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Civil Politics in the Animal Rights Conflict: God Terms versus Casuistry in Cambridge, Massachusetts

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Many public debates become polarized, degenerating into a pattern of mutual suspicion and name-calling that preclude communication or compromise. The debate over animal research has typically followed this path. To understand how polarization might be avoided, we examine the factors that helped prevent it in one local controversy: Cambridge, Massachusetts in the late 1980s. These factors include the personal style of the leader of the main animal protection group, the financing for the group, the group's ability to win a symbolic victory in the form of a relatively toothless city ordinance, and, especially, the relative avoidance by both sides of rigid ideological posturing in favor of "casuistic" argumentation about specific cases and policies.

Like many other public controversies, that over animal rights often degenerates into mutual suspicion and name-calling. In such a debate, each side typically perceives the other to be deceitful, if not evil, prompting the combatants to forsake communication, dialogue, negotiation, and compromise: the very activities upon which democracy depends. Because in American politics this kind of polarization—with each side clinging to its own moral absolutes—is common yet costly, we need to understand the exceptions in which opponents and politicians manage to work out compromise policies. Students of political conflict have been more interested in explaining escalation and polarization than the persistence of civility.

The recent controversy over animal rights has featured a "clash of absolutes," to borrow Laurence Tribe's (1990) characterization of the abortion debate. Both sides refer to inviolable moral principles, or "god terms," that

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they feel should never be compromised. On the one hand, animal protectionists argue that many nonhuman species share with humans such key traits as the ability to suffer pain, to control their lives, and to make choices. Accordingly, protectionists claim that animals deserve full consideration in our moral calculations (Regan 1983; Singer 1990), and that it is arbitrary and cruel to ignore them as we make our own choices and fashion our lives. On the other hand, biomedical researchers point to the extensive benefits of modern science; furriers claim that humans have the right to consumer choice which outweighs the lives of other animals; and many others assert that human needs and desires take priority over nonhuman lives (Fox 1986; Jasper and Nelkin 1992, 131-34). Like debates over abortion, nuclear energy, and many other issues, the debate over animal protection has involved little willingness on either side to enter into dialogue, much less to compromise. It is based on sharply contrasting intuitions and beliefs about boundaries between species (Jasper and Nelkin 1992; Jamison and Lunch 1992).

The Cambridge, Massachusetts animal protection ordinance of 1989 can serve as an example of how polarization and paralysis can be overcome. Touted as the nation's first local ordinance regulating animal research, it can be understood as a compromise in the animal protection debate. Whether or not there will be similar legislation by other local governments—there is some evidence that growth of the animal rights movement has slowed (Jasper and Nelkin 1992, 177)—the Cambridge case suggests some ways in which a volatile issue can be made less shrill and more productive. We gathered evidence on the debate through personal interviews with many of the participants, small surveys of Harvard researchers and Cambridge animal advocates, the perusal of several archives (that of the main animal rights group involved, and those of several researchers and university representatives), and the study of all media coverage and available written documents, especially the files of the Cambridge City Clerk (see Sanders 1992).

Theoretical Background: Civility as a Resource?

In the past 25 years, students of social conflict have repeatedly shown that protesters are more effective when they use disruptive tactics. Because disruption of daily routines, especially economic life, immediately threatens the legitimacy of the state as protector of social order, the state must either make concessions, suppress protesters, or risk a loss of legitimacy. Michael Lipsky (1968) argued that active protest is one of the few resources that most protesters—his ideal types were the poor and the powerless—have at their disposal. Moderate tactics, especially electoral challenges, are easily rebuffed

by those in power, those who can, for example, ignore demands once elections are over (Piven and Cloward 1977). William Gamson (1990), studying dozens of American protest movements, found that groups resorting to violence were on average more successful than peaceful ones.

Because these researchers largely assume that the state and its policies are the main target of protest, they easily overlook the possibility that civility can also be a resource. Groups that seek the approval of broader public opinion, rather than direct concessions from the state, may wish to appear moderate and polite, as will groups that hope to portray their opponents as extremists. Not just the public, but even certain state agencies, especially those not charged with maintaining public order, and elected officials may respond favorably to this self-presentation on the part of protest groups. State agencies may also respond more favorably to civility when their own activities are not the direct target of protest. If nothing else, a combination of civil and disruptive tactics may make a protest movement more successful simply by virtue of trying more tactics (Jasper and Nelkin 1992).

Studies of the causes, rather than the effects, of radical disruptive tactics and of the resulting escalation and polarization of disputes have produced less clear results. Oberschall (1993) has emphasized the role of the internal structure of the protest group, especially the strength of its leadership. If a strong leader can credibly promise the compliance of her group, she will be able to negotiate and compromise with her opponents. If she lacks that control, the concession she extracts may not be sufficient to defuse the protest.

The dynamics of the protesters' strategic interactions with others are also important. Protracted conflict may lead to so many animosities that the two sides are as concerned to destroy each other as to achieve their stated goals (Coleman 1957; Deutsch 1973). Each side's perception of the other becomes distorted: "Actions acquire moral connotations such that errors of judgment and mistakes based on lack of information are interpreted as intentional measures designed to harm and as indications of bad faith" (Oberschall 1993, 64). Escalation of conflict is also related to the expansion of the arenas in which the conflict is played out. In particular, conflicts are publicized by groups that think they stand to gain more new allies than their opponents (Schattschneider 1960, 38). Groups that do not trust government agencies and have no hope of ever institutionalizing their access to them may also decide that public pressure provides their best chance for influence (Berry 1977, 269).

The belief systems of the groups involved can also lead to polarization. Rigid, ideological systems, based on abstract principles, may be less amenable to communication and compromise. Jasper (1992a) argued that nonnego-

tiable “god terms” embedded in political rhetoric make compromise difficult. Jonsen and Toulmin (1988) made a similar argument in favor of case-based approaches to moral problems. Their casuistic approach rejects moral reasoning based on deduction from timeless, universal, and abstract principles (god terms); they believe that arguments over concrete cases, taken in their context, are more likely to lead to agreement than those over fundamental moral issues. They began to formulate this argument while working from 1975 to 1978 on the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research. The members of this commission agreed more easily on specific cases than on general principles. The latter seemed to lead to ideological posturing and rigidity.

The Cambridge animal protection controversy of the late 1980s will allow us to examine the factors channeling conflict into peaceful patterns and to assess the impact of moderate protest tactics. What kept the protesters more or less civil, in contrast to many animal rights protesters around the country? What were the political costs and benefits of this civility? Are there circumstances under which civility is a more powerful resource than disruptive protest? Is civility more of a resource in controversies over science and technology than in controversies over basic political rights or economic interests where rigid ideological divisions may be more common? Or is it the novelty of an issue that allows for an escape from ideological posturing?

The Cambridge Controversy

Cambridge was fertile territory for a controversy over regulation of animal experiments. It was home to two of the world’s preeminent research universities and to more than forty biotechnology companies with at least ten private animal research laboratories. The city had also experimented with regulation of scientific research in the past. In early 1977, the city council had passed the nation’s first municipal legislation controlling recombinant DNA research and, between 1983 and 1985, it banned nerve gas storage or testing (Krimsky 1982, 1986; Mendelsohn 1984). The city also had an active animal lobby. In 1978, pressured by animal activists and a local newspaper (“Animal rights commission proposed by group,” 1978; “Animal commission worth trying,” 1978), the city council had created the Cambridge Animal Commission, whose director, Ginger Gay, subsequently used her position to lobby for protective legislation at local, state, national, and even international levels, while also handling routine matters of animal care and control (Gay 1990; McCabe 1991). The same year, an animal rights group, soon known as the

Coalition to End Animal Suffering and Exploitation (CEASE), was formed in Cambridge.

By 1986, CEASE's president, a Massachusetts Institute of Technology (MIT) computer scientist named Gul Agha, had met resistance while instituting more bureaucratic and less participatory procedures for running this organization, including the establishment of a board of directors and a paid staff position (Roth 1991). This conflict within CEASE led Agha and a handful of associates to break away and form the Cambridge Committee for Responsible Research (CCRR), which eventually claimed, on paper, several hundred members (Ryerson 1991). Its active membership consisted of Agha and a dozen others. (CEASE survives today, with little loss of membership.)

In its choice of name, the Cambridge Committee for Responsible Research, avoided taking a clear position on animal welfare. It carefully, and often consciously, avoided controversies over the differing, and potentially divisive, philosophies of animal protection, focusing instead on a narrow, practical goal of regulating animal research through local ordinances (Russell and Russell 1991). As a result it was able to attract financial support from diverse animal protection organizations including the staid Massachusetts Society for the Prevention of Cruelty to Animals (MSPCA), the New England Anti-Vivisection Society, and the more radical CEASE. Throughout the ensuing controversy, CCRR eschewed philosophical debate over the status of animals in favor of pragmatic discussions of public policies.

CCRR's pragmatic style had several roots. Internally, Agha's personal authority allowed him to set the group's tone, tactics, and philosophy without challenge. In an interview, one CCRR member suggested that political and philosophical differences within the group could be papered over by a concentration on practical issues. Agha could assume only that everyone was there because of a deep concern for animals. Because he preferred practical and legal tactics, he did not feel the need to justify himself philosophically. Within the group, he did not have to persuade the unpersuaded of the horrors of animal abuse. Outside the group, exaggerating the abuse would not have helped either, because he could not expect to recruit hardheaded politicians to a moral crusade. At most, he could play on suspicions of Harvard's highhandedness.¹ In this battle, Agha's own calmness was a virtue.

Initially, CCRR grew without much fanfare. Because it received sufficient financial support from existing animal protection groups to pursue its limited ambitions, CCRR did not have to make extensive public appeals for funds. It did not have to distribute color photographs of rabbits with eyes swollen from cosmetics, or portray vivisectioners as Nazis, or present animal protection as the most urgent cause in contemporary politics. Indeed, only after 1988,

when several MIT squirrel monkeys died from heat exhaustion, did CCRR have a case which it could claim represented animal abuse in Cambridge labs. Contrary to the fears of the research community, even this incident was not used extensively in CCRR publicity, perhaps because the deaths were due to an air conditioner malfunction rather than to ongoing laboratory conditions (Corlette 1992). Instead, CCRR's newsletters (first named *The Responsible Citizen*, later *The Animals' Advocate*) contained more news than exposés, and its few fundraising pleas were restrained. One contained the text of the proposed ordinance, with Gul Agha modestly appealing: "I know the ordinance does not ask for much. But it allows the community to review what is going on. It assures us that utter neglect and abuse of animals does not occur behind closed doors in Cambridge" (Gul Agha, undated letter).

CCRR's first effort was to continue informal discussions with city councilors that had been undertaken by CEASE members. Under the pressure of these appeals, the city council ordered Ginger Gay's animal commission to produce a report on Cambridge's animal research labs. After Gay, an animal protectionist, published her report in August 1985 (Gay 1985), CCRR was able to cite it as an "official" indictment of animal research procedures in Cambridge.²

These private discussions allowed CCRR to familiarize itself with the city council. Members of CCRR decided that, of the nine members of the council, two were sympathetic to arguments for community control and accountability, and two seemed more open to anti-Harvard positions of almost any kind. The more notorious of the latter was Alfred Vellucci, whose combination of populism and colorful antics appealed to working-class voters in east Cambridge. Many of his favorite causes involved Harvard-bashing. Councilor Sandra Graham, a Black woman who had worked her way out of poverty and welfare, was thought to harbor consistent class resentments against Harvard. In contrast to Vellucci's tendency to demonize Harvard, the two council members concerned with accountability would help forge a middle ground in the ensuing conflict. CCRR's rhetoric of moderation and responsibility seemed tailored to two councilors, Alice Wolf and Frank Duehay.³

CCRR concentrated on the idea of a city ordinance that would regulate all Cambridge laboratories used for animal research. In September 1986 Vellucci introduced to the city council an animal protection ordinance drafted by CCRR. Defining an animal as "any non-human sentient being," the legislation proposed to require both academic and private labs to register with the city and to provide special training for relevant personnel. All research would have to comply with National Institutes of Health guidelines (which include a provision for the establishment of an Institutional Animal Care and Use

Committee, IACUC). These guidelines were more stringent than national laws. The proposed ordinance would create a city board that could review any research proposal and protocol, conduct on-site visits, investigate alleged violations, and even "determine community standards" for ethical animal research. Every institution's IACUC would have one member selected by the city board, and research organizations would not have veto power over this appointment. The existing animal commission would be charged with enforcement, including the vague and seemingly sweeping right to shut down a violating institution (Cambridge City Council 1986, parts 11-40).

"The prospect of Harvard or MIT being shut down by the dogcatcher," in the words of one journalist (Wright 1987, 40), shocked the Cambridge research community. Researchers knew little about CCRR because it had grown quietly, marshaling financial support from existing animal activist organizations rather than through public appeals. In a shrill response characteristic of animal protection controversies throughout the United States, research institutions accused their opponents of deceit and manipulation. Arguing against allowing animal advocates access to laboratories, Harvard's Office of Government and Community Affairs circulated materials on illegal break-ins by the Animal Liberation Front (Bridegam 1987a). Using Gul Agha's earlier radical statements as CEASE President, researchers alleged that Agha and CCRR had a hidden agenda (Taylor 1986). They added that local regulations would be burdensome when added to the multitude of existing federal and state regulations (Albrecht 1986).

CCRR consistently argued that existing federal regulations were inadequate, especially under Ronald Reagan, even though there were numerous precedents for outside inspections of laboratories. It publicized a 1985 letter from the U.S. Department of Agriculture referring to "the need to reduce Federal spending," and suggesting that "animal welfare concerns can best be handled at the local level" (Rissler 1985). CCRR also cited local precedents for regulating scientific research: the pathbreaking ordinance on recombinant DNA research and, less importantly, the regulation of nerve gas testing (Krimsky 1982, 1986).⁴ Throughout, CCRR stressed that it was not opposed to vivisection, but only desired careful, responsible scrutiny.

CCRR requested meetings with Cambridge research institutions, several of which actually occurred, but there was little dialogue. Instead, both sides mobilized supporters to participate in a forthcoming public hearing (held in September 1986), where a range of animal advocates faced Nobel laureates, cancer patients, and others who opposed regulation. In his statement, CCRR's Gul Agha emphasized his own background as a scientist, the moderate nature of the proposal, and the inadequacies in the present system of regulations. He concluded, "I am confident that this community will go down in history as

one that had the courage to take responsibility for what was going on in its environs. And we will be remembered for charting a middle course which will be emulated across this land" (Agha 1986, 3). The proposal, he claimed, was both modest and pathbreaking.⁵

Diverse testimony by other animal activists, however, was less moderate. One, in addressing the meaning of "sentient beings," said that he believed all species, including insects, deserved respect. Another described notorious cases of alleged animal abuse at universities in other states. Councilor Vellucci raised vague suspicions by speaking ominously of noxious odors emanating from Cambridge research centers, linking this issue to past tensions between Cambridge residents and scientists. These broadsides against science went far beyond the proposed ordinance (Wright 1987).

At the same hearing, equally diverse proponents of biomedical research conjured up dire consequences of adopting the ordinance. Dwight E. Harken, emeritus professor of surgery from the Harvard Medical School (not located in Cambridge), called the ordinance a "sinister plan" and suggested that the ordinance might regulate every student in the city, including those in high school. He speculated that the cost to researchers would be high enough to curtail their activities significantly. Spurred by the animal activist's testimony, he also wondered just how broadly the term "nonhuman sentient being" would be applied (Harken 1986). Nobel laureate David Baltimore claimed that the ordinance could mean a loss of research jobs. He spoke primarily about the importance of animal experiments in fighting AIDS—an issue not obviously pertinent to the proposed ordinance. In a vague *ad hominem* attack on the proponents of the ordinance, he added, "indeed, they would force all of us to change our dietary habits, release our pets to the wilds, and make us wear plastic boots, if they had their way" (Baltimore 1986, 2). Interpreting the book of Genesis, a Roman Catholic priest argued that, "clearly it seems God gave man the right of sovereignty over the earth and living beings" (Fusoni 1986). A Harvard official read this priest's letter, herself adding that CRR's ultimate goal was complete abolition of animal research. Most of the speakers did not attack the proposed ordinance, but rather the presumed "real" goal of many animal activists: total abolition of animal experiments.

After these hearings in late 1986, the Cambridge controversy seemed on the road to polarization. Several animal advocates had expressed support for regulations far beyond the provisions of the proposed ordinance. Almost all research proponents assumed that the ordinance was the first step down a slippery slope toward the dismantling of Cambridge's research establishment. Each side seemed more eager to question the motives and integrity of their opponents than to examine the proposed legislation. Each fell back

on god terms (the moral rights of animals, the health of humans, God's will) embedded in fixed ideological systems. Both sides recognized, in addition, that more was at stake in the controversy than local conditions. Agha presented the ordinance as an historic step that would be emulated elsewhere, as the recombinant DNA ordinance had been (Krimsky, Baeck, and Bolduc 1982). Much to their horror his opponents similarly accepted this possibility. The stakes seemed high to both sides.

Defusing the Controversy

Over the following three years, however, compromises were slowly worked out. For one thing, the city council ordered two investigative reports about animal research, neither of which had a deadline (they were followed later by a third report). The first was to be written by Mark McCabe, the politically neutral successor to Ginger Gay as director of the Cambridge Animal Commission. The second was to be prepared by the Cambridge Health Commissioner, Melvin Chalfen (Cambridge City Council Order 3, 29 September 1986).

At the same time, the council was working on compromise animal research ordinances. The two liberal councilors open to accountability arguments proposed one alternative in April 1987. Wolf and Duehay were sympathetic to the idea of democratic accountability for scientists, but also favored freedom of inquiry—two traditionally “liberal” values often in conflict. By insisting that its ordinance was concerned with proper procedures, moderation, and responsibility, CCRR could plausibly claim to combine these concerns and thereby attract some support from these two politicians. Perhaps uncomfortable with the issue (and allies) often portrayed as antiscience, Wolf and Duehay seemed to search for a way to defuse it quickly. Wolf and Duehay's proposed legislation removed many of the powers that were originally to be given to the new review board, including the articulation of community ethical standards (National Institutes of Health standards were to be followed instead), the appointment of members to the IACUCs (the city manager would do this), and the power to investigate abuses (the city health commissioner would do this). They provided for regular, rather than unannounced, inspections of labs. And they foresaw a public education campaign (Cambridge City Council Order 9, 2 February 1987).

The two investigative reports were issued soon after this alternative ordinance was developed. McCabe (1987) simply presented the basic information about lab activities that he had requested from Cambridge's research institutions. In a separate report Chalfen (1987) concluded that no new

regulations were necessary. He was able to find no evidence of cruelty. Almost all the private firms using animals were involved in antibody production, which requires healthy animals. He also pointed out that 100,000 pages of research protocols were written in the city each year, far too many for any board to review.

At this point, the city council yielded on a symbolic issue with little economic or scientific impact. In May it passed an order that would ban two live-animal tests of toxicity: the Lethal Dose fifty percent (LD_{50}), which determined the level of exposure that kills 50 percent of the test animals, and the Draize test, in which substances are put in the eyes of rabbits (Cambridge City Council Order 11, 11 May 1987; "Draize test ban?" 1987). The health commissioner had previously determined that neither was being performed in Cambridge, and medical research was excluded from the ban. Moreover, the order was not legally enforceable until drafted into an ordinance, a process which never occurred. But it was a small victory to which CCRR, and animal rights groups around the country, could point. These tests were symbolically important to these groups, who featured them prominently in their fundraising appeals. At least one member of the research community, Anneliz Hannan, denounced the ban as an example of "antivivi-sectionists . . . chipping away" (quoted in Gaffney 1987, 1).

In June, Vellucci introduced another ordinance, which he claimed fell somewhere between his original proposal and the Wolf-Duehay measure (Cambridge City Council Order 2, 29 June 1987). Instead of creating a new review board, he wished to give more powers to the animal commission, including the ability to "delineate the community's ethical standards" regarding research animal use. He tried to meet other objections: Only protocols from painful experiments would be submitted to the commission (although these were broadly defined), private trade secrets would be maintained, and only vertebrates would be protected. Like the other draft ordinances, this one stopped short of granting legal standing to animal protection organizations to sue on behalf of animals—a right that many animal protectionists see as crucial to their efforts. The research community remained opposed to this version, and the city council adjourned for the summer without taking action.

Frustrated by the inaction, CCRR threatened to place a referendum on the November ballot (Mothes 1987). Although it is not clear that the group ever intended a serious campaign, it spurred the research community into action. Citizens United for Research and Education (CURE) was founded with institutional contributions totaling 52,000 dollars (CURE 1987). Harvard, MIT, and several biotech companies commissioned a private survey to assess the strength of antivivisection sentiment and to devise a counterstrategy (Bridegam 1987b). Referendum battles are costly and polarizing, as both

sides try to appeal to—some would say, frighten—majorities who do not follow an issue closely.

The referendum was averted. One of CCRR's main financial backers, the MSPCA, privately cautioned that referendum campaigns are costly and labor intensive, and that proanimal referenda have "consistently . . . failed despite enormous public support." The MSPCA wished to "strongly discourage CCRR from undertaking such action" (Romer 1987). The biomedical community, now well organized, would be able to outspend CCRR substantially, and its spokespersons claimed that their poll showed little initial support for the proposed measure. One week after announcing it, in late September, Gul Agha canceled the drive, claiming that CCRR wished to avoid community polarization in order to let city council members work on their proposals (O'Neill and Bridegam 1987).

In addition to recognizing that it would be outspent in a referendum campaign, CCRR was responding to two relatively positive developments. In the same week the city council had voted to establish a "blue-ribbon committee" consisting of a researcher, an animal advocate, and a veterinarian, who would investigate all known Cambridge animal research labs—thirteen institutions in total—for sanitation and abuse, internal protective procedures, and adherence to current regulations (Cambridge City Council Order 5, 21 September 1987). CCRR had opposed establishment of this committee as a delaying tactic, recognizing that its creation would effectively defuse the issue until after the election. But the committee would provide another forum for promoting CCRR's agenda. In a second, partly conciliatory development, John Moses, a medical internist and head of MIT's IACUC, wrote a public letter to Agha that avoided much of the usual rhetoric. Without admitting any problems at his own institution, he acknowledged that scientific research had an "aura of elitism and seclusion." Self-regulation, in addition, "can be pernicious, self-serving, and abusive." At the same time Moses explicitly stated researchers' fears that animal advocates were really after abolition, not regulation. He suggested that the ordinance regulating recombinant DNA research should serve as a model for animal protection. He consistently maintained a measured tone, concluding, "I feel sure that by compromise well meaning people can resolve the problems which we both feel so strongly about" (Moses 1987). Whether his stated confidence in compromise was genuine was less important than his insistence on stating it publicly. His voice now appeared to be a relatively moderate one, and he was selected to serve on the blue-ribbon committee.

The committee began its work in January 1988 and did not finish its report until February 1989, leaving all proposed legislation on hold during that time. Even then the report was ambiguous because the committee had been unable

to reach any consensus, with each of the three members writing his own subreport (Wise, Moses, and Wiles 1989). Although at the council meeting of 17 February 1989, one councilor, Saundra Graham, concluded, "we still have no conclusion—the city council is still baffled," the committee members later agreed on nine recommendations when pressed by the council (Moses, Wiles, and Wise 1989). The main recommendations were the establishment of a Commissioner of Laboratory Animals and the application of NIH guidelines to all labs, public and private (including the creation of IACUCs, with community representatives, even at private firms).

The new ordinance based on the committee report met with widespread approval, especially from the research community. CCRR did not object, although it felt that the measures were extremely weak, and even though it promptly proposed another tough ordinance of its own (which it could not have expected to pass; Stoloff 1989). By now, the issue was firmly in the hands of Cambridge politicians, and direct input from animal activists and the research community waned. The final sticking point was the selection procedure for a community member of each IACUC (Higley 1989). After much maneuvering, the council decided that the new Commissioner of Laboratory Animals would have veto power over the members not associated with animal research. During these negotiations, with amendments and counteramendments proposed, Vellucci and Graham usually formed a dissenting minority. The council passed the ordinance unanimously in June 1989, however, nearly 3 years after Vellucci's original proposal.

Analysis

Why did this public debate remain relatively civil, and how did it result in a moderate piece of legislation that both sides, although not fully satisfied, were willing to accept? Some of the reasons lie in CCRR and Gul Agha, others with the research community, and yet others in the Cambridge political process.

Gul Agha set a fairly professional tone for CCRR. Abolitionist statements occasionally slipped out, and the temptation to bluster, such as threatening a referendum, was sometimes overwhelming (Taylor 1986). But most often Agha presented himself as a concerned, responsible scientist and his organization as primarily interested in accountability. Most of the time, Agha and other CCRR members avoided unanswerable moral questions in favor of pragmatic ones. In public, they primarily discussed enforcement mechanisms, oversight committees, and accountability, steering clear of debates over desired ends; they often suggested that they were accepting philosophi-

cal positions already embedded in federal legislation and merely searching for adequate enforcement. This professional language has at least an air of emotional neutrality, even when it rests on controversial moral positions. It avoids explicit god terms.

CCRR differed from most protest organizations in receiving most of its financial support from existing organizations. In this, it was structurally similar to coalitions of groups oriented toward a specific, limited goal. It benefited from the practical advice of seasoned veterans at these other organizations, people who knew what was likely to work. Although like any good negotiator, CCRR entered into negotiations with rather inflated demands, it did not constantly have to promote ideas that would never pass into law merely for the purpose of impressing its members and supporters with its moral radicalism. And by focusing on a single, practical issue rather than abstract moral principles, it remained tied to the mainstream strategy it had chosen.⁶

Many participants in public debates use somewhat different rhetorics in public and in private. (Fundraising often requires that they use their more radical rhetoric in public, not just in private.) Many CCRR members wanted to abolish animal research (Sanders 1992), but moderated their position in public debates. Although this discrepancy worried researchers, causing them to accuse CCRR of hiding its true intentions, it may be an important part of civil discourse. In modern societies, citizens disagree about many fundamental issues. Policy decisions often require that they soften their strongest impulses and accept moderate alternatives. In Cambridge, each side attacked the other for immoderate beliefs, but worked to accept the moderate policy suggestions. Personal animosities and suspicions on both sides persisted, but they were eventually muted in public statements.

The research community gradually relaxed its strident tone as the issue moved into more private forms, and as public relations specialists took tasks over from the scientists (who often proved targets for populist resentment; Corlette 1992). As the controversy unfolded, CCRR grew wearier, and the research community became better organized. The debate moved from public hearings to semipublic correspondence to an expert commission. One of these experts, Moses, emerged as a moderate element within the research community and could—through personal contact in a small, private forum, and under pressure from the city council—work toward a compromise. The interests of researchers were well represented in the final ordinance.

Participants in the public debate (like the members of CCRR itself) generally avoided (unresolvable) questions of basic principles, focusing instead on what to do in particular cases. This is precisely the “casuistic” recipe that Jonsen and Toulmin (1988) give for avoiding polarization. This was not easy. On both sides, especially in the public hearings, there was a

polarizing tendency. Individuals occasionally made claims that went far beyond the case at hand and questioned the integrity and motives of opponents. But these tendencies were constrained after the hearings by the formal organizations involved, most prominently by CCRR, Harvard, and MIT. Civility was an important resource for the universities in their ongoing relationship with the city; CCRR believed civility was key to persuading Duehay and Wolf.⁷

In the end, both sides could claim victory—perhaps the key to compromise in politics. CCRR was pleased that any ordinance was passed: the first (of many, it hoped) local regulation in the nation (Russell and Russell 1991). And the ordinance did extend protection to all nonhuman vertebrates, including the rodents that make up the vast majority of research subjects. In contrast, the head of Harvard's IACUC, C. Richard Taylor, saw the ordinance as “a way of avoiding more stringent restrictions” (Hoffman 1990, 1), and the *Chronicle of Higher Education* concluded in its headline, “Animal-Care Rules Seen Having Little Impact” (Ingalls 1989). In essence, animal research remained intact, but CCRR had a symbolic victory that it could promote as a precedent for other cities. Gul Agha had moved to Connecticut in 1987, and the passing of the ordinance robbed the group of its immediate focus, so CCRR tried to make the leap to a national organization. Within 2 years, without Agha, it dissolved.

Cambridge politicians, in the end, had the primary interest in working out a compromise as well as the ultimate power to do so. One tactic was to delay decisions, commanding investigative reports—without deadlines—in the hopes that passions would diminish. Another way of defusing the issue in the face of stalemate was to shift attention to procedural issues. Although many politicians and policymakers use procedure as a way of delaying a decision, for example, until an election has passed, consensus on proper process may help both sides in a controversy feel loyal to the outcomes of those procedures. The laboratory animal ordinance became in part a question of which commission, which report, to listen to.

Procedural discussions would seem to reduce ethical questions to technical ones. But the technical aspects of *procedural* issues are normally ones that both sides can understand because they are not the province of any one body of experts. In this case, neither the benefits of science nor the morality of animal research was up for grabs, but merely the measures to be installed for oversight. The harder questions about what research procedures should be permitted were rarely addressed. Civility and compromise required that the underlying moral issues be sidestepped.

It is difficult to judge if the local arena, the technical nature of the issue, or the novelty of the issue helped the debate remain civil. New controversies

do not always fit established ideological cleavages such as labor versus capital, but if they persist long enough they can eventually become a battleground for these cleavages. Jasper (1990, 1992b) showed that national controversies over nuclear energy were gradually transformed into debates over capital versus labor or markets versus governments, depending on the dominant ideological cleavages of a country's party system. So it is not the technical nature of an issue that prevents polarization. But its novelty may help because it takes time for an issue to be assimilated into existing ideological frameworks (Jasper 1988). Local politics are perhaps less driven by ideological posturing than national politics. Local controversies like the one we have studied, especially in a city where elected officials lack affiliations with national parties, have a greater chance to avoid the rigid ideological positions that tend to polarize conflicts.

The voter constituency for attacks on Harvard—and science more generally—was simply not large enough to sway more than two city council members. They remained a coalition of two in support of stronger antivivisection measures as other councilors backed efforts at compromise. The complex nature of Cambridge City Council elections, designed to assure proportional representation, may restrict the number of candidates who can run on the basis of populist posturing like Vellucci's. Vellucci gained considerable attention for his antivivisectionist and anti-Harvard rhetoric, but other councilors did not believe that this would appeal to their own constituencies.

In sum, the compromise outcome in Cambridge depended on several circumstances. One was CCR's moderate public stance, due in part to Agha's dominance in the group and to the financial support from existing protection groups. Then there was the research community's ability to organize itself and ride out the storm, making continual efforts behind the scenes to incorporate its needs into the legislation. Both sides had an interest in appearing civil, and both avoided nonnegotiable god terms. Both sides could leave the controversy with their pride intact, claiming some success. Finally, most politicians have an interest in defusing controversies, which are always risky for elected officials; only a few, in Cambridge and elsewhere, can make careers out of Vellucci's style of posturing, moral outrage, and populist suspicions. Avoidance of god terms, by reducing a controversial issue to narrower questions to be decided in smaller groups, renders an issue soluble.

Conclusions

If the new Cambridge ordinance was good for democracy, was it good for laboratory animals? It probably did not help them much, because, as re-

searchers pointed out, Cambridge lab animals were fairly well treated already. Its immediate impact was primarily symbolic. But the measure could prevent future research that entailed greater suffering, and it has certainly heightened researchers' awareness of animal issues.

And was the ordinance also good for CCRR? After all, if protest groups win a series of hollow victories, they may eventually conclude that radical stances and tactics are preferable. "Civility" can become a code word for not making serious demands on the system.⁸ For many protest groups in American history, violence has been an effective if risky strategy. If they cause enough trouble, they will usually get at least part of what they want. CCRR's narrow focus allowed it to win some sort of victory, but then left it without a clear purpose. If anything, the ordinance victory should have allowed CCRR to expand into a national organization; it failed to do this for other reasons, including Agha's move away from Cambridge. Even symbolic victories can be used to boost morale and to publicize an organization. But make no mistake, the symbolic victory was the only victory, as very little changed in Cambridge laboratories as a result of the ordinance.

Paradoxically, public support for protest groups might help keep the peace. One of the sources of their shrillness is their constant need for public fundraising. Remove this need—whether by means of public funding of some sort or by setting up groups supported by coalitions of other groups—and moderation is more likely. (On the other hand, CCRR settled for a symbolic victory in part because it was dissolving after Agha's departure; give protest groups greater longevity, and they may become more ideological and tenacious.) In addition, giving groups a voice in policy deliberations lets them participate in slower, casuistic processes; they no longer need to make quick, ideological statements.

Symbolic victories may also be important for moderation, because one side can bask in its symbolic fruits whereas the other rejoices at its practical gains. This split need not be sinister, as Murray Edelman (1964) thought when he argued that symbolic measures pacified the public whereas industrial interests received material gains from public policies—as in regulatory agencies. A public statement regulating an industry is better than nothing. The CCRR "victory" had some positive effect on the momentum of the national animal rights movement, even if CCRR itself could not capitalize on its success.

The complex origins of the word "civil" indicate an historical belief that to be a good citizen—indeed to be a citizen at all—involves acting in a civil manner. And the Latin root common to both "civil" and "civic," *civis* (meaning citizen, especially of a city), suggests that citizenship is best fostered by the environment of city politics. Aristotle believed that cities were

diverse enough to require political negotiation but small enough to involve their citizens in governance. There may be some wisdom in etymology: Perhaps cities, at least of a moderate size, provide the right scale of contenders to talk with each legislator for positions to be considered more fully, for a balance of benefits—some symbolic, some material—to be arranged. The Cambridge process is hardly perfect, but in this case it produced a moderate compromise policy.

Notes

1. On the internal choices of CCRR, we have relied on the interviews with Ryerson (November 1991) and Russell and Russell (November 1991). On public suspicion of Harvard, see Blodgett (1982), Ackerman (1989), and Weiner (1991).

2. Several CCRR pamphlets refer to Gay's report, most prominently, "The Need for Responsible Research," presented to the Cambridge City Council, 20 October 1986.

3. CCRR's impressions of each councilor were recorded in undated, unsigned notes in CCRR files. On Vellucci's long antagonism to Harvard, see Gaulkin (1990).

4. CCRR cited these precedents in "An Initiative to Maintain Community Standards in Animal Experimentation," 17 November 1985.

5. All written testimony by speakers at the hearings and all Cambridge City Council Orders are on file with the city clerk.

6. Staggenborg (1986) similarly found that funding from established organizations alleviated ideological disputes within coalitions of abortion rights groups.

7. A casuistic approach also helped the blue-ribbon committee arrive at specific recommendations. The committee had returned to the city council deadlocked over matters of principle (Wise, Moses, and Wiles 1989). Only when it deliberated over specific cases could it arrive at nine joint recommendations (Moses, Wiles, and Wise 1989)—just like Jonsen and Toulmin's National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research.

8. Describing the case of Black civil rights in Greensboro, North Carolina, William H. Chafe (1980) argues that the friendly, civil tone of political leaders helped to prevent serious efforts at desegregation.

References

- Ackerman, Barbara. 1989. *You the mayor? The education of a city politician*. Dover, MA: Auburn.
- Agha, Gul. 1986. Testimony in support of ordinance to provide for care and use of animals in Cambridge. 18 September. Files of Cambridge City Clerk.
- . Letter to supporters. Files of Cambridge Committee of Responsible Research. N.d.
- Albrecht, Margaret Page. 1986. On animal research. Letter to the editor. *Cambridge Chronicle*. 23 October, p. 4.
- "Animal rights commission proposed by group." 1978. *Cambridge Chronicle*. 27 April, p. 9.
- "Animal commission worth trying." 1978. *Cambridge Chronicle*. 18 May, p. 4.

- Baltimore, David. 1986. Testimony of David Baltimore, Reservoir Street, Cambridge. Director, Whitehead Institute for Biomedical Research. 18 September. Files of Cambridge City Clerk.
- Berry, Jeffrey M. 1977. *Lobbying for the people*. Princeton, NJ: Princeton University Press.
- Blodgett, Mirdy. 1981. "Town and gown." *Cambridge Tab*, 29 September, pp. 1, 3.
- Bridegam, Martha A. 1987a. "Council hears testimony on animal rights rule." *Harvard Crimson*, 28 April, pp. 3, 6.
- . 1987b. "Harvard commissioned secret poll on lab tests." *Harvard Crimson*, 17 September, pp. 1, 8.
- Cambridge City Council. 1986. Ordinance for the care of laboratory animals in the City of Cambridge. Files of Cambridge City Clerk.
- Chafe, William H. 1980. *Civilities and civil rights*. Oxford: Oxford University Press.
- Chalfen, Melvin H. Proposed animal research ordinance. Letter to Mr. Robert Healy, Cambridge city manager, 9 April 1987. Files of Cambridge City Clerk.
- Coleman, James S. 1957. *Community conflict*. New York: Free Press.
- Corlette, Jane. Telephone interview. September 1992.
- Citizens United for Research and Education (CURE). Letter to Walter Milne. 1 October 1987. Harvard Office of Government and Community Affairs files.
- Deutsch, Morton. 1973. *The resolution of conflict*. New Haven, CT: Yale University Press.
- "Draize test ban?" 1987. *Cambridge Chronicle*, 14 May, p. 2.
- Edelman, Murray. 1964. *The symbolic uses of politics*. Urbana: University of Illinois Press.
- Fox, Michael Allen. 1986. *The case for animal experimentation*. Berkeley: University of California Press.
- Fusoni, Joseph. Letter read before the Cambridge City Council, 18 September 1986. Files of Cambridge City Clerk.
- Gaffney, Dennis. 1987. "Two tests banned." *Cambridge Tab*, 26 May, pp. 1, 19.
- Gamson, William A. 1990. *The strategy of social protest*. 2d ed. Belmont, CA: Wadsworth.
- Gaulkin, Zachary. 1990. "Vellucci moves out of the spotlight." *Cambridge Chronicle*, 4 January, pp. 1, 6.
- Gay, Ginger. 1985. Report of laboratories conducting experiments on live animals in Cambridge, Massachusetts. August.
- . Telephone interview. January 1990.
- Harken, Dwight E. 1986. Comments to the Cambridge City Council. Files of Cambridge City Clerk.
- Higley, Russell. City Solicitor. 1989. Testimony at Cambridge City Council hearing. 19 June. Files of Cambridge City Clerk.
- Hoffman, Matthew. 1990. "City adopts animal rights ordinance." *Harvard Crimson*, 30 June, p. 1.
- Ingalls, Zoe. 1989. Animal-care rules seen having little impact. *Chronicle of Higher Education*, 5 July, A2.
- Jamison, Wesley V., and William M. Lunch. 1992. Rights of animals, perceptions of science, and political activism: Profile of American animal rights activists. *Science, Technology, & Human Values* 17:438-58.
- Jasper, James M. 1988. The political life cycle of technological controversies. *Social Forces* 67:357-77.
- . 1990. *Nuclear politics: Energy and the state in the United States, Sweden, and France*. Princeton, NJ: Princeton University Press.
- . 1992a. The politics of abstractions: Instrumental and moralist rhetoric in public debate. *Social Research* 59:315-44.
- . 1992b. Three nuclear energy controversies. In *Controversy*, 3d ed., edited by Dorothy Nelkin, 26-44. Beverly Hills, CA: Sage.

- Jasper, James M., and Dorothy Nelkin. 1992. *The animal rights crusade: The growth of a moral protest*. New York: Free Press.
- Jonsen, Albert R., and Stephen Toulmin. 1988. *The abuse of casuistry: A history of moral reasoning*. Berkeley: University of California Press.
- Krimsky, Sheldon. 1982. *Genetic alchemy: The social history of the recombinant DNA controversy*. Cambridge: MIT Press.
- . 1986. Research under community standards: Three case studies. *Science, Technology, & Human Values* 11:14-33.
- Krimsky, Sheldon, Anne Baeck, and John Bolduc. 1982. *Municipal and state recombinant DNA laws: History and assessment*. Boston: Boston Neighborhood Network.
- Lipsky, Michael. 1968. Protest as a political resource. *American Political Science Review* 62:1144-58.
- McCabe, Mark. 1987. Report to Cambridge City Council. 6 April. Cambridge Animal Commission files.
- . Personal interview. October 1991.
- Mendelsohn, Everett. 1984. Frankenstein at Harvard: The public politics of recombinant DNA research. In *Transformations and tradition in the sciences: Essays in honor of I. B. Cohen*, edited by Everett Mendelsohn. New York: Cambridge University Press.
- Moses, John. Letter to Gul Agha. 17 September 1987. Cambridge Committee for Responsible Research files.
- Moses, John, Stuart Wiles, and Steven M. Wise. 1989. Joint recommendations of the mayor's blue ribbon committee on the care and use of laboratory animals in Cambridge. 11 April. Files of Cambridge City Clerk.
- Mothes, J. Barry. 1987. "Council delays action on animals." *Cambridge Chronicle*, 24 September, p. 1, 9A.
- Oberschall, Anthony. 1993. Protracted conflict. In *Social Movements*, 97-123. New Brunswick, NJ: Transaction Books.
- O'Neill, Jacquelline, and Martha Bridegam. 1987. "Animal rights group ends referendum drive." *Harvard Crimson*, 26 September, p. 7.
- Piven, Frances Fox, and Richard A. Cloward. 1977. *Poor people's movements*. New York: Pantheon.
- Regan, Tom. 1983. *The case for animal rights*. Berkeley: University of California Press.
- Rissler, R. L., Assistant Director, Animal Health Programs, U.S.D.A. Letter to Stephen Ronan. 31 July 1985. CCRR files.
- Romer, Sara. Letter to Gul Agha. 22 July 1987.
- Roth, Lorraine (Founder of CEASE). Personal interview. December 1991.
- Russell, Athena, and Ken Russell (Member of CCRR). Personal interview. November 1991.
- Ryerson, Maria (Member of CCRR). Personal interview. November 1991.
- Sanders, Scott. 1992. "Engaging science? Animal activism in Cambridge, Massachusetts, 1985-1990." Unpublished B.A. thesis, Harvard University.
- Schattschneider, E. E. 1960. *The semi-sovereign people*. New York: Holt, Rinehart & Winston.
- Singer, Peter. 1990. *Animal liberation*, 2d ed. New York: New York Review of Books.
- Staggenborg, Suzanne. 1986. Coalition work in the pro-choice movement: Organizational and environmental opportunities and obstacles. *Social Problems* 33:374-90.
- Stoloff, Deborah. 1989. "Ordinance draft set on lab animal study." *Cambridge Chronicle*, 8 June, pp. 1, 8.
- Taylor, C. Richard. 1986. Research treat. Letter to the editor. *Cambridge Chronicle*, 27 November, p. 4.
- Tribe, Laurence H. 1990. *Abortion: The clash of absolutes*. New York: W. W. Norton.

Weiner, Jonathan. 1991. *Professors, politics and pop*. New York: Verso.

Wise, Steven M., John Moses, and Stuart Wiles. 1989. Report of the Mayor's Blue Ribbon Committee on the Care and Use of Laboratory Animals in Cambridge. 24 February. Files of Cambridge City Clerk.

Wright, Lawrence. 1987. The rights of mice. *New England Monthly* 95 (August), pp. 37-44.

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