Symposium 2

Vivisection, morals, medicine: commentary from an antivivisectionist philosopher

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Dr Frey appears to support the following nine propositions on which I shall comment in turn. Although not all are explicitly formulated, it seems clear that he means to advocate them all.

- 1) Vivisection involving pain is in a large number of cases justified and desirable because of the benefits it confers on humans – and perhaps other animals.
- 2) The same is true of experiments on animals not involving pain.
- 3) Most antivivisectionists think it equally true that both kinds of experiment are wrong – even if not equally wrong.
- 4) If experiments on animals are considered justifiable and desirable while corresponding experiments on humans are not, a reason should be given.
- 5) The reason usually given is that human life has greater value than animal life. There seems no better one.
- 6) Unless specifically religious doctrines are invoked, and these are unavailable to the author and many for whom he writes, this greater value must consist in human engagement in, or potentiality for engagement in, a rich and varied complex of activities closed to animals.
- 7) It follows from 5) and 6) that experimentation on (what I shall call) 'low grade' humans – those who lack even potentiality for the kind of higher life-style which gives special value to most human living – is, in principle, as justifiable and probably sometimes as desirable as experiments on animals.
- 8) It should be admitted by all, except those with special religious beliefs, that experimentation, even painful in character, on animals and low grade humans is ethically on a par, and one should either countenance both or neither. The author countenances both, since the benefits are so great.
- 9) The author concludes reluctantly (Why is he reluctant, unless perhaps he fears a low grade future for himself?) that the only reason for thinking experimentation – perhaps painful – on low grade humans is unjustifiable and undesirable, if at all, may be that the outrage it would evoke would damage medical and

other (otherwise) desirable research to an extent which would be self-defeating. This is not a deep reason against such experimentation since it turns on contingent facts about public attitudes which improvements in education might alter.

Comments on the nine propositions

1) Someone like myself who, broadly speaking, buys the antivivisectionist ticket will be concerned first to emphasise how very great an evil animal suffering, like human suffering, is in itself. Although I do not accept all the doctrines of any ethical utilitarianism which could be called classic, I do believe that the basic factors which count in favour of or against an activity are the experienced satisfyingness or unpleasantness respectively of the activity itself or of its consequences. The main objection to classic utilitarianisms is that they deal unconvincingly or unacceptably with the weighting to be attached to these first level indications in favour of, or against, an activity. But granted that the weighting cannot coherently or decently be made some simply quantitative matter I believe that there is ultimately nothing morally for or against an activity except satisfaction or suffering involved, and the problematic weighting of these against other such experiences. This does not mean, incidentally, if it is developed in a manner which I think proper, but cannot do now, that all that matters is what we would normally call 'subjective experience'. It is meant to cover the whole quality of an individual's experienced world, or the quality of a shared world of experience pertaining to a community. Thus the value of unspoilt countryside, of a symphony concert, of a community of individuals engaged in a common task, does not consist in what one may tend to think of under the heading of 'subjective experience', but in their role as objects in a shared world in which individual minds confront something not themselves. Yet these realities can hardly be thought of as existing in the form in which they possess value except as elements in such a shared world, and as aspects of what makes it satisfying. So the satisfying need not be subjective, nor is either it, or the various forms of dissatisfaction and suffering, some mere sensation occurring invariably in the same way in all contexts; the destruction of a beautiful building is not experienced as the same kind of evil as a physical pain.

Key words

Vivisection; animal experimentation; antivivisectionism; animal rights.

In terms of the view thus indicated, the first thing to do is to consider how far animal pain is really an evil; we can then consider how far its evil may be outweighed by the weight of other evils possibly prevented, or goods produced, by means which necessarily involve it.

If someone doubts that pain is an evil it is probable that he, or she has not suffered much, or has forgotten what it was like to do so. Considered in itself, and apart from its effects, the painfulness or nastiness of an experience is a feature of it we only have to experience again for wonderings about the objectivity of value judgments to seem a little musty. Concentrate your attention in memory or imagination on a really nasty pain and you will surely realise that, good effects apart, it is something of a sort such that it is better that the sort have as few examples as possible. The recognition that it is undesirable that other human beings should suffer is essentially the recognition that suffering in their case is essentially just the same sort of thing as suffering in your case. To think that the one matters in a way which the other doesn't is to treat them as different sorts of reality in a way which they are not.

The value of the kind of point I have just made has been discussed endlessly, but it must do for here without further defence and elaboration. If it is correct, it follows that we can only think that animal pain does not much matter, or does not matter as much as human pain, because we think of it as a radically different kind of reality. But presuming we are not involved in doubts about the sentence of animals it is not very clear what the belief that animal pain is a different kind of reality can really amount to. Does it mean that animals feel only milder pains than the ones we consider very bad in ourselves? There is something rather odd in thinking of the worst kinds of experience of which some creature is capable as mild. It seems only to make much sense to call a pain mild if the individual experiencing it does not mind it too much. In a sense each creature lives in its own personal world and the worst that can occur within its world cannot be much like what we call a mild pain. Still, I do not want to deny that there is some sense in which it may be true that in the case of animals lower down the scale pain may still be unpleasant but somehow not a thing which matters to the same extent as pain in higher animals. Yet one is very easily led to thinking that there is reason to suppose that this is so, when there is not. Animal consciousness is something of a mystery to us, inevitably. Yet the notion that somehow they are, some of them, only 'slightly' conscious ignores the fact that a distinctive kind of reality like consciousness is either there or not, it cannot really be half there. I am speaking of consciousness as 'what it is like being a certain creature', not of self-consciousness which, in various different meanings of the term, is much more intelligibly described as a matter of more or less.

Anyway, wherever it is reasonable to believe that a creature is conscious or sentient I suggest there is reason to believe that it is capable of pain which, though its precise character may be unimaginable for

us, is something which, if we could imagine it, we would recognise to be bad in essentially the same way that our own is. In the end that is sufficient reason for holding it something we should be concerned to prevent or diminish so far as opportunity comes our way, and certainly sufficient reason not to inflict it in the absence of overwhelming reason for thinking we are achieving a good, or preventing an evil, which outweighs it.

That there is such reason is, of course, claimed on behalf of whatever painful experimentation is put forward as justifiable. For myself, I would have to recognise that if it were a near certainty that the inflicting of pain on one creature would prevent a *worse* pain for another, or an *equivalent* pain on a *greater number* of creatures, it might be justified, all other things being equal, such as the wider effects of the institutional arrangements involved. Where it is only an unquantifiable probability that it will have such an effect, and where it is open to doubt whether if such inflicting of pain were prohibited, research would not develop along fresh lines not involving such pain but with its own fair chance of leading to the relevant enlargement of beneficial human knowledge, it seems to me that liberties are being taken with the welfare of other creatures which it is hard to condone. I suspect that this is true of the bulk of painful animal experimentation and that a complete ban on experiments involving pain would be better, at least in terms of the welfare of the sentient world at large, than the existing situation or anything arising from slight tinkering with it. In a community in which all were deeply imbued with a sense of the reality of the animal experience of pain, what, if any, very limited amount of painful experimentation might be regretfully countenanced I do not know, but as we do not live in such a community I think the risks of permissiveness in the matter outweigh the goods. The dogmatism of these remarks is inevitable in a brief statement.

2) and 3). Whatever most antivivisectionists may think I believe that there is a world of difference in experimentation which does and that which does not involve pain, though we should include, from a moral point of view, all experiments conducted on animals whose life in the laboratory is one of suffering through frustration of natural behaviour patterns or otherwise. To have a clear case of experimentation where the question of distress is absent we must have animals given a really decent life. Perhaps Frey has in mind laboratory animals surgically reduced early on to a merely 'vegetable' existence.

I will not altogether disappoint Dr Frey and will express some antipathy even to that type of animal experimentation which is not in itself painful and where the animals have not had to endure a life of boredom and frustration. Experiments conducted on decerebrated rabbits may be a case in point, though, as I say, the conditions of their life as long as they were sentient are a relevant factor. In such cases, I suppose, the animals have no actual existence as conscious creatures during their use as experimental subjects,

and therefore there can be no ground for complaint on the basis of what it is like for them. The objection that they had a potentiality for a fulfilling existence is one which pressed far enough leads, I believe, to absurdity. All action closes off possibilities of good and evil, but must be judged by the actuality of what ensues from it – to put a difficult point roughly. What I do think is that a world in which numerous animals are converted into things purely at our disposal is almost bound to blunt the sense that other animals besides ourselves are vessels for the same essential principle of consciousness which is present in us, and the respect for animal life in general which should go with this. So although where there is no question of animals suffering either pain or frustration I cannot condemn the experimentation in too sweeping a fashion, I do think it is virtually inseparable from an approach to the animal kingdom which in the end reduces the quality of that shared world of experience which human beings inhabit and which at its best contains a sense of the value of the non-human.

4) 5) 6) I do incline to think that human life is more valuable than animal life, taking both at their best, though I note, in what has to be passing, that it is really an absurdity to talk of animals in general as against humans, lumping wolves, fish and spiders together. The main special value of human life lies, perhaps, in the world of shared experience which allows the concentration of many different minds on common objects of experience which are subject to continuous enrichment in content through such concentration and its effects on action. Among those common objects are the values found in 'non-human nature' so that anything which impoverishes what comes under this head or our capacity to appreciate it, is an assault on what gives human life its special value, and this applies to the reduction of animals to mere research tools.

Although human life, at its best, may be more valuable than the lives of, say, wolves or rabbits, at their best, the degree of contrast may be exaggerated as easily as otherwise. Individuals of a species are far from replicas of each other, and some kinds of animals lead a communal life of which only an ill-judged belief that language is essential to any richness of consciousness makes us suppose they have no appreciation, though obviously they do not philosophise about it, but take it all for granted. Moreover, who knows what fullness and even individuality, of immediate enjoyment (likewise of fear) may be available only where there is a certain dimness in intellectual articulation? The sheer variety of ways of experiencing the world seems to me a good for the universe at large, so to speak, so that though human life may be capable of being the peak of animal existence it does not mean that increases in the values of one kind to any extent offset decreases in the values realised in the minds of other animals. Nor does one have to think that concern for animal welfare should mean that one can only place value on the lives of rabbits and such like rather than on hunting-animals like foxes and wolves. The latter cause

less pain to the rest of creation and themselves than do humans, and do not have the faculty for empathy *with their prey*, the inhibition of which in the human case corrupts consciousness by setting up a tension between irreconcilable attitudes. (For similar reasons I can respect the values of human groups whose own condition of life and general outlook make it absurd to expect of them that kind of concern with sentient individuals outside their own group to which our morality moves us).

7) 8) and 9) Is there an important ethical difference between experimentation on animals and on low grade human beings?

The point that in practice human society is less likely to countenance the latter than the former is not, perhaps, the mere practical but not deeply moral constraint which Dr Frey suggests it is, since the implied contrast between these two sorts of constraint seems exaggerated. Though far from the whole truth, there is some truth in the social contract notion of ethics, and since all of us, and our relatives, may become low grade humans our readiness to be good citizens is legitimately connected with expectations that we do not risk becoming subjects for experiment. Moreover, one may be more disturbed at a researcher's use of human than animal subjects, because it requires more imaginative moral insight to see animals as being centres of consciousness demanding moral respect than to see other humans as such, so that when respect even for humans diminishes one fears that there may be no end to the decline. Another vitally important point obviously concerns the criteria of low-grade-ness. Presuming we are concerned not merely with 'human vegetables', but with all sorts of mental retardation, it is evidently immensely problematic how far various such individuals do fail to share in worlds of common experience which give human life some special value.

I would not, therefore, as an antivivisectionist countenance any suggestion to medical and other researchers that they might just as well move on to low grade human subjects so long as they do not abandon animal experimentation. That would be the beginning of a trek away from the moral ideal which might lead to a destination already horribly reached once in this century. I would, on the other hand, join with those who have contended that the respect for the basic identity of the principle of consciousness in all human beings, and much of the complex of other considerations, which militate against treating any human being as merely a tool for research are only not extended to at least very similar attitudes to animals through a failure in consistency distortive of our very sense of how things are. Without putting the two quite on a par, I do think that antivivisectionism is simply an extension of the sentiments which moralise our dealings with one another.

Note:

I have taken up the points raised by Dr Frey, not given a balanced statement of what I think the proper view on

this subject. I did attempt this in an article in *Inquiry* Summer 1979; vol 22: No 1–2. This issue, devoted as a whole to the issue of animal rights, contains articles by philosophers from a variety of points of view and a useful bibliography.

Response

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The crucial part of Professor Sprigge's reply to my paper comes in a few sentences in which, unfortunately, stipulation plays a significant role.

A classical utilitarian accepts that pain is an evil, therefore that animal pain is an evil, therefore that the pains of animals count in deciding the rightness or wrongness of our acts. He also accepts, however, that pain is a commensurable value, that while it counts, it can be offset by an increased gain in some concatenation of other values. In short, he accepts that the inflicting of pain *can* be justified, *if* this harm is offset by a greater increase in benefit.

Professor Sprigge appears to follow utilitarians in thinking that pain, though an evil, is a commensurable value; in principle, then, he has to allow, what a good many antivivisectionists would not wish to allow, that (some) painful animal experiments could be justified. If, therefore, he is to keep the number of such experiments small, as he desires, then he has to find reasons in practice for barring what in principle can be justified. This leaves him at the mercy of the facts; that is, he has to find in the facts reasons for rejecting virtually every experiment involving animal pain. This is a tall order, obviously. In his present remarks (admittedly, penned under constraints of space), he solves this problem, as he concedes, by being dogmatic with respect to the facts: the bulk of painful animal experiments, he suspects, cannot be justified by appeal to benefit; rather, they amount to taking liberties with the welfare of animals. No evidence is given for this claim, but Professor Sprigge seems to imply that, with space, he could give the evidence. Now in order to determine whether suffering is offset by increased benefit, we have to take a long hard look at individual cases, and this typically involves a good deal of close attention and care in sifting the particularities of those cases. There are four million vivisections performed in this country yearly, and I believe the total yearly number exceeds thirty million, if the United States and Canada are considered as well; presumably, therefore, unless Professor Sprigge's suspicions are really nothing more than guesses, based upon a limited number of cases which have reached his attention, he has carefully sifted the facts of, or otherwise obtained evidence with respect to, countless millions of experiments. For he will know that we cannot induce from some to all or most, or very easily

extrapolate over different scientific domains. In any event, *something* is going to have to be done to make us believe that he possesses the requisite factual knowledge and throughout different branches of (medical) science to allow us to accept his assurance (or suspicion) that, in the bulk of painful animal experiments, the pain is *as a matter of fact* not offset by increased benefit.

I say something is going to have to be done: in his present remarks, Professor Sprigge resorts to stipulation to solve the problem. Increased benefit offsets the infliction of pain only if the realisation of the benefit is, he says, a 'near certainty'; under every other condition, which I presume includes all the varying degrees of probability, the benefit does not offset the pain. Why we should accept this stipulation is unclear, but Professor Sprigge is right, I believe, in thinking it knocks the bottom out of much medical (and other scientific) research. After all, it would even bar those painful animal experiments the realisation of whose benefit was highly probable, since something can be highly probable without being a near certainty. Indeed, if pushed far enough (and on moral grounds), Professor Sprigge's stipulation would seem to eliminate much of medicine altogether. For example, morally, it is a very serious matter for a surgeon to lay open an individual, but the appeal to benefit is usually held to justify him in doing so; if, however, that appeal can only justify laying open a person if the benefit's realisation is a near certainty, then I am not sure much surgery – certainly, in the difficult cases – can survive. The same applies to the dispensing of medicines by GPs.

In his remarks, Professor Sprigge contrasts a near certainty with an unquantifiable probability, and he means to imply, I suppose, that the bulk of painful animal experiments are of the latter sort. I presume this means he thinks the bulk of such experiments are conducted with virtually no probability of realisable benefit. Again, we should need evidence, from millions of cases, that the experiments in question held out no realisable benefit. In fact, I think that, if we went into the matter thoroughly, we should find a disagreement between Professor Sprigge and medical experimenters, not over realisable benefits of the bulk of experiments, but over what counts as a benefit. Professor Sprigge will not allow to count as benefits all that medical experimenters count as such. What becomes of interest, then, is precisely how Professor Sprigge delimits the realm of benefits and in such a way as to avoid denying that advances in knowledge in all experimental subjects are typically incremental. Unless he embraces an increasingly unbridled anti-intellectualism over all aspects of medical research, so that he can constantly affirm, *no matter what* the experiment, that we do not need to know *that*, it is not easy to see how he will draw the limits he requires.