EXPERIMENTING ON ANIMALS: A RECONSIDERATION

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We live in a world that is morally horrific by almost anyone's standards. In the Third World millions of people suffer from malnutrition, and due to inefficiency, stupidity, or venality many of them will literally starve to death. Even those of us fortunate enough to live in affluent countries are threatened daily with annihilation. Through madness or miscalculation, Reagan or Gorbachev could turn the entire planet into a fiery oven. The survivors would have nothing to look forward to but slow death in a Nuclear Winter.

In such a world, is it any wonder that many people do not think that animal welfare is a high priority? With so many other causes competing for our limited attention, some say that devoting time and energy to animal welfare is just a way of avoiding the more pressing problems of people.

This is a common attitude that is not easily overcome. Most of us conveniently forget how pervasive our use of animals really is. We prefer our childhood images of "Old MacDonald" to the realities of factory farms. Even when the facts are brought to our attention—seventy million lab animals used in the United States each year and four billion animals slaughtered for food—the lesson seldom takes.[1] Many people continue to believe that serious concern for animals either is beyond the call of duty or a way of avoiding the call of duty altogether.

Animal liberationists, on the other hand, do not understand how sensitive, caring people can be indifferent to animal suffering. Many of us who pamper dogs and cats eat cows and pigs. We would have the next door neighbor arrested for doing the sorts of things we do not object to when they are part of a scientific protocol. How can people who

show concern for some animals show such contempt for others?

In such an environment, neither abstract moral theorizing nor raw emotional appeal have much force. For neither side is open to the arguments or exhortations of the other. Nowhere is this clearer than in the debate over the use of laboratory animals.

Several years ago Tom Regan and I wrote a paper in which we discussed various views concerning the ethics of using animals in science. We argued against both the "unrestricted use" view characteristic of the scientific establishment, and the "abolitionist" view often held by animal liberationists. Our claim was that two very different but independently plausible moral principles lead to a moderate position: that it is sometimes permissible to use some animals in scientific experiments. We argued further that our present practices with respect to animals are so abhorrent and extreme that even this moderate position implies that "at least much of the scientific use of animals is morally wrong and ought to be stopped." [2]

It is not easy to come up with final answers to moral questions, and further reflection often leads philosophers to revise their views. Regan has changed his mind about animal experimentation, and he now thinks that the abolitionist position is the only defensible one.[3] While I agree that there are mistakes in our original paper, I think they are merely mistakes of detail

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rather than substance. I continue to believe that a moderate view is the correct one, and I continue to think that it has sweeping implications.

Still, there is an important oversight in our original paper. We assumed without argument that most people would agree that the use of animals in science raises moral questions that should at least be discussed, and that anyone who agreed with this would also be committed to the patterns of reasoning and discourse that are characteristic of moral discussion. It is now clear to me that many people do not share these assumptions. One of the most important and neglected aspects of the dispute between animal liberationists and the scientific establishment concerns whether the question of animal experimentation is really a moral question at all; and if it is, what implications this has for the kinds of positions that can be rationally defended. Only after these issues are resolved can we go on to construct a theoretical framework that has the potential to affect people's behavior.

My main purpose in this essay is to address these questions. I hope that the result will be a clearer understanding of which positions are defensible and which are not, and how argument and discussion should proceed if we are to make progress.

In the first section I discuss the dispute as I think it is typically seen by the scientific establishment. In the second section I discuss what I take to be the views of the mainstream of the animal liberation movement. Finally, in the third section I draw some conclusions.

The View from the Top

The scientific establishment has recently become concerned about the activities of animal liberationists. In 1982, Harvard University's Office of Government and Community Affairs produced a report entitled The Animal Rights Movement in the United States: Its Composition, Funding Sources, Goals, Strategies and Potential Impact on Research. This report, which was intended for internal distribution only, warned that although these groups are disorganized and competitive, they represent a "formidable threat" to university research.[4] Donald Kennedy, a former head of the Food and Drug Administration and now

President of Stanford University, issued a more serious warning in a speech to the Comstock Club entitled, "The Great American Science Venture: Will It Survive?" Of all the problems facing American science, according to Kennedy, "None is more troubling than some actions promoted in the name of 'animal rights.'"[5]

Animal liberationists are threatening, it is often thought, because they are the vanguard of a large anti-science movement. This movement has been said to include, at various times, astrologers, food faddists, and natural healers, as well as opponents of recombinant DNA research. A recent example of such a view can be found in Dr. Maurice Visscher's critical notice of Bernard Rollin's Animal Rights and Human Morality. Writing in the New England Journal of Medicine, Visscher claims that "Few physicians will care to read this book . . . but its appearance at this time is evidence that the anti-science group in America is becoming more vociferous." [6] Visscher calls on the "rational segment of society" to "diligently counter [the animal liberationists'] pernicious influences on biologic science." [7]

Since the time of Visscher's review, the preparation of the Harvard Report, and Kennedy's address to the Comstock Club, animal liberationists have become increasingly militant in their tactics. In the last year, the Animal Liberation Front has freed animals from laboratories on both coasts. Recently the ALF obtained some videotapes, made by researchers, of head injury experiments performed on baboons at the University of Pennsylvania.[8] The purpose of these experiments, according to Dr. Thomas Langfitt, Chair of the Department of Neurosurgery, was to discover what happens to the brain at the moment of injury. The experiments involved deliberately inflicting head injuries on baboons by strapping them to a table, encasing their heads in a steel cylinder, and then violently accelerating the cylinder with a piston-driven pneumatic device. This causes the brain to slam against the skull with such force that the baboon suffers massive concussive injuries which result in paralysis and usually death. The experiments documented by these tapes were appalling, but even more shocking was the behavior of the researchers. They treated their animal subjects with what can only be described as great ruthlessness and insensitivity. The tapes even show one

researcher teasing another: "better hope the anti-vivisectionists don't get a hold of this."

The scientific establishment has responded to this escalation of animal liberationist activity in several ways.

Some have tried to take the moral high ground. They agree with the animal liberationists that there are serious moral issues involved in animal experimentation. What they claim, however, is that morality is on the side of the researchers. I shall call these people Moral Humanists (or Humanists for short).

Those in the second group also believe that animal experimentation raises moral issues, but they have a different conception of what moral principles are: they see them simply as preferences, rather than as overriding commitments. Disputes about the morality of animal experimentation are, in their view, conflicts between people with different

preferences about how animals should be treated in scientific contexts. Since conflicts of preferences can often be resolved by simple compromise, those in this second group are more willing to try to find common ground with the animal liberationists than the Humanists are. I shall call these people Moral Democrats (or Democrats for short).

A third group does not see animal experimentation as a moral issue at all. They

think that the domain of morality is very narrow; it concerns only private stances on fundamentally private issues. These people regard animal liberationists as irrational fanatics who do not understand science or recognize its authority. They see themselves as victims of these "animal crazies" who are out to harrass them and disrupt their work. I shall call this group, which I believe to be the largest of the three, Moral Privatists (or Privatists for short). I shall discuss each of these groups in turn.

Humanists typically claim that the behavior of animal liberationists is immoral. It violates a fundamental principle that must be respected. One oft-cited candidate for such a fundamental principle is freedom of inquiry.

At the height of the controversy over recombinant DNA research, Carl Cohen, a philosopher at the University of Michigan, published two influential articles defending a strong right to freedom of inquiry.[9] He claimed that unless an overwhelmingly strong case can be made against a line of research, it may go forward. Cohen believes that the abolitionists have failed to make an overwhelming case against animal experimentation just as the opponents of recombinant DNA research failed to make their case. Indeed, in conversation, Cohen has expressed the opinion that there should be more animal experimentation rather than less.

Sometimes the argument on behalf of unrestricted research appeals to values that are less lofty than freedom of inquiry. In his Comstock Club speech, Kennedy's defense of scientific research seems to rest on its contribution to GNP. He begins by saying:

It is a real pleasure to appear before you. I shall use the opportunity to tell you a tale of extraordinary American success. It has to do with the relationship between productivity and innovation, and in particular with the function on which both depend: basic research.
(p. 1)

He goes on to quote Herbert Hoover approvingly:

A nation with output of fifty million annually of commodities which

could not be produced but for the discoveries of pure science could well afford, it would seem, to put back a hundredth of one percent as an assurance of further progress. (p. 2)

Later in the speech, when animal liberationists are identified as "perhaps the major threat to scientific research," Kennedy seems to imply that they are to be faulted for impeding commerce.

Were Kennedy not an important and influential man, the view he seems to be advancing in this address would hardly be worth taking seriously. Our economy is perhaps threatened by cheap imports, high interest rates, and large budget deficits, but it is ludicrous to suppose that animal liberationists present the same sort of threat. Moreover, what is at issue in this dispute is whether or not our treatment of animals in scientific contexts can be justified. To point out that we benefit from our treatment of animals does not in itself constitute a justification.

Cohen's position seems more plausible on the face of it. Most of us would agree that freedom of inquiry is an important value which we should seek to preserve and extend. But three considerations cast doubt on the plausibility and force of this argument.

First, it is not clear that restricting the use of animals in science would result in less freedom of inquiry. In fact, by redirecting resources away from entrenched institutions and calcified research programs, such restrictions could well contribute to greater effective freedom of inquiry for really creative scientists with new and exciting ideas. It is important to remember that social forces--whether economic, political, sociological, or moral--always play an important role in guiding scientific research. They profoundly affect the goals set, the methods employed, and the questions asked. Which research programs are pursued and which are not is often determined by funding decisions, which in turn are heavily dependent on policy decisions in both the public and private sectors, as well as on the decisions and judgments of those researchers who are well-established in their fields (the "old boy" network). The introduction of a new consideration into the funding game--restrictions

on animal experimentation--would undoubtedly be devastating to those who have been trained in animal research and are unwilling or unable to effect a transition. But it might also provide more opportunity for many other researchers to pursue exciting new projects.

These are only speculations, of course, but they cannot be dismissed out of hand. It would require considerable argument and evidence to show that restricting animal research really would result in diminished freedom of inquiry. In the absence of such argument and evidence, we should resist the temptation to make the all-too-ready inference that restrictions on the use of animals would constitute restrictions on freedom of inquiry. Still less should we conclude that such restrictions would impeded the growth of knowledge.

Even if restrictions on animal experimentation would constitute restrictions on freedom of inquiry, it does not follow that it would be wrong to initiate such restrictions. Freedom of inquiry is not an absolute value. We accept and even demand some restrictions on freedom of inquiry, even when this stands in the way of obtaining valuable knowledge. We do not allow research on unconsenting prisoners, unwanted children, or unloved old people. We find the research conducted by Nazi doctors in concentration camps utterly repugnant, however valuable the information they obtained might be. Freedom of inquiry is an important value, but not the only value.

The final point is this. Respecting freedom of inquiry is one thing; being compelled to support particular research programs which employ particular methodologies is another. Animal liberationists are accused of trying to curtail scientific research because they oppose the use of their tax dollars to support research that harms animals. But this charge is no more just than the charge that those people who opposed the use of their tax dollars to bail out Chrysler were attempting to destroy the American automobile industry.

It might be thought that I have overlooked an important premise in the arguments of the Moral Humanists. The argument from GNP would not be successful, it might be admitted, if there were substantial values on the other side of the scale. But since there

are only animals on the other side of the scale, and since animals count for nothing or for next to nothing, economic considerations and the value of free inquiry are important enough to sustain this position.

But, if this is how these arguments are to be understood, then the Moral Humanist begs the question. For these arguments were introduced in order to show why animals do not matter. If, in order to succeed, they must assume that animals do not matter, then the demonstration will have failed. The suggestion that it is legitimate simply to assume that animals count for nothing is especially troubling since an impressive body of work over the last decade argues otherwise.[10] For this work to be dismissed out of hand with no argument is a poor way to defend a position, and an even poorer way of trying to arrive at the truth.

Moral Democrats have recently become more prominent within the scientific establishment. They recognize that there is a deep and serious division in our society about how animals may be treated in scientific contexts, and they seek to compromise this division. Democrats view the issue as one of the "few crucial interfaces between the operations of science and the concerns of the public as a whole." Consequently, they believe that "the scientific community must ensure that the issue is handled sensitively and credibly." [11] The quoted words are from a recent article by Thomas Moss, Director of Research Administration at Case Western Reserve. According to Moss, some scientists are beginning to perceive "the reality and legitimacy of public feelings about laboratory animals, even if those feelings seem irrational in some scientific or logical frameworks," and he points out that "public attitudes toward respect for animal life are no more irrational than many broader attitudes towards the sacredness of life" (p. 52). This movement within the scientific community leads him to an optimistic conclusion: "both sides appear to be moving toward a beneficial mutual understanding" (p. 56).

I find Moss's optimism encouraging. I, myself, have argued that reasonable people should be able to agree immediately to a three-quarter reduction of the number of animals used in science, and only then get down to the hard cases. Still, I fear that Moss's optimism is based on a misconstrual of

the animal liberationists, and a misunderstanding of what it is to take a moral position. This is suggested by what is missing in Moss's article. He seems to understand that people's feelings about animals matter, but he doesn't seem to accept the fact that animals matter. And for the animal liberationists, the heart of the struggle is to get that second point across. Animals matter in their own right because of what they are, regardless of any ties they may have to humans.

The Democrats' view seems to be this: moral principles are preferences that can be balanced against other preferences with a view to satisfying those which are most intense and widely held. But moral principles are not mere preferences. Rather, they embody commitments to work for the development of certain kinds of character, the establishment of certain ways of life, or the bringing about of a certain kind of world.

Moral commitments need not be absolutist in principle nor lend themselves to uncompromising tactics. I may think that it is wrong to lie, kill innocent people, or experiment on animals without thinking that it is always wrong to do these things; thus, my principles may support a moderate view. But if I hold a moderate view, it does not mean that I must be willing to split the difference with those who disagree with me: kill a few innocent people here, spare a few there. Rather, to have a moral commitment to a moderate position is to subscribe to a set of principles which implies that it is permissible to kill an innocent person or experiment on an animal under some conditions; but when those conditions are not satisfied, such conduct is wrong. I may be willing to compromise in order to minimize the number of unjustified lies or killings of innocents; but insofar as my commitments are moral commitments, whether absolutist or not, I cannot rest with such compromise. My end is the elimination of evil, not accommodation with those whose views I regard to be incorrect.

What this means for the present case is that animal liberationists will not finally be satisfied with the sort of compromise that the Democrats seek--not because liberationists are fanatics--but because their commitment to ending what they regard as our immoral treatment of animals is a moral commitment. This does not mean, however, that

stable compromise is impossible. Each side could find itself in a situation in which it could only lose if it does not come to terms with the other, just as two nations each convinced of the moral turpitude of the other may reach accommodation if both are vulnerable. But to expect people who view this issue as one of great moral gravity to reach accommodation easily or to compromise simply for the sake of reducing conflict is to fail to respect their views as moral views.

The Moral Privatists do not see the issue of animal experimentation as a moral issue at all. In their view, it is my business how I treat my dog and your business how you treat your cat. What goes on in the lab is nobody's business but the researchers'.

The Privatist position seems strange to a moral philosopher.[12] The Humanist can be seen as someone who has moral principles which he cannot defend, and the Democrat as someone who misunderstands the force and authority of moral principles, but the Privatist seems to be off the map altogether. His misunderstanding of the nature of morality and the force of moral reasons is so thoroughgoing that he seems to stand in need of diagnosis and therapy rather than argument.

Moral philosophers typically believe in the sovereignty of morality. Moral reasons, whether or not they are different in kind from non-moral reasons, always win: they take precedence over all other considerations. If morality demands my presence or yours at a "hands-off Nicaragua" rally, then it would be wrong for me or you to go to the opera instead.

This is a conception of morality that is foreign to the Privatist. If he thinks about morality at all, he thinks of it as something which is very personal and private—how he lives his life, how he treats his wife and kids, and so on. From this perspective, the very idea of public morality looks strange and dangerous.

Whatever our politics, most of us share something of the Privatist's conception. We tend to resent those who want to intrude in our lives whether they are advocates of restrictive abortion laws, prayer in public schools, or legislation intended to protect laboratory animals. Although the Privatist

might try to parry the animal liberationist with the charge that she should care more about people and less about animals, the Privatist is really just as opposed to those who would compel him to do good for people. He might say that our time and energy is better spent on people than animals, but he would resent us just as much if we were to argue that he should be forced to do what he can to relieve starvation in Ethiopia.

In my view, none of these groups really engage constructively with the animal liberationist. The Humanist fails because he assumes at the outset that animals do not matter; the Democrat fails because he treats moral principles and commitments as if they were mere preferences; the Privatist fails

because he has such an impoverished conception of morality and moral discussion.

The View from the Barricades

There are three key ideas that are characteristic of animal liberationist thought.

First, animals are like us in ways that count. They are conscious beings who can suffer and enjoy their lives. And just as it is a bad thing for us to suffer, so it is a bad thing for them to suffer. Second, animals are innocent. They have done nothing to deserve their fate at the hands of experimenters, and they do not benefit from whatever results are obtained. Finally, animal liberationists suggest that our treatment of animals both expresses what kind of people we are and contributes to making us worse.

Animal liberationists give other arguments as well. They point out that animals are often used in research that is stupid, pointless, or redundant (the Draize and the LD 50 are good examples). They claim that alternatives to animals are available if only researchers would use them; and that where alternatives are not available, it is because we have had no real interest in developing them. And sometimes animal liberationists impugn the motives of researchers. This will probably become more common as the University of Pennsylvania videotapes are more widely viewed.

I think it is clear that the arguments in this second group rest on more fundamental premises. The worries about the failure to use alternatives and the pointlessness of much research would not matter were it not the case that animals are important creatures who are like us in ways that are morally relevant. The belief that researchers have malign motives is related to the view that what we do to animals expresses what is bad about us and also makes us worse.

There is quite a lot to be said about these three fundamental arguments, but what I say here will have to be brief.

The first argument concerns our continuity with other animals. From the point of view of animal liberationists, the scientific establishment has not learned the moral lesson implicit in the Darwinian Revolution. We are merely one species among many; from "the point of view of the universe," we are not fundamentally different in kind from many other animals. Indeed, this is what makes animals plausible "models" for humans in experimental situations. Now that we are free of the behaviorist blinkers that distorted our view for the first half of this century, we can see that our similarities to other animals are not just physical but extend to our conscious lives, as well. Many animals experience pleasure and pain, act on the basis of their beliefs and desires, and communicate by means of highly complex representational systems. To deny animals moral standing is to make an arbitrary distinction between our species and all other species. It is this line of argument which views our treatment of animals as the same kind of moral failing as racism and sexism.

The second argument concerns innocence.

Laboratory animals have done nothing to deserve their fates. They are victims of science in consequence of having been victims of irresponsible owners, or because they were brought into existence for commercial purposes or kidnapped and transported from their natural habitats. It is wrong to do what we do to innocent animals for the same reason that it is wrong to imprison and execute innocent humans--whether conscious or self-conscious, rational or irrational. When the lives of innocents are at stake, appeals to "levels of consciousness" are not decisive and perhaps not even relevant.

The final argument concerns the effect of our practices on the development of character. Most of us value certain traits and dispositions. We admire people who are gentle, loving, benevolent, appreciative of nature and beauty, loyal, and so on. Yet, we think that deliberately destroying and causing pain to animals is an important part of the education of many people, especially of those who are to become healers (for example, veterinarians and physicians.) It is not that all researchers are bad people, or that those who deliberately break the necks of baboons will do the same to humans; but rather, a society concerned to develop good people does better to educate them in the practice of those virtues. In the long run, a society which does not will be morally bankrupt. Indeed, some may think that the ills which I mentioned at the outset of this paper are to be expected in a world which mistreats animals. From this perspective, there is no conflict between liberating animals, and liberating what is best in human beings.

These arguments, which are at the heart of the animal liberation position, are essentially moral arguments. They are not primarily appeals to self-interest, our desires, or our emotions. Rather, they ask us to think in an impartial way about all of those creatures who are the proper objects of moral concern. It is this point of view, the moral point of view, which provides the ultimate reasons for action.

Conclusion

What I have suggested is that there is a real failure of understanding between the scientific establishment and the animal liberationists. The scientific establishment

for the most part appeals to our collective self-interest, or their authority, in trying to defeat the animal liberationists. When they try to engage in moral discussion, the arguments they advance are typically less than cogent. When they make overtures toward compromise, they often presuppose false views about the nature of the dispute.

The animal liberation movement is a movement with a moral foundation. It is directed toward radically altering our principles and practices in the light of moral theory. In this respect (as in many others), it is truly the heir of the progressive social movements of the last century.

The animal liberation movement is not necessarily committed to an abolitionist position, however. One can accent some or all of the arguments sketched in the previous section without supposing that they lead to the conclusion that it is never permissible to experiment on an animal, whatever the consequences. Nor is this movement necessarily uncompromising. But if meaningful compromise and accommodation are to be possible, it is important to understand what is at stake on both sides of the issue. And so far, the scientific establishment has failed to understand the force and power of the moral position on which the animal liberation movement is founded. Until that happens, meaningful dialogue will be difficult to achieve.

Notes

1. This estimate of the number of animals used in laboratories is taken from Andrew N. Rowan, Of Mice, Models, and Men (Albany, S.U.N.Y. Press, 1984), Chapter 5. The estimate of the number of animals slaughtered for food is taken from various Fact Sheets published by Food Animal Concern Trust, P. O. Box 14599, Chicago, IL 60614.

For ease of reference, I refer to members of the scientific establishment with male pronouns and members of the animal liberation movement with female pronouns.

2. "On the Ethics of the Use of Animals in Research," in Tom Regan and Donald VanDeVeer, eds., And Justice For All: New Introductory Essays in Ethics and Public Policy

(Totowa: Rowman and Littlefield, 1982), p. 190.

3. See The Case for Animal Rights (Berkeley: University of California Press, 1983), Chapter 9.

4. The Harvard Report is available from the International Society for Animal Rights, 421 South State Street, Clarks Summit, PA 18411.

5. Parenthetical page references are to a typescript of Kennedy's speech released by his office at Stanford.

6. New England Journal of Medicine 306 (May 27, 1982), pp. 1303-4. For further discussion of Visscher's review, see my review of Animal Rights and Human Morality in Ethics & Animals 4 (1983), pp. 13-8.

7. Ibid., p. 1304.

8. A thirty-minute compilation of these tapes is available from People for the Ethical Treatment of Animals, P. O. Box 56272, Washington, D.C. 20011. My discussion of this case is based on these tapes and accounts published in various newspapers from July 28, 1984, through the beginning of August of that year. Articles published in the PETA Newsletter and in Agenda have also been helpful.

9. "When May Research Be Stopped?," New England Journal of Medicine 296 (May 26, 1977), pp. 1203-10, and "Restriction of Research with Recombinant DNA: The Dangers of Inquiry and the Burden of Proof," Southern California Law Review 51 (1978), pp. 1083-1113.

10. See, for example, Peter Singer, ed., In Defense of Animals (Oxford: Basil Blackwell, 1985) and the sources cited therein.

11. Thomas H. Moss, "Modern Politics of Laboratory Animal Use," Science, Technology, and Human Values 9 (1984), p. 51. Parenthetical page references are to this article.

12. Recently, however, some philosophers have begun to challenge the sovereignty of morality. For further discussion, see Nancy Davis and Dale Jamieson, "Does Moral Theory Rest on a Mistake?," forthcoming, and the references cited therein.