

Nonhuman Primate Research at UW: A Response to Rick Bogle  
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I appreciate the consideration that Rick Bogle has given to my brief comments in a recent article in the *Capital Times*, “Is Monkey Experimentation Ethical?” and I wanted to continue this important discussion by responding to some of his remarks.<sup>1</sup>

To begin, Todd Finkelmeyer, the reporter who wrote the story, was generally accurate and fair in his quotations from my discussion with him. We had a lengthy discussion, though, and so his quotations were, of necessity, incomplete and selective. Clarification of the context for some of the quotes will, I think, help to avoid some misunderstandings of the claims I was making, clarify where I agree with Bogle and where I disagree with him, and provide support for some of the claims about which Bogle and I disagree.

Bogle takes issue with four of the claims that I made:

- (1) “The conversation [an active, informed discussion about nonhuman primate research] is ongoing [at UW].”
- (2) “It is not necessarily a good thing to have a university bow to public pressure when it comes to what its professors and researchers study.”
- (3) “The thought that we should restrict anybody’s research just because the public is upset strikes me as not a good idea.”
- (4) “We have to look at [animal research] on a case-by-case basis [to decide whether it is ethical].”

I address these in turn.

- (1) “The conversation [an active, informed discussion about nonhuman primate research] is ongoing [at UW].”

Bogle claims that I was mistaken in saying that the conversation about nonhuman primate research is ongoing at the university, or, at least that if such a conversation does exist, it is “hidden from the public’s observation, let alone participation.” And he suggests by implication that the discussion doesn’t include multiple points of view. According to Bogle, UW “has repeatedly refused, point-blank, to engage in *any* discussion of the matter” (italics added). I agree with him that there should be more discussion with a more diverse set of viewpoints at the university, and more discussion between the public and the university about nonhuman primate research, but Bogle’s claims here are overgeneralizations. A few examples of which I am aware: Eric Sandgren, now director of the Research Animal Resource Center, participated in a public debate with Ray Greek about the predictive value of animal models for human

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<sup>1</sup> The article can be found at [http://host.madison.com/ct/news/local/education/university/article\\_5015168d-dde3-5d5f-8b14-f67b3d82bb70.html](http://host.madison.com/ct/news/local/education/university/article_5015168d-dde3-5d5f-8b14-f67b3d82bb70.html); Bogle’s comments can be found at <http://primateresearch.blogspot.com/>.

diseases; both Sandgren and researcher Richard Davies had a brief, televised discussion with Rick Marolt (whose letter to UW sparked the article by Finkelmeyer) and Bogle about the ethics of nonhuman primate research. I've also observed a debate on campus, open to the public and with representatives from many different perspectives, on the ethics of meat-eating, which raises ethical issues closely connected to those raised by the use of animals in research.

There are also the conversations that the Animal Care and Use Committees themselves have. All nonhuman primate research at UW is overseen by one of these committees, and they routinely engage in extensive discussion about whether the research proposal before them is ethical. (It is worth noting that a decision by one of these committees to disallow research cannot be overturned by the administration.) Although each committee is required to have at least one member not affiliated with UW and the public is permitted to observe the meeting when it is in open session, Bogle is correct that the opportunities for public observation and participation in these meetings are limited, but this is no different than the review procedures for human subjects research. Depending upon the research in question, there can sometimes be heated disagreement among the committee members about whether the research under consideration is ethical. The committees even have the authority to revoke or temporarily suspend a researcher's animal use privileges, and although it is rare that they have to resort to this option, it has happened.

Moreover, UW has several classes, some of which I teach or contribute to on a regular basis, which include discussion about the ethical issues of animal use, typically covering both their use in agriculture and in research. There is also animal ethics training for a variety of groups on campus, some of which is mandatory for researchers who use animals. While I appreciate that Bogle and Marolt would vehemently disagree with the substantive content of some of these discussions, and I acknowledge that these fall short of the kind of open and robust discussion at a higher level in the university which Bogle and Marolt have in mind, my claim was simply that it was important to acknowledge that the conversation about animal research is ongoing, and these examples are what I had in mind. I think that merely saying that either there is no conversation about animal research ethics at UW or it is all taking place in private, without acknowledging these kinds of activities, presents a misleading and oversimplified view.

- (2) "It is not necessarily a good thing to have a university bow to public pressure when it comes to what its professors and researchers study."

Contrary to Bogle's assertion, my statement that universities should not bow to public pressure does not imply that researchers should be given "carte blanche" when it comes to animal research. Indeed, no one on the UW campus with whom I have come into contact has ever evinced such a view, and it is certainly not a view I hold.

In response to (2), Bogle states that all Marolt was requesting in his letter to UW was genuine discussion. When Marolt and I spoke in person, we discussed a variety of possible arrangements by which UW could, as an institution, address the question of the ethics of nonhuman primate research, and some of those arrangements included a committee with significant public representation that would be empowered to issue a binding decision on UW. Perhaps I misunderstood Marolt or misremembered our conversation, but this was the idea to which I was responding in the statement (2) that Mr. Finkelmeyer quoted. If all

Marolt desires is more genuine discussion, then I agree with him, as I clearly stated in the *Capital Times* article itself.

However, it is clear from Bogle's blog post that he, Bogle, does indeed endorse the idea that the question of which research should take place at UW should be decided directly on the basis of what the public wants or doesn't want. But while public discussion can bring to light important reasons for restricting research, the basis for those restrictions is not that the public wants them; the basis for those restrictions are the reasons which public discussion brought to light. Bogle conflates these two kinds of reasons, and it is important that they be kept distinct. Restricting animal or human subjects research out of concern for harms to the subjects can be perfectly appropriate; restricting animal or human subjects research out of concern to avoid a negative public reaction is a different matter altogether, and would threaten the very basis of academic freedom, an idea essential to the core of the university's mission. It is to this latter idea—that research should be restricted out of concern to avoid a negative public reaction—that I was responding when I said that this is not necessarily a good thing.

- (3) “The thought that we should restrict anybody's research just because the public is upset strikes me as not a good idea.”

Similarly with regard to my statement (3). Bogle says that this comment “reflects profound confusion” because UW is a tax-payer supported institution and the public is intended to be its ultimate beneficiary. But it does not follow, and it is not true, that UW should restrict research merely on the basis of public dislike. Consider an analogy: the Food and Drug Administration is funded by tax dollars, and the public is intended to be the ultimate beneficiary of its policies and practices. But this does not mean that the FDA should prohibit a safe and effective drug from being allowed on the market merely because some people find it offensive. (Indeed, their doing so would violate their democratically enacted mandate since they were not given the authority to withhold approval on such grounds by Congress.) The relationship between the FDA and the public is not and should not be one of direct democratic oversight. Similarly, the relationship between UW and the public is not and should not be one of direct democratic oversight. Should a UW researcher developing a new contraceptive be prohibited from doing so on the grounds that some of the public believes that contraception is immoral? Obviously not. I submit that it is Bogle's idea that it should be which reflects “profound confusion,” confusion about academic freedom and the role it plays in public universities. It is worth emphasizing that this point does not take a stand on whether Bogle's and Marolt's substantive concerns about the use of nonhuman primate research are misplaced; my point here is only that the general framework of public control over academic research that seems expressed in some of Bogle's remarks is misguided.

- (4) “We have to look at [animal research] on a case-by-case basis [to decide whether it is ethical].”

I said that whether animal research is ethical depends, and must be decided on a case-by-case basis. This means nothing more than that it is neither the case that all animal research is ethical, nor is it the case that all animal research is unethical. It depends. I can't imagine that Bogle actually disagrees with this claim. Some animal research, after all, is carried out with the reasonable expectation that the animal itself will benefit from an experimental therapy. Some animal research is primarily observational, watching animals in the wild but without interfering in their lives in any significant way. Bogle says, “In the case of

monkeys, is it ethical to capture them, breed them, keep them in conditions that lead to self-mutilation, chronic diarrhea, mental illness, and subject them to painful or frightening or otherwise distressing experiments?" But not all research on nonhuman primates raises these issues. A nutritional study, for example, designed to test whether a slightly modified diet improves the monkey's health in comparison to the standard diet, would be ethical even on the assumption that it was wrong to capture monkeys, breed them, and so on. So would a study investigating how to improve normal housing conditions to ameliorate the very problems to which Bogle is pointing. The details matter. I respect the viewpoint, held by Bogle I assume, that all non-therapeutic, harmful research on nonhuman primates is unethical, but that is not inconsistent with (4). And contrary to what Bogle, incredibly, implies, in saying that animal research must be decided on a case-by-case basis, I am not appealing to the same "ethic" used to justify Nazi experiments on Jews. Indeed, human subjects research itself, as it is practiced ethically and responsibly today, proceeds on a case-by-case basis. Bogle simply thinks that the moral rules to decide those cases are in conflict with what actually takes place at UW.

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Finally, I feel that I must express my disappointment with Bogle's choice of title for the blog post, as well as with his jumping to the conclusion that I view this matter in "a shallow elitist way" and that I am biased. To characterize me as biased, ethically blind and with a shallow elitist view on the basis of four comments in a newspaper article is obviously an unjustified attack on my character. Bogle is correct that I am paid by the University (although I do have tenure), and while that does raise an important issue about a conflict of interest, I do my best to present the reasons for my views and the arguments for them as openly and as transparently as possible. Whether those views and arguments are correct or not depends on their merits, not on who pays my salary, and it is those merits that we should be discussing. I'm sure Bogle would agree that the conversation about nonhuman primate research at UW is too important to let it devolve into an unconstructive, disrespectful exchange of insults. As a professor in philosophy and bioethics, I have devoted my career to introducing students to some of the best thinking on *both* sides of some of the hardest topics in applied ethics: just war theory, capital punishment, abortion, euthanasia, genetic engineering, human embryonic stem cell research, human reproductive cloning, and, yes, animal use. It is true that I take a different and more complicated view of the issue of nonhuman primate research at UW than does Bogle, but this does not license the insulting tone of some of his comments. Bogle may feel that he has not been treated with due civility by UW, and so may feel justified in engaging in such behavior in return. Whether this is the case with UW, I am not in a position to judge. But I do know that I have never insulted Bogle or suggested that we should ignore him or reject his arguments on the grounds that he is "one of those activists." I would hope to be treated with the same civility.

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