

THE RATIONALITY PREMISE

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1. INTRODUCTORY REMARKS

Although contemporary moral philosophy embraces a variety of moral theories, it is remarkable that the majority of those theories which have garnered the most attention and largest followings critically rely on a singular (and often unstated) premise. Contractualisms, rights theories and Millian¹ utilitarianisms all accept a uniquely indefensible claim about the nature of the moral value of rationality. The result is that, despite their significant differences, the currently prevailing moral theories are equally — and seriously — marked for their reliance on what I will call "the rationality premise". That a theory relies essentially on the rationality premise guarantees it to be impervious to demonstration of soundness.

Perhaps no moral theory can ever stand on completely solid ground. Perhaps "perfect soundness" — if such a thing there be in moral philosophy — is unobtainable. More important for present purposes is the fact of a theory's relative performance in comparison with any (otherwise

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¹ Unlike Mill, Jeremy Bentham does not accept a distinction between higher and lower pleasures for calculative purposes. Recall his widely paraphrased quip that, "prejudice apart, the game of push-pin is of equal value with the arts and sciences of music and poetry. If the game of push-pin furnishes more pleasure, it is more valuable than either". See, Jeremy Bentham, "The Rationale of Reward", in *The Works of Jeremy Bentham*, Edinburgh: Tait, 1838-43, II, i, p.253. A Benthamite utilitarianism cannot embrace the rationality premise. Such a cast of utilitarianism is far less popular precisely for its rejection of said distinction — a distinction which subsumes the rationality premise. (That the likes of Peter Singer adopt Millian utilitarianism in attempts to argue in favor of nonhuman moral status demonstrates the unpopularity of Benthamite theory, and its underlying precepts).

satisfactory) alternative theories which do not rely on the ill-fated rationality premise. When I refer to unsoundness guaranteed by reliance on the rationality premise, I do not suggest absolute failure. It is with an eye to comparison between theories which embrace such reliance and those that do not that I intend to illustrate fatal difficulties — "fatal", for essential adherence to a particularly troublesome premise, in light of theories which are not similarly bound².

Our vogue³ moral theories come out of and work within a particular world-view — a world-view wherein, it appears, there is implicit acceptance of the categorical superiority (and hence categorically different or singular moral value) of rationality. This position remains generally undiscussed and unquestioned. My contention is that on careful consideration of the roots and nature of this very belief, it turns out that the premise is neither satisfyingly defensible nor unqualifiably available to us in the analytic philosophic search for sound defense of a promising moral theory. (That a premise regarding the singular status of rationality might be incorporated into a theory by intuition or as a Rawlsian considered judgement is a possibility I will address.)

I begin with a general description of the origins of the world-view which permits such a philosophical mishap as is instantiated in our recurrent reliance on the rationality premise. My next step will be to provide an argument which demonstrates exactly how it is that the questionable premise about rationality must inevitably disadvantage any argument of which it is a part for the fashion by which it simply and irremediably escapes the status "true". A brief discussion of a related matter concerning the necessary rejection of that common-sense intuition which on reflection is shown to be impervious to demonstration of truth in the process of reflective equilibrium will round out my argument.

² Certainly any theory which does not rely on the rationality premise will have to escape many another troublesome difficulty of it is to be judged as a clearly superior moral theory.

³ Virtue theory is, sadly, notable for its unpopularity. That virtue theories are looked at apart from the current "big three" — contractualisms, rights, and utilitarian varieties — in moral theory is both interesting and important. For, virtue theory need not embrace the rationality premise. Perhaps this of its variances helps to account for its less than universal appeal.

Borrowing the Rawlsian notion of reflective equilibrium for the purpose of relative theory assessment, I will suggest that it is particularly imperative that we stand prepared to recognize the degree of weakness inherent in any theory which embraces the rationality premise in the face of alternative theories which do not equally rely on the stated and ill-fated premise, and which otherwise prove at least as theoretically satisfactory. (As I have already indicated in footnote, virtue theory need not rely on the rationality premise. Perhaps more startling is the possibility that rights theory might be redefined such that it is not essentially bound to said premise. That the latter is possible, is a project I take up elsewhere.)

2. "OUR" WORLD VIEW

The world-view in which Western Analytic philosophy squarely sits and by which it has been amply influenced is a hierarchical one⁴. Though it may no longer wholly accept or openly admit its connection to this picture, the analytic tradition — particularly in ethics — very much reflects its roots. Critical to the hierarchical picture I have in mind, of course, is an account of a universe comprised of inanimate objects, lowly beings, higher beings, divine beings, and a God. It is an ordered picture of a world wherein things lie along a continuum of imperfection through perfection. Perfection is approached, and imperfection put at ever greater remove, as — by virtue of similarity of attribute — a thing or group of things nears in likeness to God who is deemed all perfect. James Rachels reaffirms this analysis as part of his introductory work in *Created From Animals — The Moral Implications Of Darwinism*⁵:

Traditional morality depends on the idea that human beings are in a special moral category: from a moral point of view, human life has a special, unique value, while non-human life has relatively little value. Thus the purpose of morality is conceived to be, primarily, the protec-

⁴ Roderick NASH, *The Rights of Nature*, chapter 4, "The Greening of Religion" is informative here, as is recollective thought about standard religious and analytic philosophic thinking along these lines.

⁵ James RACHELS, *Created From Animals — The Moral Implications of Darwinism*, London, Oxford University Press, 1991, p.4.

tion of human beings and their rights and interests. This is commonly referred to as the idea of human dignity. But this idea does not exist in a logical vacuum. Traditionally it has been supported in two ways: first, by the notion that man is made in the image of God, and secondly, by the notion that man is a uniquely rational being.

It serves at this juncture to consider philosophers in our tradition who have subscribed to some version of this account of the world. Aristotle⁶ is a fine example. He obviously precedes talk of a perfect God and divine hierarchy as we currently know it, but his account of an ordered universe (couched in terms of perfection — a perfection which culminates in the pure, and perhaps sole, workings of reason) has been influential in shaping the general world-view here described. Clearly Aristotle's picture of the world (inclusive of man's place in it for his particular telos) has profoundly influenced both religion and philosophy. It is fair to say that the world-view we have inherited owes more than an insignificant curtsy to Aristotle⁷. In his ethics Aristotle⁸ offers an account of man's (and I do mean "man's") moral nature and the individual's moral odyssey which turns on Aristotlean division of the world and its contents in hierarchical terms where inanimate objects, animals, and humans are ranked according to their various sorts of being and abilities. The simpler are deemed less sophisticated — and, quickly, degree of sophistication is apportioned commensurate value. The pinnacle of value which is instantiated in well-functioning *human* rationality (which begins to approximate divine and pure rationality) is of the greatest value of earthly things.

Aristotle waffles between talk of truly human and divinely human flourishing. There is in man a tincture of the divine, unchanging, realm which

⁶ As explained in Jonathan BARNES, *Aristotle*, London, Oxford University Press, 1982, p. 62-64.

⁷ Platonic influence is clear as well. (I thank Gordon Christie for reminding me of a philosopher whom I too often neglect, in favor of Aristotle). I discuss Aristotle over Plato as Aristotle even more clearly describes that picture I am after.

⁸ See 1097b21-1098a21 and 1176a1-1176b29, ARISTOTLE, *Nicomachean Ethics*, Terrence Irwin, trans., Indianapolis, Hackett Publishing Co., 1985.

reason can work to attain. It does seem (and I have argued elsewhere⁹), however, that if we restrict our discussion to *human* beings, Aristotle can be most coherently taken to describe a complex human ergon. Only when the human animal transcends its humanity can reason rightly be said to be the unique ergon of the (no longer truly human) being in question. In further support of this reading consider Jonathan Lear's thesis¹⁰:

The ethical virtues focus on the fact that man is an enmattered being, living with his fellowmen in the natural world. This may be the human condition, and yet there is another sense in which the contemplative life is the most "human" life there is. But, then, what is "all too human" about the ethical life, such that, in transcending it, the contemplative life brings us to the highest realization of the human? The answer is that there are virtues which belong to our composite nature, and that from "the merely human perspective" the life of these virtues appears the best life for man to lead. But the philosopher comes to see that "the merely human perspective" is merely human. ... By realizing what is best in him man transcends his own nature: he no longer lives the life that is best for man to live; he simply lives the life that is best.

That which occasions morality is of, and so provides most, value. Thus human beings (certain humans, in fact, as Aristotle would have it) sit atop the empirical world for their moral ability. The arrival of religious traditions whose current our intellectual tradition has played in, has served to inculcate the unquestioned acceptance of these Aristotlean notions. Descartes and Kant provide two further instances of philosophers who buy into what, following Aristotle (and Plato), has become the "human as nearly divine" world-view.

Consider the Cartesian insistence (cited *ad nauseum* in animal "rights" literature) that nonhuman animals are mere automata, that the cries of a dog nailed to a table for unanesthetized vivisection are mere mechanical

⁹ I refer to a paper entitled, "Against Nagel, In Favor of a Compound Human Ergon," *Dialogue* 38.2-3, April 1996, p. 77.

¹⁰ Jonathan LEAR, *Aristotle, the desire to Understand*, Cambridge, Cambridge University.

responses from a soul-less machine. If "I" am anything, I am most certainly a thinking thing. The Cartesian *res cogitans* gives us man the rational animal — man the rational, be-souled animal. We, for our rationality, can know (if and when we are cautious in our employment of this rationality) our world and how different we are in it from all those arational things — things and creatures so below us in ability and capacity that they cannot merit moral consideration. (Though Descartes did not complete what was to be the crown of his philosophical system — an ethic¹¹ — it is clear from his metaphysics and epistemology where, and how, nonhumans would there fare).

Kantian influence on contemporary, mainstream (and predominantly malestream as feminist philosophers might aptly correct) analytic ethics is even more evident. (Whether the nonacademic person on the street is influenced to any significant degree by Kant, or any other philosopher matters. What concerns me most, however, is to gesture toward the really rather obvious heritage we in moral philosophy have as moral philosophers). In his "Lectures on Ethics"¹², also widely quoted of late, Kant points out what is wholly consistent with the work done in his *Grundlegung*, which is that what moral agents do to nonhumans can matter morally only insofar as it affects moral (ie. rational) agents. Our rationality — if it secures freedom from determinism¹³ — enables us to be moral. It is this rationality, then, which deserves the respect that is expressed in being moral. There is, in Kant, a connection between the noumena and the inexplicable in ethics. Of course it is far too complex a matter to enter into fully here. For present purposes it suffices to point out that the Kantian framework is a hierarchical one — one where pure rationality sparkles "like a jewel"¹⁴ in and of itself. The business of morality is, really, for rationality (inhering, as it does in humans) to respect itself. As we humans happen to be the bearers or keepers of rationality, we are of

¹¹ Frederick COPLESTON, S.J., *A History Of Philosophy, Book Two — Volumes IV, V, and VI*, Garden City, New York: Doubleday and Company, Inc., 1985, 142, vol. IV.

¹² Immanuel KANT, "Duties to Animals and Spirits", in *Lectures on Ethics*, trans. Louis INFELD, New York, Harper and Row, 1963, p. 239-241.

¹³ Kant's ethic is contingent on the fact of our, "possible pure will" [my emphasis]. See p.7, KANT's *Foundations*.

¹⁴ Immanuel KANT, *Foundations*, p. 10, "and if there remained only the good will ... it would sparkle like a jewel in its own right, as something that had its full worth in itself".

value. Those who lack rationality lack any and all moral value. There is, at least, a three-tiered hierarchy where humans rank above those things in which no rational capacity resides. Humans, for their admixture of feelings, desires, etc. are not as purely valuable morally speaking as the good will itself. At any rate, Kant most certainly employs and perpetuates a hierarchic picture of the world in which rationality bestows value, and where humans partake of that value which escapes our fellow residents of planet earth.

We humans, for our humanity, are misled into believing or feeling that things other than rationality share any (or some) level of value akin to that taken to obviously inhere in rationality. Pure rationality, rationality alone, can see its value — value not shared in like with anything else (whether or not any other sort of lesser moral value exists). In other words, imperfect or obstructed rationality is more perfect (and so more valuable) than none at all. Given that only rationality has (moral) value, for what it enables, humans stand above arational beings and things, yet below (the possibility of) pure rationality in a hierarchy of moral value. There is, I contend, a glaring and insurmountable difficulty here. For either the position which grants value to rationality (for what it makes possible) must be grounded in a faith of sorts about the nearness or equality of rationality to perfection, or there must be proof of such status (for analytic philosophic satisfaction about the truth of any theory which depends on just this claim). The first possibility is (religiously) intuitionist. The second is necessarily beyond our reach.

We will surely want to disassociate ourselves from claims to the effect that we "just know" rationality is of special value, or that rationality is divine (and so are we insofar as we partake in it), or the like. Contemporary ethicists are not overly pleased with the prospect of an ethic grounded in faith or some religious, or religious-like, "truth". (If "faith" turns out to be the answer, so be it. But in the meantime, we tend to look and believe that, if attainable, answers lie elsewhere).

The most favorable alternative left those whose theories stand on a premise which claims categorically superior moral value for rationality is to prove the superior value of rationality. This move is impossible, I think. That it is a matter I shall soon demonstrate. The upshot is obvious. Contractualist, rights, and utilitarian theories rock for their reliance on an

implicitly accepted premise which illicitly involves the moral status of rationality.

I shall take a moment here to review the nature of my comments of this section with respect to the historicity, in effect the historical determinism, I have briefly outlined. It is undeniable that our Western analytic tradition emphasizes rationality in a variety of ways. From Aristotle (and others) we have the notion of rationality determining human characteristics, as that which places us atop an ordered valuation of things. From Descartes we have man, *res cogitans*, as apart from animal given, again, our rationality and what it permits us. From Kant we have man, the free, the autonomous, the rational, the moral being. One might compile a list of well-known contemporaries inclusive of the likes of Joel Feinberg and David Gauthier, Peter Singer and Tom Regan in order to display the continuance of respected theories in moral philosophy to singularly place rationality on a pedestal without sufficient philosophic reflection as to the nature of the implicitly accepted claims on which their positions rest. Malestream moral theory is not unique for the place it gives rationality. For instance Nel Noddings work on caring¹⁵, intended to demonstrate a starkly different moral perspective, is interesting in this particular instance for the fact that it clearly does not differ in (or question) acceptance of the rationality premise. This pervasive acceptance is a mistake of no small stature.

My point is not so much that acceptance of the rationality premise is an error, and a severely crippling one at that (whose damage has perhaps hindered the progress of moral philosophy for an amazingly long time). Rather I want to make clear how the "brightest" philosophic minds can so blithely and securely walk the path they do — completely unaware they tread philosophically thin ice. My primary concern is to offer a gentle

¹⁵ Nel Noddings, *Caring — A Feminine Approach to Ethics & Moral Education*, Berkeley, University of California Press, 1984. That the rationality premise is accepted in Noddings' theory is clear. Consider the strong undercurrent it provides in the following (p.156):

Puffy [a cat] is a responsive cared-for, but clearly her responsiveness is restricted ... she has no projects to pursue. There is no intellectual or spiritual growth for me to nurture, and our relation itself is stable. It does not possess the dynamic potential that characterizes my relation with infants.

invective to our tradition. Perhaps I do intend to soften the blow of the argument I will soon levy. It is almost as if I offer the excuse of "determinism by tradition" on our behalf. That I do mean to do this, however, in no way lessens my additional — and certainly primary — intent, which is to demonstrate that we are absolutely wrong to rely in the fashion we do on a premise which claims the categorically superior moral status of rationality. To a degree we can understand the oversight, its origins, and our tenacity in maintaining it. We should no longer overlook it.

3. THE RATIONALITY PREMISE

Not all theories (or theorists) rely on one and the same version of what I refer to as the rationality premise. I speak of "the" — as if it permitted of only one form — premise throughout as it has no effect on the argument I present whether one subscribes to one or another version of the premise. In other words, whether one envisions rationality as all or nothing, or as admitting of degrees (and so perhaps as differently describing the moral machinery), is effectively irrelevant against my argument. Simply put, we (rational as we are) can in no way legitimize — can in no way prove true for the purposes of sound argument — the claim that rationality begets categorically superior moral value. Whether rationality in fact has value is a question whose answer is precluded us for our rationality.

That rationality affords a wonderful richness to a life is a point I grant willingly. Thinking, discussing, recollecting, playing soccer and baking pies are wonderful, rationally facilitated, activities. One might summarily conclude, then, that the richest life, the rational life, is really a best life. And as a best life is one to be most valued, the rational life shows itself to be the most valuable by a long shot — that is, categorically. The richness rationality affords us is a fine thing. This is, I suggest, the sort of train of thought which lurks rather unreflectively behind reliance on the rationality premise. Add to this line our philosophical tradition's long reliance on just such notions and it is simple to see how the rationality premise might sit unchallenged by rational thinkers for years, and years.

One might expect my tactic against this premise to involve demonstration of the claim that the richness that rationality affords us is a fine thing (a thing of utmost value), really screams to be finished, and that the

concluding thought is, "to me, to us rational beings!" That is, I might press the line that richness afforded by rationality is valuable to its owners, those normally imbued with it. Similarly, I might continue, echo-location provides a richness and so describes a value for those lives normally and naturally imbued with it. Rationality (if not a cetacean trait) is of no particular value to a dolphin. Nor is echo-location¹⁶ particularly valuable to my daughter. Value is relative. What has value must have it with respect to something — a something which need not be able to recognize that something is of value for its flourishing (the latter in the Aristotlean sense). I sketch this position precisely because it is not the one I will take up here. (That I do not take it up should not be perceived as a condemnation of the position on my part. I simply do not find it provides the best argument against the rationality premise and those arguments in which that premise lies). To bear in mind a sort of position I do not intend to champion here may help one to see the response I do describe — particularly for those who have already encountered, and so might be confused by, the sort of argument I just sketched and will not offer.

The argument I will levy comes in two parts. The first part has a sort of Humean ring to it. I do not mean that it is in any way an extension of Hume's ethics¹⁷. I do mean that there is a flavor reminiscent of Hume's approach and answers to problems in philosophy in general¹⁸. I will argue

¹⁶ John LILLY describes the intriguing possibilities afforded by echo-location in marine mammals in his *Communication Between Man and Dolphin — The Possibilities of Talking With Other Species*, New York, The Julian Press, 1978. What dolphins are able to perceive about their aquatic kin (human and cetacean like) draws impressively near what we would call psychic in humans.

¹⁷ In this regard Annette BAIER offers an interesting account of why it is that she is convinced Hume's ethics cannot provide a satisfactory way to accommodate nonhuman animals. See her, "Knowing Our Place in the Animal World", in Harlan MILLER, ed., *Ethics and Animals*, Clifton Humana Press, 1983.

¹⁸ I have in mind Hume's talk of the way in which human minds are constituted to work, the force of nature (what is natural for us, as parts of nature) from which we cannot escape. See David HUME, *Enquiries Concerning Human Understanding and Concerning Principles of morals*, 3rd ed., London, Oxford University Press, 1986. From his account of the origin of the concept (Humean "idea") of cause and effect, through his discussion of human and animal instincts, to his observations of our human predilection to hear and believe the "miraculous", in his *Enquiries*, we have example aplenty of the place Hume gives to the inescapability of the construction of our minds, which, of necessity, shapes the very manner in which we use them. (Perhaps there is similarity to Hume's ethics in

that rationality makes it such that we cannot but need, desire, and so value the autonomous life. That is: by nature we are rational. Part of being a normal, healthy human is to be rational. Rationality, which makes possible autonomy, forces us to desire and so to value rationality and what makes it possible. To be rational is to be unable to shed this valuing of rationality. To put the point yet another way, that which engenders autonomy also engenders desire for what it engenders. Secondly, I will explain why rationality simply cannot provide a means to satisfactorily demonstrate its own value as it would have to for the rationality premise to be demonstrably true. This second point involves consideration of what is essential to being a judge.

The key to my argument against the demonstrability of the rationality premise lies in what I will call the inescapability of rationality. By the "inescapability of rationality" I at once refer to both of the qualities of rationality just set out: rationality's self-appreciative nature, as well as the fact that rationality is an essential feature of judging. This inescapability occasions demonstration of the rational unacceptability of the purported truth of the rationality premise. Precisely how rationality is inescapable is what I propose to discuss next. I take up the two features of inescapability in turn.

4. INESCAPABILITY: THE SELF-APPRECIATIVE NATURE OF RATIONALITY

How is it that I can claim that rationality brings us to, makes it such that we rational creatures cannot but want, need, and so value rationality? The proof I offer is in that very material which those who proffer rationality as key to categorically greater moral value provide in their attempts to demonstrate the greater value of rationality, or of that autonomy which

my claim that we cannot but value rationality as we do. The value we experience is, at least to a degree, a function of how we are constituted. I will say no more since to do so would require explanation and deconvolution of my reading of Hume.)

I do not suggest that my talk of rationality's power to engender is in the least Humean. Whether rationality is that which Hume describes in talking of reason as passions' slave and nothing more is an interesting question which I will not venture into here.

rationality occasions¹⁹. We see contrasted the rich lives of bright, healthy humans with the (often sadly) curtailed lives of the mentally enfeebled — abnormal, arational humans — and the normal lives of other (purportedly) arational animals. (That some argue for the extension of moral standing to rationally impoverished humans is not grounds for rejection of the contrasts I enumerate here. Argument for abnormals' standing generally relies on their "honorary" connection to paradigm humans — humans special for just what these contrasts demonstrate). Rational beings admire what rationality makes possible. We marvel at the richness of, the exquisite value in, human — rational — life. That we may take issue with the particular expressions of richness of a given life is beside the point. That even Hitler had a rich (a rationally described) life in the relevant sense is a fact. That his life was exceedingly poorly formed and directed is no claim against its richness. What those who rely on this valuing, and so the purported fact of the value of rationality, fail to recognize (and so to treat) is a notion easily described in the spirit of John Stuart Mill. There is implicit assumption that a competent judge will be able to decide between the quality of competing items. Mill²⁰ insists that a qualified judge — one familiar with both, or all, items at issue — will always be able to determine which provides the greater pleasure or good. Those who unreflectively accept the rationality premise implicitly employ the concept of qualified judge, and so "determine" that such a judge will always find

¹⁹ Again we might look to Kant. This time from his *Foundations*, consider his talk (p.52-53) of rationality and what it makes possible:

Reason, therefore, relates every maxim of the will as giving universal laws to every other will and also to every action toward itself; it does so not for the sake of any other practical motive or future advantage but rather from the idea of the dignity of a rational being who obeys no law except that which he himself also gives. Furthermore (p.54), "autonomy is thus the basis of the dignity of both human nature and every rational nature".

²⁰ In his "What Utilitarianism Is", in John STUART MILL, "Utilitarianism" in *Utilitarianism, On Liberty, Essay On Bentham*, New York, The American Library, 1974, p. 261, MILL describes the competent judge from whose verdict, "there can be no appeal". He continues, "On a question which is best ... the judgement of those who are qualified by knowledge of both ... must be admitted as final". A bit later, p. 262-263, we have the rule for measuring, "being the preference felt by those who in their opportunities of experience, to which must be added their habits of self-consciousness and self-observation, are best furnished with the means of comparison". To be a judge one must be rational. One must also have experience of the things over which judgement is passed.

the rational life to be of a categorically greater value for the categorically different — more sophisticated, more complex — richness it imputes and involves.

I think it correct to suppose that a rational judge will always prefer the (or a) rational life. She will always see it as particularly richer and so more valuable. However, what those who rely on the truth of the rationality premise fail to see is that the rational judge is always an unfairly biased judge where rationality is in the balance. This is precisely because of the self-appreciative nature of rationality which dictates that one who is rational will simply be unable to ignore, let alone deny, desire for and appreciation of what rationality brings. That to be a judge one must be rational is a platitude. It is this very rationality one must have in order to be a judge which makes all judges ineligible to fairly compare the value of rationality as against arationality — of the rational over the arational life.

Rationality is biased in its own favor. There is no value-claim in this fact. There is simply recognition of the source of our natural human predilection for the rationally imbued human life. Taken alone this first feature of rationality *may* not suffice to dictate the rational rejection of the rationality premise. That is, it might be suggested that because we who are rational and so capable of morality cannot but value what rationality brings, there is reason to recognize the superior value of rationality. We might insist that the fact that rationality must value itself suggests the propriety of such valuation. This is a mistaken move.

For, in the fact of the self-appreciative nature of rationality there is no value. All that can legitimately be claimed at this juncture is that rationality is self-appreciative. This fact alone is insufficient to defend a theory which turns on the value of rationality. It is no more fitted to defend a theory which denies such value. What the fact of the self-appreciative nature of rationality begins to discover is that claims about any purported value status of rationality appear to be beyond the reach of rational agents. Claims about the value of rationality are properly precluded us for the self-appreciative nature of rationality. We can never determine whether the appreciation (and conversely, the devaluation) to and by which we are drawn is morally, axiologically, proper or not.

That we might be tempted to rely on the rationality premise as intuitively true (or to regard its claim as a considered judgement) might

seem plausibly defensible at this point. For, if we cannot but value rationality, even if we have no *reason* to do so, we might insist that we cannot but incorporate this valuation into our moral theory. That intuition and considered judgement have a place in philosophy, and that the rationality premise fares poorly on either count is an issue I take up in section 10.

The second prong of my argument from the inescapability of rationality will serve as a deterrent to such intuitive reliance. For here it will be shown that over and above the inescapable lure of the rational is the fact that rational agents are simply precluded from judging where arationality is in the balance. That we are drawn to prefer rationality is a fact on which we might hope to place some emphasis were it not for the relevant countervailing fact that we simply cannot judge over what must be considered if we are to fully defend claims of the superiority of rationality over arationality.

5. INESCAPABILITY: THE RATIONAL JUDGE

We come to the second aspect of the inescapability of rationality, which requires recognition of the fact that of necessity to be a judge is to be rational. Again, a competent judge must be familiar with both (ie. all) of the things over which judgment is passed. Here is the rub: In order to truly understand, to really be familiar with, the arational life one has simply got to experience it. Of course a good judge might try to experience through imagination (and this is often urged — consider the variations encountered on Mill's oft-repeated example concerning satisfaction, dissatisfaction, Socrates, and a swine²¹). Such a tactic simply will not do. For, the arational life is — in the regard at issue — a life devoid of what rationality makes possible. No rational comparison can be made between the rational and the arational life because a judge cannot be competently familiar with arational existence at the same time as she is (that which she must be to judge) rational. To pretend, to imagine, even to try to

²¹ J.S. MILL, *Utilitarianism*. The famous words (p.260):
It is better to be a human being dissatisfied than a fool satisfied; better to be Socrates dissatisfied than a pig satisfied. And if the fool, or the pig, are of different opinion, it is because they only know their own side of the question.

remember, what it is to be arational will not do because one must maintain rationality to pass judgement²². And, this is to retain the self-valuing aspect of rationality (as much as the judging capacity it makes possible). A judge cannot be acquainted with an arational state. To be a judge is immediately to be disqualified from being able to pass value-judgements in regard to the rational versus the arational life, or rationality versus arationality. "Arational judge" is a contradiction in terms. Yet, a truly arational judge is just what would be needed were an accurate, an unbiased, value-comparison between the rational and the arational to be made (assuming, that is, that arationality does not somehow engender its own brand of inescapable partiality). If we hope to design or identify a moral theory which recognizes a value significance of rationality over arationality, we need do more than rely on the purported value of rationality²³.

Here it is the inability of a judge to be a judge over arationality which is emphasized. (In the first step of my objection the emphasis rests on the inescapable force or push of rationality — a force to want, to appreciate, to value, that which rationality makes possible). What rationality is, what it involves, makes it impossible to at once be a competent judge and to accurately and unbiassedly identify any value, any quality, of an arational life. Rational agents cannot determine the comparative value of rationality and arationality. So it is that the weak claim that rationality values rationality — if taken in support of the rationality premise (as suggested in the previous section) — really gets us nowhere significant.

²² Here it will not do to suggest that preference alone suffices such that I might simply prefer arationality over rationality. For judgement is needed, in a heavy sense, where determination of value for moral purposes is at issue. If we want accuracy, or truth, we must judge in our "scientific", our serious, and full-powered guise. (This is not to say that more is not needed. The claim is that judgement must be involved).

²³ One might suggest that just as rationality favors rationality, so arationality will "favor" arationality and thus we would require a stance outside both rationality and arationality to properly judge between them. Since there is no such position, and judging is a rational undertaking, we must come down on the side of rationality. The conclusion here is mistakenly drawn. Rather it must be that we must come down on *neither* side. This is the force of my argument.

6. THE UPSHOT OF INESCAPABILITY

The upshot of my argument against the rationality premise and those who use it, then, is that such a position really is rationally indefensible as it can never be proven. I will, at this article's conclusion, address a possibility which some may be driven to consider despite their wishes to discover firm, sound, rational argument in support of as much of their position as possible. In a nutshell, one might be tempted to suggest that there may be other ways of "knowing", and so attempt to avoid failure in the face of the inescapability argument as here rendered. Although this is an intriguing and worthy possibility, I do not think it a line many analytic moral philosophers are likely to take.

At this point it is important to be very clear about implications we are entitled to derive from failure of the rationality premise. It is true that we cannot judge nonhuman animals to be of no moral value for their lack of rationality. This fact does not entail their direct moral standing, however. The fact of the matter is that we are rationally entitled to base *no* claims to moral standing, or lack thereof, on the rationality premise. Whether anything has moral standing cannot, for us, be a matter dictated or demonstrated by the status of reason, for knowledge of such status is precluded of us by our rationality. (There is nothing to imply that other criteria of moral standing are beyond us or indeterminable. Nor is rationality denied relevance to moral theory. I would propose that rationality is of moral theoretic import for the *kind* of knowing and being it permits, rather than any special value it purportedly imparts). We are precluded rational recourse to claims of value in rationality for our rationality. Again, I do not suggest that there are no other ways to argue for the superior moral value of one sort of being, or capacity, over another.

I have, I think, demonstrated that any argument which turns on the superior value of rationality will stand seriously crippled when taken in comparison with otherwise satisfactory theories which do not so rely. My case complete, I turn to a number of likely objections to the inescapability argument itself. They do give pause, but prove quite resolvable.

7. POSSIBLE REJOINDERS TO THE INESCAPABILITY ARGUMENT: PREFERENCE FOR THE ARATIONAL

The first objection is raised by the suggestion that I as rational judge might actually prefer (find more valuable) an arational life. If this circumstance is possible, then surely my case against the rationality premise is weakened, as rationality itself does not of necessity engender a desire or want for itself and what it makes possible after all. With a bit of clarification it becomes evident that my case stands firm. What rationality engenders (in relevant regard) it engenders of necessity.

It is what one might believe one sees in a content cat's life that raises possible argument against the rationality premise. Only if I (in my capacity as judge) conceive of a content cat's life as a rational life will I as judge deem that kind of life a satisfactorily valuable one. Only, that is, if I see the cat's as a rational rather than an arational life will I assign it that (categorically different) value reserved for rational lives. Consider what is meant, what picture is painted, by the phrase "content cat". It is of a conscious being, a being who enjoys lying in a puddle of sunshine on the rug — a cat who opts to do this rather than, for instance, finish off the remains of the lizard it has just playfully toyed to death under a chair. It is a creature we envision to ourselves (rightly or no) as having a sense of self, of making choices with an eye to keeping itself content. This way of portraying a happy cat's existence to ourselves for consideration (for valuation) presents the feline existence as a rational (an autonomous) one. Whether cats *are* rational (and so perhaps autonomous) is beside the point. What matters here is my claim that only if we identify features imparted exclusively by rationality (such as autonomy) in a life will we find that life attractive, or compelling. Rationality breeds respect for, attraction to, even desire of a life wherein it exists and is exhibited. (Of interest at this juncture is the common, and intended, response to that example often tendered against utilitarianism — that example which offers up the "plugged in and fully satisfied" life versus a more normal, though less immediately happy human existence. Rational agents rail against such possibility for the threat it poses rationality, or autonomy. The inescapability of rationality, its self-appreciative force, provides our response here.) Most people do not speak (save poetically, perhaps) of the content life of a pill-bug or crocus. These lives are recognized to be arational for their failure to offer even inklings of characteristics and capacities generally exhibited by rational beings, and thus they are taken as being of

categorically lesser richness, and so of a categorically different (ie. lesser or nonexistent) moral value.

The first objection is dissolved. Only if a judge believes a life to be rational will that judge attach particular — categorically superior — value to the life in question. As such it will not be possible to charge that judges might prefer (ie. assign categorically greater or equal value to) arationality or arational lives over rationality or rational lives, whether or not they have reason to do so.

8. POSSIBLE REJOINDERS TO THE INESCAPABILITY ARGUMENT: LEVELS OF RATIONALITY

One might press a second, but related, objection. To wit, what if we demonstrate that rationality is not all-or-nothing? What if humans generally, normally, have more rationality than others, but other animals do exhibit rationality to lesser degrees²⁴? Were this description of rationality and the world correct, might the rationality premise not be salvaged? Might we not disarm the argument against it by means of some sort of reliance on degrees of rationality and comparisons between them, for instance? The answer is no.

²⁴ Levels of rationality might be variously empirically instantiated. For instance we might recognize rational capacity in the nonverbal communicative abilities of pack animals — as they their young, divide up labor, and play. I have wolves and lions in mind, although examples abound. As apparently less sophisticated interactive and communicative animals we might consider crows, or rabbits. That wolves partake of a greater level of rationality than crows or rabbits (at least for purposes of example) is seen in the wider variety and intensity of mentally facilitated actions which shape their lives. Levels of rationality might alternatively refer to the stages of mental growth through which individuals (as typical tokens of their type) pass. There are rather obvious plateaus of human mental (and mental/emotional) development. Those familiar with cats or dolphins, for example, will vouch for the same in other species. Whether talk of levels of rationality is restricted to species or it is allowed that a given level may encompass a variety of kinds (all similar for their mentally enabled capacities), it is true that if we recognize the possibility of levels we must ask whether inter-level valuational comparisons are possible. Where the answer is significant it is "no", for the very reasons of inescapability of rationality I describe.

If there are degrees of rationality, humans will be "driven" or led by their level of rationality to value what it in particular brings. Certainly rationality of all levels, or at least those instances of a certain level of complexity, will seem recognizably valuable. However, one might attempt to maintain that the greatest rationality brings with it the richest life — for example, a truly autonomous life — and so a life of categorically superior value. If, as I have suggested, rationality prefers what it engenders, the richest rationality will certainly prefer the (rationally) richest life — that which it makes possible. So, even if we admit levels of rationality it appears we are stuck with the self-appreciative aspect of the inescapability of rationality. Furthermore, note that to judge between two levels of rationality a judge must be of the highest level of rationality under consideration. Again, this particular qualification for judging value based on rationality itself makes the judge wholly ill-fit to judge fairly, or to judge at all where a lesser complement of rationality is at stake²⁵.

9. POSSIBLE REJOINDERS TO THE INESCAPABILITY ARGUMENT: ERRING ON THE SIDE OF RATIONALITY

There is a third discomfort (I hesitate to say objection) one might note against my demonstration of the inescapability of rationality and what it entails. The trouble, which might be regarded as a sort of objection by intuition, arises when we ask how we are to decide in a life-boat-like situation. I might state the position thusly: Ought we really not err on the side of rationality when it comes down to a decision which will positively affect either (in the disjunctive sense) a rational or an arational being? The idea at work here is that rational creatures are proven rights-holders (or otherwise worthy of moral respect), and arational creatures are not. So, if we err on the side of rationality in matters of rational versus

²⁵ As it becomes increasingly tempting to distinguish between very slightly different types of rationality, it will become correspondingly difficult to make the difference(s) between them the basis of categorically different sorts of moral value. One might determine that a particular level of rationality (let us call it 100) could very closely approximate by way of imagination what it would be like to exist at level 99 rationality. Perhaps between levels 99 and 100, a competent judge really could decide. However, 99 and 100 are rationalities of very similar degree. The argument to exclude the arational from moral considerability will only "work" when the arational are truly arational (whatever rationality turns out to be), when they are truly of significantly different mental capacity.

arational conflict, we ensure that we — at least — err on the side of morality²⁶. This is an objection which will likely be raised against any argument whose result is to level the rationality premise, and so bring the question of nonhuman status squarely into the moral picture. The discomfort is easily answered. (Those inclined to suffer the itch of the discomfort I have in mind will likely continue to scratch — from a new discomfort — on hearing my reply.)

By way of response it is essential to note that it looks as if to make the claim that rational beings have rights is to separate — it is to recognize a relevantly important difference between — rationality and arationality. If no such distinction is made, then the claim that rationality brings moral relevance really boils down to a claim which does not set it apart from arationality in that arationality brings (or does not preclude) moral relevance. That is, the claim really made is one to the effect that, for example, a being is of moral value in virtue of being alive (or some other feature which underlies rationality but does not exclude arationality). So we have no reason to "err in favor of rationality". "Rationality" simply serves here as a variable, to be variously replaced — for instance, by arationality. The only possibility remaining — if the claim that rationality brings moral value is to make sense — is, again, to understand the claim to be that rationality as against arationality brings moral value. If the latter reading is the case, the discomfort which gives rise to the suggestion that we err in favor of rationality in moral dilemmas clearly falls to the very objections which I have levelled in this chapter in the form of the argument against the rationality premise.

In other words, when the suggestion is made that we might do best to err in favor of rationality, we are faced with two alternatives. Either this purportedly favorable erring does not presuppose a morally relevant difference between rationality and arationality, in which case to single rationality out as a morally decisive feature is groundless; or, a morally relevant difference between rationality and arationality is assumed. If this

²⁶ If it turns out that arational creatures are morally relevant, it will be just as much erring against morality when we respect the rational over the arational. What I have argued here is that one very popular way of supporting the claim that arational beings are neither morally relevant, nor are of categorically equal moral relevance, is unlikely to succeed.

latter position is the case, there can be no sound argument to support the claim.

The discomforting question of what to do when faced with conflicts between rational and arational beings remains. Whatever we do, it is clear that there will be no sound argument which dictates erring in favor of, let alone knowingly acting (as opposed to erring) in favor of, the valuable rational over the less valuable arational. If one does favor the rational, one cannot claim moral high ground through reference to the value of rationality by means of sound argument.

10. POSSIBLE REJOINDERS TO THE INESCAPABILITY ARGUMENT: REFLECTIVE INTUITIONS AND CONSIDERED JUDGEMENTS

Finally, it might be suggested that the rationality premise is a basic, even universal, intuition which must be allowed in moral theory. My reply denies neither the purported universality nor the tenacity of the rationality premise. Recall just what the rationality premise must in some form involve. It is a claim to the effect that rationality brings with it categorically superior moral worth (such that, of course, those in whom it inheres are themselves of categorically superior moral worth). That rationality has such oddly superior value is itself an intuition. It is also a common-sense belief which has so impressed (or snuck past) us that we have assumed its reliability and have implicitly or explicitly used it as a premise upon which to mount our various moral theories. To rely on a premise gotten from intuition is not in itself a fatal flaw. Philosophy (as other intellectual enterprises) does recognize the worth of intuition or common-sense

Yet surely in philosophy intuition is to serve as a *guide*. And intuition must itself be analyzed or assessed as far as possible. One must check qualifications and references, after all — whether selecting a sherpa for a Himalayan trek, or an intuition in which to ground a moral theory. This is what we teach, and are taught, in so many words in introductory philosophy courses! It is basic to our discipline. What surprises, then, is that traditional moral theories take the intuition at work in the rationality premise not as guide, but as given. (The icing on the cake I bake here is that canonic moral philosophers may persevere in unquestioned acceptance of the intuition whose problematic nature I demonstrate). This is to use a prereflective intuition, a bit of unanalyzed common-sense, as key

premise in what is to be a philosophically rigorous argument. The error makes for a sorry state of affairs. After all, theories which critically rely on insubstantiable intuitions are commensurately insecure.

At this point one might suggest that the intuition embodied in the rationality premise — to the effect that rationality brings with it superior, even categorically different, value — is a prime example of a Rawlsian "considered judgement" in order to defend against the rather obvious intent of my charge to the effect that our preferred moral theories are inescapably and dangerously intuitionist²⁷. The operant idea of such a tactic would be to suggest that there is somehow something more philosophically substantial to a considered judgement than to an intuition, and that this something is a distinguishing feature of the rationality premise. The move fails.

Early on in *A Theory of Justice* Rawls (p.47-8) explains considered judgement as follows:

[T]hey enter as those judgements in which our moral capacities are most likely to be displayed without distortion. Thus in deciding which of our judgments to take into account we may reasonably select some and exclude others. For example, we can discard those judgements made with hesitation, or in which we have little confidence. Similarly, those given when we are upset or frightened, or when we stand to gain one way or the other can be left aside. All these judgments are likely to be erroneous or to be influenced by an excessive attention to our own interests. Considered judgments are simply those rendered under conditions favorable to the exercise ... and therefore in circumstances where the more common excuses and explanations for making a mistake do not obtain. The person making the judgment is presumed, then, to have the ability, the opportunity, and the desire

²⁷ Again note that to claim that rationality has special value is not necessary in order to obtain the result that humans will often command the most and most frequent moral respect. A Benthamite utilitarianism will likely offer such result in application, if by "respect" we understand "factual frequency of moral attention and weight of claim".

to reach a correct decision (or at least, not the desire not to). Moreover, the criteria that identify these judgments are not arbitrary.

Furthermore, Rawls makes it clear (p.20) that considered judgments are "provisional fixed points" which are subject to pruning and adjustment on inspection as a result of reflective equilibrium assessment: "An allowance must be made for the likelihood that considered judgments are no doubt subject to certain irregularities and distortions...". Thus we have it (later in the same paragraph) that:

From the standpoint of moral philosophy, the best account of a person's sense [of justice] is ... the one which matches his judgments in reflective equilibrium. As we have seen, this state is one reached after a person has weighed various proposed conceptions and he has either revised his judgments to accord with one of them or held fast to his initial convictions (and the corresponding conception).

In this notion Rawls is influenced by Sidgwick who (he points out, p.51, footnote 26), "takes for granted that philosophical reflection will lead to revisions in our considered judgments, and although there are elements of epistemological intuitionism in the doctrine, these are not given much weight when unsupported by systematic considerations". It is part of moral study to scrutinize considered judgments — particularly when one sees one might in order to further intellectual progress (as well as to guard against unwitting bias which might stand in the way of such progress). If considered judgments bear up under assessment, they may serve as fundamental premises in our moral work. If not they need be reshaped (if salvageable), or discarded.

Given the item at hand — the rationality premise, in which what one judges about is the value of rationality — no amount of rational prowess or control will help. Rational calmness, coolness and collectedness are of no avail. The considered judgment is a lovely tool for rational study, except when rationality is itself the object of judging as it must be in the matter at hand. Recall that judging (as Rawls recognizes) is a rational business. One cannot judge the value of rationality as against arationality in (or as) considered judgment, for to do so would necessitate being

unable to be capable of so judging. We have compelling reason to abandon the rationality premise (or at least to recognize the extent of its weakened status), even if we, at the outset, take it to be defensible as considered judgment. On inspection we see it cannot truly be a rational judgment. As far as the rationality premise goes, it cannot properly speaking succeed as a Rawlsian considered judgment. It fails on this count just as it fails the test of considered, or reflective, intuition.

Intuition, pre-reflective intuition, is clearly philosophically helpful. It can indicate ideas and claims which may be right-headed or worth further reflection. This is, however, all it can do. It would be a serious mistake to equate intuition with a *prioricity*. If intuitions themselves are to serve in arguments as premises, they must undergo careful consideration. The case of the rationality premise — derived from common-sense feelings about the specialness of rationality — is one in which the underlying intuition is of such a nature that it can never be proven true. Thus the same holds true of the premise. Said premise does not admit demonstration of proof by a rational being and so cannot successfully (or unproblematically) ground a sound argument. Any theory which must rely on the premise is demonstrably requisitely weakened.

11. SUMMARY

I have suggested that any argument which does appeal to the "richness" rationality affords in order to prove that arational beings are morally inferior to beings equipped with rationality faces definite difficulties. For, rationality makes it impossible to be an *unbiased* judge of the very issue which would need to be judged in order to prove that point. Rationality, of necessity, by its very nature, breeds self-partiality. Furthermore, where the value of arationality is involved, rationality precludes even being able to be a qualified, an experienced, judge. Rationality is inescapable in precisely the ways it would need to be escaped from in order to determine whether its presence does afford a life of greater (moral) value than a life from which it is absent. (In fact, the inescapability of rationality serves to deny rational agents access to any rationally defensible claim about the value of rationality.) The rationality premise is at best a rationally insubstantiable intuition.

To counter that the bulk, and best, of our moral theories accept the premise at issue does not lessen the force of my argument. If moral

theory must now stand on the rationality premise, moral theory will neither stand firm nor secure. If a contending theory dawns (or is reawakened) which equally meets the standards set by rights, contract, and utilitarian theories, yet surpasses them in not relying on the rationality premise, then this theory must win our serious attention — if not allegiance — as the result of assessment by reflective equilibrium. I suspect that such a theory exists - over and above the already noted presence of virtue theory. If we can manage to consider moral theory without the rationality premise, we may make progress from which we have heretofore kept ourselves. Finally, given the lackluster performance of the rationality premise, I suggest that we extend our moral philosophic attentions more broadly so as to give serious attention to the proper place of rationality in moral theory — a place which may or may not dictate that those with rationality will most frequently gain the upper hand in moral deliberation.