

BETWEEN THE SPECIES

Animal Experimentation as a Form of Rescue

ABSTRACT

In this paper I explore a new approach to the ethics of animal experimentation by conceiving of it as a form of rescue. The notion of rescue, I suggest, involves some moral agent(s) performing an action or series of actions, whose end is to prevent or alleviate serious harm to another party, harm that otherwise would have occurred or would have continued to occur, had that moral agent not intervened. Animal experiments that are utilized as a means to alleviate human illnesses mirror the structure of rescue cases and this means that we can and should apply principles of rescue to illuminate the moral status of animal experimentation. To do this I consider various principles of rescue that might justify animal experimentation. I'll argue that all of these rescue principles are either not independently plausible, or else they fail to imply that animal experimentation is morally justified. This suggests that it is quite difficult to morally justify animal experimentation when conceived as a form of rescue.

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1. Introduction

Although the phrase "animal experimentation" covers a large swathe of scientific and medical practices, in this paper the term will be used to refer to only those animal experiments that are performed exclusively as a means to curing or alleviating painful and debilitating human diseases and illnesses. Typically, the principal argument put forth in favor of this kind of animal experimentation is known as the Benefits Argument (both Bass 2012, 85 and Regan 2012 confer this status on the Benefits Argument; see Cohen 2006 for a classic statement of the argument). Roughly, the Benefits Argument claims that animal experimentation is morally justified because the benefits of animal experimentation for human health and longevity are enormous, and that they outweigh the harms on animals produced by the practice of animal experimentation. Furthermore, since the results of animal research generally give us reliable information that we can apply to treat human beings *and* since there are no better alternatives to animal experimentation that might lead us to cure various human diseases and illnesses, it follows that animal experimentation is morally justified.

While the Benefits Argument is the single most cited argument in favor of animal experimentation, there are roughly three popular approaches that attempt to undermine the moral legitimacy of animal experimentation. Some follow Regan (1983, 2012) by arguing that all animal experimentation, including the kind used for substantive human benefits, is wrong because such experiments violate the moral rights of the animals being used. Others follow Singer's Utilitarian approach (1974, 1975), according to which, since animal pain and pleasure matter morally, animal experiments that fail to result in

an optimal balance of pain and pleasure are wrong.¹ Finally, others, who take what I call the **Skeptical Approach**, question the scientific merits of animal experimentation by pointing out that the medical intelligence gleaned from animal experiments does not give us information that is reliable for treating human beings (see Engel 2012). For example, certain doses of Isuprel, an asthma drug, were found to be safe during animal trials. As a result of this information, 3,500 asthma patients who took the allegedly safe dosage of Isuprel died (Greek and Greek 2000, 63). Another example is Clioquinol, an antidiarrheal drug that was tested safe in rats, cats, dogs, and rabbits. As a result of the information gleaned from animal trials, Clioquinol was used by humans and was found to cause blindness and paralysis in many patients (Ibid., 67; see also Greek and Greek 2004; Engel Jr 2012). Thus, according to this approach, animal experiments should not be performed because what we learn from these experiments is likely not a reliable guide to alleviating human diseases and illnesses.

Instead of focusing on the above approaches, my plan in this paper is to explore a completely new approach to the morality of animal experimentation. In order to get a handle on whether animal experimentation is in fact morally justified, I propose that we view animal experimentation as a form of rescue. Animal experiments, I'll suggest, mirror the structure of rescue cases and this means that we can and should apply principles of rescue to animal experimentation. Approaching the ethics of animal experimentation via the rescue approach has certain advantages over the current, major approaches to the ethics of

1 Although Singer's preferred version of Utilitarianism is Preference-Utilitarianism, mainly for ease of discussion I have stated the Utilitarian approach in terms of the classic, hedonic version of the theory.

animal experimentation. First, since many proponents of animal experimentation deny or find implausible the idea that animals have rights (e.g. Cohen 1986), appealing to the rights of animals, as Regan (1983, 2012) does, is not a moral consideration that many people, especially proponents of animal experimentation, will find plausible. The rescue approach, however, is silent on whether animals have rights. Instead, it puts forth general principles of rescue that are applicable regardless of whether animals have rights. Second, many find implausible the Utilitarian approach to animal experimentation because they find Utilitarianism to be a flawed moral theory (see Engel Jr. 2012). Thus, many might be inclined to outright reject the Utilitarian approach simply because they believe that Utilitarianism, as a moral theory, is hopelessly flawed. Since the rescue approach is independent of any heavy-duty moral theory, it has a better chance of avoiding the theoretical problems that many find with Utilitarianism and other moral theories. Finally, the rescue approach does not deny that at least some experiments on animals can give us medical intelligence that can be used to cure or alleviate human diseases and illnesses. It thus has a dialectical advantage over the Skeptical Approach by not denying the scientific credibility of animal experiments and being open to the possibility that at least some animal experiments can give us valuable information to aid human health and well-being.

The question I am interested in answering, then, is this: is animal experimentation a morally justified instance of rescue? The answer to this question, I'll suggest, depends on whether there is an independently plausible principle of rescue that entails that animal experimentation is morally justified.

In the next section, I'll discuss some preliminary assumptions. Next, in §3, I'll argue that animal experimentation can be viewed as a form of rescue and I'll discuss several principles of rescue that might justify animal experimentation. In this section, I'll show that all of the rescue principles I consider are either not independently plausible, or else they fail to entail that animal experimentation is morally justified. This discussion will show just how difficult it is to state and defend an independently plausible principle of rescue that also justifies the practice of animal experimentation. In the final section, I'll put forth two principles that I believe have the best chance of morally justifying animal experimentation; however, as I'll show, these principles are unacceptable because they depend on the implausible claim that species membership, by itself, makes the interests of one species weightier than the interests of other species.

2. Preliminaries

Before I discuss the notion of rescue and how animal experimentation can be viewed as a form of rescue, I will begin by making some plausible assumptions.

First, there are a number of pro-animal experimentation positions one can take, ranging from the extreme pro-research position that all animal experimentation is justified because animal interests do not matter morally, all the way to the abolitionist position that no animal experiments are ever morally justified, perhaps because animals have moral rights that cannot be overridden, even to increase net utility (see Regan 1983; Francione 2008). For the purposes of this paper, I will be assuming what Baruch Brody (2012) has called the "reasonable pro-research position," which is captured by the following four claims:

- (1) **Animals have interests** (at least in not suffering, and perhaps others as well), which may be adversely affected either by research performed on them or by the conditions under which they live before, during, and after the research;
- (2) **The adverse effect on animals' interests is morally relevant, and must be taken into account when deciding whether or not a particular program of animal research is justified or must be modified or abandoned;**
- (3) **The justification for conducting a research program on animals that would adversely affect them is the benefits that human beings would receive from the research in question;**
- (4) **In deciding whether or not the research in question is justified, human interests should be given greater significance than animal interests.** (Brody 2012, 54)

When I speak of the reasonable pro-experimentation position in this paper, I have in mind the position composed of claims (1)-(4) or a set of similar claims. Assuming the most reasonable pro-experimentation position as a starting point will aid my discussion on the notion of rescue and how it can be utilized to explore the morality of animal experimentation.

Second, we need to make an assumption about whether animal and human pain are comparable or whether they are incommensurate. It is certainly open to the reasonable pro-experimentation position to accept that human pain and pleasure and animal pain and pleasure are incommensurate. But the in-

commensurability claim seems to be in serious tension with the reasonable pro-experimentation position. For if animal and human interests are incommensurate, then the obvious account of their incommensurability is to say that human pain and suffering is lexically prior to animal pain and suffering. But if human pain and suffering is lexically prior to animal pain and suffering, it's hard to see how any harmful animal experiment performed for even trivial human benefit can ever be unjustified. But surely given the pro-experimentation position's commitment to claims (1) and (2), there are at least some possible experiments, e.g. those that promise almost no substantive human benefits but a great deal of animal pain, that the reasonable pro-experimentation position should count as impermissible.

So I think that a reasonable assumption is that human pain and pleasure are comparable to animal pain and pleasure. After all, as Brody (2012) and others have pointed out, the dimensions by which we measure human pain and pleasure – such as intensity and duration -- seem perfectly applicable with respect to measuring animal pain and suffering. We seem able, then, to compare instances of human pain and pleasure to instances of animal pain and suffering, and weigh them accordingly.

Finally, since the notion of rescue is usually discussed as a duty or obligation of rescue (as in Singer 1972; Savulescu 2007; Rulli & Millum 2014), it is important to get clear on what the reasonable pro-experimentation position should say about the moral status of performing animal experiments. Are animal experiments merely morally permissible, or are they morally obligatory? Some pro-experimentation advocates seem to think that animal experimentation is a moral obligation (Cohen 1986), but the pro-experimentation position need not take such a hard stance. What the pro-experimentation position should

say – and what I’ll be assuming for the rest of the paper -- is that animal experimentation is a morally permissible practice; that is, it’s neither obligatory nor impermissible.

Let’s now turn to the notion of rescue and to the question of whether there are any independently plausible principles of rescue that also entail that animal experimentation is morally permissible.

3. Rescue and Animal Experimentation

The notion of rescue has received relatively little attention in the contemporary ethics discourse (although for recent applications of the notion of rescue in other areas of practical ethics, see Boylan 2006; Savulescu 2007; Rulli and Millum 2014; Schmidtz 2000; Snyder 2009). This is especially the case with respect to animal ethics. Despite this, rescue seems to be a pervasive feature of our moral lives. Daily, we encounter situations where we are in a position to rescue a person or some other morally considerable being. We can choose to donate some of our money to charities that will provide people the resources they need to avoid succumbing to deadly diseases or escape the plight of famine (see Singer 1972 and 2009a). Similarly, all of us are faced with the choice of becoming organ donors after we die. Since our donated organs can save people from death at little or no cost to ourselves, it is quite plausible to see organ donation as a form of rescue (Hester 2006; Snyder 2009).

Other times, we choose to risk our health and safety to help another person in need. For example, we might encounter a mob of people attacking an innocent stranger; in these circumstances we must decide whether we should intervene to prevent physical and emotional harm to the person being attacked, even when doing so would put our own welfare at risk. Additionally,

in some professional contexts, rescue holds a prominent, even central place: fire-fighters are sometimes required to rescue innocent people from burning or collapsing buildings, while police officers are required to come to the aid of people in danger of serious harm or death (Rulli and Millum 2014).

Given the above examples, what seems essential to the notion of rescue is **some moral agent(s) performing an action or series of actions, whose end is to prevent or alleviate serious harm to another party, harm that otherwise would have occurred or would have continued to occur, had that moral agent not intervened.** Furthermore, the rescue cases of interest for this paper involve **moral agents who are *not* responsible for the harm affecting the party in need of rescue.** This is because the researchers performing animal experiments in order to alleviate human ailments are not responsible for the diseases and ailments that they are attempting to cure or alleviate. We could, however, imagine possible circumstances in which, say, a scientist infects a person with a particular disease. **In that case, the scientist's duties of rescue towards that person will be radically different from the duties that apply in standard cases in which the rescuer is not responsible for the plight of the rescuee.**

It is quite plausible that animal experimentation (as we are using the term) mirrors the essential structure of rescue outlined above. Since the goal of animal experimentation, as I am using the term, is to glean information that is essential in curing terrible and debilitating diseases that inflict human beings, what we are doing when we experiment on animals is attempting to rescue human beings from diseases and illnesses, thereby preventing or alleviating serious harm or death that would have occurred had the animal experiments not been performed. Just as diving into a pool is a necessary part of

rescuing an innocent person from drowning, the experiments we perform on animals are, let's assume, a necessary step in rescuing human beings from diseases and illnesses that they suffer from.

Principles of Rescue and Animal Experimentation

To begin, consider the two most famous principles of rescue, both put forth by Peter Singer (1972) in his influential paper, "Famine Affluence, and Morality":

(i) If it is in our power to prevent something bad from happening, without thereby sacrificing anything of comparable moral importance, we ought, morally, to do it.

(ii) If it is in our power to prevent something very bad from happening, without thereby sacrificing anything morally significant, we ought, morally, to do it. (Singer 1972)

Given our assumption that animal experimentation is morally permissible and not obligatory, we need to tweak Singer's principles to reflect this position. Consider, then, the second principle, properly reformulated:

(RP): If it is in our power to prevent something very bad from happening, it is morally permissible to do it, unless doing so sacrifices something morally significant.

Imagine you standing at a bus stop and you see an elderly man about to unknowingly walk into incoming traffic. Given your position on the sidewalk and your above-average physical

strength, you can easily and safely grab the man by the arm and pull him to safety, which would prevent him from being hit and severely injured by the incoming traffic. In this imaginary case, it is clearly permissible for you to grab the man by the arm and pull him to safety; grabbing him by the arm and pulling him to safety does not sacrifice anything morally significant.

But what does this principle entail about animal experimentation? Since the pro-experimentation position is committed to animal pain and suffering mattering morally, (RP) straightforwardly entails that animal experimentation is impermissible. It is impermissible because performing animal experimentation sacrifices something morally significant, i.e. it causes pain and suffering to animals, something the pro-experimentation position admits as mattering morally.

Despite this implication, proponents of the pro-experimentation position can rest easy because (RP) is not independently plausible. This is easy to show by considering the following case. Imagine you promise your friend that you will meet her for coffee at 3pm, but on the way to the coffee house you encounter a drowning child in a shallow pond. If you save the child, you won't be able to make the coffee-date thereby breaking your promise, and furthermore, you do not have enough time to tell your friend about the ordeal that has befallen you. Despite this, it is quite clear that it is permissible to save the child and break the promise to your friend, even though breaking a promise is morally significant. Therefore, (RP) is false and thus cannot be used to show that animal experimentation is morally impermissible.

We need, it seems, a stronger principle. Therefore, let's now consider Singer's first principle, properly reformulated:

(RP2): If it is in our power to prevent something bad from happening, it is morally permissible to do it, unless doing so sacrifices something of comparable moral importance.

Notice that, according to (RP2), an instance of rescue is impermissible if the rescuer sacrifices something of comparable moral importance. This means that whatever is sacrificed by the experiment (e.g. animal pain) need not be of *equal* moral importance to the potential benefits of the experiment; it just must be of comparable importance. But what does it mean for one thing, x, to be comparably morally important to another thing, y? Does it mean that x must be in principle comparable—and not incommensurate—to y? In that case, the animal pain resulting from a particular harmful experiment would be of comparable moral importance to the human pain generated by the diseases we are attempting to cure by engaging in the experiments. However, although saying that x and y are in principle comparable is a necessary condition on x being of comparable moral importance to y, it can't be the whole story. Here is Singer's gloss on the phrase:

By “without sacrificing anything of comparable moral importance” I mean without causing anything else comparably bad to happen, or doing something that is wrong in itself, or failing to promote some moral good, comparable in significance to the bad thing that we can prevent. (Singer 1972, 231)

Given this interpretation, it is easy to show that (RP2) entails that animal experimentation is impermissible. Consider any harmful experiment on an animal. Imagine, for example, that researchers must crush the spines of some rabbits in order

to find out something that might help cure a particular spinal disease in humans. In that case, crushing the spines of the rabbits seems to be something that is wrong in itself: if you found out that your neighbor, for example, was engaging in the crushing of rabbit spines, you would be horrified and outraged by such a cruel practice. Thus, if we follow Singer's understanding of the notion of comparable moral importance, it follows from (RP2) that the particular experiment in question is impermissible. Notice, too, that this result is compatible with claim (4) of the reasonable pro-experimentation position.

But is (RP2) an independently plausible principle? It is not. Imagine that two of your friends are drowning in a pool and you can only successfully save one of them from drowning. Most of us believe that it is permissible to save either friend. But accepting (RP2) entails that it is impermissible to save either one! This is because rescuing one friend entails letting the other friend die. And surely the life of the friend that ends up drowning is of comparable moral importance to the life of the friend that you end up saving. Thus, even while (RP2) may give us the result that animal experimentation is impermissible, it is not an independently plausible principle.

The failure of (RP2) suggests that it is too strong. We thus need a weaker principle that avoids the implausible implication above. Consider:

(RP3): If it is in our power to prevent something bad from happening, it is morally permissible to do it, unless doing it sacrifices something of greater moral significance.

(RP3) avoids the drowning friend counter-example to (RP2) and seems to have a much better chance of securing the permis-

sibility of animal experimentation. For even if we assume that animal pain and pleasure are of comparable moral importance to human pain and pleasure, it does not follow that animal pain and pleasure are *equally* morally significant as human pain and pleasure. In fact, given claim (4), the pro-experimentation position can maintain that all else being equal, animal pain and pleasure are of lesser moral weight than human pain and pleasure. Call this the greater weight principle. To illustrate, consider a case in which an animal and a human are experiencing the same pain (say, the forceful poke of a needle). Given the greater weight principle, the pain experienced by the human being is of greater moral weight than the pain experienced by the animal.

Thus, accepting (RP3) entails that it is permissible to perform a given animal experiment, so long as the harm done to animals is not of greater moral weight than the benefits to human beings. Furthermore, given the greater weight principle, since the cases of animal experimentation we are considering are ones in which painful experiments are performed on animals for significant human benefits such as the curing of diseases, illnesses, and the alleviation of pain, it is plausible to believe that the animal pain involved in many of these experiments is *not* of greater moral weight than the benefits gotten by curing or curtailing human ailments that cause a good deal of pain and suffering. Given these considerations, it's plausible that an application of (RP3) entails that at least some cases of animal experimentation are permissible.

The problem, however, is that (RP3) is false. Consider the following case:

*The Riot*². Bob is the sheriff of a small town in which racial tension is always high. One day he receives report of an alleged rape of a white woman by an African-American male. News of the rape triggers a city wide riot, resulting in many injuries, deaths, and destroyed property. As the riots continue, Bob realizes that if he finds the alleged rapist, the riots will cease and much pain and suffering will be stopped. Unfortunately, there is no evidence available to lead to the rapist. Bob realizes that he must make a tough choice for the sake of his town. He falsifies some evidence, which leads to the arrest and conviction of an innocent man. Once the man is captured, the riots stop and people are no longer being hurt and killed. Bob is relieved.

Convicting an innocent man, as bad as it is, is not of greater moral significance than saving numerous innocent people from pain, suffering, and death at the hands of others. Notice that this is consistent with claiming that convicting an innocent man is very bad or even *equally* bad with allowing many innocent people to suffer and die at the hands of others. My claim is simply that convicting an innocent man is not of greater moral significance than saving numerous people from pain, suffering and death at the hands of others. Thus, in convicting an innocent man, Bob does not sacrifice something of greater moral significance. Therefore, according to (RP3), what Bob does is morally permissible. But it is clearly impermissible to do what Bob has done. (RP3) must therefore be false.³

2 The Riot is a slightly modified version of a case originally given by H.J. McCloskey, as quoted by James Rachels (2015).

3 One might object that what Bob does is permissible on some versions of Utilitarianism, such as Act Utilitarianism. There is room for

An objector might reply by suggesting that the reason we judge that Bob's actions are wrong is that Bob has violated the innocent man's rights. For example, one might think that the innocent man has certain moral rights that preclude intentional, wrongful criminal convictions. But this suggests a morally relevant difference between the innocent man and the animals used in experiments: the innocent man has certain (moral) rights that animals do not have, at least according to the pro-experimentation position. Thus, (RP3) should be rejected as inadequate for not taking into account the notion of rights. What we learned from *The Riot* suggests that we should instead accept the following rescue principle:

(RP4): If it is in our power to prevent something bad from happening, it is morally permissible to do it, unless doing it sacrifices something of greater moral significance and violates someone's (moral) rights.

(RP4) gives us the intuitively correct result that Bob's actions in the Riot are impermissible. Notice, too, that when applied to the case of animal experimentation, (RP4) entails that performing some animal experiments is permissible since it

disagreement, however. A committed Act Utilitarian may argue that, in the real world, framing an innocent person likely does not lead to the best balance of pain or pleasure *or* the best balance of preference satisfaction over preference frustration. For in the real world, framing an innocent person for a crime means letting the real culprit run free, potentially leading him or her to commit more terrible crimes. Furthermore, in the real world it is likely that Bob's actions would later be found out, creating very bad consequences, such as a deep public mistrust in the police force and other government institutions.

does not sacrifice something of greater moral significance, nor does it violate anyone's (moral) rights.⁴

But consider the following counter-example to (RP4): Lisa and Sarah are two adults suffering from liver failure due to different genetic diseases. Both are equally sick, yet Lisa has been on the waiting list 4 months longer than Sarah. According to the state of the waiting list, the next liver available will go to Lisa, since she has been waiting longer than Sarah. But now imagine that unbeknownst to Sarah, her brother Oscar, an infamous and extremely talented computer hacker, breaks into the liver transplant waiting list database and switches the positions of Sarah and Lisa, thus making Sarah the next recipient of the next available liver transplant. When the next available liver becomes available, Sarah receives it.

With respect to this imaginary case, let me point two things out. First, Oscar's act of switching Lisa and Sarah's positions on the waiting list does not seem to result in the sacrifice of anything of greater moral importance. After all, the well-being and lives of Sarah and Lisa are equally valuable, so by giving Sarah priority over Lisa, Oscar has not thereby sacrificed something of greater moral significance than saving Sarah's life. Secondly, since nobody has a (positive) moral right to receive an organ transplant (and in particular, a transplanted liver), Oscar's actions did not violate any of Lisa's (moral) rights.

4 Of course, a defender of the rights-based approach to animal experimentation might argue that animals do in fact have moral rights that preclude the permissibility of animal experimentation (Regan 1983, 2012). But since I am not assuming that animals have moral rights for the purposes of explicating the merits of the rescue approach, I will not pursue this line of argument.

Despite these two observations, we should all agree that what Oscar did was wrong. It follows that (RP4) is false.

There is an important objection to consider here. One plausible explanation for the wrongness of Oscar's action is that, given her time on the waiting list, Lisa *deserved* to be given the transplant ahead of Sarah. Thus, Oscar did something wrong because he acted unjustly towards Lisa by not giving her what she deserved, namely, to be given the next available liver. This suggests that our new principle should be formulated thusly:

(RP5): If it is in our power to prevent something bad from happening, it is morally permissible to do it, unless doing it (i) sacrifices something of greater moral significance, and (ii) either results in the violation of someone's rights or fails to give some morally considerable being what it deserves (or both).

(RP5) looks quite plausible. It is able to accommodate the result that Oscar's actions in the above case are impermissible, and it also accommodates our judgments in *the Riot* and a variety of other rescue cases. There is however, a fatal problem for defenders of animal experimentation who want to use (RP5) as a moral justification for animal experimentation. The origin of this problem is found in the reasonable pro-experimentation position. Recall that among the claims essential to the reasonable pro-experimentation position are the following two:

(1) Animals have interests (at least in not suffering, and perhaps others as well), which may be adversely affected either by research performed on them or by the conditions under which they live before, during, and after the research; and

(2) The adverse effect on animals' interests is morally relevant, and must be taken into account when deciding whether or not a particular program of animal research is justified or must be modified or abandoned.

Since animal interests matter morally, it is plausible that animals deserve to have at least some of those interests respected by human beings. Now consider the interest animals have in not experiencing pain and suffering. Qua morally considerable beings whose interests in not suffering matters, it is very plausible that animals deserve some minimal amount of respect, which involves not purposely inflicting them with pain and suffering. Such a view seems to be consistent with the reasonable pro-experimentation position. But we can now see that (RP5) does not entail that animal experimentation is permissible, since animal experimentation fails to give the animals used what they deserve as morally considerable beings, namely: freedom from purposely inflicted pain and suffering. Therefore, although (RP5) is an independently plausible principle, it does not entail that animal experimentation is permissible.

One could object that animal experiments do not fail to give animals what they deserve, because research animals *do* deserve to be experimented on for human benefit. But this position is utterly implausible and has no viable justification in its favor. What could make it true that animals deserve to be inflicted with pain and suffering? One obvious suggestion is *retributive*: animals have done something that deserves punishment involving the infliction of pain and suffering. But it is false that research animals have done something that merits a punishment involving purposely-inflicted pain and suffering. Therefore, it is false that animals deserve to be inflicted with pain and suffering via painful experiments, and this means that

(RP5) entails that animal experimentation is morally impermissible.

4. Is Animal Experimentation ever a Morally Permissible Form of Rescue?

So far we have yet to find any rescue principle that is both independently plausible and entails that animal experimentation is morally permissible. One might wonder, then, whether there are any rescue principles of this kind. My goal in this paper was not to settle the question of whether there is at least one independently plausible rescue principle that justifies animal experimentation. Rather, my task was to show how difficult it is to justify animal experimentation when we conceive of it as a form of rescue. The last section illustrated just how difficult it is.

There are, to be sure, rescue principles that entail that animal experimentation is morally permissible. Consider the following:

(RP6): If it is in our power to prevent something bad from happening to some human being, it is permissible to do it, even if doing so involves causing extensive pain, suffering, and death to non-human animals.

Although there are a variety of problems with (RP6), let me highlight a few. First, (RP6) treats species membership as if it is, by itself, morally relevant. In doing so, it commits itself to a position known as Speciesism (a term first coined by Richard Ryder), which involves “the unjustified preference for the interests of human beings over other species” (Bass 2012, 85; see also Singer 1975 & 2009b; Steinbock 1978). **The problem with Speciesism is that it says that a being’s species member-**

ship, and not some other morally relevant property such as consciousness or sentience, gives that being's interests greater weight than the interests of a being that belongs to some other species. On this view, the interests of human beings have greater weight than the interests of other non-human animals simply because human beings belong to the species *Homo sapien*. But there is no good reason to think that belonging to the species *Homo sapien* by itself makes one's interests count more than the interests of other species. Thus, this bias against non-human animals on the basis of species membership alone is arbitrary and "no more defensible than racism or any other form of arbitrary discrimination" (Singer 1975, 76). Even if the Speciesist position is amended to say that the interests of the human species have more weight than the interests of other species because humans have the capacity for rationality, this move is subject to the well-known problem of marginal cases (see Norcross 2012; Cohen 1986). Thus, (RP6) implausibly treats being a *Homo sapien* and being a *non-Homo Sapien* as if both properties mattered morally in themselves, and as a result commits itself to the implausible position of Speciesism.

Second, (RP6) entails that we are permitted to treat non-human animals in any way we please in order to rescue some human being from undergoing something bad. However, in addition to being incompatible with the reasonable pro-experimentation position, accepting (RP6) is independently implausible because it is consistent with the permissibility of clearly abhorrent behavior. Imagine you are the owner of an adult cat. Your 2-year old daughter is running around the living room, and you see your cat running towards her, attempting to pounce on her and knock her over as a playful gesture. You know that your daughter will not be seriously injured if she is knocked down by the cat; she might get a small bruise on her arm or a small

cut on her face, yet her getting injured is a bad thing. (RP6) has the implication that it is permissible for you to do *anything* you like to the cat in order to prevent your daughter from incurring a small bruise or cut. For example, you could snatch the cat and break its bones. Or snatch up the cat and throw it against the wall as hard as you can. But clearly such behavior would be morally abhorrent and impermissible. Therefore (RP6) is false.

What strikes us as wrong about (RP6) is that it renders permissible the infliction of unnecessary pain and suffering on animals. But surely there is a more moderate principle, which is consistent with the pro-experimentation position, and does not permit clearly abhorrent behavior. Consider, then, the following:

(RP7): If it is in our power to prevent something bad from happening to some human being, it is morally permissible to do it, unless doing so involves causing *unnecessary* pain, suffering, and death to non-human animals.

This principle is more plausible than (RP6). It approves of only those animal experiments that involve painful interventions that are absolutely necessary as a means to curing or alleviating diseases and illnesses in human beings. It also appears that (RP7) entails the permissibility of animal experiments that do not involve unnecessary animal pain and suffering.

The problem is that (RP7) is not independently plausible for at least two reasons. First, it, like (RP6), takes species membership to be, by itself, morally relevant. But species membership is not by itself morally relevant. Second and more importantly, built into (RP7) is the assumption that members of the human species may permissibly inflict necessary pain and suffering

on members of other animal species in order to alleviate human suffering. But it is unclear what could justify this latter claim, especially if species membership is not by itself morally relevant. It's true that human beings have the resources and intelligence to dominate other species and use them in experiments. But the mere fact that humans have this ability does nothing to morally justify the practice of inflicting pain and suffering on members of other species in order to alleviate suffering in the human species.

A defender of the reasonable pro-experimentation position might argue that the lives of the members of the human species are more important, morally speaking, given their greater capacities for emotion, rationality, and higher moral thinking. Therefore, it is justified for the human species to inflict pain and suffering on non-human animals in order to cure or alleviate human suffering. But this suggestion faces a serious problem. Imagine in the future that an ultra-intelligent alien race is discovered in a nearby galaxy, and that given the population growth on earth, many human beings are given paid passages to live amongst the aliens in the nearby galaxy. Now the aliens in question are in every respect superior to human beings. They are much smarter, quicker, stronger, and sophisticated with respect to every aspect of their lives. Additionally, they have a more robust capacity for emotion, and are quite emotionally sensitive in many respects. Now imagine that many aliens suffer from genetic diseases that are painful and debilitating. In order to find cures for these diseases, the aliens realize that they must perform painful experiments on some research subjects. Given that many human beings live amongst them, the aliens decide to use the humans as research subjects. They reason as follows: "although it is regrettable that we use human beings in painful experiments, the lives of the members

of the alien species are more important, morally speaking, given their greater capacities for emotion, rationality, and higher moral thinking. Therefore, it is justified for the alien species to inflict pain and suffering on human beings in order to cure or alleviate alien suffering.”

Of course, we would all be horrified if the aliens used human beings as research subjects in painful experiments. But the reasoning they use to justify the experimentation is the *same* reasoning used to justify the claim that the human species may permissibly inflict necessary pain and suffering on non-human animals in order to cure human diseases. Since it is clearly wrong for the aliens to use the humans in painful experiments for their benefit, it follows that we must reject the claim that because human lives are more important, morally speaking, it is morally justified for the human species to inflict necessary pain and suffering on non-human animals in order to cure or alleviate human suffering. Until a better reason is given to support the latter claim, (RP7) remains an independently implausible principle that cannot justify the practice of animal experimentation.

In this section I have discussed two rescue principles that seem to straightforwardly entail the permissibility of animal experimentation. However, as we have seen, these principles are not independently plausible and should thus be rejected.

5. Conclusion

In this article I referred to animal experimentation as a form of rescue. Since the morality of rescue cases are governed by rescue principles, I explored whether there are principles of rescue that are both independently plausible and such that they entail that animal experimentation is a morally permissible

practice. What I have argued in the paper is that it is quite difficult to develop an independently plausible principle of rescue that also entails that animal experimentation is morally permissible. I concluded by considering a principle – namely (RP7) – that entails that animal experimentation is morally permissible. However, I argued that this principle is independently implausible because it assumes that species membership is by itself morally relevant and because the reasoning on which the principle depends turns out to have an unacceptable consequence, as illustrated by the case of the ultra-intelligent alien race.

I have *not* shown in this paper that there is *no* plausible principle of rescue that entails that animal experimentation is permissible. However, I think I have done enough to suggest that, when conceived as a form of rescue, it is quite difficult to justify the moral permissibility of animal experimentation. What my analysis suggests is that proponents of animal experimentation, especially those committed to the reasonable pro-experimentation position articulated in §2, face the following challenge: put forth a principle of rescue which is both independently plausible and entails that animal experimentation is morally permissible. If proponents of the pro-experimentation position are unable to do this, this is good evidence that animal experimentation cannot be justified by being a morally permissible form of rescue.¹

Endnotes

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