

On the Concept of Personhood

A Comparative Analysis of Three Accounts

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What does it mean to be a person? Is there a special set of criteria that must be met in order for one to be correctly called a ‘person’? Are all humans persons? Or can it be that some humans are not persons? What about nonhuman beings; can anything nonhuman be categorized as a person? All of these questions aim at discovering the nature of personhood and determining the kinds of entities that can properly be considered persons. When addressing these questions, however, the answers that one comes up with may vary according to the way one defines ‘personhood’. In this essay, I will focus on these questions by comparing the accounts of personhood given by three contemporary thinkers who hold contrasting positions on the issue: Harry Frankfurt, Joseph Raz and Gary Watson. The first section of this essay explains Frankfurt’s account of personhood. The second section focuses on a criticism of Frankfurt’s view waged by Raz and the alternative account of personhood that Raz advocates. Similarly, the third section focuses on a criticism of Frankfurt’s view posited by Watson and the alternative account of personhood that Watson advances. Throughout the course of this essay, I will highlight the flaws of Frankfurt’s account which I think make his theory rather problematic. Since the scope of this essay is mainly concentrated on Frankfurt’s thesis, I will mention the accounts of personhood that Raz and Watson offer only for comparative purposes, without delving into a critique of their theories as well.

1. Frankfurt’s Account of Personhood.

In his essay “Freedom of the Will and the Concept of a Person,” Harry Frankfurt argues that the criteria of personhood demand more than just a certain type of genetic constitution. A person is a special entity whose existence is more profound than one’s biological happenstance. Being of the species *Homo sapiens* is neither a necessary nor a sufficient condition of personhood. Conceptually

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speaking, the philosophic notion of 'personhood' is defined in a way that neither necessarily includes all human entities nor precludes all nonhuman entities from qualifying as persons. In Frankfurt's words,

Our concept of ourselves as persons is not to be understood... as a concept of attributes that are necessarily species-specific. It is conceptually possible that members of novel or even of familiar nonhuman species should be person; and it is also conceptually possible that some members of the human species are not persons.¹

Now, if the biological constitution of an entity does not hold the key criteria for personhood, where should we look? Frankfurt postulates that in order for an individual to be properly counted as a person, she must identify with her desires in a way that is indicative of her having a (free) will. He defines a 'person' as an agent who has the ability to identify with her desires in a way that allows her to effect and select the motivations which move her to action. A 'person' is thus one who has the power to engage herself with her will while deliberating about her motivations.

Frankfurt maintains that it just so happens that humans appear to be unique in that they constitute the only species which has the capacity to properly identify with their desires and have a will. Although "[h]uman beings are not alone in having desires and motives, or in making choices," he states, "[i]t seems to be peculiarly characteristic of humans... that they are able to form... 'second-order desires' or 'desires of the second order' [which is a necessary condition for having a will]."² A "second order-desire" is a desire which makes mention of some other desire. That is, a second-order desire is a desire to desire something. To understand this notion, consider how it contrasts against a desire

¹ Harry Frankfurt, "Freedom of the Will and the Concept of a Person," *Journal of Philosophy*, Jan. 1971, p. 6.

² Harry Frankfurt, "Freedom of the Will and the Concept of a Person," p. 6.

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of the first order: a first order desire makes no mention of any other desire. If I want to eat a chocolate bar, go to the movies, participate in political debate or design a subway system, then I have first-order desires which push me toward action. There are many degrees of wanting within the first order. These degrees of wanting range from ‘not being aware of a first-order desire but acting on it unconsciously’, to ‘being fully aware of a first-order desire and going after it at all cost’ (including death). Also, one may be ambivalent about first-order desires, such as when there are two or more competing desires. Or, one may be sure about a desire when it “univocally” pressures her to act a certain way. The hallmark of all desires of the first order, though, is that they not make mention of additional desires.³ In contrast, a desire of the second order is a desire to have a certain desire. If, for example, I want to want to eat vegetables, or I want to want to do my homework, then I have second-order desires.

Besides just wanting certain things, humans tend to want to want certain things. To be sure, humans have first-order desires such as the ones mentioned above, but sometimes they also want to be the authors of their desires. On the other hand, nonhuman animals seem at most only to have first-order wants. They want to live, eat, play, etc., but they seem indifferent as to the kinds of wants they have. According to Frankfurt, humans are the only creatures that appear “to have the capacity for reflective self-evaluation that is manifested in the formation of second-order desires.”⁴

Furthermore, Frankfurt maintains that there are two types of second-order desires. The first type of second-order desire is one that *may* move a person to action by coextending to a desire of the first order. But this first type of second-order desire might also be “truncated” if it has no coextending first-order desire which gives it the motivational push necessary to move an individual to action. For instance, if I have the second-order desire to want to do my homework (that is, I want to want to do my homework), and I also have the first-order desire to do well in school (that is, I want to do well in school),

³ *Ibid.*, p. 7.

⁴ *Ibid.*, p. 7.

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then perhaps my second-order desire to want to do my homework coextends to my first-order desire to do well in school in such a way that I am actually moved to do my homework. But this second-order desire may also be truncated if there is no coextending desire of the first order. If I want to want to do my homework, but there is no desire of the first order to boost the motivational force of my wanting to want to do my homework, then I might decide to ignore my homework and do something else instead. At any rate, according to Frankfurt this first type of second-order desire fails to meet the standard of willfulness because, although it consists of a desire to desire something, it does not consist of a desire to desire something that is accompanied by an actual desire for that second-order desire to motivate action. An individual with this kind of second-order desire does not identify with that desire independently of any first-order desire.⁵

There is also a second type of second-order desire which is independent of first-order desires and therefore indicative of an individual's willful agency. This type of second-order desire Frankfurt calls "second-order volition." He writes that willful agency is "not coextensive with the notion of first-order desires. It is not the notion of something that merely inclines an agent in some degree to act in a certain way. Rather, it is the notion of an *effective* desire – one that moves (or will or would move) a person all the way to action."⁶ Second-order volitions are second-order desires supported and encouraged by one's self. Accordingly, 'persons' are agents who identify with their second-order desires and willfully decide whether those desires are worth pursuing.

A creature which has second order desires but not second-order volition Frankfurt calls a "wanton." Essentially, a wanton does not care about willfulness. A wanton's desires move it without it necessarily wanting to be moved by them. Creatures which Frankfurt suggests may count as wantons include nonhuman animals, very young children, and possibly some adult

⁵ *Ibid.*, pp.7-10.

⁶ *Ibid.*, p. 8.

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humans. A wanton may be rational, but it has no real concern about the desirability of its desires. It is indifferent to the way in which its desires are ranked in relation to each other and it does not identify with a second-order desire independently of its desires of the first order. A wanton acts as a sort of arena for desires to compete against each other – unlike a person who acts as an agent having control over her desires. A person not only has reason, but she uses reason to critically assess the way in which her desires are ranked, and she orders this ranking appropriately according to her will.⁷

To elucidate the distinction between persons and wantons, we should consider the following scenario which Frankfurt uses to exemplify his point. There are two men incorrigibly addicted to a drug, say cocaine. One is a person unwillingly addicted to the drug, and the other is a wanton addicted to the drug. Neither of these men can quit his habit, but they are still markedly different. The wanton addict, on the one hand, has conflicting first-order desires: (1) he desires desperately to ingest the drug so that he can feel its effects, but (2) he also desires desperately to refrain from taking the drug because he knows that it has side effects which are harmful to his wellbeing. He is also, however, indifferent about which of his competing desires move him to action. He both wants the drug and does not want the drug simultaneously, but he does not care about affecting the ranking of these desires so as to bring one desire above the other. Rather, he passively allows the desires to sort themselves out in relation to each other by letting the strongest one move him to action. His passive nature is due either to his inability to self-reflect or to his total indifference about the quality of his desires and motives.

The unwilling addict, on the other hand, is also a man with two conflicting desires of the first order: (1) he desires desperately to ingest the drug so that he can feel its effects, but, like the wanton, (2) he also desires desperately to refrain from taking the drug because he knows that it has side effects which are harmful to his wellbeing. The unwilling addict is different from the wanton, however, because (a) he has an additional desire (viz. of the

⁷ *Ibid.*, pp. 11-12.

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second order) to refrain from taking the drug because he desires to desire to refrain from it,⁸ and (b) he has a second-order volition since he desires that his second-order desire lead him effectively to action by causing him to will against ingesting the drug.⁹ Even if the unwilling addict fails to refrain from taking the drug due to the severity of his addiction, he is still a person because he identifies his second-order desire with his will and desires that it translate into a motivation which can lead to action.

In one sense, wantons might be free to achieve the object of their desires (e.g. if the wanton addict has an ample supply of cocaine at hand), but in the sense which is relevant to personhood, wantons are not free because they are unable to recognize the desirability of their desires and they are unable to affect the motivations which led them to action.¹⁰ Thus, nonhuman animals (and even some humans at least on occasion) are not ‘persons’ in this sense but ‘wantons’, not because they lack some basic freedom to do what they want, but because they lack the freedom to engage themselves willfully with their desires.

According to Frankfurt, then, there are three possible sorts of beings: (1) animal-like or automaton-like creatures that have only first-order desires; (2) wanton creatures that may have second-order desires but no second order-volitions;¹¹ and (3) persons who have second order-volition which attribute to them a will.

⁸ The wanton addict may also have this second-order desire to refrain from taking the drug but he would not have a second order volition that identifies this second-order desire with his will.

⁹ *Ibid.*, pp. 13-14.

¹⁰ *Ibid.*, p. 17.

¹¹ In Frankfurt’s words (pp. 10-11), “[i]t is logically possible, however unlikely, that there should be an agent with second-order desires but with no volitions of the second order.”

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2. Raz's perspective

In “When We Are Ourselves: The Active and the Passive,” the first chapter of his book *Engaging Reason: On the Theory of Value and Action*, Joseph Raz argues that Frankfurt's account of personhood overlooks the importance of reason. Contrary to Frankfurt, Raz maintains that individuals are only truly in control of their actions when they are guided by reason, and individuals are only persons when they recognize and intend to act on the values which their reason allows them to realize.¹² In this section, I will elaborate on Raz's criticisms of Frankfurt's theory, and explain Raz's own account of personhood.

As Raz sees it, Frankfurt's picture of personhood is a messy matrix of desires without any reference to an authentic mode of agency. He suggests that Frankfurt is walking on thin ice by trying to explain how an individual is the proper owner of some desires but not really the owner of other desires. As mentioned above, Frankfurt claims that an individual owns the desires which she identifies with but not the desires which encroach upon her without her ‘willful’ approval. According to Raz, this picture is obfuscated by an arbitrary and unjustifiable disassociation of some of an individual's desires from that individual's self. Raz offers the following example to demonstrate his point.

When I want a refrigerator and also want a dishwasher, but, not able to afford both, I form the desire—using Frankfurt's formulations—to be moved to action by, let us say, the desire for a refrigerator, and not by the desire for a dishwasher, it does not follow that the desire for the dishwasher is not really my own, that I relate to it in the way an addict relates to the craving to satisfy his

¹² Joseph Raz, *Engaging Reason: On the Theory of Value and Action*, (Oxford University Press, 2006), p.3.

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addiction which he resents and tries to shake off without success.¹³

Raz's point strikes at the heart of Frankfurt's account: it stuns Frankfurt's attempt to abandon ownership of some desires (viz. those of the first order) while embracing other desires (viz. those which translate into second-order volitions). I believe Raz is correct to think it absurd to say that an agent who decides to develop a first-order desire into a second-order volition simply because 'she must make a choice' among competing first-order desires is only the owner of her second-order volition but not owner of her the first-order desires which failed to reach the status of second-order volition. Really, it seems that all of an agent's desires are hers; it is just that when not all of her desires can be satisfied, she chooses to act on one rather than the other.

Raz also points out how Frankfurt's account fails to explain how an agent can truly authenticate a desire as her own. Frankfurt's focus on second-order volitions begs the questions: How can one know that her will is authentically the cause of her motivations and her motivations are not the cause of her will? How does one authenticate her desires as her own? How does one authenticate her authentication that her desires are her own? And so on. Of course, the trouble of addressing these questions within the framework of Frankfurt's theory is that answers will invariably fall into infinite regress.

Raz's conception of personhood hinges on two important interrelated causal distinctions. These distinctions are as follows. First, there must be a separation between an individual's self and her environment. This separation is necessary because it allows an individual to concentrate on her motivations despite external pressures coming from outside her. If there is no causal border between an individual's self and her environment, there is no way for her self to be unaffected by the pressures of the outside world. Second, there must be a difference between what happens to an individual and how an individual leads her life – and it is this difference which Frankfurt's account fails to address.

¹³ Joseph Raz, *Engaging Reason: On the Theory of Value and Action*, p. 18.

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This difference is necessary because it allows an individual to *actively* participate in the process of deliberation as opposed to merely holding a drove of desires like a container which *passively* waits for the most pressing desires to spring into action. If an individual does not actively participate in the deliberative process, but just passively holds desires and acts on the strongest, then that individual has no real way of identifying with her will and thus no chance at qualifying as a person. According to this view, one only qualifies as a person when she personifies these two distinctions; that is, when her self is distinguishable from her environment and she governs her desires. For without these distinctions, it would be impossible to act willfully.

The question is, then, when is it clearly the case that an individual has the power to act willfully instead of just succumbing to her strongest desire? As I have alluded to earlier, Raz rejects Frankfurt's theory of second-order volitions. Raz maintains that an individual who is responsive to reason has the power to act willfully and thus count as a person. Unlike volitions of the second order, reason allows individuals to hold beliefs about what is objectively good. Further, unlike Frankfurt's description of orders of desires, reason as the criterion of personhood does not preclude an agent from owning any order of desire. As Raz puts it,

to see oneself as subject to reason is to be responsive to reason to a minimal degree. That still allows room for one to believe, mistakenly, and even irrationally, that one is responsive to reason. And this would be enough to satisfy the condition of my core account. [...] The problem with Frankfurt's account is not that it is subjective, but that it is subjective in the wrong way. The key to my [Raz's] account is the objective notion of proper functioning, explained in terms of responsiveness to reason.¹⁴

¹⁴ *Ibid.*, p. 20.

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Although an individual may act subjectively according to reason, she still acts on what she thinks is objectively good. What matters is not that the agent *choose* to act like she has a volition of the second order, but that she *recognize* the reason for her action as objectively good (even if her recognition is mistaken).

3. Watson's perspective.

Another interesting criticism to Frankfurt's account of personhood comes from Gary Watson in his essay "Free Agency." This section begins with a review of Watson's criticism, and then moves into a discussion about the alternative account of personhood that he supports.

Watson claims that Frankfurt's theory of personhood is fatally flawed because it arbitrarily asserts that the point at which an individual authentically identifies with her desires is only reached when she holds them as second-order volitions. Contrary to Frankfurt, Watson argues that an individual's capacity to have second-order volitions is not an indicator of personhood. Frankfurt's claim that second-order volitions are indicative of personhood is arbitrary because it fails to explain why an individual's identification with her second-order volitions is more authentically governed by her will than is her following through with desires of any order at all (including first-order desires). As noted above, Frankfurt depicts a wanton as an individual who is unable to have volitions of the second order because his desires (whether of the first or second order) ultimately decide which desires are to be followed by action. Since a wanton does not decide which desires translate into action, the wanton has no will. Now, the problem Watson finds in this theory is that there is no clear or absolute distinction between the action carried out by an individual who is moved by desires of the first and second order, and the action carried out by an individual who is moved by a second-order volition. That is, while Frankfurt asserts that a wanton is unfree and will-less because its process of deliberation is no more than a battle of competing desires, he fails to explain why an individual

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who acts on second-order desires with which she ‘genuinely’ wants to affect her will identifies with those desires any more genuinely than she does with desires which do not stem into second-order volitions. As Watson retorts, “Can’t one be a wanton, so to speak, with respect to one’s second-order desires and volitions?”

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Frankfurt’s description of a person is problematic because he ascribes a special function to second-order volitions when really volitions of the second order may simply be desires of so called “higher orders.” Second-order volitions only arise when the number of competing second-order desires increases to the point where one must move past second-order desires to a next level (third, forth, fifth etc.) of desire. So while a first-order desire is simply ‘a desire for *X*’, and a second-order desire is ‘a desire to desire *X*’, a second-order volition is really ‘a desire to desire to desire *X*’. The way Frankfurt calls ‘a desire to desire to desire *X*’ a “second-order volition” rather than a “third-order desire” is somewhat misleading because it fails to explain the functional difference between a desire of the second order and one of the third, forth, fifth and so on. Watson underscores this problem with the following words.

Indeed, practical judgments are connected with “second-order volitions.” For the same considerations that constitute one’s on-balance reasons for doing some action, *a*, are reasons for wanting the “desire” to do *a* to be effective in action, and for wanting contrary desires to be ineffective. But in general, evaluations are prior and of the first order. The first-order desires that result from practical judgments generate second-order volitions because they have this special status; they do not have the special status that Frankfurt wants them to have because there is a higher-order desire concerning them.¹⁶

¹⁵ Gary Watson, “Free Agency,” *Mind*, Vol. 96 No. 382, April 1987, p. 217.

¹⁶ Gary Watson, “Free Agency,” p. 219.

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In effect, Frankfurt arbitrarily designates one level of desire as indicative willfulness. This arbitrary depiction of personhood is distorted because it fails to identify the functional role that the will plays in the process of a person's deliberation and evaluation of competing desires. Looking at higher and higher orders of desires fails to be a way of discovering the moment at which an individual goes beyond the state of wantonness and grabs hold of some quintessential feature of willfulness that allows her to reach the status of personhood. The question that Watson now faces is: What is the quintessential feature of willfulness?

Watson explains that Frankfurt's description of the structure of a person's will is similar to Plato's description of the structure of a person's soul insofar as they both recognize that personhood involves a division between types of motivation. These two thinkers are different, however, in the way that they describe the nature of motivational divisions. On the one hand, Frankfurt claims that there are divisions among *levels* of desire. Plato, on the other hand, maintains that there are divisions among the *sources* of desire. Watson disagrees with Frankfurt and sides with Plato by stating that the division among motivational forces that reveals the essence of personhood is not to be found in a division between levels of desire, but rather it is to be found "among independent sources of motivation."¹⁷ Namely, the independent source of motivation that is the quintessential feature of willfulness and personhood is an individual's ability to *evaluate*.

Watson holds that persons can be moved by evaluations because of their ability to use reason. In order to understand the link between reason and evaluation, it is worth while to define the meaning of reason as Watson sees it. Watson's view of reason sharply contrasts against that of Hume who considers reason to be a sort of mental instrument which humans use to determine the most efficient way to satisfy their desires. Hume considers reason to be "the slave of desire." Unlike Hume, Watson sees reason not merely as a tool for satisfying desires, but as a tool for discovering value and thus allowing value to

¹⁷ *Ibid.*, p. 219.

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act as a motivational force. Accordingly, this view distinguishes between values and desires and maintains that each is an independent source of motivation. Values are different from desires for two important reasons:

First, it is possible that what one desires is not *to any degree* valued, held to be worth while, or thought good; one assigns *no* value whatever to the object of one's desire. [e.g. Tonya desires to hurt Nancy because she is jealous.] Second, although one may indeed value what is desired, the strength of one's desire may not properly reflect the degree to which one values its object; that is, although the object of a desire is valuable, it may not be deemed the most valuable in the situation and yet one's desire for it may be stronger than the want for what is most valued. [e.g. Tom values celibacy more than sex, but he desires sex more than celibacy.]¹⁸

It is important to note that the process of evaluation may involve an agent's seeing the value of something without necessarily desiring it (such as being celibate); and, conversely, it may involve an agent's seeing how a desire lacks value (such as hurting someone in a jealous rage) even though one feels motivated to pursue it. Both desires and values can lead an individual to action. Since, however, sometimes desires contradict values and vice versa, and each has independent motivational clout, each must be an independent source of motivation.

Motivationally, the distinction between the conception of values and the conception of desires rests in the way an individual sees each of these motivations as an independent consideration which has the power to lead one to action. Reason is crucial to the evaluation process because it causes individuals to consider certain things valuable. And since personhood is dependent upon

¹⁸ *Ibid.*, p. 208-9; examples mine.

¹⁹ *Ibid.*, p. 216.

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one's ability to evaluate, and one's ability to evaluate is dependent upon reason, personhood is also dependent upon reason.

Therefore, according to this account, a 'person' is an agent who "has the capacity to translate his values into action; his actions flow from his evolutionary system."¹⁹ A person is moved not just by desires but by values which he recognizes because of his ability to reason. Personhood is achieved by individuals who move beyond the *passive* state of merely acting upon their strongest desires and into the *active* state of using reason to identify courses of action that are independently valuable and worthy of pursuit.

Concluding remarks

Each of the three thinkers discussed in this essay has a unique view of what it means to be a person. While Frankfurt claims that a person is an individual who acts on second-order volitions, Raz and Watson reject that claim and point out faults in Frankfurt's argument. Raz's view shows how Frankfurt underestimates the importance of *reason* vis-à-vis personhood. Watson further stresses the importance of reason and outlines the necessity of discerning between *values* and *desires* as independent motivational forces. Frankfurt raises the important issue of defining criteria for personhood. Raz and Watson follow suit by scrutinizing Frankfurt's account and suggesting their own criteria. The question that is now at hand is whether Raz and Watson have successfully provided arguments which support their respective definitions of personhood without running into the kinds of problems that Frankfurt encountered.

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