

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

R G Frey

Department of Philosophy, University of Liverpool

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.