

Federico Zuolo

# HUMAN-ANIMAL RELATIONS AND THE IDEA OF COOPERATION

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THE IDEA OF COOPERATION**

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**Federico Zuolo** [Federico.Zuolo@wiso.uni-hamburg.de] holds a degree and a PhD in Philosophy from the University of Pavia. He is Alexander von Humboldt Foundation Senior Research Fellow at the Hamburg University in Political Theory. Previously he has held positions at the universities of Pavia, Trento, IUSS, Lucca. His interests include animal ethics, public justification, animal political theory, toleration, respect, pluralism. He has published a monograph on Plato (*Platone e il concetto di efficacia*, Academia Verlag 2009), a new edition of Xenophon's *Hiero* (Carocci 2012), and papers in diverse journals (*International Journal of Philosophical Studies*, *European Journal of Political Theory*, *Journal of Applied Philosophy*, *Journal of Social Philosophy*, *Utilitas*, *The Journal of Value Inquiry*, *Ragion Pratica*, *Filosofia Politica*, *Ethical Theory and Moral Practice*, *Historical Social Research*, *The Ethics Forum*).

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The underlying idea is that implementing forms of “civilized” politics is desirable as well as feasible. And, as far as the Italian political system is concerned, it is also urgently needed, since the system appears to be poorly prepared to deal with the challenges emerging in many policy areas: from welfare state reform to the governance of immigration, from the selection criteria in education and in public administration to the regulation of ethically sensitive issues.

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## KEYWORDS

Animal politics, Associative theories of justice, Cooperation,

## Exploitation, Human-animal relations

## ABSTRACT

**HUMAN-ANIMAL RELATIONS AND THE IDEA OF COOPERATION**

The idea of cooperation has been recently used in human-animal relations to justify the application of an associative theory of justice to animals. Following a post-Rawlsian understanding of justice, in virtue of animals' cooperation with humans for the production of some valuable goods (assistance, nourishment, scientific progress), animals are owed a just treatment. In this paper, I discuss some of these proposals (by Coeckelbergh, Kitcher, Niesen, Valentini) and seek to provide a reformulation of the idea of cooperation suitable to human-animal relations. The standard idea of cooperation, indeed, presupposes mental capacities and attitudes which can be hardly found in animals. Hence, to make sense of the idea of human-animal cooperation we should try and formulate a version of cooperation that accommodates these differences while still being faithful to the core idea. To do this, I try to disentangle the idea of cooperation from other cognate notions and distinguish it from exploitation, use, and relationship of companionship. The upshot is a minimal taxonomy of human-animal relations that covers most of possibilities from the worst type of relation in terms of the neglect of animals' welfare (exploitation) to the one which is most favourable to animals' welfare (relationship of companionship). In this taxonomy cooperation is a form of relation where animals are used to produce a valuable good in a way that is compatible with their ethological features and without being harmed. This idea of human-animal cooperation maps onto some actual social practices but retains the normative purchase of cooperation and excludes relations that are harmful to animals.

## HUMAN-ANIMAL RELATIONS AND THE IDEA OF COOPERATION\*

FEDERICO ZUOLO

### 1. INTRODUCTION

The notion of cooperation is employed in different philosophical disciplines. Political philosophers have widely discussed the institutions, norms and motivations fostering or hindering social cooperation. Theorists in social ontology have investigated the preconditions of cooperation. In these works (for instance Tuomela 2000 and Paternotte 2014), the analysis turns around the question of which intentional states participants are supposed to share, what it means to form a social group, what kind of common knowledge the co-operators should have, and so on. Cooperation is also studied in other such other non-philosophical disciplines as psychology, sociology, management studies and so on. Despite the methodological and substantive differences, there has been a nearly unanimous assumption regarding the individual entities that can cooperate. Whether constituting small informal groups or societies, whether they are restricted to the national domain or to the global arena, parties to a cooperative scheme have implicitly been assumed to be human beings. This is so because only human beings have the practical capacities to cooperate and the mental capacities to engage in a collective enterprise formed by groups.<sup>1</sup> However, recently some have attempted to apply the idea of cooperation to (some) relations with animals. The purpose of this paper is to check whether such attempts make sense and more generally what cooperation with animals is. In short, I will ask whether we can meaningfully apply the

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<sup>1</sup> Significant in this regard is Stark's (2009) extension of a cooperation based approach to dependent and disabled individuals.

notion of cooperation to the relations that human beings have with animals, and if so, under what conditions.

It is immediately worth specifying that my question is different from asking whether there are cooperative interactions among animals. If we have a sufficiently relaxed understanding of cooperation, namely not as something dependent on there being certain mental states, but as something we can simply observe (as the salient outcome of a pattern of group interaction), cooperation among animals occurs as it has been widely attested by many studies in ethology.<sup>2</sup> Rather, I will specifically ask whether and under what circumstances we may talk about cooperation between human beings and animals. Posing this question raises more difficulties than asking whether and under what conditions there can be cooperation among human beings, or among non-human animals. In the case of human-animal cooperation, we have to confront the problem that the two poles of this possible cooperative relation are deeply different in kind, capacities, mental states, language, needs and so on.<sup>3</sup> The idea of cooperation among human beings seems to imply that the parties participate voluntarily. This seems to be a fundamental precondition. Building on that, standard accounts of cooperation seem to entail some further requirements of reciprocity between the parties, and/or that the parties are jointly committed to reaching the same goal, and/or that the mental states of the cooperating parties are the same, and so on. But all of this can hardly be the case in human-animal relations, because of the diversity of mental capacities, lack of common language and the epistemic impossibility of ascertaining animals' mental states. How are we to check whether animals voluntarily cooperate and do so with similar mental states as human beings? Even admitting that animals might have the same mental states as human beings, we seem to have an insurmountable epistemic problem in accessing them. And, before that, what does count for a marker of voluntary participation? Certainly, at least many animals do have intentions, desires, and volitions that can be counted as forms of voluntariness. However, it is not clear how to presuppose that animals voluntarily do something with human beings. On the one hand, we may think that if an animal does not fly away from a relation with a human being, that animal voluntarily accepts it. But that

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<sup>2</sup> In this understanding, cooperation is not a joint action in which individuals share such mental states as beliefs and/or commitments. Rather, it can be defined in two senses which are not to be thought as mutually excluding the other. Cooperation can be defined as a scheme of interaction where individuals of the same or different species benefit from the outcome of the coordinated action. See Balcombe (2010, pp. 103-120). Cooperation can be also seen as an attitude fostering typical behaviour of "generalized reciprocity" that extends also to unfamiliar animals (Bekoff, Pierce 2009, pp. 55-84).

<sup>3</sup> To be true, cooperation in some sense also occurs between animals of very different species having very different capacities. But these cases are nevertheless different from the human-animal cooperation because many of these cases are probably instances of instinctual parasitism or symbiotic relations. Irrespective of whether we are willing to consider parasitism a form of cooperation, still this is not a useful model for the relations between human beings and animals which, unlike parasitism, are not characterized by natural dependence.

is too minimal a condition because many animals, in particular domesticated animals, may not consider this option even when they find themselves in a non-cooperative relation. On the other hand, to respond to this problem, we might think that we can rationally reconstruct what situations might be voluntarily accepted by animals. That can be done by reconstructing what typical needs and behaviour an animal has, and by checking whether a task required by a possibly cooperative relation is compatible with animal's needs and behaviour. This ethological reconstruction, though, has very little to do with the condition of voluntariness because it is purely inductively reconstructed on objectivist basis. We will see below that this ethological condition, if properly redefined, has a role in my account without there being any requirement of voluntariness.

All this is to say that in human-animal relations the idea of cooperation should be redefined in its basic presuppositions. Epistemic problems regarding the access to animals' mental states and the uneasiness of dealing with voluntariness make the usual idea of cooperation inapplicable. More generally, if an idea of human-animal cooperation is to make sense it must be hospitable to the differences between human beings and animals, but still be capable of being a notion that bears some resemblance with the standard idea of cooperation.

The paper will proceed as follows. I will start by discussing some prominent proposals, outlined by Coeckelbergh, Kitcher, Niesen, and Valentini, that apply a cooperative account to human-animal relations (§2). Then, I will ask whether these accounts are convincing. Given that the idea of cooperation seems vague, how can we distinguish cooperation from what is not cooperation? To assess the applicability of the idea of cooperation to animals, I will provide two independent criteria that the idea of cooperation with animals should meet: the condition of specificity and of normative import (§3). Following them, we will be in a better position to distinguish cooperation from other types of relations. These are interaction (§4), exploitation (§5), use, and the (individualized) relationship (§6). Building on these distinctions we may come up with a more specific idea of cooperation between human beings and animals may be applied to animals (§7). I will conclude with some considerations on the normative implications of this argument (§8).

## **2. ASSESSING SOME ACCOUNTS OF HUMAN-ANIMAL COOPERATION**

Let us consider the proposals by Coeckelbergh (2009), Valentini (2014), Kitcher (2015) and Niesen (2014). All these theories have the following features in common. They all start from a broadly conceived Rawlsian account, where principles of justice are to be applied only within those who entertain a scheme of mutual cooperation. All these theories appeal in some sense to a reciprocity-based and practice-dependent account of justice (Sangiovanni

2007). According to these theorists, the application of the principles of justice to animals is conditional upon the existence relations. Hence, these proposals have little to say regarding wild animals. They may subscribe to an independent account of animal as bearers of subjective interests (Valentini 2014) that obviously applies to wild animals too, but their cooperation-based theories do not apply to wild animals. As a consequence, all these theories are *political* in the sense that the treatment of animals is a matter of justice because it concerns what we owe to some individuals in virtue of their contribution to society. More specifically, on Niesen's (2014) view, which focuses on working and farm animals, it is the fact of coercion and submission of farm animals that makes the case for the application of principles of justice. It is the fact of structural coercion and dependence of these animals for the sake of producing goods for humans that calls for a fairer application of principles of justice according to the idea of cooperation, and possibly their inclusion in society via some sort of representation.

Besides these commonalities, these theories differ as to the following issues. First, they differ as to the width of the extension of cooperation with animals. Kitcher's and Valentini's accounts are somewhat specific insofar as Kitcher targets only animals involved in scientific experiments, whereas Valentini focuses only on dogs. Niesen, as said, focuses on working animals. We may say that Kitcher's and Niesen's restrictions are a functional ones and include a number of diverse animals, whose commonality is that of being used in the same human enterprise of scientific research (Kitcher) or in large social schemes of producing goods (Niesen 2014). Valentini, instead, restricts her concern only to a species in virtue of its longstanding history of domestication. Hence, her restriction is species-specific and not functional because dogs discharge a number of different functions (companionship, guardianship, assistance for blind people, rescue etc.). On the contrary, Coeckelbergh's account has a much wider scope and includes all the entities with which human beings entertain continuous interactions for the sake of commonly producing some goods.

It is in virtue of this last feature of Coeckelbergh's account that we can capture the second difference: the normative import of the idea of cooperation. Coeckelbergh's account has, indeed, scarce normative implications per se because it simply entails that we owe some considerability to those beings included in cooperative relations.<sup>4</sup> However, given the variety of entities and the differences of relations, what duties of justice follow is left indeterminate.

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<sup>4</sup> "Humans and non-humans are interdependent in various ways. And on closer inspection, what we call a 'social' scheme (our, human social scheme) is rather a social-artefactual-ecological scheme: ... then distributive justice, usually applied to 'social' justice alone and thus to the 'merely' human sphere, should also be applied to this complex conglomerate of cooperation we sometimes call the 'world' and cooperative relations within that world. Then it becomes at least thinkable that we speak, as some do, about what we 'owe' to nature or to animals." Coeckelbergh (2009, p. 75).

This is so because Coeckelbergh includes in the wider idea of social cooperation all the types of entities that contribute to the production of social goods. Along this line of thought, even forms of artificial intelligence ought to be included. But this is troublesome because it is unclear what their moral status is, if any, and if we owe anything to these entities. Leaving for the moment this issue aside and focusing on animals, at the end of the paper, Coeckelbergh surprisingly introduces a possible application of Rawlsian principles of justice to his account. On the one hand, he claims that we may apply sufficientarian or more egalitarian principles of justice to improve the condition of cooperating animals. On the other hand, even exploitative relations are still defined as forms of cooperation to the extent that there is a scheme of social production benefiting human beings and there is a situation of mutual dependence.<sup>5</sup> Hence, his understanding of cooperation begins without a normative commitment, which is, though, added at a later stage. But how could we maintain that we cooperate with beings if we admit that we are exploiting them? This move is possible only to the extent that we employ a non-normative understanding of cooperation. But this assumption is troublesome because, if we admit that cooperation is a non-normative term, then how could we lament that there are unfair or even exploitative forms of cooperation? This option is available to only those that start from some position on animals' moral status, which Coeckelbergh does not because he uses the idea of cooperation to ascribe moral status. Moreover, this position is liable to the following charge

If we owe obligations of justice to cows while we are, for example, raising them for food, it seems at least somewhat strange to think that we could avoid retaining these obligations going forward by ceasing to interact with cows in ways that benefit us. (Berkey 2015, p. 6).

Valentini's and Kitcher's proposals do not fall prey to this normative ambiguity. While Valentini explicitly draws on a deontological view of animals' moral status, Kitcher seems less committed to a specific moral account, besides his overall allegiance to pragmatism. Kitcher, indeed, seems to think that the mere fact of cooperation for the pursuit of a valuable goal (scientific progress) makes the case for finding a better balance regarding the treatment of animals, by either granting better conditions to experimental animals, or by allowing

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<sup>5</sup> "For instance, if we breed animals for (our, human) consumption and treat them very badly in the course of that process, then these cases (1) fall within the scope of problems of justice (as argued above) and (2) would warrant the application of a difference principle since increases in the advantages humans get from the co-operation (we are clearly highly dependent on them for sustaining our current consumption habits) do nothing to maximize the position of these animals, which can be considered the 'worst-off', the most disadvantaged in human/animal society. I conclude that whatever other issues of justice (and other moral problems) there may be in these cases, better treatment of such animals can be justified by reference to the difference principle as a principle of distributive justice", Coeckelbergh (2009, p. 82).

that some human individuals chose voluntarily to undergo experiments. Here, the mere fact of being employed in a practice (experiments) and a minimal idea of fairness (understood as a distribution of the shares and burdens of cooperation to all) should prompt us to improve the condition of experimental animals. However, this argument too easily assumes that experiments on animals are legitimate in virtue of the overall good they contribute to produce. True, Kitcher engages in some discussion with liberationists by showing that in fact experimental animals would not exist without experiments and that they would not be capable of surviving outside the lab. Kitcher wants to do without discussing what the worth of animal life and welfare is, so as to provide an account of experimentation that is as comprehensive and neutral as possible. But it does not tell us that, for instance, some kinds of treatment are wrong. It simply demands that the burdens be distributed more fairly.<sup>6</sup> However, there is some sort of ambiguity in it, because his claims about the overall merits of research and the need to redistribute the burdens are better accounted for in a sort of mild utilitarianism despite its seeming lack thereof. Indeed, it is only in virtue of the overall gains provided by scientific progress that we can justify the individual sacrifice of animals, whose interests, though, are here discounted and not equally appreciated as in other utilitarian accounts.

This brief discussion of current attempts to include animals within the idea of social cooperation has shown some shortcomings. Those attempts that want to be independent of a specific theory of justice either have scarce and unclear normative implications (Coeckelbergh) or implicitly reintroduce a normative set of principles (Kitcher). Before discussing what cooperation entails, we should have some criteria to establish what entities should be considered part of cooperation. There is the risk of including too many and too different entities thus diluting the specificity of the notion of cooperation and making it indistinguishable from other sorts of relations (see below). Valentini eschews these problems by focussing only on dogs and by assuming a normative theory of animal interests. But more general accounts should have something to say about these problems.

In the next sections, I will assess again some of these claims. But before doing this it is worth clarifying that in what follows I will not discuss Donaldson and Kymlicka's (2011) proposal. This choice might seem strange and unjustified because their approach is political, and recognizes the multiple contributions of animals to our societies. However, in their account cooperation has a marginal role. Their proposal to include animals in our societies is based on a theory of

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<sup>6</sup> "It is bad enough that nonhuman animals are recruited to participate in an allegedly cooperative project without their consent, but the hollowness of the supposed "cooperation" is revealed by the fact that *they* make the sacrifices and *we* reap the benefits. That version of the rejoinder overstates. The use of animals in experiments has enriched veterinary medicine, as well as its human counterpart. Nevertheless, the benefits are primarily enjoyed by human beings and the sacrifices are (with a tiny number of exceptions) all on the nonhuman side. Genuine solidarity requires a different balance." Kitcher (2015, p. 305).

citizenship and on the fact of domestication *plus* the condition mutual dependence of (some) animals and human beings. Domestication is not the same as cooperation, although there certainly are some areas of overlap. First, domestication is a concept stressing the historical dimension of the relation at stake. Moreover, domestication, unlike cooperation, does not focus on the production of a desired outcome, thus including companionship (see below §6). Finally, domestication is both a private and a public fact that may simply demand some actions and attitudes in one's private life, while cooperation concerns the demands of justice that require an institutional response. To make the difference between domestication and cooperation more vivid consider the flow of the argument of the theories based on cooperation:

- *Normative premise.* The fact of cooperation triggers duties of justice.
- *Factual premise.* Human beings and animals cooperate to produce some valuable goods.
- *Normative implication.* We ought to apply (some) duties of justice to those animals with which we cooperate.

Donaldson's and Kymlicka's argument, instead, seems to be the following.

- *First normative premise.* Animals have fundamental (moral) rights.
- *Factual premises.* Many animals are domesticated and cannot live any longer in the wild. Moreover, domesticated animals and human beings are in many senses interdependent and form a communal way of life.
- *Second normative premise.* Those individuals, with which we have relations of interdependence and, thus, are part of our life, should be included as fellow citizens in our political communities.
- *Main normative implication.* Domesticated animals ought to be included as citizens in our societies.
- *Minor normative implications.* The capacity to cooperate of domesticated animals ought to be fostered and the norms of interaction should be negotiated with them (Donaldson, Kymlicka 2011, pp. 116-122).

As we can easily see, the role of cooperation is completely different in Donaldson's and Kymlicka's argument. Donaldson and Kymlicka too allow some space for animals' cooperation, but this is restricted to those (few) activities that are compatible with animals' nature.<sup>7</sup> In their account, however, cooperation is what is to be justified as a matter of fundamental rights and justice, not what justifies the application of the principles of justice to animals. The need to clarify the idea of cooperation seems worthwhile only to the extent that it plays an important normative and conceptual role.

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<sup>7</sup> They only allow those activities which are natural animal activities (production of wool and eggs) and are more suspicious towards activities that need training (for instance, therapeutic assistance). Donaldson and Kymlicka (2011, pp. 134-144).

### 3. TWO CONDITIONS: SPECIFICITY AND NORMATIVE IMPORT

If we want to make sense of the idea that there can be cooperation between human beings and animals, we need some criteria to clarify the ambiguity of cooperation. On the one hand, cooperation is a very ordinary notion that we employ every day to characterize the accomplishment of a common goal, or to make sense of the idea that something proceeds smoothly without problems. On the other hand, cooperation also is a term of art, which may occur only under certain conditions. Insofar as we are asking whether we can extend it to animals, we have to strike an equilibrium with the use of the term and its technical reformulation to make it applicable to animals. In other words, in order to apply the idea of cooperation to (possibly some) relations that we have with animals, we may have to reformulate or remove some parts of the definition of cooperation and/or some of its assumptions, regarding for instance the voluntariness of participation, or the requirement that the participants have common beliefs and or awareness of the common goal. Such features are hardly applicable to animals.<sup>8</sup> However, this reformulation should somewhat be consonant with the ordinary use. This is not because of a fetishism to the ordinary linguistic use of a term, if any. Rather, it is due to the need to explain why we use a term instead of another.

Hence, I propose to employ the following two conditions in order to test the tenability of the idea of animal cooperation in a reformulated linguistic use.

- *Specificity*: The core of a concept should be clearly distinguished from other cognate concepts, despite the possibility of overlap.
- *Normative import*: A normative concept, be it broad or restricted, should have something to say regarding what we ought or ought not to do, or how we should assess a state of affairs.

These two conditions are hardly controversial, and are applicable to other cases too. At a first sight, they may seem too banal and incapable of unravelling our problem. And in a sense, they are banal. But satisfying these conditions means that we should try to distinguish cooperation from other similar and sometimes overlapping notions, and we should bear mind that cooperation should keep some clear normative meaning. This is important because I take the idea of cooperation to be an unavoidably normative notion. In other words, I take cooperation to be a form of relation that is structurally connoted in some positive terms. True, one may say mention a “bad cooperation”. Or one may say that some people cooperate to reach a despicable goal. But, if not negatively characterized, cooperation tends to be somewhat positive as a form of relation, and we should separate the nature of cooperation as a form of

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<sup>8</sup> To repeat, I do not say that animals do not have such mental states. On the contrary, at least some higher animals are most likely to have them. However, we cannot ascertain if the conditions for cooperation apply to animals, without recurring to a biased and anthropomorphic presumption.

relation from the moral assessment of the goal to be reached by the cooperative action.

In what follows, in order to reach a possibly satisfying sense of cooperation with animals, I will try to distinguish cooperation from other types of relations (interaction, exploitation, use, relationship).

#### 4. COOPERATION AND INTERACTION

First of all let us try and put forward a minimal and general definition of cooperation, which in virtue of its minimality may be applied to animals and not only to human beings.

*Cooperation is a common enterprise of diverse individuals for the sake of producing some valuable outcome.*

In this preliminary and minimal definition, we can single out the following elements.

*Common enterprise of diverse individuals.* As a form of relation, cooperation is something that is done together with other individuals. Individuals participating in this common action may have radically diverse functions – a party may accomplish the hard work, another party may simply establish the plan or supervise the action. But irrespective of this, cooperation cannot be done alone, in occasional and fortuitous relations, or by unconnected individuals.

*Production of a desired outcome.* We usually cooperate in order to produce something. Hence, cooperation is a purposeful activity. At least some members of the common enterprise have the capacity to set goals and implement them by using their instrumental rationality.

This definition intuitively seems correct and applicable to our relations with animals, but too minimal. Indeed, it does not specify with which kinds of entities we may cooperate, and whether reaching the desired outcome should be the only value at stake or whether in a cooperative relation we should accept other normative constraints.

The problem of the first component of this preliminary definition is that it seems correct but overinclusive. Indeed, here the kinds of entities that can take part in the common enterprise are not specified. Accordingly, this means that we may also have cooperative relations with inanimate things, technological devices, robots and so on. There's a general question of whether advanced forms of artificial intelligence may be attributed some moral status, to the extent that they have high computational levels and possibly some form of agency. That is a possibility which I do not want to deny, although I'm

intuitively a bit sceptical about this.<sup>9</sup> But, even if we grant that some forms of artificial intelligence have some kind of agency, there are other two reasons for rejecting this position. First, in order for an entity to be capable of cooperating perhaps we need to pose the condition that such an entity might in principle do otherwise. I pose this condition in order to make sense of the idea that cooperation is, even in a minimal sense, a common action, not simply an individual action performed through the use of tools. This means that I do not cooperate with my computer even if the computer has high levels of computational capacities because the computer cannot refuse to operate my (formally correct) orders. In a commonsensical manner, I may say that my computer today is not cooperative, meaning that it does not respond to my inputs. But that simply means that there is something blocking my inputs or that my inputs are incorrect. True, the computer might not perform an action I am trying to put in practice because it has been devised in such a way that such an action is forbidden (qua dangerous) or impossible (beyond its capacity). But these restrictions have been encoded by the programmer. They are not acts of responsibility or autonomous refusal of the computer itself.

These considerations point to a further question. Can we cooperate with an entity that has been created to be at our complete disposal and that we can use in whatever way? That seems improper because, even in a minimal sense, cooperation must be a normative notion, thus entailing the idea that the cooperative relation does not cause structural and significant harm. Otherwise we do not cooperate but exploit (see the next section). But before ascertaining whether there is a significant harm we must check whether it makes sense to pose this question in general. In other words, the entity with which we have a relation must be capable of being harmed. And this means that it must have a good of its/her own. More generally, the question is: can a computer as an individual entity be harmed? I doubt it can. A computer may be damaged or destroyed but not harmed because computers don't have a good of their own. What features determine the capacity of being harmed is a controversial and complicate question.<sup>10</sup> But the following considerations should be sufficient as to the specific needs of my argument. First computers don't have mental states. Second, computers are not sentient entities. Thus, they do not have a wide array of capacities to experience positive or negative states of affairs as good or bad for themselves. Moreover, computer don't share with other sentient beings the most typical harm that human beings share with non-human animals – i.e. the harm of suffering. Third, computers can be replicated

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<sup>9</sup> Floridi and Sanders (2004) have famously proposed a reformulation of the notion of agency in order to include some forms of artificial entities as computing systems. For a sceptical position denying that computer systems can be moral agents, although they are certainly moral entities see Johnson (2006).

<sup>10</sup> Bernstein (1998) has argued that being morally considerable means being at least a moral patient. To be a moral patient an entity must have the capacity to have (subjective) experiences, which animals have and computers have not. Although I find this position quite plausible, my claim does not depend on Bernstein's argument.

in a way that also genetically engineered animals cannot. If we agree that computers can be replicated, it follows that it is permissible to replace them – that is that they can be destroyed and replaced with equivalent items. This fact marks a difference with respect to animals. In a slogan, even if computer can be moral agents, in virtue of their computational capacity, they can't be moral patients, because of their lack of sentience.

Against the possible implication that computer are morally inert, one may object that a computer is not a tool like a knife because we do something with and not only through the computer. That seems correct. And, to characterize this kind of thing that we do with computers, I'd rather say that we *interact*, rather than cooperate, namely that we have sustained and complicate forms of continuous relations, with entities that operate our instructions but cannot be harmed.

In sum, the implication of these considerations is that we ought to reject Coeckelbergh's application of the idea of cooperation to inanimate objects with which we may have forms of interaction for the sake of producing some goal.

## 5. COOPERATION, EXPLOITATION AND USE

Now we can better specify the normative import of these considerations. To cooperate, is it sufficient to say that there is a sustained relation with individuals that are capable of having a good of their own for the sake of producing some good? No, it is not sufficient because first we have to check whether such a relation may significantly disadvantage one of the parties. If the joint action to produce a common good is detrimental to the welfare of one of the parties, we would hardly say that the parties are cooperating because cooperation is usually understood as something good in the normative sense. I do not think that it requires equal advantage from the common enterprise. Still, in case the relation causes significant harm, I think it would be more appropriate to talk about *exploitation*.

What do I mean here by exploitation? I mean simply that I use the individual with which I pursue the desired goal in purely instrumental terms without taking into account its or her well-being at all. For instance, we would hardly say that slaves in the old American tobacco plantations cooperated with their owners to produce tobacco because they had been compelled to work and they were deeply harmed. Hence, they were capable of having a good of their own (unlike machines or computers) but were treated merely as machines for the sake of producing tobacco irrespective of their interests and will.

In the literature on human exploitation, the moral requirements for there not to be exploitation are usually demanding. A non-exploitative relation is fair, and/or does not harm, and/or not violate human dignity, and/or not entail

domination, and so on (Zwolinski, Wertheimer 2012). Moreover, working without having decent alternative opportunities does not meet the condition of non-exploitation either. However, in order to outline the alternative to exploitation, these characterizations are, I think, scarcely applicable to animals. Some sort of human domination seems inevitable because domesticated animals depend on human beings. Moreover, animals do not have human dignity.<sup>11</sup> And, against Kitcher's optimistic take, what fairness with animals demands is unclear. If fairness is not applied to individuals having equal moral status (namely animals and human beings), it might be realized even by only granting survival and basic needs. Finally, it is difficult to establish what the other available options for an animal are. True, wild animals held in captivity may seem to have an option, namely that of going back to their natural condition. In this sense, the alternative to exploitation is liberation, but not cooperation.

Should we conclude that by instrumentalizing animals we do not exploit them, because we cannot apply this concept to animals, or that we always exploit them? This conclusion seems rushed because it leaves out the possibility that there might be relations that are partially instrumental but not detrimental to the well-being of animals that could be called cooperation. Such relations are the ones where human beings and animals have a relation for the sake of producing a good through a common action (with different tasks), but not only human beings benefit from these actions, and the well-being of animals is positively affected.

Now the following question arises: if in exploitation animals (and sometimes human beings) are merely treated as instruments at the disposal of the more powerful party, do we exploit an animal whenever we have an instrumental relation with it? I would resist this implication because cooperation too is a form of instrumental enterprise for the sake of reaching some goal. But cooperation is not the unique form of non-exploitative instrumental relation, and should be distinguished from other forms of instrumental relation in virtue of the specific type of admissible actions.

To appreciate this consider a possible further distinction between *cooperation* and *use*. This distinction is, I think, necessary in order to have some intermediate level between exploitation and cooperation. If we put these two terms on a continuum from the negative end (exploitation) and the positive one (cooperation), we could find intermediate levels that could be measured in terms of whether the relation causes a harm to the welfare of the animal or benefits it. Building on this, we can add the related point of whether the relation is compatible with the natural ethological features of the animal. The more a relation is in conformity with the natural specificity of an animal, the less it is likely to harm it, and probably the more it is likely to benefit it. In the

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<sup>11</sup> Against the application of the idea of cooperation to animals, see Zuolo (2016).

light of this, we can ask if there is an intermediate term between cooperation and exploitation. I think there is such a term and it is the idea of use. This is not an unnecessary sophistication because if there weren't an intermediate term we should establish a point, a threshold after which exploitation becomes cooperation and vice versa. But that is controversial and counterintuitive given the radically different moral import of the two notions. By posing the idea of use, instead, we can map the intermediate area between the two terms. Furthermore, the notion of use is, in general, a non-normative notion, which can have positive, negative, or neutral senses depending on further specifications or on the context. Hence, here I understand use as a form of relation where animals are employed to obtain a certain goal which is different from exploitation because the instrumentalization of the animal does not lead to a total disregard of animal's welfare. In the light of this, the difference between use and cooperation is scalar, not qualitative. Cooperation, therefore, is a kind of non-exploitative instrumental relation where the welfare of animals is taken care of and the kind of task required of them is compatible with their nature.

## 6. COOPERATION AND RELATIONSHIPS

Building on this we may think that all forms of relations where the welfare of the animal is taken care of are forms of cooperation. My answer to this supposition is negative because we have to distinguish cooperation from another type of relations. To see what I mean we may ask whether I cooperate with my cat. I would resist accepting this statement. Indeed, I may have a meaningful and profound relation with my cat, and maybe such a relation also entails some form of reciprocity. But I don't think I cooperate with my cat. We may live together more or less peacefully, and we may have a meaningful relation. But there's something missing in it in order to make it a form of cooperation. What is missing is the dimension of producing some desired good. If we think that entertaining an affective relationship entails the production of a good, we may think that, to the extent that the cat enjoys my staying with me more or less as I do, we cooperate in some sense. But I'd be sceptical about this conclusion because I am not sure I would be ready to apply it to relations among humans too. Does it make sense to say that I cooperate with my wife insofar as we keep company to each other? Maybe we can say so. But I think it makes more sense to say that we cooperate to the extent that we do something together for the sake of producing an outcome which is external to the act of doing something together. For instance, we cooperate in order to keep the house clean, take care of our daughter, and so on. But having a good relationship as a couple is not per se cooperation. We just do many things together and have appropriate attitudes insofar as we have a relation and for the sake of keeping it alive. Being in this kind of relations entails the production of some good which is internal to the relation, or better the

successful continuation of the relation is the good itself. Instrumental rationality may play a role in this kind of relations too, but the purpose of acting is intrinsic to the relation itself, not instrumental for the sake of bringing about some external good.

In order to characterize this idea, we may employ the notion of participatory goods. A participatory good is a special kind of good in which the act of participation, the production of the good and the enjoyment of the good are all the same action seen from different angles.

It is not merely that the *production* of a participatory good (bringing it into existence or sustaining it in existence) requires more than one individual to participate in a certain kind of activity—although that is certainly true. Rather, a participatory good just *is* the activity in which those individuals participate. The activity of producing a participatory good also *constitutes* the participatory good.<sup>12</sup>

Examples of these kinds of goods are the goods of speaking a language, having a party, praying in common, and I submit enjoying a relation with a pet too. The relation of companionship with an animal, typically a pet, entails a participatory good because the parties to this relation for most of the part of their relation do not re-produce anything else than the relation itself. No further external good is needed to be produced in order to sustain a meaningful relation.

Hence, I call these kinds of relations, involving participatory goods, (*individualized*) *relationships* to characterize the non-instrumental nature of the relation and its idiosyncratic feature, which makes all individualized relationships different from other types of relations, and each of them different from other relationships too.

If this is correct, does it mean that my dog cannot cooperate with me? I think we may still say that our companion animals cooperate with us to the extent that they also help us in some other ways besides being a companion animal. This could be the case, for instance, of a dog acting as a guard dog. If one is not convinced yet, and still thinks that the relation of companionship itself is cooperative, let us extend the question and ask whether we would be ready to say that my pet snake cooperates with me. I doubt we would do that, probably because we are ready to attribute the idea of cooperation to relations of companionship only to the extent that we can anthropomorphize the animal. But this is just a guess. More generally, it seems that the ordinary use of the term of cooperation to characterize relations of companionship is conceptually dubious, even though psychologically understandable.

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<sup>12</sup> Morauta (2002, pp. 94-5), emphasis in original. For an analysis of other examples of participatory goods see Ceva, Zuolo (2016).

### 7. SUMMARY OF THE ARGUMENT AND EXAMPLES

To recap what we’ve been saying so far, for there to be a cooperation between animals and human beings there must be

1. some forms of relations (thus excluding wild animals),
2. which should be continuous (thus excluding the occasional relations with liminal animals, see Donaldson, Kymlicka 2011)
3. between entities having the capacity to be positively or negatively affected in their welfare by that relation (thus excluding the interactions between human beings and non-living intelligent entities), and
4. not detrimental to the good of the animal (thus distinguishing cooperation from exploitation),
5. whose purpose should be the production of an external good, not the pure continuation of the relation itself (thus distinguishing cooperation and use from relationships with companion animals).

Now we may come up with a revised definition.

*Cooperation between human beings and animals is a non-occasional form of relation for the sake of producing an external good that does not harm the animal but rather benefits it too. Hence, it is a kind of relation where animal’s natural capacities are instrumentally used but within the animal’s ethological features.*

Let me summarize what we have been saying so far with the following table featuring the main forms of possible relations with animals, the purpose of the relation and its normative assessment.

Table 1. A minimal taxonomy of human-animal relations

Type of relation	Purpose	Normative character
Exploitation	Purely instrumental	Total disregard of the animal’s welfare and natural features
Use	Instrumental	Partial concern for animal’s welfare and natural features
Cooperation	Instrumental (but compatible with animal’s nature)	Concern for animal’s welfare and natural features

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Individualized relationship	Intrinsic (no production of a good outside the relationship itself)	Full concern for animal's welfare and natural features
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In practice, what kind of relations would be the cooperative ones? The possibility that in practice there are cooperative relations respectful of these conditions also depends on the preferred moral account establishing what the well-being of an animal consists in. Here, I cannot outline this account. In what follows I will only provide some possible examples, which should be taken with a pinch of salt because I am not committed to saying that they are fully justified and correct.

A clear case of exploitation is represented by industrial farming. Here the minimal needs of animals are totally disregarded in any sense. Although one may say that such animals are better off insofar as they have been created rather than not created, still such a condition of minimal existence is hardly satisfying for any account of animal welfare.

Examples of use may be, perhaps, those experiments that apply the three-Rs principle (reduce, replace and refine) and some (e.g. free range) animal farming. These cases are not totally exploitative insofar as some concern for animals' welfare is at place. However, in order to establish which labs and farms represent cases of use and not of exploitation (or of cooperation!) we would need, again, a substantive account of animal welfare.

Building on these distinctions, examples of cooperation may be the no-kill farms,<sup>13</sup> the guide dogs for blind people, some forms of animal therapy. These examples are admittedly a bit vague and are only meant to give an idea. But insofar as we don't have a substantive theory of animal well-being, this should be sufficient to give the idea of a common action where animal's needs are taken care of and the activity itself is not at odds with the animal's ethology.

Finally, examples of (individualized) relationships are those where companion animals are involved. Obviously, here we are considering only positive cases where the species and individual needs are well taken care of. No doubt there are cases in practice where this is not so.

In sum, if there is some space for cooperation between human beings and animals this space is a small one on the edge between use and relationships.

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<sup>13</sup> This is so if we assume that in our preferred substantive theory of animal welfare cooperation demands not disposing of animals' life. However, if one rejects this assumption, one may also argue that animals do not have an inherent interest in living and that, therefore, free range and pasturing methods of rearing animals for meat production are legitimate forms of cooperation.

On the one hand, cooperation may be hardly distinguishable from some form of use compatible with animals' well-being; on the other hand, in some forms of cooperation animals and human beings are very likely to develop individualized relationships. Still, despite these overlaps and fuzzy contours I think it makes sense to distinguish these concepts.

As a general objection, one may point out that the criteria to distinguish cooperation from other relations are at odds with the standard understanding of cooperation among human beings. Indeed, in cooperation among human beings, we hardly consider welfare as the most distinctive criterion, and this might be a problem for my commitment to make the idea of animal cooperation somewhat compatible with ordinary use of the term. To the extent that people voluntarily enter a relation, they may encounter risky and harming situations but still cooperate because they have consented to do so. As an example, consider missionary groups or discovery enterprises. All these are risky and possibly harmful forms of cooperation. However, as we have seen, the condition of voluntariness is scarcely applicable to animals. We can hardly ask them whether they consent to do something, and the mere fact that they do not escape is not sufficient, in particular for domesticated animals, which have developed a sort of hard-wired adaptive preferences. Hence, failing the possibility of applying the subjective criterion of voluntariness, we cannot but apply the objective criterion based on what we presumptively know about their welfare and ethology.

## **8. CONCLUSION: WHAT NORMATIVE IMPORT?**

From this analysis, it follows that in order to have a conceptually specific and normatively significant idea of cooperation with animals we need a substantive account of what the main interests of animals are. Typically, such an account would primarily, but not necessarily only, concern their welfare.<sup>14</sup> One may be suspicious about this and ask what the point of outlining a treatment of animals based on the idea of cooperation is, given that in the end we need a further normative step. If we agreed on a substantive conception of animal interests, the objection goes, we would have a set of duties regarding animals without the need to plug in the idea that duties arise from cooperation. In reply to this, we may say that this worry is misplaced because this is a problem only for those theories (Coeckelbergh's, and to some extent Kitcher's too) which seem to do without an explicit substantive account of animals' interests. In other words, it is a problem for those theories committed to saying that we have duties of justice towards animals in virtue of the fact of cooperation even

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<sup>14</sup> In this final section, I focus only on interests based on welfare without presupposing that animals have only these types of interests. Rather, my point is simply that whatever the diverse substantive account, there is a wide agreement on the idea that animals have at least certain interests regarding their welfare (e.g. not to suffer, to have pleasant experiences, and so on).

though we do not have other normative commitments. But this is not a problem for other human-animal cooperation theories, to the extent that the idea of cooperation does not do all the fundamental normative work but, rather, only specifies the duties of justice that we owe to those with which we cooperate.

In closing, we may start sketching the normative contours of a theory of cooperation with animals. As I cannot here outline a substantive theory of animals' interests, I will limit myself to few further considerations.

First, one may ask whether the idea of cooperation entails the requirement that animals have an interest in liberty. Indeed, one may argue that if animals had no interest in liberty, they could not entertain cooperative relations, but only forms of use. However, I have not characterized cooperation in these terms. The difference between use and cooperation is a matter of degree of concern for animals' welfare. Hence, my account is compatible both with those who think that animals have an interest in liberty (Donaldson, Kymlicka 2011), and those who reject this claim (Cochrane 2011). But it is in contrast with those (liberationists) who think that any kind of relation between human beings and animals turns out to be a form of exploitation (Francione 2009).

Second, if, for there to be cooperation, the welfare of the animal is to be taken care of, it follows that imposing on animals tasks at odds with their nature is not compatible with cooperation. But what about genetically engineered animals that are programmed and created with features capable of discharging specific purposes (now typically those of undergoing specific lab tests)? Genetic engineering is a radical form of instrumental approach. Hence, it might seem in contrast with the spirit of cooperation. However, if genetic engineering is devised in order to make animals more suitable to perform a specific task or to make them not suffer (or suffer less), perhaps genetic engineering is compatible with the spirit of cooperation. However, I leave this answer open and conditional upon an account of animals' moral status establishing that there is no right to genetic integrity.

Finally, what are the normative implications triggered by cooperation in my account? If cooperation does not do all the normative work, for there to be a preliminary theory of moral status and a substantive account, what is left to cooperation? My reply is that, indeed, the substantive account is sufficient to rule out exploitation as unacceptable, without making appeal to the content of cooperation, because exploitation is a direct neglect of animals' interests. But the substantive account of animals' interests might simply establish prohibitions (for instance, to inflict significant suffering) without outlining further duties or opportunities for animals. Here comes the role of cooperation. Following Valentini's (2012) and Niesen's (2014) suggestion, cooperation may justify a form of representation within society, or special entitlements which do not necessarily concern animals' interest in welfare.

Although these considerations do not touch all the issues at stake, they give a glance at the possible development of a theory of human-animal cooperation that is compatible with the framework proposed here.

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ANNEX

Dialectic chart showing the steps and distinctions to reach human-animal cooperation

