

## NOTAS

### **How Not to Preserve Kripke's Fundamental Insight**

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[...] a full defense or critique of the non-contingency of identity thesis will require an investigation of a tangled web of problems [Smith (1994), 151].

#### RESUMEN

El trabajo de Kripke sobre los nombres y la identidad continua siendo objeto de un intenso examen crítico. El mensaje kripkeano, enunciado brevemente, consiste en que los nombres son designadores rígidos y en que los enunciados de identidad formulados en términos de nombres son, si verdaderos, necesariamente verdaderos. Michael Jubien desarrolla recientemente una línea revisionista que niega que los nombres desempeñen un papel referencial a la vez que, sin embargo, admite que puede preservarse la intención fundamental de Kripke. En mi artículo examino críticamente la propuesta de Jubien para preservar la intuición de Kripke que “merece ser preservada”.

#### ABSTRACT

Kripke's work on names and identity continues to be the subject of intense critical scrutiny. The Kripkean message, briefly stated, is that names are rigid designators and that identity statements formulated in terms of names are, if true, necessarily true. Recently Michael Jubien develops a revisionist line that denies that names serve a referential role but allows, nonetheless, that Kripke's fundamental insight can be preserved. In my paper, I critically examine Jubien's proposal for preserving the Kripkean insight that “deserves to be preserved”.

## I

Kripke's work on names and identity continues to be the subject of intense critical scrutiny. The Kripkean message, briefly stated, is that names are rigid designators and that identity statements formulated in terms of names are, if true, necessarily true<sup>1</sup>. There are various attacks upon this<sup>2</sup>.

Some critics maintain that it makes no sense to call a designator rigid or non-rigid by itself and argue that this opens the way for contingent identity statements whose terms are names. Recently Michael Jubien develops a revisionist line that appears to be more sympathetic to Kripke:

What I regard as the truly fundamental insight that led Kripke to the thesis of rigid designation is *not* something that deserves to be rejected. Quite the opposite — it deserves to be preserved, and the present theory preserves it. I think the present theory is precisely where Kripkean intuitions lead when they are purged of the Fallacy of Reference, specifically, when they are purged of the assumption that if a term denotes (in the generous derivative sense) what is intuitively “the same person” (or ship, etc.) in another possible world, then it automatically denotes what is literally the same *thing* in that world [Jubien (1993), p. 70].

Jubien’s thesis is that preserving what deserves to be preserved in Kripke’s work on rigid designation does not require that we allow that any (ordinary) designating term refers to one (“literally the same”) thing in the context of different worlds. Unfortunately Jubien does not explicitly tell us what Kripke’s “truly fundamental insight” is. My conjecture is (*a*) that Jubien takes the Kripkean insight to be that a name is somehow significantly associated with what is intuitively the same thing in the contexts of different worlds and (*b*) that Jubien holds that such transworld sameness is really not — as Kripke would judge — a matter of transworld *identity*. In what follows, I’ll explain why I believe that Jubien’s revisionism leaves very little of the Kripkean program intact and, moreover, why I doubt that the argument for such a revisionist story is conclusive.

## II

Talk of significant associations between ordinary names and objects will inspire protest; why not say simply that names *name* (refer to) objects? Jubien would insist that this is to commit:

*The Fallacy of Reference*: the belief that names refer to (designate, denote) specific entities (objects, individuals) [Jubien (1993), pp. 22-23].

It is a mistake to hold that “Cicero” names Cicero or that “Hillary Clinton” names Hillary Clinton. Accordingly, it is wrong to suppose that statements such as “Cicero is an orator” and “Hillary is a lawyer” ascribe properties to certain individuals. What is true is that names are associated with certain special properties, “Cicero” with Cicerocity (the property *being Cicero*) and

“Hillary” with Hillaryhood (the property *being Hillary*). Different things instantiate such properties in different worlds. Though numerically distinct, such instantiators are intuitively the same thing (person). The Kripkean insight that deserves to be preserved is that a name is associated with what is intuitively the same individual from one world to the next. Such association is a matter not of designation but of expression of a property that is instantiated by numerically diverse things in different worlds.

It is to be expected that friends of Kripke will resist Jubien's account of names. One question that might be asked is this: why shouldn't the name “Hillary” (say) refer to the individual who actually instantiates Hillaryhood (the property associated with “Hillary”)? This is a legitimate question. We may judge that Jubien is guilty of the Fallacy of the Fallacy of Reference<sup>3</sup> in the event that names refer to the instantiators of properties such as Cicerocity and Hillaryhood.

Jubien allows that we may think of names in a derivative sense as designators of bearers of name-properties [Jubien (1993), p. 70]<sup>4</sup>. Let Cicero\* be the instantiator of Cicerocity; in a derivative sense, “Cicero” then refers to Cicero\*. Jubien suggests that this approach requires that we reject the Kripkean thesis that names are rigid designators:

Informally, and derivatively in just this way, we may think of Cicero as denoting that very *thing* [Cicero\*]. This will work perfectly well if we are only considering nonmodal contexts. But in other possible worlds, *different* things have the property *being Cicero*. So we cannot take Cicero as denoting the same thing in all possible worlds [Jubien (1993), p. 70].

### III

Jubien's metaphysics is such that the only true instantiators of name-properties are temporally extended mereological sums of stuff [Jubien (1993), p. 118]. Whereas “Cicero” derivatively names one such sum (Cicero\*) in our world, “Cicero” names many other such sums in other worlds. Is Kripke then mistaken in judging that “Cicero” is a rigid designator? Insofar as the various sums of stuff that instantiate Cicerocity are intuitively the same person, Jubien would say that Kripke's fundamental insight is preserved.

We may contest the claim that the only potential instantiators of name-properties are temporally extended mereological sums of stuff. In addition to physical stuff, our world contains (critics maintain) substantial things that “exist all at once, and exist through time, or endure” [Ayers (1993), vol. III, p. 112]. We (people) are substantial things — things that persist or endure in

a way that no sum of physical stuff persists or endures. The actual instantiator of Cicerocity is one such substantial individual, and not (*pace* Jubien) a sum of physical stuff. The Jubien argument for non-rigidity is then unsound, relying as it does on the mistaken assumption that sums of physical stuff are instantiators of properties such as Cicerocity and Hillaryhood.

Jubien would not be moved by this, rejecting as he does “our ordinary everyday conception of things [...] that persist through time” [Jubien (1993), p. 24]. Jubien denies that the principle of the indiscernibility of identicals (Leibniz Law) can be reconciled with the assumption of persistence, and concludes that the very idea of identity over time is absurd [Jubien (1993), pp. 25-26]. However, Jubien would allow that the spatiotemporal region that corresponds (as we would ordinarily judge) with Cicero’s life or history is such that it is occupied by a temporally extended mereological sum. Indeed, this summational object appears to be none other than Cicero\*. Since it is denied that distinct things can occupy the same spatiotemporal region [Jubien (1993), p. 15], the assumption that (the man) Cicero occupies the region occupied by (the mereological sum) Cicero\* may be thought to speak for the conclusion that Cicero and Cicero\* are identical. Jubien would not accept this. The Fallacy of Reference encourages the mistaken “tendency to take lots of issues of predication to be issues of identity” [Jubien (1993), p. 22]. In the present case, the fallacy involves the assumption that “Cicero” functions referentially — as a name of a certain individual. If we reject this, as Jubien argues we should, then we cannot interpret:

Cicero\* is Cicero,

as saying that:

Cicero\* = Cicero.

The way is then open for Jubien’s favored predicative:

Cicero\* has (instantiates) Cicerocity.

#### IV

All of this contrasts sharply with the contingent identity attack upon Kripke. Jubien would hold that friends of contingent identity are, as Kripke is, guilty of the Fallacy of Reference and the attendant confusion of “issues” of predication and “issues” of identity. Many contingent identity theorists fol-

low Allan Gibbard in judging that transworld identity statements are subject to sortal-relativity:

Meaningful cross-world identities of such things as statues [...] must be identities *qua* something: *qua* statues or *qua* lump [...]. It makes sense to talk of the "same statue" in different possible worlds, but no sense to talk of the "same thing" [Gibbard (1997), p.100].

It makes sense to talk of the "same man" and of the "same mereological sum of stuff" in different possible worlds, but not to talk of "one thing" or of the "same thing" in different worlds. The third premise and conclusion of the following argument are senseless (where Cicero<sub>1</sub> is a man who coincides with the summational object that is Cicero\* in one world and Cicero<sub>2</sub> is a man who co-exists with Cicero\*\*, a summational proper part of Cicero\*, in another world):

- (1) Cicero\* = Cicero<sub>1</sub>.
- (2) Cicero\*\* = Cicero<sub>2</sub>.
- (3) Cicero<sub>1</sub> = Cicero<sub>2</sub>.
- (4) So, Cicero\* = Cicero\*\*.

Opponents of contingent identity argue that (3) is true and (4) false, concluding that the conjunction of (1) and (2) must be rejected. Maintaining that (3) and (4) are senseless, contingency theorists recommend that we accept:

- (1) Cicero\* = Cicero<sub>1</sub>.
- (2) Cicero\*\* = Cicero<sub>2</sub>.
- (3m) Cicero<sub>1</sub> = (man) Cicero<sub>2</sub>.
- (4m) So, Cicero\* = (man) Cicero\*\*,

and that we reject:

- (1) Cicero\* = Cicero<sub>1</sub>.
- (2) Cicero\*\* = Cicero<sub>2</sub>.
- (3s) Cicero<sub>1</sub> = (mereological sum) Cicero<sub>2</sub>.
- (4s) So, Cicero\* = (mereological sum) Cicero\*\*.

## V

Jubien and Kripke are allied in holding that identity is absolute [Jubien (1993), p. 26], Kripke and Gibbard are united in taking names to be genuinely referring terms; and Jubien and Gibbard agree that on one (though not the same) reading of "are" it is true that different temporally extended sums

of stuff (material) are Cicero in different worlds. I doubt that Kripke would go along with this last claim. Consider this passage from *Naming and Necessity*:

Let's suppose we refer to the same heavenly body twice, as "Hesperus" and "Phosphorus". We say: Hesperus is that star over there in the evening; Phosphorus is that star over there in the morning. Actually, Hesperus is Phosphorus [Kripke (1981), p.102].

Since this occurs in a context wherein he is attempting to demonstrate that "identities between names are necessary" [Kripke (1981), p. 100], it seems that Kripke holds that an identity relation obtains between something that is present in the evening and something that is present in the morning. Such diachronic identity is rejected by Jubien and Gibbard. I believe that Kripke would maintain that different sums or collections of molecules constitute one individual (one table or one heavenly body) at different times [Kripke (1981), pp. 50-51]. And if things work this way for heavenly bodies, presumably things work the same way for people (men). The *man* Cicero is, though the *temporally extended sum of matter* Cicero\* is not, all present at different times. The enduring man is *constituted* by, though of course not identical with, different collections of molecules at different times. Kripkean constitutionalism (as I take it to be) obviously conflicts with Jubien's basic axiom that no spatiotemporal region is occupied by more than one thing [Jubien (1993), p. 15]. If we were to accept Jubien's axiom we could not say that *one* collection of molecules constitutes Cicero at time  $t_1$  whereas *another* such collection constitutes Cicero (that is Tully) at  $t_2$ . We could not maintain that Cicero endures through time.

If I am right, Kripke has reason to allow that people, and other commonplace things, endure through time. Indeed, I believe that everything collapses, from a Kripkean standpoint, once persistence by endurance is rejected. Suppose, for the sake of argument, that people do not — that Cicero does not — endure. Can the term "Cicero" then be a rigid designator, as Kripke maintains it is?

What is it that "Cicero" designates if not an enduring individual? It might be said that "Cicero" designates Cicero\*, a certain temporally extended mereological sum of stuff. The problem with this is that it is then not plausible that "Cicero" designates rigidly. As Jubien argues [Jubien (1993), pp. 118-121], no mereological sum of stuff is essentially a human being or a sentient being. So if "Cicero" rigidly designates such a sum, it emerges that Cicero is essentially neither a human being nor a sentient being. Indeed, since there are worlds wherein the temporal segments of Cicero\* are configured in the manner of (say) an egg or a bicycle, our present assumptions point to the conclusion that Cicero could have been an egg or a bicycle<sup>5</sup>. But this is impossible

to reconcile with Kripke's essentialist intuitions. Such intuitions do not appear to be defensible on our present assumptions.

Of course we might pursue the Jubean gambit and simply deny that "Cicero" is a designating term. As we saw earlier, Jubien suggests that this is consistent with Kripke's fundamental insight. However preservation of this insight, as interpreted by Jubien, does not carry much weight in opposition to the suspicion that the Kripkean program has been eviscerated. In particular, things do not look at all promising for Kripke's essentialist intuitions. For how can "Cicero is essentially human" be true in the event that "Cicero" doesn't refer? Note that it doesn't help matters to reply that "Cicero" derivatively refers to Cicero\*, the instantiator of Cicerocity; for it is plainly false that Cicero\* is essentially human.

Jubien assures us that there is "some truth in the intuition that Cicero is necessarily human [...]" [Jubien (1993), p. 119]. We are to imagine:

[...] the following exchange between two metaphysicians. One says, "*Being Cicero* is incompatible with *being a cat*. In any world where you find *Cicero*, you find something that *is not a cat*. Nothing could have both properties". And so on. Then the other disagrees. It seems to be that these people are arguing about *essentialism*, and I think the "essentialist" view that the properties are incompatible is right [Jubien (1993), pp. 121-122].

We are left with a *de dicto* essentialism that is a matter of property inclusion and not a (*de re*) matter of any individual having a given property essentially or necessarily<sup>6</sup>. We are some distance from a Kripkean metaphysic. And our departure from Kripke is largely if not entirely determined by Jubien's scepticism concerning persistence through time. Many theorists who speak of temporal parts of commonplace things would contest Jubien's assumption that genuine (temporal) persistence requires strict identity (as opposed to gen-identity) over time<sup>7</sup>. Even if that is right, there is evident tension between the Kripkean thesis that names are rigid designators and the thesis that names designate sums of temporal parts<sup>8</sup>. Evidently a great deal turns on Jubien's rejection of temporal endurance. And contrary to Jubien, there are well-known arguments in behalf of the compatibility of Leibniz's Law and endurance<sup>9</sup>. Jubien's revisionism is unmotivated in the event that these arguments are sound.

## VI

Some of us find it hard to give up the belief that we endure. Could we be mistaken about this? Consider the following revision of Jubien's position. Although it is false that Cicerocity is instantiated by the temporally extended

Cicero\*, it is nonetheless true that various (temporally bounded or restricted) parcels or sums of matter instantiate Cicerocity at different times. It *appears* that Cicero (a certain man) endures when, in fact, what happens is that Cicerocity is instantiated by various sums of microscopic entities at different times. I agree wholeheartedly that there is little hope for the Kripkean line on rigidity and the necessity of identity in the event that such an error-theoretic assessment of personal endurance is true. What I do not presently see is a conclusive or even a convincing brief for judging that name-properties are temporally unstable. We may judge that Kripke's fundamental insight is that none of the sums of matter that (at various times) constitute Cicero is such that it instantiates Cicerocity. Arguably this is the Kripkean intuition that deserves to be preserved.

Remarkably little attention has been paid to Kripke's conception of diachronic identity (within a given world). The thrust of the previous discussion is that this deserves close attention, that the plausibility of much of what Kripke says about rigidity and essence and the necessity of identity depends upon the soundness of an endurantist or constitutional assessment of identity through or across time. The import of constitutionalism emerges very clearly when we consider Nathan Salmon's defense of the necessity of identity in the face of Hugh Chandler's anti-Kripkean argument for both the nonrigidity of (some) names and contingent identity [Salmon (1981); Chandler (1975)]. Noting that Chandler's argument appeals to a "theory of dominant and recessive identity claims" that is "incompatible with the principle of necessity of identity and distinctness" [Chandler (1975), p. 224]. Salmon argues that the apparent force of Chandler's attack on Kripke "is traceable to the common confusion between the is of identity and [...] the is of constitution" [Salmon (1981), p.227]. I have no quarrel with the claim that Kripkeans can dismiss Chandler's argument only if they recognize that different "portions of matter" constitute one individual in the context of different possible worlds. Kripkean transworld constitutional instability is a reflection of Kripkean transtemporal constitutional instability. In the absence of an effective challenge to transtemporal constitutional instability there can be no reasoned rejection of a Kripkean assessment of necessity and rigidity.

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NOTES



<sup>1</sup> "We have concluded that an identity statement between names, when true at all, is necessarily true, even though one may not know it a priori" [Kripke (1980), p. 108]. The unspoken assumption is that names are rigid designators. See Burgess (1996), pp. 22-23 on "Kripke's stability argument" for the conclusion that identity statements involving names are counterfactually stable. Cynthia Macdonald speaks of "Kripke's Principle" that "identity statements involving rigid designators are necessarily true if true at all [...]" [Macdonald (1989), p. 29].

<sup>2</sup> One interesting line is pursued by Gallois (1986). See the reply in Carter (1987) and the reply to the reply in Gallois (1988).

<sup>3</sup> Moore spoke of the Naturalistic Fallacy; some critics speak of the Naturalistic Fallacy Fallacy.

<sup>4</sup> Jubien does not employ the expression "name-properties". When I employ this term I speak of the various properties that Jubien associates with proper names. I do not address here the important question of the proper analysis of such properties.

<sup>5</sup> Armstrong (1989, p. 51) poses the question: could Russell have been a poached egg?

<sup>6</sup> Though Jubien does allow mereological essentialism for sums of matter.

<sup>7</sup> Lewis (1986) speaks of two varieties of persistence, endurance and perdurance.

<sup>8</sup> I take this to be one moral of van Inwagen's (1990) argument bearing on Descartes.

<sup>9</sup> See Hinchliff (1996) and Merricks (1994).

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