

A reply to Joseph Bernstein

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Abstract

Dr Bernstein suggests that anti-vivisectionists should be able to fill in a directive requesting that they receive no medical treatment developed through work on animals. It is replied that this would only be reasonable if research not using animals had long been funded as adequately and its results were currently available.

Dr Bernstein's "A modest proposal" lays down a witty challenge to opponents of animal experimentation. However, matters are rather less clear cut than he evidently realises and there are various reasons, which I list below, why an anti-vivisectionist may feel no obligation to sign such directives under present conditions. Things would be different if (1) adequately funded facilities on the National Health Service were introduced which would make no use of further medical advances based on painful animal experimentation; (2) public funding for (painful) animal research and "alternative" research henceforth reflected the proportion of those who would not, and those who would, opt for these facilities.

(1) A first point is that Dr Bernstein does not distinguish between the use of animals in research which does, and that which does not, involve serious suffering for them (including that imposed by their housing, such as the extremes of boredom, but obviously not including being painlessly killed). The original anti-vivisection societies were, as their names imply, opposed to the cutting up of conscious live animals rather than to human use of animals in general (as may be the case with many animal right-ists nowadays) and it seems to me reasonable to use "vivisection" today in a broader sense to cover all research which involves serious animal suffering (something worse, for example, than we feel when we receive an injection). Opponents of this are not necessarily opponents of all use of animals in medical research and it is not clear how many of the medical procedures Dr Bernstein lists were

developed through work involving such serious suffering (as opposed, for example, to painless killing). It would facilitate rational debate if both defenders and critics of animal research were clearer on this point than they usually are.

(2) Even if, in practice, most of these procedures have been developed in ways which did involve serious animal suffering, it is another question whether they could have been developed without this. The anti-vivisectionist who believes that they could have been, or even probably could have been, developed (by now) by other means has no reason to avoid them because of their unfortunate and, as he thinks, (probably) unnecessary history. In fact, I suggest, no one really knows how far medicine could have advanced had work of a kind which most anti-vivisectionists would condemn, been avoided.¹ If this is so, there is no bad faith in the anti-vivisectionists making use of advances in medicine which he/she guesses would probably have been gained in other ways had the ethics of the past been more like theirs now.

The autobahnen in Germany were originally developed for their utility in transporting troops for aggressive war. Should those against aggressive war therefore not use those built in the Hitler period? Likewise Volkswagen cars were developed as cars for the people in the Third Reich as part of a plan to encourage love of that regime. Is one wrong to drive or travel in one today?

Many nations established their present borders in wars which involved all manner of what we would now regard as atrocities. Should its decent citizens refuse loyalty to any country with such a past?

Few people would answer these questions affirmatively, doubtless believing that, since we cannot change past history, refusing to benefit from its evils, especially where similar benefits could probably have been won otherwise, would be a pointless sacrifice.

In short, one may avail oneself of knowledge and techniques which exist now, however first acquired, with a clear conscience even if they were developed in ways which fall below what one would like to be the moral standards of today. Where procedures rely on very recent research he/she should perhaps avoid

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benefiting from it, if he/she can, because this is likely to be part of a current research programme which he/she should be attempting to discourage. But even here if one believes that similarly useful developments in medicine could have occurred without such pain for animals it is not unreasonable or inconsistent to avail oneself of it, in the absence of alternatives (either of procedures or research) which might have been developed instead in a society less ready to base itself on animal suffering.

(3) If our society had long been based on a culture which outlawed the causing of serious pain to animals for human benefit it would have been so different through and through that no one can tell whether humans would have been better off or worse off now than they are. After all, we are the product of a history which, in innumerable ways, depended on behaviour which we would now dub immoral, and we just have to accept that for better or for worse. The moral question now is whether these practices can be justified in the light of the moral ideals to which we now aspire and the knowledge we now possess. So there is no more call on those of us who argue for the cessation of such animal experimentation as involves serious suffering to reject what was acquired in the past by means of it than there is for us to distance ourselves from most of our institutions with their morally mixed past.

(4) Judgments about whether people in the past are to be morally condemned for what they did are highly problematic. People act in a historical context and cannot be expected to live by standards which have been developed since. The anti-vivisectionist thinks that we are now ready for higher standards, in our relations with animals. For one thing the technologies of discovery are more sophisticated and need not be so physically intrusive or painful as perhaps they were bound to be in the past. For another thing, surgery was so dreadful for everyone

until the development of anaesthetics, that perhaps people could not be expected to be too sensitive about animals amidst so much inevitable pain for themselves. But, with medical advances meaning so much less pain for us humans of today (when the groups to which we belong behave themselves, as admittedly too few do), it is surely time to be more sensitive about the suffering of animals for our advantage.

It would clarify the whole debate enormously if the following were sharply distinguished: animal-based research which 1) must involve serious animal suffering; 2) does involve it but which could be replaced by research (whether using animals or not) which does not; 3) does not involve it. All sides might then agree that 2) is wrong (inasmuch as the suffering would be uncontentiously unnecessary) and attention could then be paid to how much falls into the first category and whether the benefits it may bring justify the harm both to animals and those who must render themselves callous to their suffering. As for category 3) that divides into various types the morality of which is, indeed, important but much less urgent. At any rate, I see no reason why an anti-vivisectionist should feel the need to avoid the benefits of research other than what he/she is sure is of the first type.

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Reference

- 1 Balls M. Recent progress towards reducing the use of animal experimentation in biomedical research. In: Garratini S, van Bekkum DW, eds. *The importance of animal experimentation for safety and biomedical research*. Dordrecht: Kluwer Academic Publishers, 1990: 228–9.