

The response reproduced below was submitted to the consultation held by the Nuffield Council on Bioethics on the ethics of research involving animals during October-December 2003. The views expressed are solely those of the respondent(s) and not those of the Council.

Tom Regan, Emeritus Professor of Philosophy, North Carolina State University, USA

15 December 2003

Professor Bob Hepple, Chair
Nuffield Council on Bioethics
28 Bedford Square
London, England

Dear Professor Hepple:

This past October I received an invitation to comment on the Consultation Paper, "The ethics of research using animals." I am grateful to have this opportunity.

I believe the Consultation Paper (CP) suffers from an unacknowledged bias. The bias I have in mind concerns the terms in which the ethical issues are and are not discussed. On the one hand, this bias favors discussing these issues in terms of "the costs and benefits of the scientific use of non-human animals" (p.6); on the other hand, the bias opposes discussing these issues in terms of animal rights. Let me explain.

Note, first, that the attribution of rights to animals is dismissed as being "controversial" (p. 19), the implication being that the cost-benefit approach is not. Forgive me for stating the obvious, but this simply is not true.

Readers of the CP are told that "some commentators suggest it might be preferable to focus on the duties humans have to animals, rather than to attribute rights to animals" (p. 19). What difference does this make (that is, whether we speak of our duties or their rights)? Unless I have missed something, the CP provides no answer except in so far as it distances itself from the less preferable way of framing the issues (that is, by being against animal rights).

Why should anyone accept this way of thinking? Who are these (unidentified) "commentators"? Again, no answer is given. (I note, parenthetically, that, in the elaboration of Question Four: "What is your view about ethical issues relating to the use of animals in research?" [p. 20], the words "animal rights" are conspicuous for their absence).

Here is how I understand what I have read. I believe the members of the Working Group if not each one then at least those who are responsible for the draft on hand—I believe the authors brought moral and ideological preconceptions to the task. In particular, I believe they already had decided that the discussion of "the ethics of research involving animals" should be

couched in terms of costs (to animals) compared to benefits (for humans) rather than in terms of respect for animal rights. But instead of acknowledging this prejudice, this bias, it remains unacknowledged, from the beginning of the CP to its end.

Why not be more forthright? Why not simply say, straight-up, that the Consultation Paper is premised on acceptance of a cost-benefit approach to exploring the ethics of research involving animals? Why not say, straight out, that the CP is not well disposed to animal rights? If these changes were made, I believe more people will give the Consultation Paper a respectful reading.

Thanking you for your kind invitation to comment, I am,

Yours respectfully,

Tom Regan
Emeritus Professor of Philosophy
North Carolina State University