

ANIMAL EXPERIMENTATION: A PHILOSOPHER'S CHANGING VIEWS

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The notion of turmoil and radical change within the staid world of academic philosophy must strike many as very strange. After all, aren't philosophers members of one of the oldest establishments, one of the oldest professions? Aren't they concerned with perennial questions--those which bring them into daily contact with Truth, Beauty, and Goodness, to paraphrase a facetious comment



PHILOSOPHY

Jim Harter, *Animals*: 1979
Copyright-Free Illustrations.
New York: Dover, 1979

made by Sandra Harding (a non-establishment feminist philosopher)? Profound transformations have indeed occurred, however. Many of philosophy's traditional preoccupations still hold sway, but there is also a growing awareness that philosophy cannot divorce itself from the real world. Thus, recent decades have seen the rapid development of fields of "applied philosophy," such as business ethics, environmental ethics, and medical ethics. But of course, it is not "philosophy"--some abstract entity--that undergoes turmoil and radical change but the thought and lives of individual philosophers. Like mine, for instance. Let me explain.

In 1975, when Peter Singer published his book Animal Liberation: A New Ethics for Our Treatment of Animals, I was readily able to dismiss its unorthodox and polemical thesis that "all animals are equal." Singer, who coined the term "animal liberation," also popularized another, "speciesism," which he defined as "a prejudice or attitude of bias toward the interests of members of one's own species and against those of members of other species." [1] He claimed that speciesism is analogous to other forms of oppression, such as racism and sexism. To me, as to most other philosophers at the time, these ideas appeared wrongheaded in the extreme. They were misguided because of course everybody knows only humans matter, ethically speaking. Or so I thought. Animal suffering could and should concern us, because we can empathize with animals, and we wish to avoid causing or permitting suffering because it is better to be kind than to be indifferent or cruel. But basically animals, like the rest of nature, were understood to have no intrinsic value, only instrumental value, that is, use-value or else value relative to the enjoyment or enrichment they bring to our lives.

It seemed easy to write off Singer's arguments, falling back on the comfortable human-centered ethical tradition for convenient counter-arguments. I was intrigued by the way in which Singer forced his readers to confront some of the most fundamental questions of ethics and challenged their most deeply-held convictions. One had to ask, for example, What is it that makes something a subject of moral concern? What is a right? What makes something a possessor of rights? Is the capacity to suffer the universal criterion for moral considerability? Most philosophers, said to tell, did not take the

challenge seriously, and many still do not. But many did, and quite a number of philosophers may be found today among the activist membership of the environmental and antivivisectionist movements.

With some trepidation, but also not a little smugness, I took on the mantle of speciesism. However, Singer's writings unsettled me, and I soon saw that speciesism was untenable. For whatever set of characteristics one might single out that designate our species as deserving of full moral consideration, one can ask whether it would be rational to exclude members of another species that shared all these characteristics (e.g., Martians) from equal consideration just because their physical appearance was different. Clearly this would be absurd. But I could not yet see that this kind of thinking, as well as the hierarchical view of humans as superior to all else in nature, to which I still adhered, were indeed analogous to those specious and loathsome arguments used to promote racism and sexism. (I still disagree with Singer on some important points, but at least I've seen the light on this one.)

I carried on in the same vein for several years, publishing papers, speaking at conferences, and serving as a consultant to various organizations on the subject of the ethics of animal experimentation. All this activity culminated in the publication, early last year, of my book The Case for Animal Experimentation: An Evolutionary and Ethical Perspective. But much happened to me after that, and the book is now an embarrassment to me, a work so foreign-sounding that when I re-read it, it seems as though it must have been written by someone else.

In spite of my arguments in the book for more humane animal care and use, including an appeal for better education for scientists and other animal handlers, tighter legislation governing research, and so on, I was able to say the following:

beings that are more valuable because they have the attributes that identify them as full members of the moral community [i.e. humans] may use less valuable species, which lack some or all of these traits, as means to their ends, for the simple reason that they have no obligation not to do so.

I was able to conclude that "we have no duty in the strict moral sense to prevent animal suffering." Elsewhere I confidently asserted that

natural objects and animals cannot have value in themselves, though they can and do have value if conscious beings capable of valuing can perceive and interact with them or if such beings' lives can be rejuvenated or enriched by them in some way. . . . [V]alues and value judgments arise and . . . talk of them makes sense only in relation to a being such as Homo sapiens.

I now look at these arrogant remarks with dismay. How was it possible for someone of reasonable intelligence and sensitivity to hold these views? There are a number of explanatory factors: personal advantage, social conditioning, and the way we are taught to do ethics are among them. Several kinds of reinforcement made it possible to live with such a position as well, chief among them being the fatherly or fraternal approval I sought and received from members of the scientific community.

Philosophers, by and large, are trained to do moral philosophy as if they were posing as judges applying abstract principles to concrete cases. It is things like consistency, objectivity, disinterestedness, impartiality, and rules that are drummed into us. Against this background, it is easy to get caught up in an abstract argument, an argument for argument's sake; a certain momentum carries one along. But morality is as much a matter of feeling and emotion as of reason and intellect. (For those who always knew this and practiced what they believed, my apologies for taking so long to master this simple point and for dismissing the people who are most concerned about animal welfare as mere sentimentalists.)

I continued on, after the book's appearance, basking in the warmth of the benefits that scholarly publications bring to academics, and in the general praise it received from the scientific community. Then rather suddenly my complacency was derailed. A number of critical reviews made me question my assumptions. One stated that my "philosophical argument is superficial, dogmatic and unconvincing," and went on to point out that "Fox [offers] a curmudgeonly philosophy that

begrudges in principle the humane and decent sentiments he would apply in practice." [2] These did not really hit home, however, until a close friend of mine, a woman who is a radical feminist, made me confront the arbitrariness of the patriarchal, hierarchical, human-centered ethical theory I had adopted and defended for so long, and had lacked the courage to examine fully. Like Kant, I was "awakened from my dogmatic slumbers," for which my friend deserves the credit. Naturally, this was quite a jolt, and many personal as well as philosophical doubts rose up in me. I realized that I had had vague misgivings about my arguments for some time but that I had avoided any serious questioning of them.

For several months I mulled this over. I realized that I had to abandon the anthropocentric position I had taken. I had to face the painful decision to completely revise a new book-length manuscript on environmental ethics which was almost two-thirds complete. I wrote one or two things renouncing my previous book which appeared in print. I did not foresee that the phenomenon of an academic undergoing a change of mind and publicly acknowledging the fact was so rare as to be newsworthy. But before long the media began to cover the "event," and I felt hard put not to have the whole matter turned into a media circus. To attempt to explain myself to myself, and to other interested persons with whom I'd spent many hours discussing animal research over the past few years, I formulated the position at which I have now arrived. A version of this follows.

Why Animal Experimentation CANNOT Be Justified

On any theory of morality, a basic principle is that we have an obligation to avoid causing harm to others. Whether this is the most fundamental moral principle may be debated, but it is about as important as any that can be formulated. The harm-avoidance principle is sometimes called "the principle of nonmaleficence." It applies straightforwardly of course only on the condition that the actual or possible recipients of harm are innocent: it is wrong to harm (injure or damage) those who are innocent of any wrongdoing, but not necessarily wrong to harm those who seek to harm us. It therefore states a prima facie obligation.

Now why might it be thought that the principle of nonmaleficence states our most fundamental moral obligation? Some literature on the subject suggests that the reason is that in the scale of things, it is a more serious wrong to cause someone to be worse off than he/she would have been otherwise than it is simply to fail to help him/her. The assumption here is that when one "merely omits to perform a morally desirable act, others are usually no worse off than they were before the omission--they have just lost out on some further benefits they might have enjoyed had the action been performed." [3]

Should the principle of nonmaleficence be extended to animals? This question may be met with a question: Can animals be harmed? If they can be, then what reason could there be for not extending the principle to them? But clearly animals can be harmed. How can this best be understood? Charles Fried defines "physical harm" as "an impingement upon the body which either causes pain or impairs functioning." [4] Fried, being a legal philosopher, recognizes that harms comprise a broader category of wrongs, including, for example, damage to one's reputation and similar intangibles. Others, like Tom Regan, link harms to having any sort of interest; anything that has at least one kind of interest, namely, an interest in its own welfare, according to this theory, can be harmed. To have an interest in this sense just means that the being in question is capable of faring well or faring ill, and to say that it may be harmed is to say that actions of ours may cause it to fare ill in some significant way. [5] Many experience pain, and some suffer psychologically as well. When we inflict pain or suffering on animals, we harm them. But harm may also result when we confine or socially isolate them, deprive them of the ability to behave in ways natural to their species, or kill them. Are these lesser wrongs when the recipients of our harmful behavior are animals than when they are humans?

Some have argued that harms caused to animals are of little or no ethical concern. This is because they believe that animals' lives and experiences are of no intrinsic value, or of lesser value than those of humans. But animals are living things, in many and essential respects very much like ourselves. They also possess unique characteristics as much as we do. No species is

singularly equipped to survive and dominate. All species have their strengths and weaknesses, and none is inherently superior or inferior to any other. If we choose to celebrate life, then how can we avoid affirming the equal intrinsic value of all organisms?

Whether or not animals' lives and experiences have intrinsic value, however, does not affect the central issue. For if we agree that their lives may be made either better or worse by us, that they have a welfare or wellbeing that may be injured by us, then few would disagree that we can harm animals and have an obligation to avoid doing so. Furthermore, it may be argued (and humane scientists would agree) that we have a more positive obligation toward them, namely, to protect or promote their welfare. But we cannot carry out this obligation by first subjecting them to harmful acts.

Perhaps harms are an inevitable part of life. In human society policies and decisions seldom, if ever, benefit everyone equally. Some group or groups always suffer a negative impact. Is it ever morally acceptable or right to benefit from the sufferings or disadvantages of others? I think we feel intuitively that this is wrong. Yet most, if not all of us, do so benefit. Ideally, we would try to address this problem by attempting to compensate in some other way those who lose something when a particular social policy or decision goes into effect. Sometimes this works, sometimes not. To the degree that it does not work, or we do not try to make it work, we have an unjust society.

In addition to the harms that result from the operation of social policies, there are also the direct or indirect harms we cause each other. Here it is more manifest that we, not some impersonal bureaucracy, are the agents of harm. For this reason, it is more obvious that, as a rule, we act wrongly when we benefit from the harm we cause. [6] Whether this kind of wrong can be mitigated by compensation, I am not sure, but let us suppose, for the sake of argument, that it can be.

When we require animals to make sacrifices for us, what compensation do we offer them? None. So how can it ever be morally acceptable to benefit from their suffering? When we perform cost/benefit analyses on

animal research, if we consider the animals at all, our assessment is primarily in terms of the cost to them versus the benefits for us. Sometimes we consider the benefits for them as well, but generally we justify the research if the benefits for us outweigh, by some arbitrary, human-centered measure, the costs to them. Nor do they have any say in the matter.

What does it mean to seek a justification for using animals as means to our ends? To justify, in this context, is to show that something which appears, *prima facie*, to be wrong is not wrong, or at any rate is less wrong than it seemed to be; it is also (more importantly) to free ourselves from blame or guilt. But if animals are capable of being harmed, are beings that have intrinsic value, and cannot be or are not compensated for the harms we cause them, where is the justification to come from? I see no answer to this question.

Humans are currently the dominant species on earth and exercise a great deal of power and control over nature. But very few believe might makes right, so the fact that we have greater power cannot enter into a justification of our use and treatment of animals. Rather, where other beings are under our power, we should feel obligated to show self-restraint and to act out of mercy and compassion.

We cannot avoid causing harm to other beings in the process of living our own lives. Nor does morality consist in trying to be perfect and pure. But we can adopt an orientation toward minimizing the amount of harm we cause and taking full responsibility for it, seeing it for what it is.

To justify animal experimentation is to start at one end of a continuum. Much of what we do will be morally acceptable (in our eyes), and we will chip away at the extremity where what we do shades into cruelty. I no longer believe that a general moral justification of animal experimentation can be given. Suppose, then, that we begin at the opposite end of the continuum. No animal experiments can be morally justified. We act wrongly when we do them. Does this mean that we should all become antivivisectionists or abolitionists? Yes.

What if we refuse to forego the benefits

of animal experimentation in spite of the moral argument against it? A way to live with our consciences might be to do only those experiments that are deemed most crucial, to rethink the entire range of questions concerning the "need" for animal experimentation, to seriously seek alternatives at every opportunity, and to commit ourselves to a firm policy of phasing out animal research as rapidly as possible.

Another way might be to try to define the class of experiments (for which there are at present no alternatives to the use of animals) that might be morally justified. A tentative list of these is the following:

1. Experiments that cause no harm (e.g., those that are noninvasive; clinical observations of normal and pathological conditions; field studies; those that utilize alternatives to live animals).
2. Experiments that benefit the individual experimental animals.
3. Experiments in which animals willingly participate, where "willingly" does not mean that some trivial "reward" is offered to a previously deprived animal (e.g., ape language learning; dolphin training).
4. Experiments where harm is caused but for which offsetting (compensating) benefits are given to the subjects.
5. Experiments that benefit other animals of the same or different species.
6. Experiments that are life-saving, and where widespread loss of human life is threatened directly by animals (e.g., as disease carriers).

(Classes 4 through 6, however, strike me as doubtful candidates.)

This is as far as I have gotten to the present time. The task before me now is to see whether the position I've arrived at stands up to criticism and to explore its implications. For one thing, I have trouble with the idea that humans are always in the wrong insofar as what they do adversely affects the lives or welfare of other organ-

isms. Albert Schweitzer, who spent considerable time trying to develop a "reverence for life ethic," maintained that humans are always "guilty" with respect to their actions that have a negative impact of any kind on nature or parts of nature. But he acknowledged that we do these things (or some of them at any rate) out of "tragic necessity," as when we kill things in order to feed and clothe ourselves. For him, "Reverence for life is an inexorable creditor!" These ideas remind me too much of the destructive myth of "Original Sin," from which we can never find expiation. But I understand the reason for Schweitzer's anguish nonetheless. Let me hasten to point out that while Schweitzer wasn't much of a philosopher, perhaps, he was no fool. It is no answer to his concern to point out that after all, he was himself inconsistent in eradicating disease germs and in shooting predatory animals that threatened his jungle camps. For as he observed, one who commits these deeds "is conscious of acting on subjective grounds and arbitrarily, and knows that he bears the responsibility for the life which is sacrificed." [7]

Humans differ from other animals, it is said, by virtue of having a conscience, and hence by being able to assess their own behavior ethically. It is possible for us to look at the whole of which we are part and judge that our impact upon it is more harmful than not. But we are nevertheless part of the total picture, for the time being at least, and therefore have as much claim to exist and flourish as any other species. Does this entail doing animal experiments? This is the second thing that troubles me. For I know that much animal-based research has been life-saving and life-enhancing for both humans and animals. And some would argue that if we fail to do things that we know or reasonably believe would save lives or alleviate suffering, we would be causing harm by omission, and hence acting wrongly in this way. But perhaps the answer to our dilemma is first to abandon the notion that animal experimentation is generally justifiable morally, and then to examine each case on its own merits, being prepared to admit that we will sometimes act wrongly when we decide to place our interests above those of members of other species. Thus we might appeal routinely to a utilitarian form of the principle of nonmaleficence: that we "ought not to act in a way which will do more harm than good." [8] But in assessing this we have

to ask ourselves which beings affected by our actions matter ethically and take their welfare into account as much as our own. What bothers me about the way scientists look at the ethics of animal experimentation is that they generally assume that using other species for research is justified if the benefits to humans (and/or animals) "outweigh" the harms caused to the animals experimented

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Send statements of intent and papers to:

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Those interested in chairing the session or in being commentators should contact Prof. Sapontzis by September 15.

(Paper(s) and comments will be published in Between the Species.)

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upon. The deeper question, raised earlier, is never even asked: Is it ever morally acceptable for some beings to benefit from the harms they cause to other beings?

Would biomedical and behavioral research come to a halt if the above question were asked and the result were that animal experimentation ceased? Probably not, but this is much too large an issue to get into here. However, suppose it did cease. The human species would doubtless continue to exist, just as it did before animal experimentation began, with a diminished lifespan and quality of life, to be sure. Yet other institutions, from which humans individually and collectively have benefited--for example slavery--have been abandoned for moral reasons. And many more should be, for similar reasons, such as the oppression of women, children, the elderly, and marginal peoples, and the pursuit of "superiority" in nuclear weapons. I am not arguing here that animal experimentation should be stopped, only pointing out that the fact that stopping it would cause us much inconvenience and even misery is not the end of the matter.

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THE EYE OF THE WHALE

(dedicated to Paul Watson and the Sea Shepherd)

I looked into the eye of the whale
and saw the person looking back at me,
and she said to me,
"You are witness.
You cannot now turn away,"
Nor could I.
Cords of light--
cords of steel
bind me to her
for all time
and wherever I am
and wherever she is.
They are my burden
and my joy.

PAULETTE CALLEN

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SAPONTZIS

in moral philosophy that has already happened in biology: the evolution of our concept of animals will merge with the evolution of our concept of humanity, and we will come to recognize that together we all form one living, morally significant and worthy community of interests on this planet.

BOOKS RECEIVED

Randall L. Eaton
Zen and the Art of Hunting: A Personal Search for Environmental Values
Reno: Carnivore Press, 1986
73p, epilogue
\$10.00 paper

Randall L. Eaton
My Animals ... My Teachers
Reno: Carnivore Press, 1986
80p
\$10.00 paper

Jeremy Rifkin
Time Wars: The Primary Conflict in Human History
New York: Henry Holt & Company, 1987
210p, notes, selected bibliography, index
\$18.95

Given current international tensions, one may legitimately doubt our ability to think beyond political borders, much less biological ones.

But I am concerned with possible accomplishments, not just easy ones. It seems to me that if Americans can be taught to think of their duties to the wider community of which they are a part, and if their notion of community can be expanded to encompass our fragile planet's other inhabitants, basic and radical changes will take place. The task is two-fold: to restore our sense of responsibility for our common life, and to expand our notion of the common to include our fellow-travelers on this blue-green ball.

The second step--expanding our notion of community--is a matter of education, and

THE CALF'S PRAYER

REBECCA CHAPMAN

Shall I be born unto this land
Of majestic mountains and fruited plains?
To stand on eager, fragile limbs?
To breathe the spirit of life?

Oh, Mother, you are warm beside me
And your milk flows sweetly.
I would not stray,
But close to you, I learn our way.

May we frolic in the soft meadow
Where sun pours forth upon the grass?
Together graze and linger?
Taste of the clear brook?

We gather with our kind
Beneath the sheltering tree
And as twilight scents the air
Your loving comforts me.

Awaiting with bowed heads
The dawning of tomorrow,
In the dark we dream and pray:
Let not the hand of man take us away.

ultimately of empirical demonstration. Every finding of the science of ecology reinforces our common planetary destiny, and I have no doubt that someday it will be common knowledge that all species "are in this together". But it is a further step to get humans to act for the common good. I agree with Bellah et. al. that to do so we must revive the submerged language of civic virtue--the republican tradition. Only with the restoration of the public polity can Americans create a humane community.

Notes

1. Robert N. Bellah, Richard Madsen, William M. Sullivan, Ann Swidler and Steven M. Tipton, Habits of the Heart: Individualism and Commitment in American Life (Berkeley: University of California Press, 1985).

2. Ibid: 15-16.

3. Ibid: 16.

4. Ibid.

5. Ibid.

6. Ibid: 335.

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Finally, to be consistent, the argument that benefiting from harms caused to other animals is always wrong should be applied to other parts of one's life, as much as possible. This means giving up animals and animal products for food, clothing, and so on, except when it is absolutely essential to use them. It would also require an entire re-evaluation of one's relationship to nature. It means, in short, nothing less than the search for a whole new way of life. To avoid the negativism of the view that we are always in the wrong in our dealings with the environment, let this be thought of as learning to live in harmony with nature.

Notes

1. Peter Singer, Animal Liberation (New York: Avon Books, 1975): 7.

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ty rather than of inner peace. Injustice, disharmony, waste and wanton destruction arise from human ignorance. It is the wisdom of enlightened self-interest that recognizes the importance of obedience to the Law that Bill Neidjie so vividly details for his people who have lived for some 50,000 years in civilized harmony with their environment.

As the !Kung bushmen see it, we are all part of the same dream that is dreaming us (i.e., of the same creation). We destroy this dream when we do not live according to the Law.

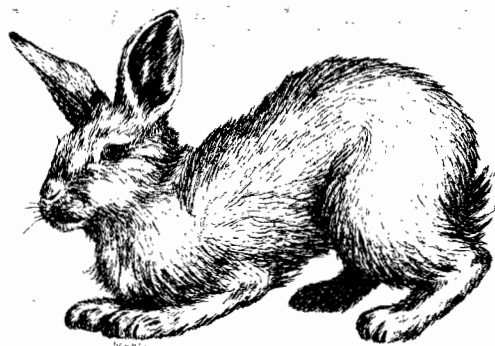
The reality of dream-time is difficult for non-native westerners to comprehend. Poet Rainer Marie Rilke in the Duino Elegies comes close to it, referring to it as the invisible. He observes:

Transitoriness is everywhere plunging into profound Being . . . Nature, the things we move about among and use are provisional and perishable; but so long as we are here, they are our possession and our friendship, sharers in our trouble and gladness, just as they have been the confidants of our ancestors. Therefore, not only must all that is here not be corrupted or degraded, but, just because of that very provisionality they share with us, all these appearances and things should be comprehended by us in a most fervent understanding and transformed. Transformed? Yes, for our task is to stamp this provisional, perishing earth into ourselves so deeply, so painfully and passionately, that its being may rise again "invisibly" in us.

In other words, we must consciously become part of the dream that is dreaming us all, or at least obey the Law, even if we do not apprehend its source and wisdom. This is the path to world peace, the way of beauty, justice, humility, compassion and love. Lao Tzu called this quite simply, Tao. And the Law of the Tao for all civilizations is to respect that the loving harmony of humanity and Nature (symbolized in the embrace of yin and yang) is the way of fulfillment for the whole of creation—and for the "Dreamer of the dream that is dreaming us" everywhere.

Notes

1. In Kadaku Man (N.S.W. Australia: Mybrood P/L, Inc., 1985).



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2. Jerrold Tannenbaum, Review of Michael Allen Fox, The Case for Animal Experimentation, The Scientist 1 (Oct 20, 1986): 19, 22.

3. Robert E. Goodin, "Ethical Principles for Environmental Protection," in Robert Elliot and Arron Gare, eds., Environmental Philosophy (University Park: Pennsylvania State University Press, 1983): 15 (author's emphasis).

4. Charles Fried, Right and Wrong (Cambridge: Harvard University Press, 1978): 30.

5. Tom Regan, The Case for Animal Rights (Berkeley: University of California Press, 1983).

6. To deliberately cause harm to others with no desire for personal gain is pure maliciousness and evil. To deliberately cause harm with the sole intent of benefiting from another's suffering is using another as a mere means to one's own ends and is at least as evil. One can think of examples where it is not wrong to benefit from another's suffering, but these would generally have to do with self-defense or self-protection.

7. The quotations are from Albert Schweitzer, Civilization and Ethics (The Philosophy of Civilization, Part III), 2nd ed., trans. C. T. Campion (London: A. & C. Black, 1929): 260, 264, and My Life and Thought, trans. C. T. Campion (London: A. Y. C. Black, 1933): 271.

8. John Passmore, Man's Responsibility for Nature: Ecological Problems and Western Traditions, 2nd ed. (London: Duckworth, 1980): 84.