
Opinion

The Perils of Appeasement

Steven L. Leary, DVM

The recent settlement with animal rights activists, which could result in USDA regulation of mice, rats, and birds used in research is of great concern. Not only is it potentially divisive, but also demonstrates a disregard for the biomedical research community that cannot be ignored.

During the 1960s and 1970s, public dialogue about animal welfare focused principally on dogs and cats, driven by concern about pet theft. This concern was translated initially in 1966 into federal legislation as the Animal Welfare Act (AWA). During those years, animal resource directors interacted locally and to a lesser extent nationally with concerned citizens, including members of animal welfare groups about use of random-source dogs and cats in biomedical research and testing. That dialogue contributed substantially to a preference for purpose-bred animals and underscored the priority to reduce animal use whenever possible, a concept that was supported broadly among biomedical scientists. As a result, the AWA was amended and expanded during the 1970s and 1980s to cover additional species, including monkeys, guinea pigs, hamsters, rabbits, and marine mammals. However, individuals and groups holding animal rights or strong animal welfare views were not satisfied with the amendments and continued to press for total elimination of animal-based research, regardless of the consequences for human health. Attempts to discuss animal experimentation evenhandedly with them usually proved fruitless.

Consider the following example: In 1983, the Massachusetts biomedical community had an extensive, public confrontation with the local animal rights community regarding the procurement and use of dogs and cats in research. Eventually, an agreement was reached whereby the activists would not seek further restrictions if researchers would not use impounded dogs and cats for research. Shortly after this compromise was reached, multiple new anti-research bills were dropped into the Massachusetts legislative hopper. An advertisement placed in the January 8, 1984, *Boston Globe* by the New England AntiVivisection Society and the Massachusetts Society for the Prevention of Cruelty to Animals depicted a fuzzy dog wearing an army helmet. The caption read, "We have won a major battle. Now help us win the war." The ad continued in part, "The new law will ensure that our lost or abandoned pets who remain unclaimed in pounds or animal shelters can no longer be donated or sold to research labs to be used for cruel and inhumane experimentation. It also prohibits animal dealers from importing impounded dogs and cats from other states for such use, and also provides for policing of animal research facilities to make

sure the laws are obeyed. This sweeping legislative reform is one of the most comprehensive animal protection measures ever adopted in America and all who helped can be extremely proud, but our work on behalf of animals is far from over. There is much more to be done. Won't you join the fight to help animals from abusive treatment?"

In the 1990s, as articulated superbly by Frederick Goodwin and Adrian Morrison (1), the biomedical research and laboratory animal science communities attempted to work with animal rights activists by pursuing what amounted to a strategy of appeasement. Ironically, it focused on the useful goals of reduction, refinement, and replacement. However, this too proved to be unproductive and may have had the unintended effect of further energizing hard core activists in their goal to eliminate animal use. In meeting activists half way, we did not refute erroneous activist philosophy. While accepting responsibility for humane animal use, we should also have argued why humane animal use is justified.

During the past and current decade, activists have continued to profess a spirit of cooperation while pursuing goals that remain basically unchanged and strategies that have become more onerous. They have added personal threats and attacks, destructive mischief in laboratories and vivariums, economic pressure, legislative and litigious harassment, and dissemination of misinformation to their repertoire. By pushing for coverage of small rodents under the AWA, despite the fact that federal rules and standards for the use of these animal is well-established through other means, the animal rights community has again demonstrated that their ultimate goal is to abolish animal-based research.

What can and should be done by the scientific community to address destructive pressures from activists? First, we must remember that our position is right. Recent polls indicate clearly that most Americans support animal experimentation (2). Second, as Alan Bloom points out in his book, *The Closing of the American Mind* (3), one must not equate the validity of a movement or philosophy with the extent to which the proponents are willing to go to further their cause. The increasing zealotry of the animal rights movement must not cause us to consider their goals acceptable. Thus, we cannot acquiesce, in any way, to inclusion of rats, mice, and birds under the AWA. To do so would impart validity to these issues, provide temporary appeasement to the animal rights activists, and encourage their further inappropriate action. Moreover, not to be lost in the confusion is the standing issue, which portends problems at least as serious as the increased regulations. There is no good news here. The recognition of legal standing by individuals to sue on behalf of animals for changes to the AWA remains on the books, so to speak,

Division of Comparative Medicine, Washington University School of Medicine, 660 South Euclid Avenue, Campus Box 8061, St. Louis, Missouri 63110.

regardless of the dismissal of the complaint. This ruling, along with the standing granted in *Animal Legal Defense Fund v. Glickman* (where a U.S. court recognized the legal standing of an individual who claimed harm after viewing animals at a roadside zoo), will be cited as precedents in future activist lawsuits seeking even more onerous changes in federal regulations.

I once asked my father-in-law, a now-retired prosecutor and judge, how he protected himself against the enemies he made in performing his legal duties. His answer was threefold: know who your enemies are; assess the level of harm they could cause; and take the steps necessary to prevent that harm and provide appropriate security. It seems to me that the biomedical research community has barely addressed the first step. We should take the ethical and moral high road to counteract the damage to biomedical research from animal rights activism. The first and most critical steps are to protect biomedical research from additional incursions by activists by opposing strongly and collectively any further attempts, regardless of origin, seeking to further constrain animal experimentation. We must identify those who are causing harm to biomedical research through their zealotry and make their identities public.

In doing so, we must document the harm they have caused and make the case that their behavior will continue and increase unless we draw the line. Last, we must collectively develop effective new strategies to protect biomedical research from further harm, and do it soon.

We must not continue to "supply the rocks that will be thrown at us." We must not succumb to divisiveness. We must greatly increase resources for public education about animal research and, if necessary, for litigation and legislation so that we prevail in the struggle ahead.

References

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