
Symposium 1

Vivisection, morals and medicine

R G Frey *Department of Philosophy, University of Liverpool*

Editor's note

If one wishes to accept that some painful animal experimentation can be justified on grounds that benefit is conferred, one is faced with a difficult moral dilemma argues the first author, a philosopher. Either one needs to be able to say why human lives of any quality however low should be inviolable from painful experimentation when animal lives are not; or one should accept that sufficient benefit can justify certain painful experiments on human beings of sufficiently low quality of life. Alternatively, one can reject the original premise and accept antivivisectionism. Replies to his paper follow from an antivivisectionist philosopher and an eminent pharmacologist long involved in animal experimentation. Dr Frey responds to both replies.

I am not an antivivisectionist, and I am not in part for the same reason most people are not, namely, that vivisection can be justified by the benefits it confers. I do not believe it is widely realised, however, to what those who employ this reason are committed. Since many medical people also employ it to justify animal experiments, I think some discussion of the most important of these commitments is in order here. That members of the medical profession will almost certainly find this commitment repugnant in the extreme is perhaps reason enough for making sure that they are aware of it and of why they are in need of some means of avoiding it. (In order to stress this commitment, I am going only to sketch some matters and to avoid some others which, in a fuller treatment of vivisection, would have to be explored. My remarks are non-technical and will be familiar to those knowledgeable of recent controversies involving utilitarianism and the taking of life and of the work on vivisection of Peter Singer, one of the utilitarians involved in these controversies.)

I

Most people are not antivivisectionists, I suspect, because they think that some benefit or range of benefit

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can justify experiments, including painful ones, on animals. Increasingly, there are some things such people do not think; for example, that they are committed (i) to regarding simply anything – another floor polish, another eye shadow, for which animals have suffered – as a benefit, (ii) to approving of simply any experiment whatever on animals, in the hallowed name of research, (iii) to foregoing criticism of certain experiments as trivial or unnecessary or a (mere) PhD exercise, (iv) to halting the search for alternatives to the use of animals or to refraining from criticism of scientists who, before commencing experiments, conduct at best a perfunctory search for such alternatives, (v) to approving of (extravagant) wastage, as when twenty rabbits are used where five will do, and (vi) to refraining, in the case of some painful experiments, from a long, hard look at whether even *this* projected benefit is really important and substantial enough to warrant the infliction of *this* degree of pain.

Who benefits? Sometimes animals do, and sometimes both humans and animals do; but, not infrequently, indeed, perhaps typically, the experiments are carried out on animals with an eye to human benefit.

Some antivivisectionists appear to reject this appeal to benefit. I have in mind especially those who have, as it were, a two-stage position, who begin by objecting to painful animal experiments and eventually move on to objecting to animal experiments *per se*. Among other reasons for this move, two are noteworthy here. First, vivisectionists may well seek to reduce and eliminate the pain involved in an experiment, for example by redesigning it, by dropping parts of it, by adopting different methods for carrying it out, by the use of drugs and pain-killers (and by fostering new developments in drugs, pain-killers, and genetic engineering), by painlessly disposing of the animals before they come to feel post-operative pain, and so on. The point, of course, is not that the vivisectionist must or will inevitably succeed in his, or her, aim but rather that, if he did, or to the extent that he does, the argument from pain would, or does, cease to apply. Thus, giving up painful experiments may well not be the only or the only effective way of dealing with the pain they involve. So, it is tempting to shift to a condemnation of animal experiments *per se*, which at once reduces the

manoeuvrings of the vivisectionist over pain to nothing. Second, and, to a great many antivivisectionists, possibly even more importantly, the pain argument has nothing to say to the countless millions of painless and relatively painless animal experiments performed each year throughout the world; and these, I should have thought, vastly outnumber the painful ones. So, in order to encompass them in one's antivivisectionism, it is once again tempting to shift to a condemnation of animal experiments *per se*.

The above in no way denies, of course, that the antivivisectionist may want to deal first with painful experiments, before turning to look at any others; but turn he will, if those I have talked to are representative. For, in the end, *it is the use of animals as experimental subjects at all*, not just or possibly even primarily their use as subjects of painful experiments, that I have found lies at the bottom of their antivivisectionism.

To the vivisectionist, the antivivisectionist would appear to think that *no* benefit is important and substantial enough to justify painful animal experiments and, eventually, that *no* benefit is important and substantial enough to justify animal experiments. And this position, the vivisectionist will think, is very unlikely to recommend itself to many people. It is obvious why. Would your view of Salk vaccine simply be turned on its head, if it came to light that it was tested on monkeys or that some monkeys suffered pain (perhaps even intense pain) in the course of testing it or that it is made by cultivating strains of a virus in monkey tissue?

It would be silly to pretend that all animal experiments are of vast, stupendous importance; it would be equally silly, however, to deny that benefit has accrued to us (and sometimes to animals) through animal experimentation. (Often, the problem is that a series of experiments, at different times, by different people, enable still someone else to build upon those experiments to yield a benefit; for this reason, it is not always easy to tell of a particular experiment what its ultimate significance will be). If informed, concerned people do not want animal research carried out without guidelines as to animal welfare, since animals are not merely another piece of equipment, to be manipulated however one will, neither do they want our laboratories closed down until, assuming such a time comes, all experiments can be carried out on bacteria, or, more generally, on non-animal subjects.

II

I believe this vivisectionist I have sketched represents what a great many people think about animal experimentation and antivivisectionism. To be sure, it represents what they think only in its most general outline; but even this much shows the central role the appeal to benefit plays in their thinking.

Now there is a feature of this appeal which, though perfectly straightforward, is nevertheless not widely appreciated, a feature which has implications for the medical profession. Michael W Fox, a long-serving

member of the animal welfare movement, comes out against antivivisectionism (1): 'Some antivivisectionists would have no research done on animals. This is a limited and unrealistic view since in many cases it is the only way to test a new vaccine or drug which could save many lives – human and animal. Often the drugs being tested will treat or alleviate disease in both animal and human.' Fox might have posed a sterner test for himself and vivisectionists generally if he had drawn the example so that the vaccine benefited only humans but was tested, and tested painfully, only on animals; but this is by the way. The important point is Fox's entirely false presumption that the only alternative to not testing the vaccine and reaping the benefit is to test it upon animals; it could, of course, be tested upon human beings. There is absolutely nothing about the appeal to benefit which precludes this; so far as this appeal is concerned, if securing the benefit licenses (painful) experiments on animals, it equally licenses (painful) experiments on humans, since the benefit may be secured by either means. Moreover, we must not forget that we have already a powerful reason *for* human experiments: we typically experiment upon animals with an eye towards benefiting humans, and it seems only sensible, if we want to find out the effect of some substance upon humans, that we test it upon humans. This is especially true, as doubts increasingly arise about whether extrapolations from the animal to the human case are not very prone to error and to the effects of in-built differences between animals and humans. (The saccharin controversy is sometimes cited as a case in point.) In some cases, such extrapolations may be positively dangerous; I have in mind cases where a substance has far less marked or severe effects in animals than in humans. (I have heard thalidomide, and what testing was done with it, cited in this connection.)

What I am saying, then, is that someone who relies upon the appeal to benefit to justify (painful) experiments on animals needs one more shot in his locker, if he is to prevent the appeal from justifying (painful) experiments upon humans. Specifically, he needs some reason which demarcates humans from animals, and which shows why we are not justified in doing to humans what we in our laboratories do to animals.

A great many things could be said at this point (the claim that animals do not feel pain is hardly one of them, since, whatever else may be said about this claim, the experiments in question could be painless), but I do not have space for even a few of them. I propose to leap, therefore, to what I think would be widely held, upon reflection, to be the reason to allow the appeal to benefit in the case of animals but to disallow it in the case of humans. Quite simply, human life, it will be said, is more valuable than animal life. Not only is this something which is widely thought, but it is also something which even such a fervent defender of animal liberation as the philosopher Peter Singer accepts (2).

What is the source of this greater value? To some, it

may be traced to their religious beliefs; but to the ever increasing numbers of non-believers, which I presume include some medical people as well as others, this appeal to religion is unavailable. I am not myself religious, and I cannot in good faith maintain that humans have souls but animals do not, that humans have been granted dominion over the beasts of the earth, that human life is sacred or sanctified whereas animal life is either not similarly blessed or blessed to a far less extent, and so on. So, what is left? One might try to appeal to some non-religiously grounded principle of respect or reverence for life; but, *prima facie*, such a principle does not cede human life greater value than animal life but rather enjoins us to revere life or living things *per se*. Accordingly, a person who adopts the appeal to benefit and who accepts a respect or reverence-for-life view still has no reason for thinking the benefit may only be secured through animal and never through human experiments.

Ultimately, though many twists and turns of argument have to be disposed of first, I think the non-religious person who thinks that human life is more valuable than animal life will find himself forced back upon our complex make-up to find the source of that value. What I mean is this. If we ask ourselves what makes our lives valuable, I think we shall want to give as answers such things as the pleasures of friendship, eating and drinking, listening to music, participating in sports, obtaining satisfaction through our job, reading, enjoying a beautiful summer's day, getting married and sharing experiences with someone, sex, watching and helping our children to grow up, solving quite difficult practical and intellectual problems in pursuit of some goal we highly prize, and so on. Within this mixed bag, there are some activities we may well share with animals; but our make-up is complex, and there are dimensions to us which there are not to animals. When we think in these terms, of dimensions to us which there are not to animals, we are quite naturally led to cede our lives more value *because of the many more possibilities for enrichment they contain*.

To think in this way is very common; it is, I believe, the way many non-religious people find greater value in human life. It should be obvious, however, that those who think this way must eventually confront an undeniable fact: not all human lives have the same enrichment or scope for enrichment. (There are babies, of course, but most people seem happy to regard them as leading lives which have the relevant potentialities for enrichment). Some people lead lives of a quality we would not wish upon even our worst enemies, and some of these lives have not the scope for enrichment of ordinary human lives. If we regard the irreversibly comatose as living human lives of the lowest quality, we must nevertheless face the fact that many humans lead lives of a radically lower quality than ordinary human lives. We can all think of numerous such cases, cases where the lives lack enrichment and where the scope, the potentialities for enrichment are severely truncated or absent, as with

spina bifida children or the very, very severely mentally enfeebled.

If we confront the fact that not all human life has the same quality, either in terms of the same enrichment or the same scope for enrichment, and if we are thinking of the value of life in these terms, then we seem compelled to conclude that not all human life has the same value. And, with this conclusion, the way is open for redrawing Fox's vaccine example in a way that makes it far less apparent that we should test the vaccine on animals. For, as opposed to testing it on quite ordinary and healthy animals, with a reasonably high quality of life, the alternative is to test it on humans whose quality of life is so low *either* as to be exceeded by the quality of life of the healthy animals *or* as to approach their quality of life. On the former alternative, and it is as well to bear in mind that a great many experiments are performed upon healthy, vigorous animals, we would have a reason to test the vaccine on the humans in question; on the latter alternative, we would again find ourselves in need of a reason for thinking it justified to test the vaccine on animals but not on humans.

III

Where, then, are we? If we are not to test the vaccine on humans, then we require some reason which justifies testing it on animals but not on humans. If we purport to find that reason in the greater value of human life, then we must reckon with the fact that the value of human life is bound up with and varies according to its quality; and this opens the way either for some animals to have a higher quality of life than some humans or for some humans to have so low a quality of life as to approach that of some animals. Either way, it is no longer clear that we should test the vaccine on animals.

So, in order to make this clear, what is needed, in effect, is some reason for thinking that a human life, no matter how truncated its scope for enrichment, no matter how low its quality, is more valuable than an animal life, no matter what its degree of enrichment, no matter how high its quality. (Bear in mind that those who have this need are those who, for whatever reason, are not religious and so cannot escape the need that way). I myself have and know of nothing with which to satisfy this need; that is, I have and know of nothing which enables me to say, *a priori*, that a human life of any quality, however low, is more valuable than an animal life of any quality, however high. Perhaps some readers think that they can satisfy this need; certainly, I am receptive to suggestions.

In the absence of something with which to meet the above need, we cannot, with the appeal to benefit, justify (painful) animal experiments without justifying (painful) human experiments. We seem to have, then, two directions in which we may move. On the one hand, we may take the fact that we cannot justify animal experiments without justifying human experiments as a good reason to re-examine our whole practice of (painful) animal experiments. The case for antivivisectionism, I think, is far stronger than most

people allow: so far as I can see, the only way to avoid it, if you are attracted by the appeal to benefit and are not religious, is *either* to have in your possession some means of conceding human life of any quality greater value than animal life of any quality *or* to condone experiments on humans whose quality of life is exceeded by or equal to that of animals. If you are as I am and find yourself without a means of the required sort, then the choice before you is either antivivisectionism or condoning human experiments. On the other hand, we may take the fact that we cannot justify animal experiments without justifying human experiments as a good reason to allow some human experiments. Put differently, if the choice before us is between antivivisectionism and allowing human experiments, can we bring ourselves to embrace antivivisectionism? For, consider: we find ourselves involved in this whole problem because we strongly believe that some benefit or range of benefits can justify (painful) animal experiments. If we choose antivivisectionism, we may very well lose the many benefits obtained through vivisection, and this, at times, even if we concede, as we must, that not every experiment leads to a Salk vaccine, may be a serious loss indeed. Certainly, it would have been a serious loss in the past, if we had had to forego the benefits which accrued through (and which we presently enjoy as a result of) vivisection. Scientific research and technological innovation have completely altered the human condition, occasionally in rather frightening ways, but typically in ways for which most people are thankful, and very few people indeed would look in the face the benefits which medical research in particular has conferred upon us, benefits which on the whole have most certainly involved vivisections. If the appeal to benefit exerts its full attraction upon us, therefore, we may find ourselves unable to make the choice in favour of antivivisectionism, especially if that meant a good deal of serious research in serious affairs of health had either to be stopped until suitable, alternative experimental subjects were developed for a full range of experiments or, if nothing suitable for a full range of experiments were developed, to be stopped entirely.

Accordingly, we are left with human experiments. I think this is how I would choose, not with great glee and rejoicing, and with great reluctance; but if this is the price we must pay to hold the appeal to benefit and to enjoy the benefits which that appeal licenses, then we must, I think, pay it.

I am well aware that most people, including most medical people, will find my choice repugnant in the extreme, and it is easy to see how I can appear a monster in their eyes. But I am where I am, not because I begin a monster and end up choosing the monstrous, but because I cannot in good faith think of anything at all compelling that cedes human life of any quality greater

value than animal life of any quality. It might be claimed by some that this shows in me the need for some religious beliefs, on the assumption that some religious belief or other will allow me to say that any human life is more valuable than any animal life. Apart from the fact that this appears a rather strange reason for taking on religious beliefs (for example, believing in the existence of God and of God's gifts to us in order to avoid having to allow experiments on humans), other questions about those beliefs, such as their correctness and the evidence for their truth, intrude. I may well find that I cannot persuade myself of the beliefs in question.

Is there nothing, then, that can now be cited which, even if we accept that we are committed to allowing human experiments, would nevertheless serve to bar them? I think all I can cite – I do not by this phraseology mean to undercut the force of what follows – are the likely side-effects of such experiments. Massive numbers of people would be outraged, society would be in an uproar, hospitals and research centres would come under fierce attack, the doctor-patient relationship might be irrevocably affected, and so on. (All of us will find it easy to carry on with the list). Such considerations as these are very powerful, and they would have to be weighed very carefully, in deciding whether actually to perform the experiments. Perhaps their weight would be so great that we could not proceed with the experiments; certainly, that is possible.

But what I meant by saying that such important side-effects of human experiments are 'all I can cite' in the present context is this: it is an utterly contingent affair whether such side-effects occur, and their occurrence is not immune to attempts – by education, by explaining in detail and repeatedly why such experiments are being undertaken, by going through, yet again, our inability to show that human life is always more valuable than animal life, etc – to eliminate them. It is this last fact especially, that such things as outrage and harm to the doctor-patient relationship can be affected by education, information, and careful explanation, that poses a danger to those who want actually to bar human experiments by appeal to side-effects. So, I do not play down the importance of side-effects in deciding whether actually to perform human experiments, I only caution that they do not provide a once-and-for-all bar to such experiments, unless they survive any and all attempts to mitigate and eliminate them.

References

- (1) Fox M. *Returning to Eden: animal rights and human obligations*. New York: Viking Press, 1980: 116.
- (2) Singer P. *Animal liberation*. London: Jonathan Cape, 1976.