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# A Critique of Personhood

*S. F. Sapontzis*

The concept of "personhood" is fast becoming the darling of both moral theory and practice. This is regrettable, for the concept is both logically confused and morally objectionable. There are actually at least two concepts which are lumped under the fashionable label of "person," and the relation between these two concepts is misunderstood. Also, the moral concept of personhood and its employment in humanist, egalitarian principles are, at best, necessary evils and may pose obstacles to moral progress if they go complacently unrecognized for what they are.

## I

There are many different kinds of concepts and many different ways of distinguishing them. Moral discussions concerning or even just involving personhood commonly employ both moral and metaphysical concepts of personhood. By a "moral" concept I mean an evaluative concept concerned with assigning rights, duties, obligations, and respect. By a "metaphysical" concept I mean the sort of thing Strawson discusses in *Individuals*, that is, a part of the basic structure of our experience of the furniture and arrangement of the world.<sup>1</sup> The moral and metaphysical concepts of personhood can thus be distinguished by their functions, one serving to evaluate, the other to describe. They can be further distinguished by detailing their contents and noting with what other concepts they contrast.<sup>2</sup>

Metaphysically, "person" denotes a kind of thing. (Henceforth, "person<sub>d</sub>" will stand for this descriptive sense of "person.") Things are individuals which endure through space and time and have their own identity, integrity, independence, or self-sufficiency. "Person<sub>d</sub>" denotes those things which are (a) embodied; (b) animate; (c) emotive; (d) initiators of actions rather than merely reflexive, instinctual, or mechanical respondents to their environment; and (e) capable of forming ideas

1. P. F. Strawson, *Individuals* (London: Methuen & Co., 1959), pp. 9–11.

2. I should emphasize that throughout this study I am concerned with concepts as things which actually contribute to organizing human behavior. I am not concerned with them as creations or participants in the history of ideas. Consequently, the relevant test of what I have to say will be examples of what people do, not quotations from Aristotle, Kant, etc.

about the world rather than being merely things in the world. In everyday experience "person<sub>d</sub>" is just another name for human beings, and persons<sub>d</sub> are commonly distinguished from inanimate objects, machines, plants, animals, and spirits.<sup>3</sup> This distinction is made on the basis of both bodily shape and pattern of behavior, which must have a kind of organic fluidity and unity to it, express some purpose, and appear self-motivated and self-directed.

Although philosophers have usually emphasized these behavioral traits and the inferences that may be drawn from them concerning consciousness and rationality, in everyday experience these traits are no more important than bodily shape for identifying persons<sub>d</sub>. The behavior of a normal, adult dog is more organic, intelligent, and self-aware than that of a human infant or a human adult suffering some severe muscular, neurological, or mental disorders; yet a dog is still not considered a person<sub>d</sub>, while these humans are. No matter how superior its behavior, a dog can never be a person<sub>d</sub> because it does not have a human body, and no matter how inferior the behavior of a human infant or a handicapped human, he is still a person<sub>d</sub> because he has a human body. Similarly, even before we had much appreciation of the mentality of apes, there was a tendency to consider them to be, in an extended sense, "little people" because they look like human beings. Again, many discussions of when an abortion ceases to be the termination of an organism and becomes the killing of a person<sub>d</sub> focus on when the fetus comes to have human shape. Thus "person<sub>d</sub>" does not refer essentially to rational animals, of which human beings are only one kind. Having a human body is in our everyday experience as essential a part of being a person<sub>d</sub> as is being a rational animal. Metaphysically, then, "person<sub>d</sub>" denotes all and only human beings.

Some readers will certainly object to this conclusion, with Vulcans and other science fiction, nonhuman persons<sub>d</sub> in mind. Such purported counterexamples are insignificant. First, since the creatures which count as persons<sub>d</sub> in our science fiction literature are insignificantly different from earthlings, they are human beings even if not exactly *Homo sapiens*. Moral practice is not based on the biological investigations necessary to tell that Mr. Spock is not just a strange-looking man, and where it is obvious that a science fiction creature is not human, for example, space spiders, they are not considered persons<sub>d</sub>. Second, our concepts have been developed for dealing with ordinary experiences, not extraordinary ones, which "call for decisions and not for discoveries."<sup>4</sup> It is the study of actual experience and behavior which shows us what our concepts are; science fiction cases can only contribute to inconclusive speculation regarding what our concepts might become.

3. The first definition of "person" in *Webster's New Collegiate Dictionary*, 7th ed., is simply "a human being"; the second is "a human being as distinguished from an animal or thing."

4. Hilary Putnam, "Robots: Mechanisms or Artificially Created Life?" *Journal of Philosophy* 61 (1964): 691.

The same reply applies to theologically based objections, for example, an objection based on the three persons of the Trinity. In addition, the religious use of "person" is obviously often metaphorical, as is so much religious language. Setting aside such speculative and metaphorical cases, in the actual course of human affairs "person<sub>d</sub>" denotes all and only human beings.<sup>5</sup>

Morally, "person" denotes a certain status. (Henceforth, "person<sub>e</sub>" will stand for this evaluative sense of "person.") To be a person<sub>e</sub> is to be due certain honors and privileges from anyone whose actions might influence his well-being. A person<sub>e</sub> is a being whose interests must be respected; for, when determining what is morally acceptable and preferable one must take into account what will dignify or demean, benefit or harm, please or pain, aid or thwart, satisfy or dissatisfy, enrich or impoverish, and so forth, any person<sub>e</sub> likely to be affected by his action.<sup>6</sup>

Personhood<sub>e</sub> contrasts with nature and property. The latter pair may be treated with kindness and be well cared for, but this is not because they are due such treatment. Rather, we look after the interests of nature and property—for example, by protecting cattle from mountain lions, preserving salmon spawning grounds from pollution, and finding homes for lost pets—because of sentimental attachments to them, out of self-interest in preserving natural resources and useful tools, because they figure in obligations to other persons<sub>e</sub>, and out of charity.<sup>7</sup> Moralists have adamantly opposed materialism, the theory of evolution, behaviorism, and other attempts to naturalize man because

5. I had thought that the only objection to saying that "person<sub>d</sub>" denotes all and only human beings would be to the "only," but at least one reader has objected to the "all" as well, citing recent, "sophisticated" attitudes about abortion and euthanasia and references to some humans as "vegetables" to support this objection. As noted earlier, the dictionary indicates that this objection does not reflect the current common usage of "person." Furthermore, we usually say "human vegetable," indicating that "vegetable" is being used analogically here, and individuals in irreversible coma or terrible, incurable pain are still legally and medically considered human. Fetuses that do not yet look human form the only significant group of *Homo sapiens* widely not considered persons<sub>d</sub>; however (a) this reform has not yet established itself firmly enough to change common usage and (b) since those who object to calling such fetuses "persons<sub>d</sub>" also object to calling them "human," these fetuses do not provide counterexamples to the thesis that "person<sub>d</sub>" is just another name for human beings. As noted earlier, the relation between being a *Homo sapiens* and being human is not that of identity, although having the bodily form characteristic of our species is a necessary condition for being human. Common usage is not monolithic, but although there are reformed, extended, "to a degree," analogical, and metaphorical senses of "person<sub>d</sub>," "human being" is its primary meaning.

6. Throughout this study I will follow Stuart Hampshire's suggestion that moral statements are more accurately formulated with "must" than with "should" or "ought" (see Hampshire, *Morality and Pessimism* [Cambridge: Cambridge University Press, 1972], pp. 22–23).

7. When I say that nature and property have interests, I mean merely that plants and animals need certain things to survive and multiply and some of them need certain things to lead contented lives. Although some philosophers use "interests" more restrictively, I will use it throughout this study in this less demanding way. In this sense of the term it is obvious that not only humans but plants and animals as well have interests.

such theories would deny man the status persons<sub>e</sub> have in contrast to nature: Nature, and property as well, may be treated as mere means to fulfilling the interests of persons<sub>e</sub>, but persons<sub>e</sub> are beings whose interests must not be treated and sacrificed as mere means to the fulfillment of the interests of other creatures. This opposition of persons<sub>e</sub> to nature and property is an integral part of the significance of personhood<sub>e</sub>.

Another way of saying that persons<sub>e</sub> are beings who must be respected is that persons<sub>e</sub> are creatures with moral rights. The most basic of these is the right to life. Creatures which are not persons<sub>e</sub> may be hunted, "put to sleep," or eaten whenever doing so is useful for satisfying some person<sub>e</sub>'s interests. A person<sub>e</sub>'s life must not be dealt with in this way; he has a right to live. Discussions of the morality of suicide, abortion, capital punishment, war, and euthanasia focus on the issue of personhood<sub>e</sub> because it is recognized that to treat something's life as merely a means to some end is to deny that that being is a person<sub>e</sub>.<sup>8</sup>

The other moral rights which are part of being a person<sub>e</sub> concern those things which are essential for dignity and a fulfilling life. The rights concerning dignity are those to freedom, civil equality, responsibility, individuality, and procreation. The rights concerning a fulfilling life are those to society, security, a family, an education, a vocation, and a fair share of available goods. To be a person<sub>e</sub> is not only to have a right to life but also rights to dignity and a fulfilling life; unless all three of these basic interests are respected, one is not fully a person<sub>e</sub>.<sup>9</sup>

This discussion can be summarized by the following, which details the meanings of metaphysical and moral personhood:

	Person <sub>d</sub>	Person <sub>e</sub>
Function:	Describes a certain kind of thing	Assigns a certain moral status
Content:	Denotes all and only human beings	Denotes creatures with rights
Contrast:	Separates persons from inanimate objects, machines, plants, animals, and spirits	Separates persons from nature and property

8. That this is often construed as denying the individual's "humanity" is a classic case of the confusion between metaphysical and moral personhood that currently burdens moral theory and practice.

9. There are various degrees of moral personhood, e.g., the moral status of children and, in many instances, of women, the poor, and outsiders. These degrees depend on which of these various rights one is accorded and what priority is assigned to respecting them in an emergency or conflict of rights. As was the case with personhood<sub>d</sub>, personhood<sub>e</sub> has various extended, analogous, "to a degree," etc., senses as well as the full, paradigm meaning under discussion here.

## II

Having noted that "person" covers two concepts, one denoting a certain kind of thing and the other a certain status, the obvious question to ask is, What is the relation between these two concepts?

The currently dominant humanist, egalitarian morality holds that the relation is one of identity: all and only human beings merit the rights to life, dignity, and a fulfilling life.<sup>10</sup> (Henceforth, this identity will be referred to as "the humanist, egalitarian principle.") However, just what sort of identity is involved here and what the basis of it may be are not at all clear. Many humanists, perhaps influenced by the fact that one word, "person," "man," or "humanity," has been used to label both metaphysical and moral personhood, insist that there is a relation in meaning between being human and meriting rights. For example, prison reformers commonly say things like "prisoners are still human beings," meaning "prisoners must be treated with respect." However, since the above analysis shows that "person<sub>d</sub>" and "person<sub>e</sub>" have different functions, contents, and contrasts, there is no credible theory of meaning which could be employed to support this contention.

Extensional identity seems the only possible identity here. Just as "the winning general at Jena" and "the husband of the Empress Josephine" have no relation in meaning but still refer to the same man, so "person<sub>d</sub>" and "person<sub>e</sub>" could refer to the same set of beings even though they have different meanings. However, extensional identity is arbitrary unless some explanation or justification can be given of why two terms with different meanings nonetheless refer to the same set of beings. Here such explanations or justifications would have to be either logicolinguistic, referring to logical or linguistic rules; empirical, referring to intuitions, feelings, or other phenomenological evidence; or transcendental, referring to the necessary conditions for the possibility of morality. However, no such arguments have yet been able to establish the extensional identity of metaphysical and moral personhood, and the reasons for this seem unavoidable.

10. Interpreting humanists as claiming that only human beings merit moral rights may seem unjustified. However, again setting aside insignificant science fiction and religious cases, this interpretation can be substantiated by noting, first, that the descriptive meaning of "person" is "human being," so that among the creatures we actually encounter humanist principles can apply only to members of our own species. Furthermore, moral, rather than pragmatic, humanist arguments for why all humans merit rights (e.g., because of the respect due rationality) invariably presume that the basis for meriting rights is to be found in something that only humans possess, something which makes our species stand out from nature and shows us to be particularly estimable in contrast to other creatures. Finally, part of the significance of "person<sub>e</sub>" is to separate creatures with rights from those without them; consequently, when moral personhood is identified with metaphysical personhood, persons<sub>d</sub> are distinguished as *the* creatures with rights. To suggest, as some philosophers have, that "human rights" refers to rights had by all humans and perhaps by some other creatures as well is as morally and linguistically insensitive as to suggest that "white rights" refers to rights had by all whites without commitment to whether other races have or should have these rights as well.

First, if there were a logical or linguistic rule relating moral to metaphysical personhood, then one could derive an evaluation from a description. That one is a human being is a matter of fact; that one's life must be respected is an evaluation. Therefore, if the principle that all and only human beings are persons<sub>e</sub> were a logical or linguistic rule, one could use it to deduce from the factual premise "S is a human being" the evaluative conclusion "S's life must be respected."

While some philosophers have argued that evaluations can be deduced from descriptions, the most plausible examples of such deductions of which I am aware are drawn from games or based on what are called "institutional facts."<sup>11</sup> However, morality is not a game with clearly defined goals and rules, and, as Hare has convincingly argued, the so-called institutional facts of moral systems are really basic moral principles, not logical or linguistic principles.<sup>12</sup> One's obligation to the rules of the institution of promising, for example, is a moral obligation quite unlike the conceptual obligation to *modus ponens*, "'bachelor' means 'unmarried male,'" and other logical and linguistic rules. This is shown by the fact that while we find someone who regularly breaks logical or linguistic rules to be irrational or nonsensical, we find someone who regularly breaks his promises not to be irrational or nonsensical but unreliable and lacking moral character.

Therefore, to maintain that there is a logical or linguistic rule relating moral to metaphysical personhood contradicts a traditional logical principle which has withstood the test of many severe and ingenious challenges. Discarding that principle because it poses an obstacle to justifying humanist egalitarianism would leave the project of founding humanism on logic circular and, consequently, a failure.

Second, turning to empirical issues, there are many traditions which do not recognize the humanist, egalitarian principle. Some tribes consider only tribe members to be persons<sub>e</sub>; antebellum slave owners considered only members of their own race to be persons<sub>e</sub>; and Hinduism and other vegetarian traditions consider animals other than human beings to be persons<sub>e</sub>. People who deny that certain human beings are persons<sub>e</sub> seem quite aware that these human beings are human beings and rational animals, that is, self-aware, self-motivated, having a language, and capable of making and executing plans. The way they protect themselves against slaves and other tribes, in contrast to the way they deal with animals, indicates this. Similarly, Hindus and other vegetarians do not seem to believe that cows and other nonhuman beings are human beings. Nor do any of these groups of people seem otherwise mentally retarded. Consequently, historical and anthropological evidence seems to count not for but against the humanist, egalitarian principle being a native part of human feelings or intuition.

11. See Max Black, "The Gap between 'Is' and 'Should,'" *Philosophical Review* 73 (1964): 165–81; and John R. Searle, "How to Derive 'Ought' from 'Is,'" *ibid.*, pp. 43–58.

12. R. M. Hare, "The Promising Game," *Revue internationale de philosophie*, no. 70 (1964), pp. 398–412.

Perhaps the most notable phenomenological evidence which suggests that slave owners, cannibals, Nazis, and so forth do not consider slaves, nontribe members, Jews, and others to be persons<sub>d</sub> is the tendency to speak of, for example, slaves, criminals, opposing soldiers, or the oppressing class in such terms as "beasts," "animals," "pigs," "vermin," "snakes in the grass," or "insects that prey on the life of the people." It would seem that before we can treat a human being as less than a person<sub>e</sub>, we have to "psych ourselves up to it" by denying his personhood<sub>d</sub>.

However, this is a historical accident. Having been raised in a culture with a strong humanist, egalitarian tradition, we must convince ourselves that the humanist, egalitarian principle does not apply to our situation before we can comfortably demean, harm, or impoverish other human beings. Allowing ourselves to be dominated by slogans, symbols, and strong emotions accomplishes this. However, those who have not been raised within such a tradition, for example, South Pacific cannibals and the slave merchants of the pre-Christian Mediterranean, do not need to psych themselves up in this way before treating some human beings as other than persons<sub>e</sub>. Thus the tendency to deny the metaphysical personhood of those whom we want to treat without respect is a product of the humanist, egalitarian tradition and cannot, therefore, serve as the foundation for it.

Phenomenologically, then, the diversity of moral traditions developed by otherwise rational people indicates that the humanist, egalitarian principle is not an essential part of human nature, feelings, or moral intuition, and moral tradition provides a plausible explanation of the phenomenological evidence which seemed to challenge this conclusion. Furthermore, wherever there are real conflicts between moral traditions, attempts to resolve them by reference to human nature are doomed to failure: If a moral value were really a part of human nature, normal humans could not feel or believe differently. Perhaps a few seriously deformed humans, such as Hitler and Manson, could feel differently—the concept of human nature allows for a few exceptions—but traditions of such different feelings could not develop if they were contrary to human nature. Consequently, attempts to found the humanist, egalitarian principle on human nature must discredit, ironically enough, the humanism and morality of that principle, since they implicitly discredit the personhood<sub>d</sub> of all those who do not subscribe to that principle.

Third, the most plausible argument of which I am aware that has been put forward to show that there is a necessary condition relationship between metaphysical and moral personhood takes this form:

Rationality is a necessary condition for morality. Moral respect is due that without which there could not be any moral respect. Therefore, rational beings must be respected.<sup>13</sup>

13. Kant puts forward this argument in the *Foundations of the Metaphysics of Morals* (Indianapolis: Bobbs-Merrill Co., 1959), pp. 46–47.



There are at least two serious problems with this argument. First, to support the humanist, egalitarian principle it must further be shown that all and only human beings are rational. Even disregarding God and other conceivable, nonhuman rational beings, this is obviously false. Many humans, for example, infants, the retarded, the senile, and the brain damaged, are either not rational or much less rational than many normal, mature animals of other species. If "rational animal" is not just another name for human beings, the argument does not support respecting all and only human beings.

Second, if "rationality" refers to something like normal, human intelligence, the first premise is false. Members of many species of animals exhibit moral virtues even though they clearly lack human intelligence. There are numerous accounts of animals exhibiting such moral virtues as love, compassion, devotion, patience, courage, self-sacrifice, responsibility, moderation, and parental concern.<sup>14</sup> Therefore, human intelligence is not necessary for morality, and the above argument cannot demonstrate that all and only human beings should be respected. However, if "rationality" does not refer to normal, human intelligence, the argument clearly has no particular tie to human beings and the humanist, egalitarian principle. If rationality is necessary for morality, many animals, that is, all those which act virtuously, have enough intelligence to qualify as rational animals for moral purposes.

The traditional tactic of discounting these animal expressions of moral virtue as merely instinctual or reflexive and, therefore, lacking moral significance is itself an expression of ignorance and species prejudice. Only those who have never lived with and cared for animals can believe that they are merely bundles of instincts and reflexes lacking individuality, reason, and freedom. Furthermore, both the complacency with which the moral virtues of animals are disregarded and the fact that "rational animal" is used to refer to infants and mentally defective humans who are clearly not rational or much less rational than normal adults of many other species not labeled "rational animals" indicate that "rational animal" is merely a rationalization covering the natural prejudice in favor of members of our own species.<sup>15</sup>

Thus there is significant evidence to challenge the thesis that human intelligence is a necessary condition for morality, and the traditional refusal to acknowledge this evidence bears the marks of traditional refusals to acknowledge the evidence against similar prejudices, for example, racism and sexism. Therefore this transcendental argument

14. For a defense of this claim that animals act virtuously, see S. F. Sapontzis, "Are Animals Moral Beings?" *American Philosophical Quarterly* 17 (1980): 45-52.

15. For instance, in commenting on Gen. 1:26, "And God said, Let . . . man . . . have dominion over all the earth," Alan Donagan writes, "This is reasonably interpreted as an affirmation that the earth and all that is on it exists for the sake of the rational beings who live on it: that is, for the sake of man" (*The Theory of Morality* [Chicago: University of Chicago Press, 1977], p. 96).

for a necessary condition relationship between being human and meriting rights fails.

Logicolinguistic, empirical, and transcendental arguments to justify extensionally identifying metaphysical and moral personhood all fail. Nevertheless, the humanist, egalitarian principle could be given a moral, consequential justification by basing the principle on a judgment of how moral rights must be distributed in order to make the world a morally better place. The proper justificatory question then becomes, How well does the humanist, egalitarian principle contribute to the progress of morality, that is, to the creation of a more respectable, dignified, honorable world?<sup>16</sup>

### III

There are at least two moral objections to the humanist, egalitarian principle and the moral concept of personhood on which it relies. These objections can be brought out by taking seriously these two questions: (A) Should all and only human beings have moral rights, that is, what are commonly called "human rights"? (B) Should we make the moral distinction between persons on one hand and property and nature on the other? These two questions are not entirely independent, of course, since a positive answer to *A* requires a positive answer to *B*. However, there are also reasons for a negative answer to *A* which are independent of the reasons for a negative answer to *B*.

#### *A. Should All and Only Human Beings Be Respected?*

It is arbitrary to make something an object of respect simply because it possesses certain metaphysical characteristics. To demonstrate that something merits respect, one must show that it possesses moral virtues, for example, kindness, courage, a sense of honor, or a sense of justice. Insofar as a creature possesses these virtues it merits respect, no matter what metaphysical traits, such as tribal membership, race, sex, or species, it may possess, and insofar as it lacks the moral virtues it does not merit respect, again, no matter what its metaphysical characteristics. For example, it is mere prejudice to hold that someone who robs a blind man merits moral rights because he is a human being, while a Seeing Eye dog does not merit moral rights because it is a dog. The thief merits contempt, while the Seeing Eye dog deserves respect, although under

16. I refer to the goal of morality as a respectable, dignified, honorable world in order to indicate what is essential to any moral system, be it Kantian, utilitarian, Christian, Nietzschean, etc., without becoming entangled in the differences among moral systems. What distinguishes a moral ideal from other sorts of practical goals is that a moral ideal is an ideal of respect, dignity, and honor. Even though they disagree as to what possesses these "properties" (Kantians believing rationally does, utilitarians believing general happiness does, Christians believing saintliness does, and Nietzscheans believing will power does), these moral systems agree that fulfilling their ideals would make the world a more respectable, dignified, honorable place, and it is this belief which makes them all, at least to a degree, moral (as opposed to nonmoral) systems.

humanist, egalitarian morality even the most heinous of criminals enjoys rights to life, legal protection, welfare, medical care, and so forth, which even the most virtuous of animals is not due. Similarly, to hold that someone who rapes a little girl merits moral rights because he is still a human being, while the loyal family pet who tries to defend the little girl does not merit moral rights because it is merely a dog is as ludicrous an example of prejudice as the following, infamous passage from *The Adventures of Huckleberry Finn*:

"It wasn't the grounding—that didn't keep us back but a little. We blowed out a cylinder-head."

"Good gracious! anybody hurt?"

"No'm. Killed a nigger."

"Well, it's lucky; because sometimes people do get hurt."<sup>17</sup>

All attempts to secure for some kind or group of creatures a moral status regardless of its or their moral character is an expression of prejudice. Moral status is properly due, earned, and lost on the basis of moral character, that is, on the possession of moral virtues, and on that alone.<sup>18</sup> Metaphysical characteristics enter into this moral issue only if it has been demonstrated that those characteristics are necessary for developing some moral virtue; therefore metaphysics can show at most that respect cannot be due a creature but can never show that respect is due.<sup>19</sup>

Thus, while the humanist, egalitarian principle that all and only human beings merit moral rights deserves moral plaudits for overcoming parochial, racial, and sexual prejudices, it is still an expression of species prejudice and has not overcome the fundamental principle of prejudice, that is, the basing of moral evaluations on nonmoral consider-

17. Mark Twain, *The Adventures of Huckleberry Finn* (New York: Washington Square Press), chap. 32.

18. Those who have not yet developed moral character, e.g., human fetuses and infants, may be extended moral rights without prejudice on the basis that they will develop moral character and the hope that it will be good character. The same extension may be made for the young of all creatures capable of developing moral character.

19. It has seemed curious to at least one reader that I criticize humanism's restriction of moral rights to humans in a way analogous to that of Jeremy Bentham, Peter Singer, and other utilitarian advocates of animal rights but, instead of basing rights on sentience as these utilitarians do, base them on virtue. I do this for two reasons. First, as Michael Fox has pointed out, it is inconsistent to reject the logic of deriving evaluations from descriptions yet base rights on sentience, since being sentient is a metaphysical characteristic, not a moral value ("Animal Liberation: A Critique," *Ethics* 88 [1978]: 110). Since I agree that evaluations cannot be derived from descriptions, I have rejected basing rights on sentience. Second, I agree with Kant that happiness is not the goal of morality; happiness, i.e., the fulfillment of one's needs and desires, is something one merits because of his contributions to the attainment of the moral ideal, but happiness is not that ideal itself. In treating happiness as a reward for, rather than the goal of, morality, I believe Kant has correctly understood a basic part of what distinguishes moral evaluations from other sorts of practical evaluations. This is why I have followed him here, although I believe virtue, rather than reason, is what is necessary for a morally better world (see Sapontzis [n. 14 above] for an explanation and justification of this last point).

ations. Consequently, it leads to moral error: the respecting of creatures who do not deserve it and the failure to respect the interests of creatures who merit respect because of their virtues, that is, because of their contributions to making the world morally good. Therefore the proper answer to "Should we accept the humanist, egalitarian principle?" is "Yes, if we can do no better, but we should try to remove even this form of prejudice."

The obstacles to such an advance are both biological and epistemological. The biological obstacle is the instinctual pull of species preference and preservation. The epistemological obstacle is whether we can evaluate moral virtues without reverting to some form of parochialism, that is, presuming that the tradition of moral virtues in which we have been raised is correct. Thus both genetics and cultural relativism may leave humanist egalitarianism the least evil form of prejudice of which we are capable, but it should be recognized as no better than that, so that sentiment and charity will be encouraged to progress, as best they can, beyond its limits.

#### *B. Should We Distinguish Persons<sub>e</sub> from Nonpersons<sub>e</sub>?*

The concept of personhood<sub>e</sub> has a dual function: (1) It protects those considered persons<sub>e</sub> against suffering the hurts and indignities which the selfish tendencies of human psychology could inflict on them, and (2) it justifies treating those creatures not considered persons<sub>e</sub> selfishly. By assigning them moral rights, the concept of personhood<sub>e</sub> protects some creatures from being treated merely as means to human satisfaction. By denying them moral rights, the concept of personhood<sub>e</sub> justifies treating other creatures, that is, those considered property or creatures of nature, merely as means to human satisfaction. Is it morally acceptable and preferable to have a concept which functions in this way?

The moral value of personhood<sub>e</sub> is usually determined through a contrast with what the world would be like if there were no moral protection against human selfishness. We would then be thrown into Hobbes's "war of every man against every man." In comparison with an amoral world in which no one respects anything, the concept of personhood<sub>e</sub> has obvious moral value: a world in which human selfishness is inhibited is more respectable than one in which selfishness reigns unchallenged.

However, if we consider personhood<sub>e</sub> in terms of its permissive function, its moral value is discredited. By limiting respect to a small sphere of creatures and actions, namely, to persons<sub>e</sub> and the actions which affect their basic interests, and by denying that the creatures of nature and those considered property have moral rights, the concept of personhood<sub>e</sub> encourages us to think of morality as a narrow range of restrictions placed on beings who may otherwise do as they please and who have a right to have their interests satisfied and to treat property and nature merely as means to that satisfaction. To be moral one need

only observe the duties and obligations due persons<sub>e</sub>; in all other areas and endeavors one is justified in satisfying his needs and desires in whatever way he pleases. For example, if an unborn infant is a person<sub>e</sub>, it may not be aborted; but if it is not a person<sub>e</sub>, one may kill it just because it will interfere with one's social life or career or otherwise be inconvenient. Again, at the same time that the plight of a few hundred thousand displaced Vietnamese generates a moral obligation to undertake costly programs to aid them, millions of displaced dogs and cats are simply exterminated every year because we do not want to be bothered with or go to the expense of running orphanages for these nonpersons<sub>e</sub>.

Because part of its meaning is to contrast persons<sub>e</sub> to property and nature, the concept of personhood<sub>e</sub> contributes to a Philistine conception of morality. Instead of encouraging the development of morality as an all-pervasive, fundamental world outlook, it justifies restricting moral concern to the observance of a small number of rules, rather like the old joke of religion being something one must do on Sunday, while the rest of the week all is permitted. Since the goal of morality is to have human actions based on respect, to the degree that the concept of personhood<sub>e</sub> justifies selfish action it frustrates the progress of morality.

Again, it may be that a protected oasis of respect in a world of selfishness is the best we can do. Since we humans already have great difficulty inhibiting our selfishness toward humans, it might be folly to try to get us to show respect for all creatures. However, traditions which do not oppose man to nature, such as some American Indian and Asian religions, have had some success in generating an attitude of respect toward all creatures. Similarly, some elements of the environmental protection and animal rights movements seem to be directly concerned with and respectful of the interests of nature, instead of seeking protection for nature merely as a means to insuring the quality of life of present and future generations of humans. The existence of these traditions and movements suggests that the distinction of persons<sub>e</sub> from nonpersons<sub>e</sub> may not be a psychologically unavoidable part of morality. If it is possible to extend the motive of respect beyond a few duties to a limited number of creatures, the elimination of the concept of personhood<sub>e</sub> versus mere nature and mere property should be encouraged.<sup>20</sup> It would be as significant a moral advance as was the elimination of slavery in favor of humanist egalitarianism. It is to be hoped that the place of the concept of personhood<sub>e</sub> versus nature and property in moral theory and practice will be only a temporary one, as adolescence is only a stage on the way from infancy to maturity.

20. Since I have said that "person<sub>e</sub>" means "a creature with rights," it may seem that I am advocating an extension of the reference group of this concept rather than the elimination of it. However, insofar as the meaning of a term is the distinctions it draws, "person<sub>e</sub>" means "that which is not a creature of nature or property;" consequently, insofar as "person<sub>e</sub>" has that restrictive meaning, extending the motive of respect to all creatures would involve eliminating the concept of personhood<sub>e</sub>, at least in part.