

## Humans deserve animal rights

Clinical testing is not as safe as it is profitable

Some people have wanted to be on the forefront of the medical frontier but not put forth the effort and patience required to obtain a seven-year degree. Now by loaning their bodies to research, they can make medical news. However, the pictures of such patients may appear in the obituaries, rather than on the front page.



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According to Time magazine, in 1999 four people of reasonably good health submitted themselves to the research of clinical technicians and wound up dead. As cases like this have surfaced in recent years, it has become apparent that the rights of human subjects are not being adequately addressed, if they are addressed at all. According to a patient information group, CenterWatch, more than 20 million people participated in more than 60,000 clinical trials in the past year. It is time for the government to get involved in the regulation of clinical trials, or the medical industry will continue to poke, prod and kill without regulations or punishments.

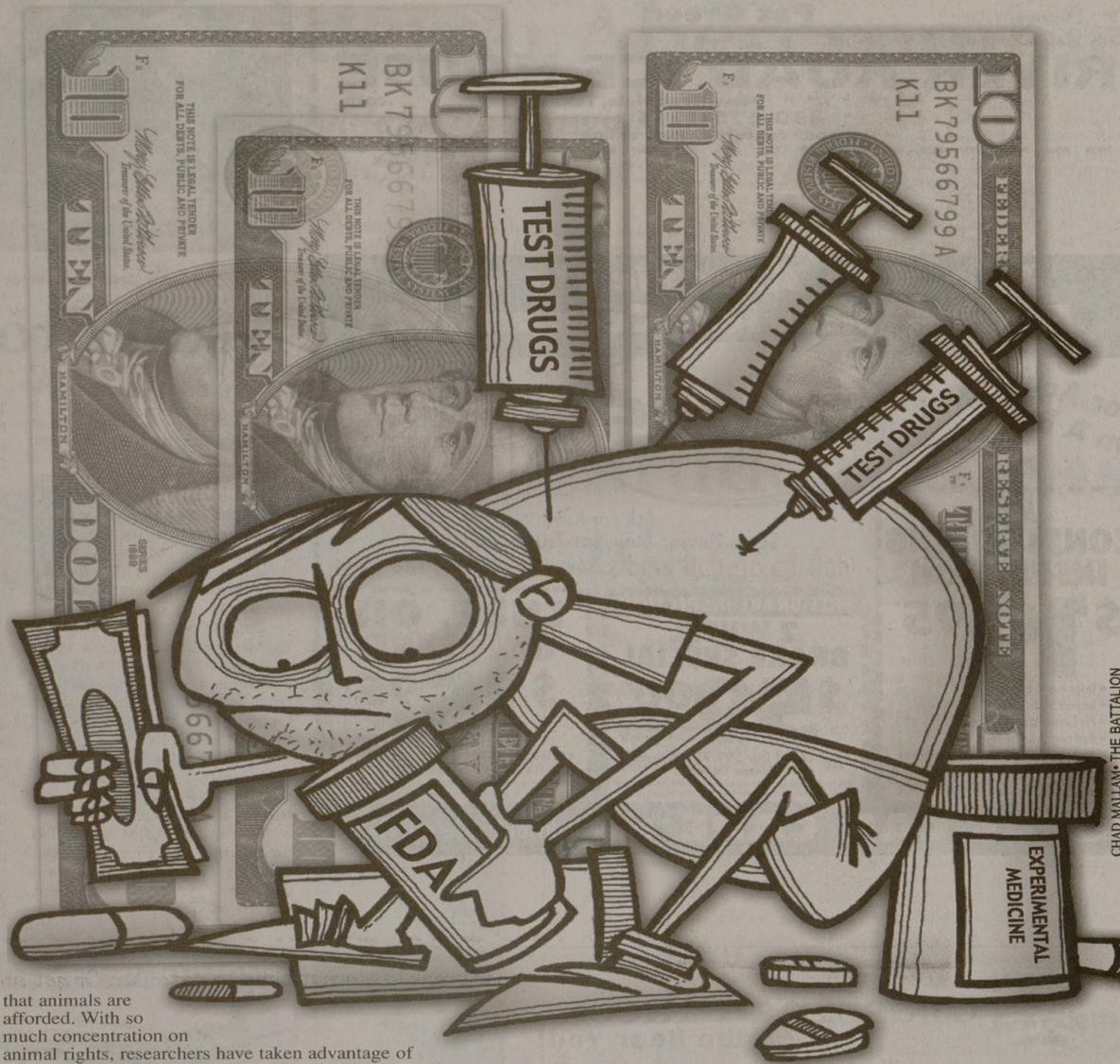
Clinical trials do not always involve testing innovative medications. Many times, testing is used to discover the effects of a chemical on the human body, or experiments are done to further the knowledge of science. In one such case, Dr. Alkis Togias of Bayview Medical Center wanted to observe airway irritation in asthmatics. He presented a trial to the institutional review board that proposed human inhalation of the chemical irritant hexamethonium, and it passed. According to Time, nine months later, one of the volunteers, Ellen Roche, died of respiratory failure. The government's interest was then sparked, but this fatality could have been avoided through strict enforcement of regulations.

Another clinical trial that risked human exposure to a chemical was a 1998 trial that involved a large number of college-aged Nebraskans who were paid \$460 each to swallow a pill containing pesticide. They ingested the active chemical in Raid, which was later discovered to cause brain damage in laboratory rats as well as weakness and vomiting in children. Before a drug is tested on humans, it should be tested on animals. Had these adults known of the possibility of brain damage, they may not have eagerly participated. It is with confusing release forms and unclear details that human subjects are finding themselves in worse condition than before the medications.

Also, budget increases have left medical researchers with endless opportunities to create new drugs, and the lack of regulations has left them with endless possibilities to test without fearing personal responsibility. It is estimated that about one-fourth of all experimental trials have no governmental regulation, as stated in Time. With people volunteering their bodies to help further science as well as receive treatments, it is essential that they be protected in case of an unforeseen response.

Many people participate in clinical trials due to terminal illness and a lack of options for survival. It is understandable that if death is imminent, the fear of taking a risk with an experimental drug is usually not as significant. However, in recent years, it was discovered that certain drugs have instilled a false hope in patients, and in some cases, sped up mortality.

Recently, this issue made its way to Congress, and the fight has begun to see whether humans will be afforded the same protection



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that animals are afforded. With so much concentration on animal rights, researchers have taken advantage of lost interest in human rights. It is up to Congress to make human testing an issue on the American agenda. These bills will determine the worth of human life and whether the government will begin protecting its citizens.

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## Tip the balance

Victim's right amendment will offset the scales



DHARMARAJ INDURTHY

According to the Justice Department, more than 6 million people were victims of violent crime in 2000. To redress supposed inequities between the rights of criminals and the rights of victims, President Bush has thrown support behind a victims' rights amendment authored by Sens. Dianne Feinstein and Jon Kyl. While the sentiments of such an amendment are not without virtue, such a drastic measure would be a severe detriment to the justice system, both in practice and in principle.

In a speech at the Justice Department, Bush announced his espousal of the Feinstein-Kyl amendment proposal. He contended that state and federal law insufficiently protects victims' rights.

Since the rights of the accused are detailed in the Constitution, it is fitting that the rights of the victims also be enumerated there. Among the proposed rights are the notice of public proceedings regarding the crime or the release or escape of the accused; the right to be present at those proceedings; the right to be heard at any public release, plea, sentencing and pardon proceedings; and the right to be notified of decisions that could impact

the victims' safety, their interest in avoiding delays and claims of restitution from the accused.

It is a matter of debate whether the federal and state laws are currently sufficient. What Feinstein and Kyl characterize as "a ragged patchwork across the country," Colorado Attorney General Dave Kopel and Defense Attorney Elisabeth Semel label "carefully crafted statutes that respect the diversity of the 50 states." Regardless of this complicated point of fact, certainly state law is potentially more effective. Even if Feinstein and Kyl are correct, bad state laws imply a need for better state laws, not a sweeping Constitutional amendment.

The American justice system is weighted toward the accused. Better a guilty man freed than an innocent man imprisoned. That is why the Constitution carefully delineates the rights of the accused so they cannot become victims of the state. By allowing a victims' rights amendment, this precarious balance is profoundly upset. This is not a subdued state or federal law that carefully shifts the weight toward prosecution but rather a sudden and climactic counterbalance that can jeopardize the entire system.

A mighty blow will be dealt to one fundamental ethic of justice, the presumption of innocence. The idea of a "victim" is ambiguous, at least before trial. One of the consequences of a trial is to discover whether or

not the accused has made anyone a victim. To give the victim constitutional rights before guilt has been ascribed, at bail hearings for example, is to presume that the accused has victimized someone and hence undermines the presumption of innocence.

It is also important to note that not all victims are equal. What about the battered wife who kills her husband, perhaps out of self-defense, or the raped woman who takes revenge on her attacker? A Constitutional amendment cannot accommodate such diversity among court cases.

Moreover, it is intrinsic in amending the Constitution that litigation will follow. With the ambiguities in the idea of a victim, it is certain that numerous cases and appeals will be filed at the cost of the taxpayer before new precedents better define the amendment.

Amending the Constitution always should be a last resort. Broad legislation can have sweeping effects for better or for worse. In the interest of justice and practicality, victims' rights should be left to more specific state laws. Rather than working to console victims after the fact, perhaps government would better spend its efforts preventing victimization before the fact.

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## Discard dolls of terror

Children do not need toys depicting terrorists

For \$26.95 terrorism can be created in the home.

The Hero Builder toy company is marketing hero and villain dolls online. These dolls mock terrorist attacks, and toy makers should remove them from the market.

Whether it is intentional or not, these toys are marketed toward children. Children view toys as safe and fun and as a means to fuel their imagination during play time. When children play with dolls that replicate terrorists, their view of the real world and play become skewed. The Hero Builder Website shows "Our Hero," President Bush, choking a terrorist. These dolls do not give children an accurate depiction of ethnic groups. The villain dolls negatively depict the minority groups in America by portraying them as our enemies. Children associate these dolls with the groups they represent, not necessarily with the individual. As this nation strives to erase racial barriers, they are built just as quickly with something as simple as a doll. Children should learn about terrorism and foreign affairs from education in school and reliable news sources. They should not scrape their only knowledge of world affairs from a doll and toy maker's opinionated write up.

Hero Builder, best known for advertising personalized dolls to consumers, has come out with a new line of dolls. Bush and Osama bin Laden top the list as the toy maker's best sellers. Other dolls in the line include former New York Mayor Rudolph Giuliani and British Prime Minister Tony Blair. The dolls come complete with catchy names and personalized wardrobes.

What do these dolls say about how America views terrorism? The Hero Builder Website shows bin Laden in a pink dress labeled the "Terrorist in Drag," trying to add humor to a subject that is



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anything but funny. There is not a single ounce of humor for families of the people who lost their lives or for those who die every day. To cover their own reputation,

Hero Builder says they were inspired by heroes and villains yet their figures are "fictional and do not depict any actual person." By claiming that the bin Laden doll is not actually him, although their Website refers to him several times, ethnic groups who look similar to the doll are further disgraced.

People may see these dolls as humorous and making fun of bin Laden; however, these dolls have no positive purpose. They do not bring up the morale of Americans, nor do they make terrorists feel any shame or regret for what happened. By turning

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them into comical dolls, America views terrorists in the same jovial way we see Britney Spears and 'NSync, and has missed the seriousness of our present terrorist situation. War is viewed as minuscule, and the soldiers who fight for our country have been made a mockery in the eyes of those they are fighting for.

The nation needs heroes who promote unity and inspiration in our country. Hero Builders should respectfully pull the line of dolls off the market and invest in real American heroes.

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