

SVME Newsletter

Newsletter of the Society for Veterinary Medical Ethics

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President's Message

Dear SVME Members,

The Board Members are beginning a new year of activities for the SVME and anticipate a continuation of goals proposed in the past year as well as the addition of new objectives.

We are excited and encouraged about the ethics session presented at the annual AVMA convention in Philadelphia. The presenters for the morning session were Drs. James Wilson and Duane Flemming. Dr. Wilson presented the topic entitled "Emotional Stress Damages for Pet Loss" and Dr. Flemming's talk was entitled "Animal Ownership versus Guardianship". The afternoon sessions were focused on the role of veterinarian in animal welfare issues with Dr. David Fraser speaking on "Understanding Animal Welfare" and Dr. Tim Blackwell on the topic of "Animal Welfare, Swine Production."

As a result of a larger and more enthusiastic audience this year, the AVMA program committee will be providing more financial support and additional physical facilities to accommodate the anticipated increased audience for the 2005 convention scheduled to be held in Minneapolis, MN.

The veterinary ethics session for the 2005 annual AVMA meetings has been finalized. The speakers will include: Drs. Bernie Rollin, Mike Apley, John Dean, Carl Osborne, James Cooper, and Rob Blair. The final hour of both the morning and afternoon sessions will be reserved for panel discussions that allow audience participation. The Program Coordinator has encouraged us to begin planning the 2006 sessions that will be held in Hawaii. Please submit your recommendations for prospective topics or issues.

Reviewing Dr. Sylvie Cloutier's "President message" from the October 2003 SVME newsletter, several goals were proposed for this society. As you may know, the past-president continues as an active Board Member during the subsequent year. Dr. Cloutier will continue to work with us

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President's Message

Continued...

in trying to finalize some of the excellent goals that she initiated last year while serving as president. During her tenure, the regular membership of the Society increased three-fold. With an increased membership, this organization will have the potential to exert a significant impact on the ethical issues that affect the AVMA and our world. Please join with me in congratulating her for the outstanding efforts she has made in furthering the goals and objectives of this Society.

During my year of presidency of SVME, I would like to introduce additional goals that I hope will be implemented. The veterinary profession continues to be confronted with issues involving farm animal welfare, animal guardianship, an expanding animal extinction list, a continuously shrinking wildlife habitat, and other crucial animal problems that impact the general population. The Society of Veterinary Medical Ethics would like to continue the ability to enroll new members in order to expand the scope of this organization. We have formed an Editorial Review Board that should increase interest in our newsletter at the national level and expand our readership. More importantly, it is our goal to raise interest and enthusiasm in the newsletter by hosting peer-reviewed manuscripts and review articles. We are in the process of encouraging the formation of new student SVME chapters and, soon, the SVME board

will recommend guidelines and by-laws for these newly formed organizations.

In recognition of the founder and supporter of the SVME, we are considering the establishment of a "Dr. Robert R. Shomer lecture and awards ceremony" that will be presented during the annual SVME sessions.

In summary, I would like to thank our previous past presidents, Dr. Brian Forsgren and Sylvie Cloutier who continue to make contributions to the Society. The Board members that have given their efforts and support are Drs. John Wright (treasurer) and Robert Speth (parliamentarian). We welcome our new officers, Dr. Barbara Horney (president-elect) and Dr. Gary Block (historian). Finally, to Dr. Carol Morgan who has done an exemplary job as our secretary and newsletter editor under the most challenging circumstances, I extend to her our support and gratitude.

Earl Dixon, PhD
SVME President

Treasurer's Report

The condensation of the treasurer's report that follows is from the annual SVME business meeting which took place on July 25, 2004 at the American Veterinary Medical Association Convention in Philadelphia. You may note that one of the larger expenses incurred was for the design, and printing of a brochure, of which all members should have received at least one copy by now. It is hoped that this brochure

will promote the name of the society, as well as aid in the recruitment of new members. From the income summary you may note that the primary source of income for the SVME is membership dues. We would like to realize an increase in membership numbers during the next year, thus members are invited, and encouraged to aid in the recruitment of new members. Please contact me by email at wriugh008@umn.edu or by telephone at (612) 626-1280 if you would like to have more brochures to aid in the recruitment of new members.

Another expense to note is the expense for printing, and postage of newsletters. In recent years the newsletter was primarily disseminated in a digital format. This past year the SVME board decided to send hardcopies to all members with the thought that this format would be preferred, and possibly aid in recruitment of new members. We would like to have your feedback on this, and all other matters relating to SVME. This is your organization, and we would like to learn of your suggestions for improvement.

**Condensed Treasurer's Report From SVME Annual Business Meeting
July 25, 2004**

The figures below indicate that the cash position of the SVME is only slightly changed from one year ago with a difference of \$358.99. **As of July 21, 2004;**

Savings account balance = \$22,424.57
Checking account balance = \$ 1,483.06
July 21,2004 balance = \$23,907.63
Beginning total balance August 16, 2004 = \$23,548.64
Net change in total balance = \$358.99

SVME Income Summary Fiscal Year 2003-2004

Dues income = \$ 1,690.00
Interest income 2003 = \$ 119.54
 Total Income = \$ 1,809.54*

Does not include interest income from 1/1/2004 to present

SVME Expense Summary Fiscal 2003- 2004 (Sept. 3,2003 – July 15, 2004)

Newsletter Copy & Postage	Misc. Office Expense	Postage	Brochure Design	Brochure Printing	Conference Calls	Total Expenditures Fiscal 03-04
306.03	103.19	177.42	120.00	448.55	48.56*	1,283.75

* Not yet billed for July 20, 2004 conference call

Respectfully submitted
John S. Wright, DVM
SVME Treasurer, and Chair Membership

A Note From the President Elect

I would like to take this opportunity to introduce myself. I was raised in Guelph, Ontario where my father was a professor and clinician in large animal surgery at the Ontario Veterinary College. I graduated from OVC with a DVM in 1982, received a PhD in 1987 and passed the certifying board exams in Veterinary Clinical Pathology in 1990. The research for my PhD was centered on a genetic renal disease that arose spontaneously in a line of dogs, which is a model of a human hereditary disease. After a couple of years in a regional veterinary diagnostic pathology lab in eastern Ontario, we moved to Prince Edward Island (Atlantic Canada) and I joined the faculty in the path/micro department at the Atlantic Veterinary College (UPEI). I am married with 2 children and we currently own (have accepted the responsibility to care for) 3 horses, 2 cats and 1 dog. My professional responsibilities include teaching veterinary clinical pathology, diagnostic service in the regional veterinary pathology laboratory and research in various aspects of veterinary clinical pathology.

I followed an interest in ethics that began with a concern about the concept of professionalism in medicine as a whole as well as a concern about the need for a formal concept of social and environmental responsibility in scientific research. I have attended an Intensive Bioethics course at the Kennedy Institute in Washington D.C., taken various undergraduate courses in ethics at UPEI and taken a number of graduate courses in bioethics and professional ethics from the Medical College of Wisconsin. I know that I still have much to learn.

What are my thoughts on some issues in veterinary medical ethics? I believe

veterinarians should demonstrate a responsibility for animal welfare through advocacy for veterinary patients, as well as education of the general public on the humane treatment of animals and participation in the social and political debate on animal welfare issues. I also believe that important issues of professional ethics have been somewhat dwarfed by our concern for animal welfare. In this age of corporatization of veterinary (and human) medicine, aggressive marketing and “upselling”, thought and discussion of professional ethics is of increased importance. The need to balance patient care and welfare, client needs and means, public protection and welfare and self interest is a complex process, especially in the face of what I perceive to be very little open discussion of the responsibilities of a professional.

Finally, I am greatly concerned that scientific research and technology advancements have resulted in activities that can lead to profound (irreversible) changes and threats to the world. Veterinary scientists, through their training and experience, have a unique understanding of the interconnectedness of the environment, the various species that coexist within it and population health as well as the interactions between host and pathogens of various species. We have an important role in the discussion of the regulation and ethical conduct of such research and the creation and use of these technological advancements including the creation of interspecies GMOs.

I am grateful for the opportunity to interact with all of you and I look forward to the coming year.

Respectfully submitted
Barbara Horney DVM PhD
President Elect

Officers of the Society of Veterinary Medical Ethics

<i>President</i>	<i>Earl Dixon PhD</i>
<i>President Elect</i>	<i>Barbara Horney DVM PhD</i>
<i>Treasurer</i>	<i>John Wright DVM</i>
<i>Secretary</i>	<i>Carol Morgan DVM</i>
<i>Parliamentarian</i>	<i>Bob Speth PhD</i>
<i>Historian</i>	<i>Gary Block DVM MS DACVIM</i>
<i>Past-President</i>	<i>Sylvie Cloutier PhD</i>

Minutes of the Annual Meeting 2004

Date: Sunday, July 25, 2004

Location: Philadelphia Convention Center, Philadelphia, PA

Time: 4.30pm

Chair of meeting: Dr. Sylvie Cloutier

Members present: Drs. Sylvie Cloutier, Earl Dixon, Don Draper, John Wright

A. Call to order

The order was approved unanimously.

B. Secretary's report & approval of minutes

The minutes of last year's annual meeting were published in the September 2003 issue (volume 9, number 3) of the Newsletter of the Society. The Newsletter was also available on the web site of the society.

The minutes were approved unanimously.

C. Treasurer's report

The treasurer's report provided by Dr. John Wright, noted a balance of \$1,483.06 in the checking account and \$22,424.57 in the savings account (total of \$ 23,907.63) as of July 21, 2004. The Society had a net gain of \$ 358.99 compared to 2003.

This year's expenses were mainly to cover the cost of opening a new bank account (since the SVME changed treasurer), postage and photocopy fees for mailing dues notices and the newsletter, and the creation of the brochure. Membership dues were the primary source of income.

The treasurer's report was approved unanimously.

D. Officer reports

No officer reports were presented.

Minutes of the Annual Meeting 2004

continued

E. Committee reports

A report from the membership committee was presented.

The membership increased to approximately 60 members this year. As of July 25, 2004, 17 members have paid their dues for the 2004-2005 year. It was suggested that dues reminders (mail and personal emails) should be sent to those members who have not paid their dues.

Dr. Don Draper suggested hiring a student or someone to help with the daily chores of the treasurer (mail membership renewal notice and reminder, keep membership list updated, etc.). Dr. Earl Dixon seconded the suggestion. Dr. John Wright, the treasurer, will try to find some help at his school.

It was noted that Student Chapter activities were low.

Dr. Draper also suggested that Dr. Dixon, the new president should contact the established SVME Student Chapters (about 5 or 6) to ask about their activities and membership.

The membership committee report was approved unanimously.

No other committee reports were presented.

F. Old business

- 1 Protocol for management of funding request from student SVME chapters
Dr. John Wright will continue developing the protocol.
- 2 Increasing the visibility of SVME
A brochure was prepared and distributed to all SVME members and at various scientific meetings. The society had switched to an electronic only version of the newsletter for the past 2 years but because of a decline in membership and in interest for the newsletter it was decided to revert to mailing the newsletter to all members. Previous members have been contacted (by email, mail) and invited to rejoin SVME.
- 3 Web site and list serv
It was decided that Dr. Cloutier would contact the manager of the WSU College of Veterinary Medicine web site, Dr. Cheryl Dhein, to ask how much it would cost to get some help to improve the web site or if it is possible to get some students to help.
- 4 Other old business
No other old business was presented.

G. New business

1. By-law changes
 - 1.1 Duties of President and President-elect regarding the organization of the

Minutes of the Annual Meeting 2004

continued

AVMA ethics session have to be modified in order to meet the requirements and deadlines of AVMA.

1.2 Wording of Constitution and By-laws needs to be updated. The wording has been modified for the brochure, so we need to update the Constitution and By-laws.

1.3 Dr. Earl Dixon will appoint an editorial ad hoc committee that will help the editor with the editing of texts and articles submitted to the newsletter until the By-law changes are approved by the membership. Creation of an Editorial Review Board to assist the editor of newsletter needs to be added to the Constitution as one of the committees.

2. AVMA program 2005

Dr. Earl Dixon with the help of Drs. John Wright and Brian Forsgren has been working on the program of the Ethics session for the 2005 AVMA meeting. Dr. Dixon said the program was going to be submitted on July 28, 2004 to the AVMA. For the first time SVME is submitting the program for the Ethics session before the deadline.

Dr. Dixon has already started to look for speakers for Hawaii in 2006 and asked for suggestions. Dr. Dixon suggested that if the speakers are from the West coast it could minimize travel expenses.

3. Action items from committees

No committee action items were presented.

4. Other new business

No other new business was presented.

H. Nomination committee report

The slate of candidates for SVME officer positions is:

President-Elect:	Dr. Barbara Horney
Treasurer:	Dr. John Wright
Secretary:	Dr. Carol Morgan
Historian:	Dr. Don Draper
	Dr. Gary Block

I. Install officers

Dr. Gary Block was elected for the Historian position.

The slate was approved unanimously.

New officers were installed.

The new president is Dr. Earl Dixon.

J. Adjournment

The meeting was adjourned at 5.55 pm.

Announcements-Programs-Meetings

North American Veterinary Conference, Monday, January 10, 2005

Human-Animal Bond Track: Enhancing the Human-Animal Bond: The Veterinarian's Role

Moderator: John S. Wright, DVM

Session	Time	Speaker	Topic / Title
#1	8:00-8:45	Bernard Rollin, PhD	A Stewardship Ethic For Veterinarians?
#2	8:55-9:40	Franklin McMillan, DVM, Dip. ACVIM	Quality of Life of Animals
#3	10:15- 11:00	Jane Shaw, DVM, PhD	Enhancing the Human-Animal Bond Through Communications Part 1
#4	11:10- 11:55	Cindy Adams, MSW, PhD	Enhancing the Human-Animal Bond Through Communications Part 2
#5	2:00-2:45	Patrick Redig, DVM, PhD	Endangered Birds, The Environment, & The Veterinarian's Role
#6	2:55-3:40	Kathy Mitchener, DVM	Compassionate Care: A double-edged sword?
#7	4:00-4:55	Panel - All speakers and audience	Enhancing the human-animal bond at the end of life

New Editorial Review Board for the SVME!

In an effort to provide SVME members with quality material for the SVME newsletter, an Editorial Review Board was formed to assist the Editor. The Review Board will assist in reviewing materials for publication, will help recruit authors and articles for future newsletters, will advise on enhancing the quality of the newsletter, and will work towards formulating editorial guidelines and policies.

Past SVME President **Brian Forsgren** chairs the new Review Board, complimented by SVME members **Dr. Don Draper**, **Dr. Carl Osborne**, and **Dr. Alice Villalobos**. We are lucky to have such an accomplished group of noteworthy individuals working towards making the SVME Newsletter an outstanding publication.

I am very excited to work with the new Review Board and I would like to take this opportunity to thank them for the contributions they have already made.

*Carol Morgan DVM
SVME Secretary and Newsletter Editor*

Book Review:

Editorial Note: Professor Speth, the author of the following book review, and Professor Regan, author of the rebuttal, made the request that their work be published integrally, without editorial revision. Both authors have approved the review and the rebuttal. The editorial board has agreed to the request of both authors. The viewpoints expressed in the following book review and the rebuttal are those of the authors, and do not necessarily represent the opinions or policies of the Editor, the Editorial Board or the Board of Directors of the Society of Veterinary Medical Ethics.

The following review is printed with the permission of the National Animal Interest Alliance (www.naiaonline.org). The book review originally appeared in the Fall 2004 NAIA News edition.

Empty Cages: Facing the Challenge of Animal Rights
Author: Tom Regan
Foreword by Jeffrey Moussaieff Masson
Rowman & Littlefield Publishing Group,
Lanham, MD 2004. 229 pps.
\$21.95 ISBN 0-7425-3352-2

Muddlers Beware: The Case for Philosophical Extremism.

By Dr. Bob Speth

Review Summary

The initial critical review of the book encompassed 12 pages. For purposes of presentation and discussion I have summarized it into a more traditional review. In addition however, I present a critical review of specific aspects of Regan's philosophical principle, focusing primarily around Regan's challenge to the use of animals in biomedical research in Chapter 10. Comments in parentheses are restatements or corrections of the author's comments by the reviewer. Those in square brackets are those of the author to provide the proper context.

Regan's argues that larger cages (i.e., welfare without freedom) is not enough. The exploitation (i.e., domestication) of animals to

serve any human needs and wants is forbidden. There can be no caged, or otherwise constrained animals.

Regan gives us a travelog of his journey from meat eater to ethical vegan, noting along the way his philosophic rationale for so-doing. He then attempts to tie animal rights with human rights- unsuccessfully so in this reviewer's opinion.

A major part of the book vilifies commercial and biomedical animal enterprises, most of these being retreaded arguments of animal rights advocates (ARAs) starting with an HBO shockumentary on the fate of a cat in a restaurant in China. However, the biased and inaccurate portrayal of animal research (Chapter 10) is so egregious as to question Regan's entire treatise. It appears that bio-logic is excluded from Regan's philosophical realm.

While there is little novelty in the book, there are two noteworthy developments. Regan assumes a defensive posture, perceiving that the animal rights movement has lost its luster. This decline arises from the stereotyped image of "unbalanced bunny huggers", "we hate humans", "extremists", "terrorists", that now haunts the movement because these are the ARAs who attract most of the media attention. He begs "My hope is that people will not let the self-righteousness, tastelessness, or violence of a small handful of ARA's prevent them from becoming ARAs themselves." (page 6)

Regan also sees spokespersons for commercial animal interests and biomedical research, plus the support of the American Veterinary Medical Association, making inroads into the previously unchallenged moral high ground of animal rights. Even the Fur Industry is able to wound this self-righteousness. His response is to

insinuate that they are liars and hypocrites, who's money has corrupted the "paid pipers" (page 14) of the media.

The other novelty is Regan's portrayal of a mystical, almost spiritual animas between humans and animals. Starting with a giftedness in children "DaVincians" who possess "animal consciousness" and an analogy with a Bible story "Damascans", he brings us to modern day "Muddlers". Muddlers are people who exist along the continuum ranging from clueless about animal rights to those (like himself) who have attained full enlightenment. For those who enjoy such writing, I recommend that of J.K. Rowling. Wizards, witches and muggles are much more entertaining than DaVincians, Damascans and Muddlers, and there is no pretense of factuality in the Harry Potter books.

Ultimately the book, like its many predecessors advocating animal rightism fails because it is unable to effectively and truthfully argue a compelling case for animal rights. Animals are not things, but they are not human. As long as the animal rights movement continues to have an either/or mentality which precludes the assignment of an intermediate place for animals in the hierarchy of the world, their efforts to establish the principle of rights for animals will continue to fail.

Critical Review

The Foreword is foreboding because the writer acknowledges jeopardizing the safety of his children to adhere to his animal rights convictions by refusing to buy the safest available car (it had leather seats). This effectively torpedoes Regan's considerable efforts to align human and animal rights as a conjoint effort in this book. However, in view of Regan's oft-stated opposition to animal research "Even if it were true that humans reap great benefits and bear no harms from the practice [vivisection], that would not justify violating the rights of the animals whose misfortune it is to find themselves in a cage in some laboratory somewhere." (page 177), even Regan contradicts his argument that animal rights and human rights go hand in hand.

In Section 1: "Normal Rockwell Americans" Regan restates his 4 abolitions against the use of animals by humans. Not for food, not for fiber, not for entertainment, and not for scientific research (page 10). Interestingly Regan (a pet owner) never mentions companionship among his abolitions even though this fits within the domain of entertainment. Of note, the words pet, pet-owner, and companion animal are not in the Index. Also missing from Regan (the ethical vegan) 's treatise is the mention of the killing of animals by food and fiber crop farmers. Interestingly, Steven Davis, a researcher at Oregon State University has presented data indicating that vegetarianism causes more animal deaths than meat eating. So, if Regan wishes to minimize the adverse impact he is having on animal populations (aside from becoming a fruitarian and wearing a fig leaf) he should become an ethical meat-eater, like in the picture of the Thanksgiving Day dinner shown in Norman Rockwell's famous Saturday Evening Post cover.

While Regan claims to repudiate animal rights extremism (noted in the summary above) he lauds the ALF and continues to rely upon PETA supplied information and quotes from other militants in the movement. He even borrows from Peter Singer's philosophy, equating speciesism to sexism, attempting to paint animal rights extremists as being no different from opponents of rape. Stepping outside of Regan's self-imposed limits on logical thought, this reviewer sees extremist animal rightism, upon which Regan relies, as being the same as accusing all men of rape simply because some men commit rape.

Knowing that one of the major criticisms of the animal rights movement is that it compromises human rights, in Part II: Moral Rights: What They Are and Why They Matter, Chapter 3: Human Rights, Regan makes a futile attempt to establish himself as a human rights advocate. His poorly chosen tactic is to bemoan the Tuskegee Syphilis Study. Perhaps due to his efforts to abstract the story within one page, he omits critical components of the story. This study was initiated to treat these men with

arsphenamine to cure their syphilis, (Bad Blood: The Tuskegee Syphilis Experiment, James H. Jones, The Free Press, New York; New and Expanded Edition, 1993). It was only after the stock market crash of 1929, which depleted the assets of the organization funding the study, that the treatment was stopped. In addition, penicillin, shown to be an effective antibiotic in Florey's Nobel Prize-winning studies of mice infected with streptococcus in 1940, and effective against syphilis in 1943 (not 1957) was withheld from the men because of an ill-defined danger known as the Herxheimer reaction (The Pharmacological Basis of Therapeutics, Louis Goodman & Alfred Gilman, Editors, 2nd Ed. 1955, page 1237). This

Clearly Regan's animal rights principle: 'Humans have no right to the knowledge gained from research on animals.' infringes upon human rights. The gospel according to Regan, which would have prevented Florey's studies of penicillin in mice, might have forever denied the victims of the Tuskegee Syphilis study the very drug that he condemns the U.S. Government of withholding from these men for 30 years. Regan's exclusion of such bio-logic from his philosophical treatise is its downfall.

This example reveals another striking omission in this book: the lack of comment on the morality of using drugs developed through 'immoral' animal research. Undaunted by such concerns, Regan progresses insidiously towards his goal of equating the plight of The Tuskegee Syphilis Study victims of with that of animals.

Regan uses Darwinian evolution, which conceptually (if not practically) supports his equivocation of humans with other animals. Having invoked Darwin however, Regan realizes that he has begun to slide down the slippery slope that disappears into a taxonomical ooze that rivals Joel Chandler Harris' tar baby. Regan's solution is shockingly simplistic. It is in essence a 'see no evil, hear no evil, do no evil' approach. Despite the fact that he considers a nervous system to be the critical attribute that makes an animal "a subject-of-a-life" he draws the line in the neighborhood of fish. He simply ignores the fact that reptiles, mollusks, insects

and a host of other less than cuddly species are sentient and should, under his philosophical principle, be entitled to the same protections he asserts for cats, dogs and chickens. Regan the philosopher becomes Regan the tactician, omitting mention of the flaw that invalidates, or at the very least, ruins the palatability of his philosophy.

Regan sinks even lower, resurrecting one of the most squalid principles that the animal rights philosophy has ever proffered: being human is not morally relevant because differences in race and gender are the same as differences in species (more parroting of Peter Singer). Once again, Regan does not allow bio-logic to interfere with his efforts to dehumanize us down to the level of fish.

In Part IV: The Metamorphoses, Regan attacks animal agriculture, hunting, trapping, fishing, the use of animals for entertainment, and the use of animals in biomedical research. Refutation of all of Regan's erroneous arguments against the uses of animals for these purposes requires far more pages than are available in this forum, so I will focus only upon the invalidity of Regan's challenge to biomedical research using animals.

Regan attempts to negate the value of animal testing as a means of preventing toxic substances from causing adverse effects in humans and animals. That scores of animals in toxicity tests can reveal toxicity leading to the protection of hundreds of thousands of humans and other animals from such ill effects cannot logically be challenged. The fact that *in vitro* tests might have a better predictive rate than *in vivo* tests (as claimed by Regan's references), does not preclude the likelihood that the conduct of both the *in vitro* and *in vivo* tests would be an even better predictor of toxicity than either venue alone.

Regan cites a listing of animal research prepared by another ARA on page 171. Not surprisingly, it omits positive mentions of research, e.g., to determine the mechanisms of disease, to develop animal models of diseases, to develop and study novel therapeutic treatments for disease, and to study emerging diseases. Regan is long on his

depictions of the horrors of the fate of animals in laboratories, as well as in agricultural and entertainment settings. But, he ignores the far worse plights of the wild cousins of these animals. Once again Regan takes an out of sight out of mind approach to arguments that refute his animal rights philosophy and show how its disharmony with animal welfare.

In the section entitled “The (Some But Not All) Animal Welfare Act” (page 172) Regan infers that the government was hypocritical in not including rats mice and birds in the Act. If indeed Regan wishes to unhypocritically argue based on the term animal, then he should be arguing for the inclusion of the entire animal kingdom in the Animal Welfare Act.

Regan’s inference that variations in IACUC reviews between committees indicates inadequate animal care (page 174) is ludicrous. Each IACUC has its own personality and different committees differ on what they consider to be adequate safeguards. Would Regan similarly challenge Christian beliefs based on the different practices of Christian religions?

With regard to the benefits of animal research, Regan superficially accepts the validity of animal research as having provided many cures for disease as a prelude to attacking it. First, he trots out his moral principle that we have no right to be obtaining that knowledge because the animals that provide this knowledge do not receive any benefit from the knowledge. Then, in the section “Overestimation of Benefits” on page 175, Regan repeats an infamous lie of the animal rights mantra: “the vast majority of the most important health advances have resulted from improvements in living conditions (in sanitation for example) and changes in personal hygiene and lifestyle, none of which have anything to do with animal experimentation.” Recognition of the need for sanitation and hygiene did not occur until Louis Pasteur proved the germ theory of disease, showing how infectious diseases are transmitted from one animal to another. Until that time many still argued that disease producing microorganisms arose from spontaneous generation. This

knowledge of transmissibility of disease, derived from animal research, is what led to improved sanitation! Had Regan’s proscription against animal research been in place in Pasteur’s day we might still think that disease-causing germs arise spontaneously and still might not have a clue about the importance of sanitation.

It is noteworthy that according to Rene Vallery-Radot (*The Life of Pasteur* Doubleday, Page & Co., Garden City, NY, 1927, p. 334) British anti-vivisectionists wrote torrents of hate mail to Pasteur: “—letters full of threats, insults and maledictions, devoting him to eternal torments for having multiplied his crimes on the hens, guinea pigs, dogs and sheep of the laboratory.” John Crellin (*Antibiosis in the nineteenth century, in: The History of Antibiotics*, John Parascandola, Ed., American Institute of the History of Pharmacy, Madison, WI, 1980, pp. 5-13) describes it as, “... anti-vivisectionist attacks upon Louis Pasteur and his rabies vaccine became almost a monomania in Britain. Using Regan’s poorly chosen Bridge game analogy from this book, with respect to Pasteur, biologic trumped philosophical extremism.

In the section Underestimation of Harms, Regan delves deeper into dishonesty by reincarnating another animal rightist misrepresentation, ‘that development of new drugs through animal research causes human deaths.’ As already noted, the discovery of penicillin’s antibiotic efficacy (which Regan trumpets as the drug that saved the Tuskegee Syphilis Study victims in Chapter 3) arose from an experiment using just 8 mice. I challenge Regan to provide documentation of “...the hundreds of millions of deaths and the uncounted illnesses and disabilities that are attributable to reliance on the “animal model” in research.” Using clever wordsmithing Regan makes it appear that every adverse drug reaction in humans is attributable to the failure of animal research to prevent toxic drugs from being administered to humans. This misrepresentation of animal research borders upon sociopathy because of the potential adverse health effects that could arise if such statements led to the abolition of animal testing of drugs. What Regan does not tell you is that a substantial proportion of the adverse effects of

prescription drugs arise from medication errors. He also refrains from mentioning that many other adverse effects of prescription drugs arise from interaction with other drugs or herbal medications taken concurrently by patients. Such potential interactions are not tested for under current FDA requirements for demonstrating drug safety but are monitored as part of Phase IV testing of new drugs in human patients. Indeed the bio-logical inference of Regan's complaint that prescription drugs cause too much human toxicity is that more animal testing should be done to examine for potentially adverse interactions with other drugs that patients might reasonably be expected to be taking concurrently with the new drug!

Regan also fails to convey to his readers how many potentially toxic drugs never reach the human population because animal testing reveals them to be toxic. In what might be the most celebrated example of the marketing of a drug without adequate animal testing, thalidomide caused thousands of cases of phocomelia -- a disease in which limb development is grossly impaired -- in children born to mothers taking this drug for morning sickness during pregnancy. After the drug was taken off the market, it was subsequently tested for teratogenicity -- the ability to cause birth defects -- in pregnant animals and was found to cause phocomelia in their offspring. Had thalidomide been tested on pregnant animals prior to its marketing to humans, this disaster would not have occurred!

Near the beginning of this part of the book Regan attempts to denigrate the use of leather. One of his strategies is to attack Indian leather because of the deplorable conditions of cattle in India. Once again he shoots himself in the foot. As sacred animals, cattle are, for all practical purposes, 'liberated' in all but two Indian states. There are estimated to be 200 million cattle in India. It is little wonder that cattle struggle to survive under conditions in which there are no owners responsible for their care and that communities attempt to rid themselves of these animals when their debilitation presents a nuisance. So here we have a pretty good laboratory demonstration of the implementation

of the principles espoused by Regan (as well as by PETA, whose operatives documented these deplorable conditions). And, it shows the dismal outcome for the animals upon whom liberty has been inflicted. Rights? Yes! Welfare? No!

Critical Review Epilogue

Readers of this review may question whether it is unnecessarily harsh toward Regan's philosophy and goals. The intention of this review was to evaluate and critique the philosophical principles proposed by and argued for by Dr. Regan in support of the animal rights movement. However, I discovered that the most of the evidence in support of his philosophy was either missing, inaccurate, derived erroneously or was grossly deficient in objective evaluation. It then became incumbent for me to report that the 'logic' of Regan's 'philosophy' is nothing of the sort. Logic cannot be based on falsehoods, ignorance and one-sided arguments. Regan's continued defiance of the bio-logic is what causes his treatise to sink to the subterranean realm occupied by consorts such as the Flat Earth Society, the creation science movement, and the ban dihydrogen monoxide (also known as water) movement.

Masson's Foreword speaks of animals being happiest when they do what they have evolved to do. Humans evolved in an ecosystem in which we, like every other species on this planet, exploits other species. But Regan tells us humans can't be what we evolved to be. Worse yet, if his principles were established, we would be prohibited from pursuing the very activities needed to sustain human life on this planet. I argue that a 'moral principle' that dooms humanity to extinction is neither moral nor ethical.

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“BUT NEVER DISPARAGE”
A Reply to Professor Speth’s Review of
Empty Cages

by Tom Regan

It has always seemed to me that the temperature of a writer’s rhetoric is directly proportionate to that writer’s comprehension and fairness. The hotter the rhetoric, the less the comprehension and the greater the unfairness. For reasons I advance below, Professor Robert Speth’s review of my book (“Muddler’s Beware: The Case for Philosophical Extremism”) is a confirming instance of the general principle. (1) Professor Speth writes that I “make a futile attempt to establish [myself] as a human rights advocate.” In point of fact, I have defended human rights in my published writing for decades (for example, Regan, 1975, 1979, 1983, 1989). I do the same both in the book under review and in its companion volume (Regan 2003a). How a commitment voiced over decades can be fairly described as “a futile attempt,” Professor Speth does not explain. That I go beyond human rights when I argue for animal rights is true but irrelevant. My argument for human rights stands or falls on its own, independent of my argument for animal rights. It would have been useful if Professor Speth had explained how I argue for human rights instead of disparaging me for doing so. (I return to this topic below).

Professor Speth says I “parrot Peter Singer” when I point out the analogy between speciesism, on the one hand, and racism and sexism, on the other. In fact, as any informed scholar knows, Richard Ryder (Ryder, 1975), not Peter Singer, is the person who first introduced the idea of speciesism, arguing that a biological difference (in species, in race, in gender) does not make a moral difference. Moreover, as Professor Speth could have confirmed without much effort, I have been exploring and critically assessing this idea in my published work for more than 20 years (see, for example, Regan 1980). Does this mean that I have been “parroting” Ryder all these years? How can a fair, informed answer be given without reading what I have written, and what

Ryder has written as well, something that Professor Speth clearly has not done. According to Professor Speth, I “vilify commercial and biomedical animal enterprises.” Here I think the reviewer does not say what he means. “To vilify” means “to slander or defame,” something that cannot be done to any sort of enterprise. What Professor Speth meant to say, I think, is that I vilify (slander, defame) *people who work* in commercial and biomedical animal enterprises. So the question is: what evidence does Professor Speth give to support this very serious (indeed, this legally actionable) charge? The answer is: he gives none. And he gives none because there is none to give. Professor Speth writes that I “insinuate that [spokespersons for the fur industry] are liars and hypocrites.” This accusation is hard to reconcile with the fact, as Professor Speth surely must know, that I explicitly disavow any imputation of lying in this context. (See p. 81 and p. 200). (2) True, when these spokespersons say the fur industry “treats animals humanely,” I believe what they say is false. But not every falsehood we say is a lie, a point Professor Speth does not seem to understand.

For example, in *Empty Cages* (pp. 175-176), I cite the results of a government study concerning adverse (including fatal) reactions to prescription drugs. Professor Speth disagrees with how I interpret this study. He thinks what I think is false. And perhaps he is right. However, not content with noting our disagreement, he charges me with “delv[ing] deeper into dishonesty”—in other words, with lying, as if I thought to myself, “I know that what I am saying about this government study is false but, so what, I am going to say it anyhow.” Professor Speth does not explain how he can be so privy to my private motivations. As it happens, he is as mistaken in this regard as he is in his confident assertion that I am “a pet owner.”

This is not the first, and no doubt it will not be the last time Professor Speth resorts to charging those with whom he disagrees of lying. And not just a little. The animal rights movement, we are told in another of his publications (Speth, 2002), is characterized by “a litany of lies,” the “proof” of which is found in the fact that spokespersons say things that Professor Speth judges to be false. But, again, saying what is false (even

assuming this is true in the present case) is not the same thing as lying.

I am said by Professor Speth to “laud the ALF,” this despite the fact that (1) I explicitly repudiate the ALF’s denial that they engage in violence (for example, when they commit acts of arson) and (2) I explicitly denounce such actions, on moral grounds, as being wrong and unjustified (pp. 190-191). Readers of Professor Speth’s review would never know what is in *Empty Cages* on this topic or on many others of comparable importance.

The position I favor attributes basic moral rights to those humans who are subjects-of-a-life—those who are in the world, aware of the world, aware of what happens to them, and whose welfare is affected by what happens to them. On this basis I attribute rights to hundreds of millions of human beings (young children and those of any age who suffer from serious mental disabilities, for example) who are denied rights by other rights theorists (for example, Jan Narveson 1977, 1989; John Rawls, 1971; Tooley, 1984).

How do I argue for the rights of human beings, including those I have just mentioned? In particular, how do I ground the equality that is essential to our rights? Here is what I write (henceforth referred to as the Equality Argument):

As subjects-of-a-life, we are all the same because we are all in the world.

As subjects-of-a-life, we are all the same because we are all aware of the world.

As subjects-of-a-life, we are all the same because what happens to us matters to us.

As subjects-of-a-life, we are all the same because what happens to us (to our bodies, to our freedom, to our lives) matters to us, whether anyone cares about this or not.

As subjects-of-a-life, there is no superior or inferior, no higher or lower.

As subjects-of-a-life, we are all morally the same.

As subjects-of-a-life, we are all morally equal (p. 51).

Are any other animals like us in these respects? Are any of them subjects-of-a-life? I think the relevant evidence, impartially considered, overwhelming supports an affirmative answer in the case of other mammals and birds. I believe (though I know this is more controversial) that the same answer should be given in the case of fish. Beyond these three categories, I openly confess my uncertainty.

Professor Speth believes I should go further. “[Regan] simply ignores the fact that reptiles, mollusks, insects and a host of other less than cuddly species are sentient and should, under his philosophical principle, be entitled to the same protects he asserts for cats, dogs and chickens.” Now, one can be accused of ignoring a fact only if there is a fact to ignore. We are more than justified, then, in asking Professor Speth to come forward with his evidence for the fact at issue: the fact that “reptiles, mollusks, insects . . . etc.” are sentient. Where are the studies that support this (alleged) fact? Professor Speth provides no guidance. In point of fact, when these matters are explored, we do not find anything approaching universal agreement among the experts let alone uniformity among laws and regulations that apply to how these animals should be treated. (For a useful discussion, see Orlans, 1993:145-152). Which is precisely why “I limit the conclusions for which I argue to the *least controversial* cases, by which I mean mammals and birds” (p. 61).

Moreover, sentiency (the ability to experience pleasure and pain) and being a subject-of-a-life are not the same idea. Those beings who are subjects-of-a-life retain their psychological identity over time and have an experiential welfare; that is, their life goes better or worse for them, all things considered. While it is true that one aspect of their welfare involves the pain and pleasure they experience, this is not the only relevant consideration. For example, lions and tigers used in the circus industry have an impoverished welfare even if they are not caused a great deal of physical pain (pp. 126-129). Sentiency, which is central to Singer’s position, is not central to mine.

Professor Speth accuses me of “dehumaniz[ing] [human beings] down to the level of fish.” What can this mean? One can understand how the Nazis dehumanized Jews and gypsies, for example, because they deprived them of their freedom and stripped them of the means to live an even modestly fulfilling life. But there is nothing in my philosophy that either advocates or entails that any human being may be treated in comparable ways, nothing that permits “dehumanizing” treatment of anyone. In fact, just the opposite is true, as anyone who reads (and understands) my defense of human rights will attest.

“Regan sinks even lower,” Professor Speth writes, “resurrecting one of the most squalid principles that animal rights philosophy has ever proffered: being human is not morally relevant because differences in race and gender are the same as differences in species . . .” The reviewer misleads here. Being human (rather than canine, say) certainly is morally relevant in some circumstances (for example, if we are trying to select a jury for a murder trial). So the issue is not whether being human is ever morally relevant; it is whether it is morally decisive when we ask who counts morally. If it is, then humans have a superior moral status just because we are human (that is, just because we are members of the species *Homo sapiens*). For reasons I provide (and which Professor Speth fails to consider), I do not think this is true. (See pp. 44-45). Mistaken I may be, something that, in the nature of the case, can be decided only when the issues are fairly engaged. In the meantime, to characterize my critical exploration of the issues in terms of “sink[ing] even lower,” while it may make for giddy rhetoric in some quarters, makes for poor philosophy in all.

In *Empty Cages*, as in many of my other publications, I go to considerable lengths to describe what rights are and to offer arguments to support both human and animal rights (e.g., Regan, 1983, 2001, 2003a). Readers will find nothing about these important components of my philosophy (for example, the Equality Argument) in Professor Speth’s review. Instead, we find critical pronouncements that (at the very best) beg all the important questions. Thus, we read: “Clearly Regan’s animal rights principle:

‘Humans have no right to the knowledge gained from research on animals’ infringes upon human rights.” Clearly, what Professor Speth asserts here is true *only if we assume* that humans do have a right to this knowledge, a belief that is not shown to be true merely by insisting that it is.

In a similar vein, Professor Speth declares that “Regan contradicts his argument that animal rights and human rights go hand in hand” because I oppose vivisection, even if humans benefit from the practice. If “hand in hand” means “never conflict,” then Professor Speth simply misunderstands the logic of rights. Proponents of human rights, myself among them, recognize that human rights can and often do conflict; your rights do not always go “hand in hand” with my rights. Why assume that things will be different when animal rights are added to the mix? You do not show that animals lack rights because their rights sometimes conflict (sometimes don’t go “hand in hand”) with our rights.

Professor Speth leaves readers with no doubt as to what his intentions are in his review of *Empty Cages*. “The intention of this review,” he writes, “was to evaluate and critique the philosophical principles proposed by and argued for by Dr. Regan in support of the animal rights movement . . .” Readers of Professor Speth’s review are more than justified in asking, “Where do we find Professor Speth’s representation of my arguments for my philosophy? Where do we find his (Professor Speth’s) promised evaluation and critique of this philosophy (for example, his critique of the Equality Argument and its extension to other animals)?” *This* is what readers would expect to find—indeed, this is the sort of critical analysis they would *insist* on finding—in a review that purports to “evaluate and critique [my] philosophical principles.” Readers who approach Professor Speth’s review, thinking that this is what they will find, are certain to be disappointed.

The closest Professor Speth comes to engaging my philosophy is in his last paragraph, where he writes: “if Regan’s principles were established, we would be prohibited from pursuing the very activities needed to sustain life on this planet. I argue that a ‘moral principle’ that dooms

humanity to extinction is neither moral nor ethical.”

Even in a review noteworthy for its frequent hyperbole, this passage stands out.

Adoption of my views means an end to human life, the extinction of our species. Why?

Because adoption of my philosophy would mean an end to performing animal acts in circuses and marine parks?

Because it would mean an end to the fur industry and canned hunts?

Because it would put the hog industry out of business and stop the annual slaughter of harp seals in the Northwest Atlantic?

Because there would no longer be rodeos or greyhound racing?

Can anyone seriously believe that these changes, and others of an analogous kind, prohibit us “from pursuing the very activities needed to sustain life on this planet”? Perhaps there are some readers who will answer, “Yes.” And perhaps Professor Speth is one of them. If he is, then he owes all of us a thoughtful explanation.

“[Regan] vilifies.” “[Regan] insinuates [that people in the fur industry] are liars.” “[Regan] makes a futile attempt to establish himself as a human rights advocate.” “Regan delves deeper into dishonesty.” “Regan progresses insidiously.” “Regan sinks even lower.” There is more. “[Regan] is unable to think . . . truthfully.” “[Regan] repeats an infamous lie of the animal rights mantra.” “[Regan’s position on animal research] borders upon sociopathy.” And so on. Contrast this steady stream of invective with words recently received via email from Professor Mark Cook, of the University of Wisconsin, an active animal researcher who is not to be counted among those who embrace “Regan’s gospel” of animal rights. “An open dialogue depends on trust that both sides are listened to and contemplated,” he writes, (and I quote Professor Cook with his knowledge and approval), “but never disparaged.” Just so. A conversation is always better than a confrontation.

If we had reason to believe that Professor Speth is unique in thinking in the terms he uses, we could leave matters as they stand. Unique he is not. (3) His earlier critique of animal rights (Speth, 2002) was noted above. This is the essay in which he refers to the “litany of lies” that

pervades the animal rights movement. (He also disparages “the dishonesty and ignorance of the animal rights movement,” a movement that “suffers from a corruption so deep as to defile the use of this term by anyone genuinely concerned with animal welfare.”) In an unsigned introduction to this essay, the author writes that Professor Speth “is to be congratulated for showing the [American Physiological Society’s] membership how to respond to the challenge raised by animal rights activists.”

After reading his review of *Empty Cages*, perhaps the APS’s membership will want to congratulate him again. Ironically, that would give unsolicited (not to say unexpected) assistance to everyone who labors for the rights of animals. Few things will help forward the cause of animal rights more than having Professor Speth continue to write in opposition to it.(4)

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Tom Regan is emeritus professor of philosophy, and former University Alumni Distinguished Professor, North Carolina State University. The author or editor of more than twenty books and hundreds of professional papers, he received numerous awards for excellence in undergraduate and graduate teaching. His most recent book, Empty Cages: Facing the Challenge of Animal Rights, is being forwarded by the publisher for the Pulitzer Prize as well as a National Book Award. Upon his retirement, Professor Regan received the Alexander Quarles Holladay Medal, the highest honor North Carolina State University can bestow on one of its faculty.

NOTES

1. Some philosophical critics of animal rights provide other confirming instances. See, in particular, my response to Carl Cohen in Regan, 2001: 267-268.
2. Page references to *Empty Cages: Facing the Challenge of Animal Rights* are given in the body of the text. Because of limitations of space, I am not able to respond to all of Professor Speth’s misrepresentations.
3. For additional instances of *ad hominem* attacks by people doing non-therapeutic research on animals, and my response, see Regan 2001: 156-158.

4. Again, limitations of space prevent me from responding to Professor Speth's many scientific pronouncements. Let me simply note that it is false that "[r]ecognition of the need for sanitation did not occur until Louise Pasteur proved the germ theory of disease." In fact, the need for sanitation was widely recognized hundreds of years earlier. (See Porter, 1993). In addition, Professor Speth "challenge[s] [me] to provide documentation of '... hundreds of millions of deaths and uncounted illnesses and disabilities that are attributable to reliance on the 'animal model' in research." Relevant evidence will be found in Lazarou, J. et. al., 1998 and at U. S. Food and Drug Administration, 2002. This latter report states that there are over 2 million serious Adverse Drug Reactions (ADRs) a year, including 100,000 deaths. In addition, it estimates that only 3-5% of the total number of in hospital ADRs are due to drug interactions.

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