

Bioethics: Tuskegee vs. COVID

When bioethicists want to justify their own existence, they routinely point to the infamous Tuskegee Syphilis Study. It's a gripping story. Back in 1932, the U.S. Public Health Service started a study of 399 black men with latent syphilis, plus a control group of 201 black men without syphilis. Contrary to what I've sometimes heard, the researchers never injected anyone with syphilis. However, they grossly violated the principle of informed consent, with disastrous consequences:

As an incentive for participation in the study, the men were promised free medical care, but were deceived by the PHS, who never informed subjects of their diagnosis and disguised placebos, ineffective methods, and diagnostic procedures as treatment.

The men were initially told that the "study" was only going to last six months, but it was extended to 40 years. After funding for treatment was lost, the study was continued without informing the men that they would never be treated. None of the infected men were treated with penicillin despite the fact that by 1947, the antibiotic was widely available and had become the standard treatment for syphilis.

Why do bioethicists habitually invoke the Tuskegee experiment? To justify current Human Subjects Review. Which is bizarre, because Human Subjects Review applies to a vast range of obviously innocuous activities. Under current rules, you need approval from Human Subjects merely to conduct a survey – i.e., to talk to a bunch of people and record their answers.

The rationale, presumably, is: "You should only conduct research on human beings if they give you informed consent. And we shouldn't let researchers decide for themselves if informed consent has been given. Only bioethicists (and their well-trained minions) can make that call."

On reflection, this just pushes the issue back a step. Researchers aren't allowed to decide if their human experiment requires informed consent. However, they are allowed to decide if what they're doing *counts as an experiment*. No one submits a formal request to their Human Subjects Review Board before emailing other researchers questions about their work. No professor submits a formal request to their Human Subjects Review Board before

polling his students. Why not? Because they don't classify such activities as "experiments." How is a formal survey any more "experimental" than emailing researchers or polling students? To quote *The Prisoner*, "Questions are a burden to others; answers, a prison for oneself."

The safest answer for bioethicists, of course, is simply: "They should get our approval for those activities, too." The more territory bioethicists claim for themselves, however, the more you have to wonder, "How good is bioethicists' moral judgment in the first place?"

To answer this question, let me bring up a bioethical incident thousands of times deadlier than the Tuskegee experiment. You see, there was a deadly plague called COVID-19. Researchers quickly came up with promising vaccines. They could have tested the safety and efficacy of these vaccines in about one month using voluntary paid human experimentation. How?

Step 1: Vaccinate half the volunteers and give the other half a placebo.

Step 2: Wait a week, then inject all the volunteers with COVID-19. (Alternately, give half of each subgroup a placebo injection).

Step 3: Compare the COVID infection rates of the vaccinated and unvaccinated 2-4 weeks later.

In the real world, researchers only did Step 1, then waited about six months to compare naturally-occurring infection rates. During this period, ignorance of the various vaccines' efficacy continued, almost no one received any COVID vaccine, and over a million people died. In the end, researchers discovered that the vaccines were highly effective, so this delay really did cause mass death.

How come no country on Earth tried voluntary paid human experimentation?* As far as I can tell, the most important factor was the formal and informal opposition of bioethicists. In particular, bioethicists converged on absurdly (or impossibly) high standards for "truly informed consent" to deliberate infection. Here's a prime example:

An important principle in human challenge studies is that subjects must give their informed consent in order to take part. That means they should be provided with all the relevant information about the risk they are considering. But that is impossible for such a new disease.

Why can't you bluntly tell would-be subjects, "This is a very new disease, so there could be

all sorts of unforeseen complications. Do you still consent?” Because the real point of bioethics isn’t to ensure informed consent, but to veto informed consent to whatever gives bioethicists the willies.

I’m no paternalist, but I understand paternalism. Paternalists want to stop people from harming themselves. The goal of bioethicists, however, is far stranger. Bioethicists want to *stop people from helping others!* Even if experimental subjects heroically volunteer to be injected for no money at all, bioethicists stand on guard to overrule them.

I’ve said it before and I’ll say it again: *Bioethics is to ethics as astrology is to astronomy.* If bioethicists had previously prevented a hundred Tuskegees from happening, COVID would still have turned the existence of their entire profession into a net negative for humanity. Verily, we would be better off if their field had never existed.

If you find this hard to believe, remember: What the Tuskegee researchers did was already illegal in 1932. Instead of creating a pile of new rules enforced by a cult of sanctimonious busybodies, the obvious response was to apply the familiar laws of contract and fiduciary duty. These rules alone would have sent people like the Tuskegee researchers to jail where they belong. And they would have left forthright practitioners of voluntary paid human experimentation free to do their vital life-saving work.

In a just world, future generations would hear stories of the monstrous effort to impede COVID-19 vaccine research. Textbooks and documentaries would icily describe bioethicists’ lame rationalizations for allowing over a million people die. If the Tuskegee experiments laid the groundwork for modern Human Subjects Review, the COVID non-experiments would lay the groundwork for the abolition of these deadly shackles on medical progress.

Which is further proof, in case you needed any, that we don’t live in a just world.

* At least as I’m writing. Maybe this will have started by the time you read this.