl Sagan (Sagan, 1979; Shklovskii & Sagan, 1966) have agrued that given the sort of universe that we inhabit, biological forms are inevitable. There is, of course, cogent counterargument (see, for example, Pollard, 1979). But if biologies are a rule rather than an exception, and should we someday encounter extraterrestrial life and search for persons among its forms, we might use the concept of an extended dependent period as part of our search strategy.

Primitive Persons

Primitive persons only show a relatively narrow range of language and deliberation. This is a hypothetical case that to my knowledge has no extant representatives. Primitive persons are to be contrasted to groups of persons who possess more extensive perspective. The more extensive the perspective, the wider the range of possible appraisal and action. Ossorio (1970/1981, p. 62) has referred to hedonics, prudence, ethics, and esthetics in identifying fundamental perspectives and as classes of reasons or motives. Persons more advanced than ourselves might find this set incomplete. To them we might seem primitive. But I have nothing to say about persons more advanced than ourselves, and my delineation of primitiveness is accordingly accomplished within the above four classes of motive and perspective. As I mentioned earlier, there is a qualitative gulf separating the logics of hedonics and prudence from ethics and esthetics. This suggest a possible evolutionary path insofar as organic beings are considered: As organisms our ancestors had bodies and dilemmas with pain, pleasure, and safety long before they evolved members that achieved the status of person. My theory is that primitive persons might be motivated prudently and hedonically and not yet ethically and esthetically. The same, I suspect, holds for nascent persons.

These lines of reasoning suggest the following evolutionary strand. As primitive persons act in their own self-interest they eventually come into conflict with others on whom they depend. Hedonic and prudential self-interest clashes with concurrent hedonic and predential relations with mutually dependent others. Ethics and esthetics may have been generated, in part, as a way of resolving the resulting dilemmas. But once

there are ethical and esthetic rules and systems, new concerns arise and the old relationships are transformed. For instance, what was once simply mutual dependence may give rise to love.

Of course, ethics and esthetics deal with more than the resolution of pain and pleasure. I am only suggesting that some of the uses of ethical and esthetic perspectives is in the resolution of affective conflict. But once there are systems of ethics and esthetics they take on a life of their own and generate their own dilemmas. The heart of my miniature theory is that organic beings like ourselves experience pain and pleasure as unlearned affects. Affects serve as basic reasons for hedonically and prudentially motivated actions.

I want to restate the principle that being able to make ethical and esthetic appraisals leads to actions whose significance is different from the possibly identical performances of those without ethical or esthetic motives. For example, refraining from doing something because the act makes one *feel* guilty or anxious is action in regard to its hedonic or prudential consequences. It is possible for the same constrained performance to occur in response to the recognition that the act would be unjust or wrong, even without a feared experience of pain or anxiety to back it up. Both may look to an outside observer like the same behavior, even though they are done (or not done) for different reasons. They differ in significance.

Defective Persons

Defective persons show defects in linguistic self-regulation that result in deficits in their participation in social practices and in the span and quality of their deliberate actions. No mere defect in body status counts unless the defect also inhibits, diminishes, or distorts linguistic self-regulation. A great deal of psychopathology is the study of defective person status in the way a great deal of coventional medical science is not. Merely having a broken leg or an ulcer does not create a defective person. But being unable to deliberate or reality-test does. Like primitive persons, defective persons might lack certain motivational perspectives. They may be inadequately hedonic, prudential, ethical, or esthetic. The contrast between defective and primitive is that defective persons lack a status that their peers are expected to achieve, whereas primitive persons are on a par with their peers.

Former Persons

Three possibilities usually fall into the category of former persons. They are: dead person, ghosts, and those who were at one time able to linguistically self-regulate and deliberate but who have permanently lost that status. This last case also falls within the category of defective

persons. Person treat members of these categories differently from other entities, in part because of their former status as persons.

Created Persons

If we build or program objects such that they become capable of deliberate action, we have created persons. Since, except through accident, these creations would be restricted by the limitations of their creators' concepts, we would expect them to reflect their creators. Odds are, relative to their creators, that they would be primitive persons, even if they had super capacities and abilities.

Super Persons

We could, however, imagine created persons who filled out all of our personal characteristics and perspectives but who could operate faster, longer, and so forth. They would be super persons.

PROOF AND COMPETENT JUDGMENT

> If you do know that *here is one hand*, we'll grant you all the rest. . . .
> From it *seeming* to me—or to everyone—to be so, it doesn't follow that it is so.
> What we can ask is whether it can make sense to doubt it.
> If e.g. someone says "I don't know if there's a hand here" he might be told "Look closer." (Ludwig Wittgenstein, 1972, p. 2e)

> A person takes it that things are as they seem unless he has reason to think otherwise. (Peter Ossorio, 1970/1981, p. 80)

Formally, I can no more prove that an alien is a person than that there is one hand before me. I cannot *prove* anything that concerns the empirical world. What I can do is remove or create doubt. But where I don't doubt that I now hold my pen in hand, I have many reasons to doubt whether there are, in reality, persons other than ourselves. Still, I do not discount the possibility.

I want to stress that none of these issues are matters of proof. This has been a primarily conceptual inquiry and concepts are not suitable for claims of proof. Concepts cannot be true or false. Instead, they are well formed or they are vague or confused. If well formed, they are useful or they are not. If useful, then they are appropriately employed or they are used awkwardly or inappropriately. The concept of persons is not an item for which the question, Is it true? is sensibly asked. Instead the appropriate questions are: Is the presentation coherent and can the concepts be used in descriptions of ourselves and others?

The asking of these last questions changes the focus of inquiry from conceptual to theoretical and empirical. Concepts only indicate possi-

bilities; they are guides to possible actions, and hence, to possible facts. Concepts may lead to facts but are not facts, except in the trivial sense of "It is a *fact* that I use concept 'X'." A purely conceptual inquiry is a study of the range of possibilities, specifically, possibilities for action. Theories, on the other hand, attempt to make sense of why only *particular* sets of possibilities are historically the case.

Both conceptual and theoretical study are subject to esthetic standards, such as rigor, objectivity, and elegance, and require an esthetic perspective. Basically, concepts and theories are subject to the esthetic standards of coherence and fit. Consequently, scientific behavior is a possibility for persons which follows from and corresponds to their potential for esthetic judgment. Since esthetic standards, such as coherence and fit, identify basic aspects of the person concept, they can only be of concern to persons, and as a further restriction, only to those persons who are competent judges.

After asking whether or not the concept of person is applicable to ourselves and others, the empirical and methodological questions center on whether particular judges are competent in their use of the concepts. Essentially, the question is a pragmatic one. Can the judge successfully treat the other as a person? If he can successfully treat the other as a person, he will have little or no reason to doubt that the other is a person. Of course, another person might disagree with that judgment, and the disagreeing judge might appeal to observations and reminders that have been overlooked or might misunderstand or reject the usefulness of the concepts.

As persons are conceptualized in this essay, it appears that we have some grounds for doubting that we have actually encountered real cases of other persons. All current claims that dolphins and nonhuman primates are persons, insofar as these claims have been linked to strong demonstrations of language use, are in doubt.

Since we have our doubts and since proof is not the question, how might we look closer? Remember, there are real ethical issues before us, since we do have commerce with other primates and with dolphins. Someday we may be in contact with something "out there."

My proposed methodology includes this: In spite of doubts, if I have *any* reason to treat the other as a person, I then respond to the other "person to person," until I fail in my resulting actions. Ideally, I respond as I to thou. If there appears to be any place for the application of a P-predicate in the description of another, I treat the other as a person and continue to do so until I acquire sufficient grounds to believe that my action is misguided. Different judges will consider different grounds sufficient.

My methodological stance is a simple one. *Treat the questionable*

entity as a person. Take the risk of false positives. Persons seem to have hazardous and in other ways unfortunate responses to begin treated as nonpersons, and since being taken as "one of us" is a powerful facilitator of mutual interaction (Schwartz, 1979b), initially treating the questionable other as a person rather than as a nonperson is a good policy. Dealing with the questionable other as a person is more likely to produce further grounds that he is indeed a person than if he is initially treated as a nonperson.

INSTANCES AND EVIDENCE

How do we go about encountering instances and gathering evidence that something other than ourselves is a person? The various ways involve the recognition of acts or artifacts that require, or seem to require, deliberation. Artifacts that appear to be machines would be good evidence. Symbols and other instances and evidence of language would be strong findings. But the epitome of instances that confirm the status of persons on the participants is negotiation. Negotiation, in turn, requires the recognition and affirmation of shared appraisals and common social practices. Recall that we might not recognize that another is a person if we cannot find a common ground for behavior, and that we need shared social practice to translate the other's linguistic expressions. There is not much empathy without a shared sense of option and experience.

Instances and Evidence of Language

Central in any search for nonhuman persons is finding instances and evidence of verbal behavior or other linguistic expression. Dialog is the best instance. The appearance of symbolic or pictorial representations of unfolding action sequences would be a strong sign.

Weak evidence that would bear further study involves just the sort of behavior and anatomy we see in dolphins and their kin. The complex range of signals and the high potential for information transfer descriptive of the dolphin's ability to generate and receive sound (Bateson, 1972; Lilly, 1975) is the sort of evidence that begs us to look closer. If we assume that dolphins might be language-using persons and accordingly treat them as persons, we might find evidence that they indeed use language even if we cannot yet translate their utterances.

Because the *Cetacea* lack hands it is unlikely that they work out their possible deliberations in a material technology. But their utterances are possibly complex enough to allow the expression of epic history and song (Sagan, 1979). They have more than enough signal capacity to communicate the subtleties of relationships and social interaction (Bate-

son, 1972). We don't know what they may be communicating but it is urgent that we find out whether or not it is language. If they are language users, then their extinction by our hands, as horrible as that is in itself, is also murder and genocide. Their slaughter is already happening and for some species of *Cetacea* it is already too late. Some of the Great Whales are gone forever and some Cetacean populations have been thinned to the point that they are no longer genetically viable. There are not enough blue whales left for the few remaining survivors to find each other in the vastness of ocean, mate, and teach their "songs" anew. It is our fault.

Manifestations of Deliberate Action

The instances and the evidence of deliberate action are structured linguistically in the form of games, utterances, or nonverbal behavioral productions. The following interrelated categories are what I have in mind: (a) symbolic representation of performances chosen; (b) representation of renounced behavioral alternatives; and (c) evidence of instances of deliberate objects or processes.

The first category is the same discussed above in the section on evidences and instances of language, although what I am emphasizing in this present category is the act of language being chosen. The fact that something is chosen, whether the choice be words, objects, or acts, is represented most clearly by the symbolic representation of that which is *not* chosen. Renunciation and negation are wedded with choice and deliberation. The point of this second category, the representation of behavior not undergone, is that if an entity were able to show us *in any way* what it did not do (or refrained from doing), then that observation would serve as strong grounds for us to treat the other as a person.

The last category involves evidence and instances of objects, processes, events, and other states of affairs produced by deliberate acts. Contrivances of any form would be evidence to consider. Nonbiological organization that appears "counter-entropic" would earmark such contrivance. An unfortunate evidence of persons would be signs of deliberation gone wrong. In the world of choice there are few guarantees. We take our chances. Mistakes as extreme as destroyed worlds would disclose the darker implications of personal responsibility. we are able to do ourselves in ways more tragic and horrible than the merely intentional or natural. Because as persons we can self-reflect we may see no point in continuing our lives and choose suicide. Or, behaving with a sense of love or honor, we might self-consciously sacrifice ourselves to serve or protect another. Unlike the lemming's blind march to the sea, we are enabled to choose death over life. A nonperson cannot do so.

Suicide and altruistic self-sacrifice should not be confused with certain

stereotypic behaviors commonly seen in social animals who expose themselves to increased risk in their signaling to their kin that danger is near. Such social warnings are common in animal groups, and are readily understood in terms of the genetic value of group survival over individual survival. Groups that produce members who loudly proclaim the existence of danger (and expose themselves to it) may frequently lose their sentinels, but more members of the group thereby live and reproduce. The sentinel in such a group is not choosing death or danger. There is nothing ethical at work here. Natural selection is in response to genetic interest, not self-interest.

As developed earlier in this essay, being a person provides the possibility of motivations unlike those found in the lives of nonpersons. Accordingly, evidence of either ethical or esthetic perspectives in the action of another would be strong reason to see the other as able to deliberate. Also, as stated earlier, esthetic and ethical behavior is less tied to particular embodiments than are hedonics and prudence. Whereas hedonics and prudence, like ethics and esthetics, are grounds for choice, only ethics and esthetics follow from the fact of choice. Ethical and esthetic acts require somewhere in their construction the option that it could be otherwise. Ethics involve the concept of justice (Pitkin, 1972) and esthetics the various types of fittingness (Ossorio, 1970/1981, p. 62). As universals, ethics and esthetics may be more suitable to bridge the dilemma of disparate embodiments than are our local concerns with pleasure, pain, and vulnerability. Should a nonhuman entity show an apparent concern with fittingness or justice, we would have reason to attempt a negotiation. Persons do not *have* to be concerned with justice and esthetics, but such an interest is within our most defining possibilities. We are most clearly identified as persons by our poetry, our science, and our laws. When we wonder whether something is fair, well formed, or correct we are quintessentially acting as persons.

SUMMARY

The problem of other possible persons is one that cannot be addressed if our sense of persons is limited to members of our own species. Moreover, we are never in a position to *prove* that a being is a person. Rather than these problems being solved through proofs, we can resolve them, in part, through adoption of a policy; namely, if we have *any* grounds for seeing the other as a person, we then should treat him as a person until we have reason enough to feel that our attempts are misguided.

To see and treat a nonhuman as a person requires a conceptualization of persons that is "body-neutral." Such a formulation has been provided by Peter Ossorio (1982) when he defined a person as "an individual

whose history is, paradigmatically, a history of deliberate action" (p. 14). The deliberate acts of persons require the potential for self-regulation, including linguistic self-regulation. Accordingly, evidence that an individual acts deliberately or uses language is the principal ground for suspecting that he is a person, regardless of his embodiment. When the judgment is made that an entity is or might be a person, special esthetic and ethical considerations then apply.

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