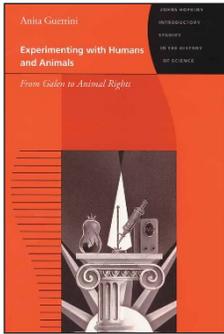


Laws for the ‘beast machine’



Experimenting with Humans and Animals: From Galen to Animal Rights

by Anita Guerrini

Johns Hopkins University Press,
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Reviewed by George J Annas

Experimentation on humans has always been problematic, and until World War II, was often prohibited or confined to subjects believed to be subhuman. Most recently, international controversy has focused not so much on research with humans or animals, but on research with human embryos. There is no real historical context in which to frame the debates about human embryonic research, genetic engineering and cloning. The 1947 Nuremberg Code, the most authoritative legal and ethical statement on human experimentation, has nothing to say about experimentation on human embryos. Under the Code, researchers are obligated to protect both research subjects' rights (to consent and withdraw) and their welfare (protecting them from harm). Animals have no rights under any existing system of laws, but they do have interests, and animal welfare—including the obligations of researchers to protect animals—has been a recurring theme throughout human history (the term ‘animal rights’ must be seen as a political slogan or a metaphor, even for primates).

The relationship between experimenting on humans and experimenting on animals has always been a complex one. Is experimentation on animals always a necessary prerequisite for lawful experimentation on humans, as the Nuremberg Code prescribes? Or should experimentation on animals be avoided altogether because it puts humans at too much risk for being treated no better than animals? George Bernard Shaw suggested as much in 1911 when he wrote in the preface to his play *The Doctor's Dilemma*, “If a guinea pig may be sacrificed for the sake of the very little that can be learnt from it, shall not a man be sacrificed for the sake of the great deal that can be learnt from him?” Descartes argued that animals were like machines, and that they could be taken apart for study because the “beast-machine” had no mind and could feel no pain. More recently, Peter Singer, in his influential *Animal Liberation*, has proposed that their ability to experience pain brings animals that possess it (he draws the line between an oyster and a shrimp) a higher status that places an obligation on humans to avoid inflicting pain on them, even for important purposes.

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The goal of historian Anita Guerrini in this slim volume is not to give an objective or complete history of experimentation on animals (she has taught a course on this subject for the past decade), but rather to present an “episodic” and “subjective look” at “significant and telling events” with a view to arguing that “the values of science are the values of the society it inhabits.” Guerrini does a fine job of putting the anatomy and physiology studies of Galen, Harvey and Vesalius, and the vaccination work of Jenner, Pasteur, Koch and Salk in historical context. She unnecessarily goes off the rails, however, in her concluding chapter, in which she tries to summarize the last 60 years—since Nuremberg—of human subject regulation as it relates to animals. Suffice it to observe that it is discouraging to see a historian attribute the Helsinki Declaration to the World Health Organization (instead of the World Medical Association) and wrongly implies that this medical group has the authority to “revise” an international human rights law promulgated by judges at Nuremberg. She also unpersuasively asserts that the U.S. Tuskegee Syphilis Study “differed only in degree” from the industrial murders and tortures of the Nazi physicians in the concentration camps, and that “a comprehensive national regulatory apparatus to govern the use of human and animal subjects in scientific research” actually exists in the US (or elsewhere in the world). Building a credible transnational regulatory framework in a world of globalized, multinational corporation-sponsored human experimentation remains an unmet challenge.

This book on animal rights in research reasonably concludes by observing that the moral principles that govern animal experimentation remain contested. Nonetheless, it is worth underlining that with regard to human rights there are universal principles in human experimentation that are no longer contested—they are articulated in the Nuremberg Code and the International Covenant on Civil and Political Rights—the most important of which requires the informed consent of the research subject for lawful human experimentation. Of course animals cannot provide informed consent to be the subject of our experiments, and if our experiments cause them pain, it is reasonable to expect researchers to be able to justify infliction of pain on necessity, for example that there is no other way to gain knowledge necessary to help alleviate human suffering.

Also of interest



Medical Meanings: A Glossary of Word Origins

by William S. Haubrich

American College of Physicians, 2003

This volume, updated since 1997, traces the history of 3,000 medical terms, from ‘lamina’ to ‘leech’: “common name for a bloodsucking worm of the class Hirudinea, but it was also once used to designate a physician. In fact, the latter meaning came first, being derived from the old English læce, ‘one who heals.’ Today, in Iceland a physician is a *laeknir*, in Finland a *laakari*, and in Sweden a *läkare*. The bloodsucking annelid worm, in bygone days ... was given the name of ‘the healer.’”