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P/A Forum Symposia Animal Labour A New Frontier of Interspecies Justice?

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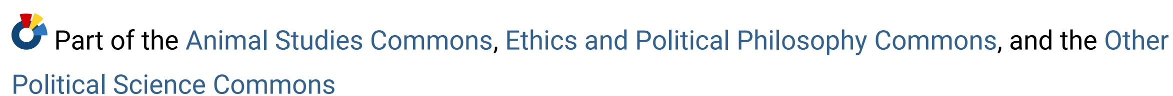
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P/A Forum

Symposia

The **Interviews / Symposia** format acts as a platform for conversations, where participants discuss the original work of an author, practitioner, policy maker, or activist. As such, these entries do not offer an outlet for original research, but instead reflect the personal views of the participants

Animal Labour

A New Frontier of Interspecies Justice?

Abstract: On April 15, 2021, a roundtable occurred at the annual conference of the Midwestern Political Science Association to discuss *Animal Labour: A New Frontier of Interspecies Justice?,* edited by Charlotte Blattner, Kendra Coulter, and Will Kymlicka, and published by Oxford University Press in February 2020. The following symposium contains expanded versions of the papers presented at the MPSA conference. Jishnu Guha-Majumdar introduces the edited volume and the contributions of the respondents in the symposium. Diego Rossello then discusses the book's framing as "interspecies justice" and its definition of labor. Angie Pepper reflects on whether it is possible for animals to justly consent to labor occupations. Guha-Majumdar examines how the afterlives of transatlantic slavery shape the terms of debates over animal labour. Peter Niesen considers questions about the sequencing and types of labor rights for animals used in agriculture. Finally, Blattner and Kymlicka offer a reply.

1. **Jishnu Guha-Majumdar**
   Introduction (2-5)

2. **Diego Rossello**
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Jishnu Guha-Majumdar

Introduction

It is beyond doubt that “harnessing” animal activity – from their biological processes in factory farms, to the literal horse-power of equine creatures, to the service animals that we may encounter in daily life – has been essential for the development of the modern world as we know it. Equally clear is that these uses of animals have been a key site of animal domination. Is this activity labor, and what ethical and political avenues would be opened up or foreclosed if conceptualized as such? *Animal Labour: A New Frontier of Interspecies Justice*? a volume edited by Charlotte Blattner, Kendra Coulter and Will Kymlicka, with a wide range of interdisciplinary contributors, seeks to open up animal studies with this question. The concept of animal labor, in turn, raises many such questions that can contribute to pro-animal scholarship in new ways:

> What do we mean by the concept of labour? Under what social or historical conditions do humans working with animals view them as their co-workers? Do animals themselves have a sense of working or being part of a working relationship, and can this be a source of meaning or well-being for them? And if animals are our co-workers, should this be legally or politically recognized? Should animals be legally defined as workers, and protected by labour law? (Blattner et al, 2020, p. 2-3)

In responding to these questions, the volume hopes to move beyond the commonly-framed impasse between “welfarist” and “abolitionist” approaches to interspecies justice. Whereas welfarists permit “humane” uses of animals, emphasizing the amelioration of animal suffering even when animals’ basic rights are not respected, animal abolitionists often insist on animals’ negative rights without leaving space for positive visions of human-animal relationships. As the introduction puts it, the volume turns to labor to move beyond “relationships without rights (as proposed by welfarists)” and “rights without relationships (as proposed by abolitionists).” Labor, that is, offers one route to consider forms of interspecies relationships that go beyond “humane” use (p. 4).

A key question throughout the volume and this symposium is whether or not labor can truly serve emancipatory ends for nonhuman animals or whether the inequities and domination of currently existing labor relationships will obscure or augment animal suffering. The introduction frames this issue through a tension between the *descriptive* and *normative* senses of labor: “Descriptively, we can recognize that there are awful forms of harmful, exploitative, degrading, and/or forced labour, but normatively, we can say that ‘labour’ contains within it ideas (or ideals) of cooperation, consent, recognition, and dignity.”

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(p. 11). Labor, that is, might be a site for multispecies world-building, one that recognizes rather than disavows the contributions that animals make to our shared world (Kymlicka and Blattner, 2021, p. 35). On the other side, though, lies the risk of "labor-washing," of framing situations of domination as fundamentally consensual.

Animal Labour splits its contributions into two parts. Contributions to the first, "The Promise of Good Work," describe what good work for animals might look like. From different perspectives, Kendra Coulter (whose *Animals, Work, and the Promise of Solidarity* is a key work in the literature on animals and labor) and Alasdair Cochrane develop positive accounts of what good or humane work for animals might look like. Coulter draws on feminist care ethics to advocate a contextual approach to animal labor that broadens the scope of concern over labor beyond wages, while Cochrane argues that certain forms of work can enhance animal lives by providing pleasure, opportunities to exercise agency, and social esteem. Renée D'Souza, Alice Hovorka, and Lee Niel offer a case study for what good work might entail, in the context of canines that do conservation work, while also offering a nuanced account of the limitations of such work.

The second part of the volume, "The Dilemmas of Animal Labour," addresses the complications that arise from the conjunction of animals and labor. Charlotte Blattner's contribution, which pairs well with Cochrane's and Coulter's, explores two fundamental rights to self-determination that she argues are preconditions for considering certain forms of work "good" in the first place: the right to enter and exit work relationships and the prohibition of forced labor. Two of the other contributions center Marxist analyses: Omar Bachour addresses the humanism of Marx's concept of alienation and instead forwards an alternative, "appropriative" model of alienation; Dinesh Wadiwel shows how the Marxist concept of "labor-time" offers animal advocates important resources for challenging animal domination. Another pair of contributions – from Jessica Eisen and Nicolas Delon – examine the unique dilemmas posed in relation to animals used in agriculture, who form 98% of all domesticated animals. Eisen argues that much scholarship on animal labor relies on a "Labor Recognition Transformation Thesis" – the idea that recognizing animal labor will transform their status in society – that is untenable in the agricultural sphere. Delon, in turn, challenges Jocelyne Porcher's influential argument for understanding agricultural animals as co-workers and her rejection of abolitionist approaches towards these animals. Finally, Will Kymlicka and Sue Donaldson draw on literature calling for a post-work society to argue that animal advocates ought not to call just for better work for animals but *less* work both for them and for humans.

As this short summary indicates, the volume raises a wide array of crucial issues for animal ethics and animal politics. To further explore these debates, a symposium was held at the

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annual conference of the Midwest Political Science Association (MPSA) in April 2021, with four commentators from the growing field of animal politics: Diego Rossello, Angie Pepper, Jishnu Guha-Majumdar, and Peter Niesen. Their commentaries, revised in light of the discussion at MPSA, address a range of questions, including the definition of labor and work, the relationship between labor, animality, and slavery, what it means to truly overcome anthropocentric framings of labor, whether animal labor can truly ever be without coercion, the proper sequencing of the different sorts of rights associated with labor, and the applicability of the notion of labor to agricultural animals, among others.

Diego Rossello's response first questions the volume's framing as a contribution towards "interspecies justice," which he argues may underscore rather than challenge anthropocentric framings of justice. Second, noting that the contributions tend to use "labor" and "work" interchangeably, he explores the promise of the Arendtian distinction – beyond Arendt's own anthropocentrism – between labor as "the unworldly, cyclical activities required to sustain life" and work as that which creates enduring artifacts that build a world (p. 8). He subsequently suggests modifying Donaldson and Kymlicka's move towards a post-work society, suggesting instead a *post-labor* society.

Angie Pepper casts "doubt on the idea that animals laboring for humans has the transformative potential to bring us closer to interspecies justice" (p. 12). To do so, she focuses on Blattner's argument that the labor frame may help affirm animals' intrinsic right to self-determination when rigorous procedures to solicit their consent exist. Pepper argues, first, that Blattner's account only establishes that animals have an instrumental, rather than intrinsic, right to self-determination, and, moreover, that having a choice over how they labor is not always instrumentally good for animals. Second, Pepper contests the idea that Blattner's account of animal consent can make animals laboring to satisfy human ends non-wrongful. Specifically, Pepper argues that animals cannot properly consent to taking up a particular occupational role, its ends, and all the conditioning, training, time, restraint, and responsibility that such a role might require.

Jishnu Guha-Majumdar is also skeptical of some aspects of labor's emancipatory potential, but approaches the question from a different angle. He notes that discussions of animal labor implicitly draw on often unexamined pictures of anti-black slavery. He aims not to posit an analogy between the two forms of domination, but argues that work in black studies on slavery ought to shift the analytical terms from which discussions of animal labor proceed. He suggests that the work of Frank Wilderson and Saidiya Hartman demonstrates how appeals to free labor might dissimulate rather than redress the violence of captivity. Guha-Majumdar concludes by advocating for connecting "abolition" in animal

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literature to its radical roots in anti-slavery and anti-prison organizing and, affirming Donaldson and Kymlicka's call for a post-work society, extending abolition to human and animal work.

By contrast, Peter Niesen sees more promise in the labor recognition transformation thesis and seeks to extend it to agricultural animals. He worries that an overly idealized conception of animal labor will turn it into a niche topic that does not apply to the vast majority of animals. To avoid this fate, Niesen argues, labor rights need to be framed in ways that will bring farmers on board. Offering a tripartite rights schema, he advocates that animal labor politics begin from relational rights – like welfare or other benefit rights – that emerge from within existing labor practices rather than from natural rights or other external constraints when determining good labor practices.

Given its status as an edited volume, *Animal Labour* obviously does not speak with one voice. Hence, in inviting the editors to respond, we saw the occasion less as an attempt to speak for all contributors and "defend" each aspect of the volume and more as an opportunity to *further* the conversation on animal labor. Taking up this opportunity, Will Kymlicka and Charlotte Blattner[1] respond by expanding their account of animal labor and cautiously affirming its value for interspecies justice. First, they address the worry that animal labor is a humanist project, deepening their argument that animals can indeed participate in labor as a site of world-making. Second, they articulate a continuum of animal labor, from unfree to free, that helps identify exploitative forms of animal labor and distinguish it from its more liberatory potential. Using this continuum, they answer Niesen's concern about the sequencing of rights. They acknowledge the uncertainty in determining the proper order for labor rights, but worry that focusing on less politically demanding rights too easily becomes an alibi for continuing animal oppression. Finally, in response to Rossello, they question the need for Arendt's distinction between work and labor, which they argue relies on a form of speciesism that is no longer necessary to affirm the dignity of human work, and indeed obstructs it.

In sum, we hope that this symposium continues the work of the volume: to explore the pitfalls and potential of labor politics as a route towards justice for humans and animals alike.

[1] Kendra Coulter, who was central in putting together the volume, was unable to join the discussion at MPSA.

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Diego Rossello

Remarks on Animal Labour: Towards a New Frontier of Interspecies Justice?

Animal Labour is an important and much needed addition to the field of animal studies (Blattner, Coulter, and Kymlicka, 2020a). In the last few years, animal studies has become a vibrant field of scholarship comprising a broad range of academic disciplines, from animal ethics and critical animal studies to cognitive ethology, among others. But one of the most stimulating recent developments in the field has been the so-called political turn in animal rights theory (Milligan, 2015; Garner and O'Sullivan, 2016). Although the political turn in animal rights theory focuses mainly on issues of citizenship and political representation of animals' interests, it has remained inattentive to the ethico-political implications of animal labor. Thus, by focusing on animal labor as "a site of interspecies justice" the book fills a void in the literature (Blattner, Coulter, and Kymlicka, 2020b, p. 12). But the focus on labor and interspecies justice is also linked, according to the editors, to the development of new perspectives on sociability, agency, and communication that could foster "not only an interspecies ethics of intersubjective attunement, but also an interspecies politics" (Blattner, Coulter, and Kymlicka, 2020b, p. 9).

Although I have already discussed (and praised) the main tenets of the book in a review essay (Rossello, 2021a), in this exchange I would like to expand my comments into three main points. The first point discusses the implications of species boundaries and species membership presupposed in the book as a whole. In particular, I will press on the issue of whether framing the book in terms of "interspecies justice" may have the unintended consequence of underscoring, instead of relaxing, species boundaries. The second point is related to the first, and tackles the issue of the concept of labor itself. Throughout the book the concepts of labor and work are used interchangeably, overlooking a distinction between them that can be traced back to Hannah Arendt's classic *The Human Condition* (HC). According to my reading, Arendt's notion of *animal laborans* works at the fringes of species boundaries, signaling the possibility of an alternative conceptualization of living beings based on animality—or on the animal kingdom. The third point is linked to the prior two, and engages with the argument for a post-work society presented by Sue Donaldson and Will Kymlicka (D&K) in their contribution to the volume. Although I share much with the general orientation of their argument, I will suggest that Arendt's distinction between labor and work may help us clarify whether a post-work society is tantamount to a post-labor society; and whether, perhaps, only the latter might be desirable.

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As stated above, my first point has to do with the issue of interspecies justice. The book seeks to depart from anthropocentric perspectives on labor predominant in both liberal (Locke), and socialist (Marx) intellectual traditions. Despite their many differences, both traditions conceptualize labor almost exclusively within the realm of the human species. However, whereas I believe that the book problematizes anthropocentric conceptions of labor, such problematization poses novel conceptual challenges to the book, or so I suggest. From my perspective, the main challenge for the book as a whole is to avoid an anthropocentric perspective without, at the same time, reifying species boundaries presupposed in, and ratified by, anthropocentrism itself. But what do I mean by this?

In the life sciences the differentiation of the living into species is merely taxonomical. In normative theorizing, however, to have species as the main subject (or object) of justice requires a different kind of justification. According to contemporary available taxonomies in biology, the animal kingdom comprises all animal species. Species are commonly defined by the capacity to interbreed in nature. Accordingly, even if humans can have different characteristics amongst themselves, since they can interbreed, they are conceived of as belonging to the same species. The same principle applies to, say, *Theridion grallator* spiders: despite often being very different individuals, they count as part of the same species because they can interbreed. But the question is: Why should species be privileged over kingdoms in our conceptualization of justice? Justice within the animal kingdom could serve as a non-species-specific way of conceiving of what is owed to all members of such a kingdom, as well as an alternative way of leaving anthropocentrism behind. Put differently, the notion of “animal kingdom” can provide an alternative “universality” for justice based on the fact that humans are also animals themselves.

Moreover, and in connection with the argument above, the book assumes that the notion of “animal labour” is species-specific; namely, it refers only to non-human animals who labor. But this assumption is not necessarily a valid one. Whereas it is obvious that human beings belong to a species, and that the human species is different from other animal species – say, from the spiders mentioned above – the specificity of species membership overlaps with, and is de-stabilized by, common membership to the animal kingdom. Thus, it begs the question whether the notion of animal labor is referring only to non-human *animals*, or if it should be understood as including human *animals* as well. My point also has consequences for the link between animal labor and inter-species justice: in the book a clear demarcation between the species is required for both concepts to actually take place, and therefore leaving anthropocentrism behind in this way can have the unintended consequence of underscoring – instead of relaxing – species boundaries.

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The issue of species boundaries is addressed by Dinesh Wadiwel in his chapter (Wadiwel, 2020). Wadiwel offers a sharp discussion of Marx's concept of "species being" in the context of non-human animal labor. As it is well-known, Marx introduces the notion of species-being in the *Economic and Philosophical Manuscripts* of 1844, as part of a reflection on alienated or estranged labor. According to Marx, under capitalism human beings are alienated not only from the product of their labor, but also from their own being as a species. For reasons of space, I cannot tackle the issue of how Marx's notion overlaps with, and at the same time challenges, widely held ideas of human essence and human nature. What interests me, however, is Wadiwel's problematization of the philosophical gesture of transposing species-being into a discussion of alienated labor in non-human animal species – for example: dairy cows being alienated from their "natural life" as cows. But Wadiwel is correct, I believe, in pointing out that such a reading of Marx's notion reproduces a kind of *differentia specifica* by means of which each species in the animal kingdom could be alienated from its own, and characteristic, "species being"; thereby reinforcing, rather than problematizing, the boundaries between the species. But by oscillating between liberal takes on inter-species justice, and Marxian readings of species-being, the book risks leaving the question of labor itself underexplored.

Thus, my second point has to do with the concept of labor itself. As stated above, the book seeks to depart from anthropocentric perspectives on labor predominant in both liberalism and Marxism; but going beyond anthropocentrism is not tantamount to reconceptualizing the concept of labor shared by both intellectual traditions. Hence, although the book explores multiple aspects, and normative implications, of animal labor, it does not problematize the issue of labor as such. And yet, by focusing on animal labor, the book invites us to pose the following questions: What is labor? What does labor mean? What kind of activity is labor? I put pressure on the concept of labor itself because I wager that we have not made much progress in our understanding of labor since Arendt's critique of Marx's conception of labor in the late 1950s (Arendt, 1998).

In many ways, Arendt's notion of *animal laborans* introduced in HC is an answer to Marx's idea of species being. Discussed in the context of the tripartite account of the *vita activa* (labor, work, and action), *animal laborans* accounts for a creature whose activities are confined to the satisfaction of the needs of life. Set in contrast with the artifact-making and history initiating capacities of work and action, labor exemplifies for Arendt the unworldly, cyclical activities required to sustain life. As a critic of labor's prominence in political modernity, Arendt suggests that labor tends to invade the public sphere of politics, replacing the words and deeds of action with the repetitive labor of our bodies in pursuit of material

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abundance. But how could Arendt's *animal laborans* be important for understanding the book *Animal Labour*?

According to Arendt, what she calls *animal laborans* is "only one, at best the highest, of the animal species which populate the earth" (Arendt, 1998: 84). Arendt seems to be referring here to an activity (labor) performed exclusively by the human species. But a few lines before, she also suggests that, for the Greeks, slave labor was "a fate worse than death, because it carried with it a metamorphosis of man into something akin to a tame animal" (Arendt, 1998: 84). Importantly, Arendt draws on the notion of *animal laborans* precisely to question the lack of distinction in political modernity between labor and work. For Arendt, labor is concerned with the sustenance of organic life, and remains caught in the recurring cycle of nature; work (poiesis and techne), in contrast, implies a break with nature, and the creation of human artifacts that can endure through time—from poetry to memorials. Thus, from Arendt's perspective, although non-human animals do indeed labor, it would be difficult to assert that they actually work—and Arendt is only partially right on this, as we know that at least some animal species build artifacts. But more importantly, Arendt's discussion of the unstable frontier between humanity and animality in relation to labor can be read as an invitation not only to relax the species boundaries that sustain anthropocentrism in the first place, but also to move beyond both liberal and Marxist understandings of labor. Put differently, it can be argued that Arendt thinks of labor always-already as animal labor, and situates such labor at the fringes of human and animal species.

My third point is related to the prior two, and focuses on the distinction between labor and work in the post-work society discussed by D&K in their chapter. D&K take issue with the centrality of work in contemporary societies, as well as with the productivist ethos that moralizes and normalizes work – and penalizes those who do not have a job. D&K aim at redirecting our energies from work towards "ideas of social reproduction that are expansive, humane, egalitarian, and sustainable" (Donaldson and Kymlicka, 2020, p. 224). I agree with the authors' project of replacing the centrality of work ethics with an ethos of citizenship, community, and belonging beyond the human-animal divide. It is also exciting to think, as Donaldson and Kymlicka invite us to do, of a thick notion of citizenship where humans and domestic animals in a *zoopolis* are granted basic income. I also share their concern about inegalitarian, inhumane, and unsustainable forms of social life that exploit nature, non-human animals, and humans only to meet unrealistic standards of wealth, comfort, and consumption.

However, my Arendt-inspired set of critiques above leads me to note that the notions of labor and work are used interchangeably in their chapter – as in many of the contributions to the volume. To be sure, a standard reading of the labor-work distinction in Arendt can

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assimilate care work and domestic work to labor, and may therefore tend to portray these activities as non-political. Hence, D&K are right to point out the importance of rendering domestic work and animal labor visible for political philosophy. However, thinking with Arendt's distinction between labor and work can also alert us about two risks in D&K's project of a post-work society: 1) for Arendt work gives reality and durability to the world through the making of public "things" that become conditions of possibility for politics (Honig, 2017, p. 2). D&K's concern about the pervasiveness of a "work ethics" signals for Arendt the irruption (and victory) of the values of labor into political and cultural modernity. Accordingly, thinking D&K's post-work society through Arendtian lenses adds nuances to the prospects, and limitations, of such a society.

In this context, from Arendt's perspective an imagined community that combines leisure time, humane labor conditions, and the satisfaction of the basic needs of life (for humans and animals) could be seen as a dystopia construed from the perspective of labor. Thus, I believe that the challenge that remains, both for Arendt and D&K, is how to foster an ethos of democratic citizenship beyond the constraints, and imperatives, of labor, as well as how to reconfigure a political community beyond species boundaries. In other words, the challenge continues to be how to create what Donaldson has recently referred to as an "animal agora" (Donaldson, 2020).

Needless to say, I am not arguing in favor of adopting an Arendtian "philosophical anthropology" *tout court* – if such a thing can exist at all. Nor am I approving several of Arendt's problematic assertions concerning African American politics; the role of children in politics; or the (potential) human supremacism (Kymlicka, 2018) entrenched in her alleged "phenomenological humanism" – in fact, I have argued against the latter (Rossello, 2021b). I am simply pointing out the significant conceptual overlap between the book's main themes and those of Arendt's political theory regarding animal labor. From my perspective, such overlap can be transformed into a productive dialogue where the notion of animal labor could be further elucidated in the light of *animal laborans*. The goal of said dialogue should be to imagine a political community where the creatures of the animal kingdom could flourish, and lead good, politically meaningful, lives beyond the species boundaries – a goal that I share with the authors in this impressive book.

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Angie Pepper

Is Animal Labour a Viable Route to Interspecies Justice?

Animal Labour: A New Frontier of Interspecies Justice? is an edited collection with optimism at its heart: instead of thinking about animal labour as necessarily exploitative and instrumentalizing, the editors urge us to consider that animal labour may be a "viable route to interspecies justice" (p.12). While traditional analyses of animal labour have focused on the welfare of animal workers, this volume refocuses the debate by putting animal agency and subjectivity center-stage. Instead of seeing animal workers as the passive tools of humans, we are invited to consider animals' own experiences of work and the possibility that animal labour may represent a site where animal agency might be enabled as opposed to thwarted. Thus, although there are some notable exceptions (see, for example, Jessica Eisen's discussion of the dangers of applying the labour lens to farmed animals), many papers in the collection seek to show us that good work for some animals is both possible and compatible with the overall project of realizing interspecies justice.

Importantly, the vision of good animal labour developed by different contributors throughout the volume presents a radical departure from the ways that animals are currently made to labour for humans. The collection does not endorse the status quo but rather attempts to think about what might be possible in a just interspecies world. And, while many of the contributors think that some animal labour is in principle compatible with interspecies justice, there is a general recognition that most animal labour in current conditions does not meet the bar of justice and that justice requires us to reduce animal labour.

Despite this caution, the tenor of the collection remains optimistic. For example, Kendra Coulter argues that not all "human-animal work relations are about domination and coercion" (p. 37), and, with the right protections in place, "humane jobs", which manifest respectful and reciprocal human-animal relations, are possible. Similarly, Alasdair Cochrane defends the view that 'good work' for animals is both possible and desirable. Sue Donaldson and Will Kymlicka are more critical of the project of locating justice in animal labour. They reject contemporary work society because it is defined by productivity and thus reinforces inequality and unfairness, making it antithetical to justice, and instead advocate for a post-work society that involves the "de-normalization and de-sanctification of paid employment" (p. 214). Yet even in the post-work society, the possibility that animals might willingly labour to satisfy human-determined ends remains open (p. 222).

In this commentary, I want to cast doubt on the idea that animals laboring for humans has the transformative potential to bring us closer to interspecies justice. Perhaps we can alter

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the conditions of animal labour to make good work possible. Perhaps we can even shift towards a post-work society. But in either case, it remains open whether is it permissible to make animals *work* or *labour for us*. Are we permitted to employ their minds and bodies to human ends when they cannot understand those ends and all that they may entail? And are we permitted to engage animals in certain professions when doing so often requires training and habituation that might compromise animal agency (especially since animals cannot give consent to these processes)? These questions loom in the background throughout the collection and while there is some recognition that these are difficult questions, the optimism of the project presupposes that we can answer each of these questions in the affirmative.

The author who addresses these questions most directly is Charlotte Blattner, and for the remainder of this commentary I concentrate on her contribution. Blattner's chapter does three things. First, she defends the claim that some nonhuman animals have a right to self-determination. Second, she argues that forcing animals to work against their will violates their right to self-determination. Consequently, any work or labour undertaken by animals *for us* must be freely entered, and they must always have the right to exit. Third, Blattner argues that for animal labour to be just it must meet three procedural standards: dissent, assent, and embodied consent. In short, this means that animal workers must always have the option to dissent, and their dissent must be respected in order to secure their right to exit. When *choosing* work, animals who lack expertise and experience in decision-making may give mediated assent through a guardian tasked with interpreting their subjective will *and* protecting their interests. And, when animals have the expertise and experience to make decisions for themselves, they can give embodied consent to work, and their subjective will should generally be regarded as authoritative (p.107).

In what follows I raise two objections to Blattner's account. While I am sympathetic to Blattner's position, I have serious doubts both about her argumentative strategy for establishing the right to self-determination and her assumption that embodied consent can make it permissible for humans to engage animals in labour for us. To be clear, I don't doubt that animals may be enthusiastically engaged in activities that help bring about human ends. The problem, rather, is that embodied consent cannot make it permissible for humans to train and employ animals to perform tasks that satisfy *our* ends. The importance of this challenge for the whole volume should not be underestimated. Without some account of how getting animals to labour for us is compatible with their rights to self-determination, we have little reason to be optimistic that animal labour might be a site of interspecies justice.

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Work, Choice, and Self-Determination

Blattner agrees with Alasdair Cochrane's claim that if an animal has a moral right to freedom, then they must have a sufficient *intrinsic interest* in freedom, liberty, or self-determination (p. 93). But whereas Cochrane argues that most nonhuman animals have no such interest, Blattner argues that many do. In order to establish the claim that animals have an intrinsic interest in self-determination, Blattner appeals to a range of empirical studies. I am very sympathetic to this claim, but I am unconvinced that Blattner's appeal to empirical evidence shows that nonhuman animals have an intrinsic interest in freedom.

According to Blattner, "having choices has a considerable positive effect on animals" (p. 96), a claim evidenced by studies that record lower stress levels and positive behavioral changes when animals have more options. Moreover, Blattner argues that having an option often has a positive effect, even when animals do not make use of that additional option. For example, chimpanzees and gorillas were happier and less stressed if they had the option to go outside, even if they chose to stay inside (Kurtycz et al, 2014, cited in Blattner p. 96). The fact that these animals benefit from having the choice and not from selecting the extra option leads Blattner to conclude that these and other animals have an interest *in choice itself*.

I have two concerns about this strategy. First, the appeal to empirical evidence does not show that animals have an *intrinsic* interest in self-determination. Rather, it supports the claim that animals have an *instrumental* interest in self-determination insofar as having options relieves stress and lessens anxiety, for example. Second, Blattner's argumentative strategy appears to depend on the claim that having more choices promotes the good of agents. On an empirical level, this claim is undermined by work in cognitive psychology that suggests that agents may be subject to "choice overload" when their options become too numerous (Iyengar and Lepper, 2000; Schwarz and Ward, 2012). In such circumstances, agents may become demotivated, dissatisfied, and regretful. There is no reason to think this phenomenon is unique to human animals.[2] It's likely that in some circumstances having choice may sometimes be harmful to other animals by causing stress and indecision. If we follow Blattner's argumentative strategy, studies that show animals (including humans) to be disadvantaged by having options would seem to counter her claim that self-determination has non-instrumental value – if having *choice itself* turns out to be disvaluable.

[2] However, it should be noted that the empirical evidence to support this is inconclusive, due largely to the inadequate design of experiments. See Hutchinson, 2005.

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On a theoretical level, philosophers, such as Gerald Dworkin and David Velleman, have convincingly critiqued the common assumption that having more options is always good for human autonomy. As Velleman puts it, "a person can be harmed by having a choice, even if he chooses what's best for him" (2014, p. 95). In brief, this is because having options can expose agents to harmful pressures and the presence of an option makes the possibility of going along with the default impossible. How might this apply to animals? Well, while an animal may choose to perform tasks to satisfy human ends, and performing those tasks brings the animal joy, they might have been better off if they had never had the option in the first place. That is, animals may be better off if they are free to pursue activities (perhaps even the same activities) purely for leisure, and so are not put in the position of having to decline the invitation of work.

In sum, Blattner fails to show that animals have an intrinsic interest in self-determination and, if Cochrane is correct, she has also failed to show that animals have a *right* to self-determination. She does, however, make a compelling case in defense of the claim that animals have an instrumental interest in self-determination. Yet, even so, it does not follow that having the option to work will be good for animals, and it generally seems plausible that we will better promote their good by refraining from enlisting them to perform tasks for us, with all the training, conditioning, and constraints this necessarily involves.

Can Embodied Consent Make Animal Labour Permissible?

Let us assume that despite my complaints about Blattner's argumentative strategy, nonhuman animals do have an intrinsic interest in self-determination.[3] Moreover, let us grant that animals may freely choose, compatible with their interest in self-determination, to undertake activities that achieve human ends. While the account of embodied consent offered by Blattner carves out a space for permissible interactions in the "workplace," it does not show us that animals can consent to work per se. In particular, nonhuman animals are unable to consent to professions or roles that are structured around human-determined ends. Thus, I will argue, embodied consent cannot make it permissible for us to initiate the practices and processes required to procure animal laborers, no matter how willing they are.

Embodied consent can make otherwise wrongful interaction permissible. If an animal consents to some interaction or activity, this means that the human participants do not wrong the animal by engaging them in those interactions or activities. But the contexts in which

[3] Rich Healey and I have defended the claim that nonhuman animals have a noninstrumental interest in self-determination (2021).

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embodied consent is manifest are always limited to particular interactions and activities. Many animals will be unable to give embodied consent to their *occupation* or to the idea that they are laboring to some human-assigned end. The reason for this is that, as Kendra Coulter notes (in this volume), it is not obvious that "animals are cognitively able to comprehend […] the full implications of consenting to an occupation. They may only be able to indicate interest or a lack thereof in specific tasks or labour processes, not the very process of work itself" (p. 39).

Moreover, as Blattner herself remarks, "animals cannot be asked for their consent unless they have access to all information necessary to make an informed decision" (p. 106). Since a dog, for instance, cannot comprehend what it means to be a "therapy dog" or a "search and rescue dog," this would suggest that humans cannot seek consent from dogs to work *as* therapy animals or *as* search and rescue animals. While therapy animals may be able to give embodied consent to accompanying humans in outside spaces, being petted, and playing, they cannot consent to be in a position where someone is likely to place a large emotional burden on them. So, while embodied consent may make individual interactions and activities non-wrongful, we have yet to establish that humans have the *right* or the *permission* to enlist animals in work that involves training or conditioning animals into a way of being that they are not in a position to consent to or endorse. While embodied consent can make particular "workplace" interactions and activities non-wrongful – where that means the human(s) working with the animal do not wrong them in those specific instances – embodied consent cannot make it permissible for those humans to enlist the animals in occupations aimed at realizing human-determined ends.

Perhaps this is too quick. Maybe just animal labour is possible if professions, roles, and the ends of labour are co-created by human and nonhuman workers. In such cases, animals would not be laboring for humans but rather for the interspecies collective. Yet it seems unlikely that the ends of labour – that which is worked towards – are within the grasp of many animals. Take as an example the "conservation canines" discussed by Renée D'Souza, Alice Hovorka, and Lee Niel in Chapter 4 of the collection. Conservation canines are dogs trained to assist biologists and conservationists to locate various plants and animals. The dogs may enjoy the work that they do but, ultimately, they do not know *why* they are doing it (p. 69). The end of this work is to contribute to research and environmental protection – ends that are clearly assigned by humans and arguably incomprehensible to the nonhuman animals involved.

This example suggests that while animals may shape the terms of their cooperation with us in everyday activities and interactions, it is misleading to claim that when they choose to engage in particular activities and interactions they are choosing to *work* toward some

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co-determined end. When humans solicit the assistance of animals, the ends of the work we employ them to do will often remain opaque to those animals. Indeed, it is hard to imagine a scenario in which humans employ an animal to satisfy some end that is both co-created and fully understood by the animal worker. In that sense, it will rarely be possible for animals to understand the ends to which they are laboring or how each training activity they engage in is placing them one step further to occupying a particular *unchosen* role.

Consequently, I am not convinced that *labour for animals* holds the promise that Blattner, and the collection as a whole, assume that it does. Given that most jobs for animals will involve training and conditioning, animals are unable to consent to those occupations and all that they require. Nor are animals typically in a position to understand the ends that their efforts are being used to bring about. Furthermore, given the various dangers and risks (e.g., abuse, violence, overwork, manipulation, coercion, etc.) involved in allowing humans to employ animals, it is not obvious that the benefits to animals are worth these potential costs. From an animal's perspective it is the activities and interactions that they enjoy or benefit from, not the *work* per se. This suggests that animal flourishing is not dependent on satisfying human ends and their agency and self-determination can be facilitated without making them work for us. For all these reasons, it is difficult to see how animal labour can provide a viable route to interspecies justice. If we can ensure animals' flourishing lives without having them work for us, then we should not wrong them, or risk wronging them, by employing them to achieve our ends.

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Jishnu Guha-Majumdar

Slavery, Social Death, and Animal Labor

Debates about animal labor invariably relate to those about human labor, as the introduction to *Animal Labour* notes. The volume does not aim to recapitulate these latter debates, but most of its contributors do engage several images of human labor and labor's broader social context – whether that be reproductive labor, emotional labor, or Marxist analyses of labor exploitation. However, animal labor contains a key distinguishing element: many animals, especially agricultural animals, do not just labor but are captives, property, and commodities.

If debates about animal labor relate to human contexts, it strikes me that this condition – being agential "objects" – inevitably raises the question of anti-black slavery, even when not explicitly mentioned. It seems impossible to speak about the ontological alchemy of property-with-agency, or captive personhood, or agriculture, or abolitionism, or rights, or, not least, labor, without summoning slavery's specter or following certain scripts written its wake. Of course, analogization to other dominations, and in particular slavery, is a vexed issue in animal studies. But I am not suggesting a return to crude one-to-one analogizations to slavery that obscure essential differences between the violence of slavery and of, say, factory farming or animal experimentation. My issue with many animal-slavery analogizations is not that they bring up slavery too much but that they do not *really* talk about slavery at all. Slavery appears, first, as a static object for comparison rather than an ongoing process that transforms our basic political categories. Second, slavery's legacy appears rather simple and evident – usually something in the past, albeit with irrational residues in contemporary racism, and for which the antidote was personhood and civil rights (Boisseron, 2018; Ko and Ko, 2017; Hayward and Gossett, 2017). However, black studies has long discussed and contested what slavery was/is and what it means to live in its afterlives. This work, in turn, transforms many general concepts that shape the animal question. So, my response less concerns analogies, or even parallel or intersecting oppressions, than recognizing that black studies *transforms the very terms* that form the background of thought about animals and labor. My goal is to offer just one such perspective on slavery that might shift thought on animal labor, intervening in questions that stretch throughout the volume.

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What is Slavery?

A common conception of slavery holds that it is defined by property status, it constitutes the farthest extreme of a spectrum of exploitation that includes waged labor, and its essential purpose is providing cheap labor. In an influential article, Frank Wilderson contests this view:

> The black body in the US is that constant reminder that not only can work not be reformed but it cannot be transformed to accommodate all subjects: work is a white category. The fact that millions upon millions of black people work misses the point. The point is we were never meant to be workers…From the very beginning, we were meant to be accumulated and die. (2003, p. 238; my italics)

What does it mean to say that black people were never meant to work, but to accumulate and die? It does not mean that labor exploitation is *unimportant* but rather that it is *inessential*: it neither constitutes slavery's central axis nor limns what is unique about it vis-à-vis other forms of domination. The essential character of the worker's suffering – what Wilderson calls the grammar of *exploitation* or *alienation* – fundamentally differs from the slave's – the grammar of *fungibility* and *accumulation*. The former concerns the dispossession of the presumptively socially alive; the latter the extreme despotism unleashed upon the *socially dead*.[4]

The term "social death" comes from the sociologist Orlando Patterson's influential cross-historical definition of slavery in *Slavery and Social Death* (1985). Slavery substitutes for death, often for war captives, and so primarily concerns the *permanent imposition of living death*. This status of living death is conceptually prior to property status and forced labor. Relationships among the socially dead are real but neither command social respect nor have social efficacy; as utterly vulnerable beings, their privileges may be taken away without justification. Civil society does not merely exclude the socially dead but *abjects* them: it *relies on* their dispossession for its own coherence, because slavery, beyond providing labor, *stabilizes social currency and status*. As Patterson writes, "[w]hat was universal in the

[4] In articulating Wilderson's account of slavery, I am filling out the account from his 2003 article with his broader corpus of work, especially his monograph *Red, White, and Black: Cinema and the Structure of US Antagonisms* (2010).

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master-slave relationship was the strong sense of honor the experience of mastership generated, and conversely, the dishonoring of the slave condition" (p. 11). That is: the master's honor *depends* on slavery's dishonor.[5]

While Patterson portrays transatlantic, anti-black slavery as a subset of the broader category of slavery, Wilderson considers the former distinct: beyond transporting and subjecting Africans to social death, it founds global modernity and its political categories by fusing social death with blackness itself, such that social death's rudiments persist beyond slavery's formal abolition. The master's honor (whiteness) depends on the slave's dishonor, and so, even when political economies and juridical statuses shift, social death transfers through the machinations of the *libidinal economy* – an amorphous and labile economy of desires, energies, anxieties, and phobias (Wilderson, 2011, p. 7). Hence, marginalized white people still clutch onto the badge of whiteness because it bestows status, a sense that no matter how bad your economic situation, *at least you're not black*.

Do Animals Labor?

What does all this have to do with animals? Wilderson himself offers one clue, deploying an extended analogy to cows in slaughterhouses: "For the sake of our scenario … let us not refer to the question as 'the negro question'. Instead, let us call it the 'cow question'" (p. 233; see also Boisseron, 2018, p. xviii). In other words, he implies that seeing black people as subjects in civil society would be like seeing cows as subjects in their own slaughter. Cows' commodification fundamentally differs from labor commodification because cows are objects of *consumption*, literally civil society's lifeblood. And while slaughterhouse workers are brutally exploited, their structural position still positions them as subjects within the social. Justice, in turn, for the cows requires not worker democracy but overthrowing this social order. As Wilderson asks: "Would cows experience freedom at the mere knowledge that they're no longer being slaughtered in an economy of exchange predicated on exploitation?" (2003, p. 234). In conceptualizing the fundamental tenets for understanding slavery, Wilderson finds the concept of work, or any analogy to other Human positions, untenable such that the only suitable image he finds is the terror of cows sent to slaughter.

[5] More schematically, three elements: an extreme powerlessness meant to substitute for physical death, natal alienation (genealogical isolation, the inability to make claims of birth or pass them along, and hence the exclusion from any place in a social order), and general dishonorment (Patterson 1982, p. 17-34).

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I read Wilderson's analogy to suggest a likeness, not at the level of the positive content of farmed animals' and black people's experiences, but insofar as the essence of their dispossession cannot be analogized with socially-alive workers. From the perspective of libidinal economics, no great imaginative leap is required to see how dominating animals goes past extracting economic value towards stabilizing the meaning of freedom. If slavery has been one of the most prominent negative referents for freedom ("Don't infringe on my freedom, I'm not a slave!"), perhaps the only other that rivals it is animality. Animal inferiority is not just profitable, but animals' inferior status ensures humanity's superior status – the sense of honor that bestows human "dignity."[6]

Dinesh Wadiwel's contribution to the volume perhaps comes closest to this perspective and forthrightly centers how animal captivity's despotism contorts labor politics. Wadiwel's attention to animal objecthood takes the form of recognizing that they are both *constant* and *variable* capital: both raw materials to be worked on and "agents" in the transformation of that raw material (2019, p. 195). Responding to this insight, Wadiwel shifts usual conversations on labor, first, by understanding labor as a hindrance rather than a means of flourishing (p. 186), and second, by turning towards Marx's concept of "labor time." That is, it makes more sense to measure the farmed animals' labor via the time stolen from them rather than the monetary wage. The long and short of Wadiwel's complex analysis is that capital extends labor time into the body of animals in ways Marx could not have imagined: into their time of their reproductive systems, metabolism, relationships, and nearly every aspect of their life. Whereas social norms constrain the expansion of temporal labor exploitation for human workers, for animals "all social limits appear absent" (p. 194).

But this raises a conceptual question: once we start considering biological and metabolic processes as part of labor-time, what is at stake in continuing to call these processes "labor?" Does this analysis *extend* labor or *deconstruct* it? One of Wadiwel's suggestions concerning his contribution's concrete political implications illustrates my point. Focusing on labor time, he says, enables a shift from fighting over space – e.g., whether chickens can turn around – we fight over how much *time* animals have outside of confinement and the labor process. However, if "labor" extends to metabolic processes, *there cannot be time outside of labor*; intensive confinement "follows" the animal wherever she goes. Here, I find

[6] As Cora Diamond puts it in: "We learn what a human being is in—among other ways—sitting at a table where WE eat THEM. We are around the table and they are on it" (1978, 470). I think Aph Ko makes a similar argument in her recent *Zoological Witchcraft* (2019): she suggests that what connects anti-blackness and animality are a desire to consume its object and to inhabit their skin.

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the lens of fungibility, social death, and libidinal economy a necessary supplement because it explains this total expropriation of one's being itself.

Further: *perhaps only free people labor*. If we think of labor as something ontologically given – that is, attached to particular types of activity – then, of course animals do labor. But perhaps an implication of the perspective I have been laying out is that "labor," and the ideas of freedom, agency, and intentionality undergirding it, depend on a negative foil to define itself against. That is, more than a particular type of activity, labor would be contingent on a prior distinction between essentially captive and essentially free. What if labor belongs to a sort of language game in which it only makes sense in the context of free beings? What's more, what if, in this language game, labor's dignity depends on the indignity of whatever it means to be animal or slave labor, and so "animal labor" would be an oxymoron: whatever concrete activity captive beings do, it is simply something else.[7]

I should distinguish this set of speculations from a position most commonly associated with Gary Francione, which emphasizes animals' *property* status. Francione, drawing on the legacy of slavery's abolition (albeit narrowly, as Claire Jean Kim [2018] shows), argues that welfarist reforms will inevitably fail to protect animal's interests insofar as they are legal objects. But Wilderson and Patterson argue that property status is a secondary effect of social death, so the issue is not merely remedying property status, since the rudiments of social death exceed property. Francione's argument, then, is concerned with exclusion, but not necessarily abjection.

Does Labor Lead to Freedom?

One issue running throughout the volume is what Jessica Eisen's chapter calls the "labor recognition transformation thesis" (LRTT), which maintains that identifying animals as workers will, on balance, improve their status as society recognizes rather than ignores their usefulness. Eisen articulates the thesis in order to criticize its efficacy for agricultural animals, but one could organize the volume as a whole according to each contribution's level of support for or resistance to the LRTT.

[7] One could consider this an elaboration and extension of Wadiwel's idea that "sovereignty precedes ethics"—mentioned in a footnote in this volume (n. 15, p. 193) and developed in *The War Against Animals* (2015). That is, the political decision on inclusion and exclusion conditions the ethical questions we can ask—and that there is something necessarily arbitrary about these decisions that cannot be logically explainged by pointing out their ethical contradictions. To think about "labor," then, would depend on the prior sovereign "cut" between those whose activity can "reasonably" be considered labor in the first place.

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Wilderson's arguments reject the LRTT in the context of slavery. If forced labor and property status do not define slavery's essence, then formal emancipation's bestowal of the right to labor freely did little for the status of blackness. Saidiya Hartman's earlier *Scenes of Subjection* (1997) makes a similar set of claims about agential labor and captivity in a historical register. She demonstrates that, after the Civil War, abolitionist arguments emphasizing the value of "free labor" were rapidly and alarmingly turned against the formerly enslaved, such that the line between freedom and slavery became indistinct. With free will came responsibility, blame, culpability, and guilt: whether black people deserved autonomy would have to be demonstrated by rational forms of work, self-discipline, and self-possession, and would be subject to policing and incarceration. What's more, without the barbarity of slavery as an antagonist foil, white abolitionists suddenly became more amenable to these renewed forms of domination and control. Slavery became less the antagonist of free labor than "than an intemperate consort, amoral foil, a barbarism overcome, and the pedestal on which the virtues of free labor are decried" (p. 139). Further, another argument for the LRTT is that it translates animal agency into political terms (Blattner et al 2019, p. 7). But from a social death perspective, captivity never relied on denying agential capacity – many defenders of slavery knew that the enslaved had human desires, interests, and voices (see also: Johnson, 2016). In fact, recognizing captive agency is *essential*: overcoming the resistance of the enslaved gives the master "honor," which is why rocks are not exactly considered "socially dead."[8]

One could argue that rejecting the LRTT for the enslaved does not entail rejecting it for animals, especially given a commitment to challenging usual analogizations between slavery and animal agriculture. But my argument is different: I am claiming that the idea that work makes (or helps make) free relies on a particular image of slavery's abolition, and Wilderson and Hartman's perspective destabilizes this image. The LRTT implicitly relies on a linear picture of the route from captivity to freedom, in which non-captive labor is the antidote to captive property, but Wilderson and Hartman show how this path twists and doubles back on itself. The linear route might make more sense for socially-alive human workers, but if labor has been defined *against* animals, "including animals" in labor does not necessarily negate captivity but dissimulates it.

This conclusion does not reject *any* use of the labor analytic or any attempt to use it to concretely improve the lives of animals. But it shifts political horizons and casts these moves in a different light. Nonetheless, this rejection has concrete, political implications:

[8] In other work, I show how this logic operates for animals in John Locke's account of dominion and property (Guha-Majumdar, 2021).

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for example, I think it the central point of disagreement between my position and Peter Niesen's subtle defense of certain forms of transitory labor rights for agricultural animals in his contribution to this symposium. My skepticism comes from the sense that the LRTT depends on understanding animals as merely excluded rather than abjected. I caution against the ease with which forced labor can appear as what is *essential* to the "animal condition," and against conflating free labor with freedom (even as a transitory step), as if one could fundamentally analogize animals to workers.

Hence, whereas many contributions in the volume aim to democratize work, I am drawn to the horizon sketched by contributions from Wadiwel, Omar Bachour, and Sue Donaldson and Will Kymlicka, who appeal to slowing production or ending work altogether. Following the path they lay out, I would add this: it is not that we ought to take the idea of the end of work, as developed by Kathi Weeks (2011) and many others, and apply it to animals as one case among many, but perhaps attention to animality and blackness are *centrifugal forces* in maintaining work ideology. More broadly, in bringing together the terms "animals" and "labor," one route asks how we ought to apply the pre-existing concept of labor to animals, but I think instead this call to end work flips this question around: what do animals *do* to the concept of labor? This sort of call converges with Wilderson: "The worker calls into question the legitimacy of productive practices, the slave calls into question the legitimacy of productivity itself" (2003, p. 231).

Indeed, we might instead say the *abolition* of work, rather than just its end. The volume, as a whole, seems fairly agnostic about the term "abolitionism" because it usually refers to the way authors like Francione and Tom Regan use it. The introduction, for example, considers labor a way out of the impasse between rights without relationships (animal abolitionism) and relationships without rights (welfarism). Writers like Jocelyne Porcher (2017), not a contributor but a frequent reference within the volume, worry that abolishing animal labor would give up new relationships with animals. But rather than adopt a narrow vision of abolitionism in order to surpass it (Kim, 2018), we might take abolition to its radical roots against chattel slavery, and contemporaneously, against prisons. Prison abolitionism does not propose the merely eliminationist project of tearing down prisons but the constructivist project of building a world that makes prisons obsolete (Davis, 2011). Abolishing human and animal work, then, would not abandon interspecies relationships but radicalize what kinds of relationships are possible.

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Peter Niesen

Animal Agriculture and the 'Labour Turn'

Whether animal labour is indeed "a new frontier of interspecies justice" depends partly on its normative appeal, and partly, given the editors' commitment to doing non-ideal theory, on its scope and potential impact. I fully subscribe to the attractiveness of the nuanced picture emanating from the articles in this volume and believe that its 'labour turn' makes a hugely impressive contribution to the massive paradigm shift the 'political turn' is already affecting in human-animal studies. But the usefulness of the work as a whole also depends on whether animal labour is a niche topic involving a small diet of examples such as service dogs, the expanding leisure industry of horse-riding, and the declining number of transport animals, or whether it can also shed light on our relationship to farm or livestock animals, given that the latter group of animals are said to make up 98% of the total number of domesticated and captive animals (Eisen, p. 151). The editors argue that describing cattle, pigs or hens as involved in work or labour mainly serves to "labour-wash" practices that raise and kill them for food (p. 11). Two chapters in the second part of the volume, by Jessica Eisen and Nicolas Delon, corroborate this view. The general expectation in introducing the category of animal labour is what Eisen (p. 139) calls the "Labour-Recognition-Transformation Thesis": the hope that recognizing animals as partners in work will contribute to improving their social standing, and thus their living conditions. This hope is wholly abandoned for animals raised for dairy or eggs, fur or meat. Despite the authors' opposition to the "abolitionist" strand within animal rights theory, Eisen, Delon and the editors' introduction steer an abolitionist course throughout with regard to livestock farming. Given their hands-off approach, their contributions cannot take animal farmers on board in their recognitional-transformative projects, and cannot suggest steps for transitioning from present animal farming practices to less exploitative ones.

The reason for the eclipse is that the volume is framed as an attempt to unite or reconcile relationship-based with rights-based approaches in human-animal studies (p. 9). Work relations in livestock farming are excluded from the *Animal Labour* paradigm from the outset because they are incompatible with animal rights conceived of as a priori constraints on relationships.[9] I think this reduces its political appeal and transformative potential. To sketch a more encompassing alternative, I first outline the various understandings of rights mobilized in the book. I try to show how its significance for a transformation of livestock

[9] This is at the same time the main difference between the present volume and one of the same title, give or take one letter, from Porcher and Estebanez (2020).

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farming is limited by the types of rights its authors focus on. In the second part of my comment, I address their project as one of non-ideal "sequencing and transitions" of human-animal relations (p. 11), and suggest turning its sequencing of animal rights on its head, theoretically as well as politically.

Three Types of Rights in Animal Labour

Like most works on *human* labour, *Animal Labour* addresses the problem of exploitation. It targets what is perhaps the major problem in human-animal relations today, the persistent exploitation of animals for human purposes. In contrast to across-the-board abolitionism, all authors accept that some interspecies work practices can be redeemed because of the normative importance of the relations involved. Not all relations qualify, and the main indicator for failure is the violation of rights. "Rights," in this context, can refer to three very different types of claims. The first type is natural rights, the second I have labelled "presuppositional rights," and the third is derived rights.

Natural rights are assigned on the basis of the rights-bearers' agency, subjectivity, or sentience, independently of any relational involvement, be it political, social, or historical. Natural rights approaches are popular in moral philosophy and have also been dominant within the political turn in human-animal studies, building political relations on a bedrock of rights not to be killed or harmed by humans (Donaldson and Kymlicka, 2011, pp. 19-49; Cochrane, 2018; Ladwig, 2020). One example discussed in Eisen's contribution (p. 139; cf. Blattner et al, p. 10) is Carol Adams's assumption that dairy cows have a right to reproductive autonomy. If disregarding reproductive autonomy amounts to rape, it violates a universal basic right independently of the existence of any relational practices. Where animals have such rights, all livestock farming, given that it relies on reproductive management, will fail to respect a moral constraint and thus be impermissible. In the present work, natural rights thinking may figure as a background assumption to some of the chapters, but does not take center stage.

Presuppositional rights extend to animals insofar as we decide to treat them as co-workers. This type of rights is the main one invoked in the volume. Presuppositional rights are not owed antecedently, but depend for their meaning and existence on our relational practices with animals. Delon suggests there is a right not to be raised and killed for food, given that the view that "animals can be co-workers" is undermined by such practices (p. 164). His position does not entail that people must not kill and eat animals as under the first type of rights. He argues that if people should decide to do so, they will be acting outside of a normative understanding of labour relations. In a similar vein, Charlotte Blattner identifies features of labour relations that she deems "non-negotiable" even in work contracts (p. 109), such as the right to consent to and exit from work. Outside of potential relations,

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such rights will be irrelevant. Within, they define elements of work relations as meaningful, normatively attractive practices.

The editors explain that such presuppositional rights depend on a normative, as opposed to a descriptive or empirical, use of the terms “work” or “labor” (p. 11). However, while it may be impossible for us, as Delon assumes, to kill our co-workers as a rule and still maintain that we share a non-defective work practice with them, it is not impossible to say that workers do get killed as a rule by their jobs, and to hold that this does not exclude them from normatively significant labour relations. Think of Marx, who thought that industrial workers as a matter of course get used up by their jobs,[10] or of earlier generations of workers in deep mining who were resigned to the fact that their jobs would eventually cost them their lives (through pneumoconiosis or “black lung”). Such dramatically defective work relations are not merely descriptive and empirical, given that they still trigger entitlements in a third sense to which I now turn.

The third type of rights are derived from relational practices, only to be awarded for participation in the practice, such as welfare rights arising from labour relations. This third category has only been introduced by the path-breaking works of the political turn starting with Zoopolis (Donaldson and Kymlicka, 2011). Service dogs, but not coyotes in the wild, will gain a right to health insurance, since they stand in the appropriate claims-generating relationship with others. Now obviously, a work relation can be meaningful in the sense that it fulfils type-2 rights, and still unjust. In an overall acceptable practice, derived rights such as welfare rights may be unjustly withheld. But what about the converse relation? Is it conceivable that type-3 benefits are offered despite type-2 rights violations? On a thick normative understanding of co-working relations, this seems impossible.

For example, if consent is a precondition of acceptable labour relations, as Blattner argues, then forcing animals into certain services, even if they are not denied their benefits, negates that they are co-working in the relevant sense. So even if they enjoyed the full set of type-3 rights, those could not be said to result from labour. But this seems to misidentify the normative basis of their existing welfare claims, even under the assumption that the presuppositional rights have been correctly identified. Welfare provisions for service that has not been consented to are not alms, but returns. Presuppositional rights, if tasked with identifying redeemable labour relations, therefore run the risk of identifying a too narrow set of practices to account for the broader normativity of labour, thus making it impossible

[10] With belated thanks to Lisa Disch for discussion.

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to diagnose correctly where the normative wrong of withholding type-3 from farm or livestock animals lies. I conclude that type-3 rights have freestanding normative force and can be explored independently of the former two categories.[11]

Farm Animal Labour Under the Labour Turn

The above taxonomy of rights seems to suggest a normative hierarchy. Natural rights are external constraints on all practices, and presuppositional rights identify preconditions for acceptable practices, such that derived rights are to be considered within acceptable practices only. It is understandable if such a hierarchy is taken to entail a lexical and perhaps also temporal priority requiring that natural rights-violating practices be terminated before existing defective ones are to be set right and eventually fair returns secured. The priority of type-1 and type-2 over type-3 rights in both a lexical and a temporal understanding makes intuitive sense with regard to humans, since we would want to rule out violations of bodily integrity before attending to the question of unfair work relations. With regard to farm animals, it is unclear whether a lexical priority for type-1 and type-2 over type-3 rights could easily be established from the perspective of the laboring animals themselves, and whether or not a different temporal sequence of implementing such rights may be singularly feasible, or even lead to overall better outcomes under given circumstances. The question is whether the Labour-Recognition-Transformation-Thesis can apply to farm animal labour and unfold its transformative potential in our societies even before we have "moved beyond the humane use framework, and embraced strong legal safeguards of animal rights" (p. 11).[12]

The answer the contributors to the volume give is a resounding no, based on their conceptions of the priority of presuppositional rights and, in authors like Sue Donaldson and Will Kymlicka, against the backdrop of a prior commitment to animals' natural rights. However, in admitting that the steps of "sequencing and transitions" (p. 11), which are to reconcile short-term and long-term goals in fighting the exploitation of animals, cannot be fixed a priori, the editors are prepared to honor concerns of non-ideal theory. Given that our choice in non-ideal theory is between capitalizing on the normative force of the labour

[11] There is the additional problem of how to relate the three types of rights to the democratic process and questions of enforcement. Legal rights within work relations, in a democracy, have to pass through the needle's eye of a representative legislature, but this is a separate issue that I cannot address in the present context.

[12] I side with Jessica Eisen and the editors of the volume in investing hope in the normative potential of the Labour-Recognition-Transformation Thesis. For a generally skeptical view, see Jishnu Guha-Majumdar's contribution to this symposium, "Slavery, Social Death, and Animal Labor."

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turn and eclipsing it altogether for farm animals, my suggestion is to attempt to do the former. I cannot here fully discharge the burden of argument and only preliminarily sketch the bare bones of an alternative. My suggestion is two-fold, in that we should move toward theorizing animal labour as a social-theoretic not an interactive category, and implement type-3 rights with priority.

It is surprising to see that in a volume dedicated to labour relations and interspecies coworking practices, the technical notion of social cooperation (as contributing over a complete lifespan to the reproduction and well-being of a non-voluntary collective) does not play a significant role. Whereas the volume approaches animal labour as an interactive relationship in dyadic relations of co-working, it seems necessary to also address it from the systemic perspective of society as a potentially fair system of cooperation. The volume's guiding idea, encapsulated in type-2 rights, is that the idea of meaningful labour relations depends on the non-defective intersubjectivity of work, which is incompatible with non-consensual labour or with raising and killing animals for food. Both defenders of farm animal husbandry like Jocelyn Porcher and her critics in the present volume build their cases on empathetic relations between farmers and dairy cows, and I agree that empathy will not in itself redeem practices that end with the killing of one's workmates. But I wonder whether their shared focus on micro-relations and the bilateral dimension of work practices is the only, or most relevant one. It blots out central aspects of the normativity of work, which does not exclusively lie in its ethical-interactional dimension, but in its structural and abstract contribution to an overall functioning and thriving society.

A rival, more parsimonious approach to animal labour would attempt to integrate animals into a Durkheimian picture of society as a large-scale cooperative system under a division of labour, with animals as bona fide contributors to social cooperation, which in turn yields distributive claims. Whether animals are involved in labour or not would depend on their specific contribution to overall well-being – just as hard work in humans tends to be valued from a societal macro-perspective –and not depend in the first instance on the ethical quality of the work relations themselves. This approach will put type-3 rights first, since they follow uncontroversially from participation in a reciprocal practice of labour investments. This idea of cooperation through work will not in itself yield natural rights as external constraints, but may, in a second step, be seen to entail presuppositions for acceptable practices. They will be different than those established by an ethical notion of coworking since they build on a less normatively charged understanding of labour (roughly, participating in a fair system of social cooperation as envisaged by Rawls), which may be more congenial to large and anonymous modern societies. It remains to be seen whether such an approach yields a presuppositional right not to be raised and killed for food, as

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Müller (2020, p. 37) assumes, and where it comes down on the questions of consent and exit rights. Its immediate output with regard to farm animals will be type-3 rights derived from cooperation, which in analogy to human labour will presumably include some functional equivalent of a decent life wage, workplace safety rights, welfare rights such as health insurance, a pension scheme, but also industrial representation vis-a-vis farmers (Cochrane, 2016), and an immediate and obvious link to political membership and its entitlements.

The second part of my suggestion is to temporally prioritize type-3 claims over type-1 and type-2 claims. Where exploitation of labour is the issue, type-3 rights seem like a good fit, since they answer directly to exploitation-type violations. Type-3 rights for farm animals may be less controversial in contemporary societies than type-1 and type-2 rights, given the independence of derived rights from notions of autonomy or personality. Seeing farm animals as contributors to social cooperation would establish them as sources of valid claims while bracketing controversy over which natural and presuppositional rights apply. Guaranteeing derived rights and industrial representation would provide a litmus test for farmers insisting on their credibility and commitment to valuing animal contributions. In the long term, starting out by recognizing farm animal labour may be a way of activating the other two categories of rights, without, however, knowing where we would end up. We know that societies have introduced different kinds of rights for humans in temporal succession, often spanning centuries, like in the famous three-part sequence of T.H. Marshall's *Citizenship and Social Class* (1950). Marshall relies on a developmental logic that invariably moves on from civil to political to social rights. Much like the authors of Animal Labour, Marshall cannot see political and social rights emerging in the absence of prior guarantees of civil rights. But his sequence ignores even the historical variation in democratic nation-states, some of which have moved from civil to social to political rights, and there need not be a historical teleology and "chrono-logic" (Bonnie Honig, quoted in Donaldson and Kymlicka, 2018) to their succession. Human-animal relations may yet need to take a different route, starting with struggles over recognition as partners in social cooperation through labour, and move on from there to the political determination and awarding of other rights, rights that may vindicate or terminate existing labour relations.

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Will Kymlicka & Charlotte E. Blattner

Animal Labour and Animal Politics: Reply to Critics

Introduction

Many thanks to our four commentators for their insightful and challenging critiques. To help orient our reply, it might be useful to quickly restate the background for our volume.[13] The original literature on animal labour dating back to the 1970s was rooted in Marxist political economy, and in particular, focused on whether nonhuman animals[14] can be seen as exploited workers in a technical Marxian sense – that is, as producers of surplus value according to Marx's labour theory of value. If so, then animals are members of the working class (and hence revolutionary subjects).

Our goal in this volume was not to reject that Marxian political economy analysis – indeed, some of our contributors draw explicitly on it (Wadiwel, 2020; Bachour, 2020) – but to supplement it. We wanted to show that animal labour provides a fruitful lens for thinking about a wider range of questions about how animals and humans can and do relate to each other. For example, what kinds of interspecies sociability and cooperation are possible in the context of work? What kinds of flourishing and freedom are possible within these interspecies cooperative roles and relationships? How are these cooperative activities governed, and what sorts of politics do they make possible? Put another way, we are interested in animal labour, not only as a *site for the production of economic value*, but also as a potential *site of interspecies world-making*, in which humans and animals co-construct meaningful and shared social worlds for themselves.

Historically, these many worlds of work have been defined by vast inequalities of power (within and across species). The focus of our volume was on exploring the possibilities for a more just and equitable multispecies future. We also explored the possibility that thinking about animals as our co-workers, and the workplace as a potential site of interspecies world-making, could transform how we imagine just interspecies relationships. Jessica Eisen (2020) refers to this as the "Labour Recognition Transformation Thesis" (LRTT). Instead of viewing animals as mere objects or commodities or means of production, as is all

[13] While our co-editor Kendra Coulter was unable to attend the "author meets critics" panel on our volume at the MPSA, we would like to thank her for her central role in putting the volume together, and indeed for helping the initiate the field of animal labour studies.

[14] In this response, we are using the terms "nonhuman animals" and "animals" interchangeably.

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too often the case, viewing animals as our co-workers might help us see them as fellow members of a shared society, a society that belongs to them as much as to us.

So our aim with the book is to open up a discussion that goes beyond a political economy analysis of animal labour to also explore issues about the nature, value, and construction of an interspecies society. In his commentary, Jishnu Guha-Majumdar (drawing on Frank Wilderson) makes a related distinction between a "political economy" analysis of work and a "libidinal economy" analysis. The former focuses on control of the production and distribution of surplus economic value, dividing the exploiters from the exploited; the latter focuses on control of the production and distribution of social status, dividing the dignified and exalted from the abjected. As Guha-Majumdar notes, in the modern world, slaves and animals have functioned in the libidinal economy as the paradigmatically abjected – those whose social lives are considered of no importance or value, condemned to social death, and whose abjection operates to stabilize the dignity of the exalted.

This distinction between the political economy and libidinal economy illuminates a central motivation of our volume, and helps sharpen our guiding question. The vast majority of working animals today are both exploited (in the political economy) and abjected (in the libidinal economy), and indeed their abjection has historically served as the foundation on which humans have defined their own dignity and freedom (Kymlicka, 2017). Can we imagine forms of animal labour that are world-building not world-denying, that express rather than suppress the social life of animals?

Guha-Majumdar himself is skeptical of this possibility, as indeed are most of the commentators. To their concerns, we now turn. We discuss these concerns under four headings: (1) whether animal labour is a humanist project; (2) the continuum of animal labour; (3) sequencing and transitions; (4) labour and work, and animality and humanity, respectively.

Animal Labour as a Humanist Project for Human Ends?

A central worry shared by our commentators is that animal labour risks being an essentially humanist project that serves human ends. As Angie Pepper puts it, animal labour involves humans "enlisting" animals to work "for us," performing "human-assigned" tasks to satisfy our needs (pp. 15). Diego Rossello similarly worries that insofar as we are simply including nonhuman animals in humanist conceptions of labour, we are merely replicating and not transcending anthropocentrism (p. 3).

This is a pivotal issue. If animal labour is a humanist project that serves human ends, then reducing exploitation in the political economy would simply reproduce abjection in the libidinal economy. However, we are inspired by the possibility of co-authoring interspecies

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work relations with animals to advance ends that are fairly negotiated and shared. Our vision builds on models of interspecies justice that rely on non-human animals' right to be acknowledged as co-members of our society, to be here, to form their own relationships, to live life according to their own scripts, and to have a voice in the formation of the micro- and macro rules that shape their lives (Donaldson & Kymlicka, 2011). We envision a society in which humans and animals work for each other, in pursuit of ends that are shared and valued by all, to create and support a form of social life that nurtures both human and animal flourishing.

Pepper acknowledges this aspiration for co-authoring work relationships, but argues that it cannot be fulfilled. She accepts that animals might be able to assent or dissent from specific *tasks* (pp. 14-15) but says they cannot consent to an *occupation*, because they cannot understand the very idea of an occupation or its purposes (p. 16). A dog can assent to visiting a particular sick patient, but cannot understand the concept of becoming a "therapy dog" as an occupation, and hence cannot consent to the training required to fulfil this occupation.

There is a lot to unpack in this argument. In places, it seems that Pepper distinguishes one-off tasks from enduring social roles, and implies that animals have no concept of fulfilling social roles. But that is surely incorrect. Amongst social species, individual animals often take up specific roles – for example, as guardian of a flock, or mediator of intra-group conflicts – and other members of the group look to that individual to fulfil that role on an enduring basis. We have elsewhere discussed how such roles emerged (across species lines) at VINE sanctuary, often at the animal's own initiative, although the human residents can sometimes facilitate these roles (Blattner, Donaldson, & Wilcox 2020). And, of course, domesticated animals recognize that particular humans fulfil particular roles on an enduring basis. Social animals are "nomic" or "nomotropic" – they make sense of their social life by negotiating the diverse norm-governed social roles that different individuals hold (Lorini 2020; Palao 2021).

In other places, Pepper suggests that even if animals have a concept of a social role, they can't understand the "ends" or "purposes" of the role. She cautions that animals would "not know why they are doing it" (Pepper, p. 16), and takes it as a given that animals are unable to cognitively grasp *any* ends of work (Pepper, p. 15). They might know the rules of a particular role, but do not, indeed *cannot*, know why those rules have been adopted. But this too seems incorrect. Think about guide dogs for the visually impaired. A crucial part of their job is "intelligent disobedience." While they normally are expected to comply with the instructions of the blind human, they must also take the initiative to disobey those instructions if they would put the human in danger. They also regularly have to respond

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to novel situations. This requires that the dog can distinguish the “purpose” or “end” of the work from specific tasks, and can reinterpret (or indeed invent) the latter in light of the former.[15]

Of course, as Pepper rightly notes, there may be cases where the purpose of a specific occupation is beyond the comprehension of an animal, such as the conservation canines discussed in the chapter by DeSouza et al (2020). While dogs can be trained to detect different scents, they may not understand the larger ends or purposes for which they are trained to detect one scent (e.g., the scat of endangered species) as opposed to another scent (e.g., illegal drugs or explosive residues). But even here, we might think more expansively about the “ends” and “purposes” of work. An animal might not be able to understand the concept of protecting endangered species or confiscating illegal drugs, but they might well have a sense of forming a “we,” and have the desire to take on a role that contributes to the good of the community. Think about children. A child who is responsible for grooming a companion animal, or for washing the salad greens, may not understand the hygienic science that explains why this work is necessary. But they may cherish having this role, secure in the knowledge that it is a valued contribution to a community they care about and feel a member of.[16] So too with domesticated animals. Insofar as they see themselves as members of a “we,” they may accept – and indeed seek out – opportunities to fulfil social roles that contribute to that we, even if they do not fully understand the more specific ends or purposes underlying that role. For them, the ends or purposes of the role are social: the sense of membership, participation, cooperation, contribution, trust, teamwork, and friendship that comes from fulfilling valued social roles in a community one cares about and identifies with.[17]

[15] This isn’t to endorse the ways that sight dogs are currently trained or treated, which are often problematic. But the problem is not that dogs cannot understand the purpose of the work.

[16] For the evidence that children indeed value these roles, as a way of contributing to communities they care about, see Lu (2015). This raises deeper questions about the concept of “child labour”. While it is often said that we should be seeking a complete prohibition on child labour, this is not in line with what children themselves want, nor with the realities that children are expected to fulfil a range of tasks in the family, school and society, although this work is typically unrewarded, unrecognized and unsupported. A child-friendly approach to work would instead ask what sorts of work do children want to undertake, and what sorts of work contribute to their happiness and development (Gasson and Linsell 2011; Donaldson and Kymlicka 2017).

[17] The fact that animals (and humans) value these broader “we”-related ends of work roles does not mean that the roles are therefore legitimate: there are other constraints that legitimate work roles must meet. As Blattner discusses in her chapter, the right to self-determination is subject to substantive limits, for both humans and animals, and a wide range of harmful and wrongful jobs are therefore off the table from the

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In short, animals do not just react to discrete one-off activities, but have a sense of a social world organized around social roles, and seek to orient themselves in relation to such roles. They cannot only fulfil such roles, but can seek them out, and indeed initiate them in pursuit of ends they value. Of course, it remains true that most currently existing work roles for animals are defined by and for humans. And Pepper is right that it is not "permissible for humans to retain and employ animals to perform tasks that satisfy our ends" (Pepper, p. 13), even when provisions for animals to refuse specific tasks exist. This indeed is the central point of Blattner's chapter: she insists that the focus on workplace conditions is insufficient and that animals' right to self-determination necessarily includes a *right to co-determine the ends of work* (Blattner, 2020, p. 110). She reminds us that a deeper engagement with collective rights to self-determination is due, and that we need "to embed our account of freedom at work within a larger account of interspecies justice that attends to the deeper power relations that structure employment" (Blattner, 2020, p. 109). Animal labour is thus not about making animals labour for a "human-assigned end" (Pepper, p. 15). On the contrary: if we take animals' voices seriously about what, how, with whom, how long, where they want to work, and why they want to do it (if at all!), we must be prepared for these views "to radically change the concept of labour as we know it today" (Blattner, 2020, p. 110).[18]

This obviously raises deep and difficult questions about how to create the political conditions under which animals can express their preferences about social roles, and to propose new roles. Some of our authors have explored this question elsewhere, imagining a new "animal agora" in which animals could experiment with and initiate new forms of (norm-governed, role-based) interspecies cooperation (Donaldson, 2020). There is much work to be done here. But there is no conceptual obstacle to imagining a society in which work roles are co-authored to advance the ends of both humans and domesticated animals.

The Continuum of Animal Labour

Having clarified our ambitious and demanding normative conception of animal labour, in which both the ends and practices of work are co-authored, readers might wonder

start (Blattner, 2020, p. 105). Our point here is simply that work serves many "ends" and 'purposes", that some of these can be understood and actively embraced by animals, and, hence, that they should be co-authored by them.

[18] It is important to emphasize that advocating for a revolutionary concept of animal labour does not undermine the fact that animals should also be "free to pursue activities… purely for leisure" (Pepper, p. 15). In this sense, it's worth emphasizing that we are not advocating for a duty to work (Blattner, 2020).

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whether it is now too removed from the actual realities and experiences of working animals. Peter Niesen worries that under our idealized conception, animal labour will become "a niche topic involving a small diet of examples such as service dogs, the expanding leisure industry of horse-riding, and the declining number of transport animals," and suggests that it fails to "shed light on our relationship to farm or livestock animals", even though "the latter group of animals are said to make up 98% of the total number of domesticated and captive animals" (Niesen, p. 27).[19] Jishnu Guha-Majumdar raises a related worry that "many animals, especially agricultural animals, do not just labour but are captives, property, and commodities" (Guha-Majumdar, p. 18), and insists that this requires situating the question of work in a broader spectrum from slavery through wage labour to the abolition of work.

This raises important questions about how to define "animal labour." In our view, there is no one correct definition of the term "animal labour," and different definitions are likely to be appropriate for different intellectual and practical purposes. We distinguish three different debates where the term "animal labour" might arise.

First, there is what we might call the *ontological question*: are non-human animals the kinds of beings who can "labour", or is it only humans who can labour? The dominant humanist paradigm of labour, in both the liberal and Marxist traditions, asserts that only humans can work/labour, and that work/labour is defined precisely in opposition to animals' multiple forms of living and being. Our volume resolutely rejects this sort of human exceptionalism, with its implicit or explicit relegation of animals to the sphere of fixed biological determinism. We may disagree about whether and when animal labour is desirable or legitimate, but there is no basis for the human supremacist assumption that only humans *can* labour.[20]

Second, there is the *normative question*, which we have briefly discussed: what sort of animal labour is legitimate and desirable, and worthy of our support? Our view here emphasizes the importance of work that is co-authored, and operates to sustain a social world that promotes both human and animal flourishing.

[19] In her chapter in our volume, Jessica Eisen raises a similar point that agricultural animals do not fit into the idealized conception of animal labour, and hence do not benefit from Labour Recognition Transformation Thesis (Eisen, 2020), although she draws the opposite conclusion from Niesen. For Eisen, the fact that an idealized conception of animal labour excludes agricultural animals is reason for abandoning the very idea that recognizing animals as workers can be potentially progressive. Niesen, by contrast, firmly believes that recognizing animal labour can be politically progressive even for agricultural animals, but that we need a less idealized conception of animal labour in order to include them.

[20] More on this in the fourth part of this response.

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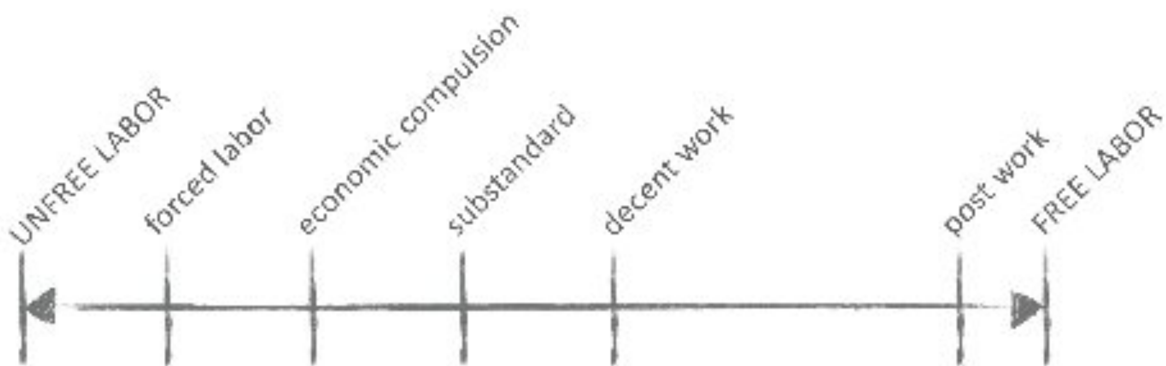
This normative position then leads to a third *descriptive or diagnostic purpose*. Very few individuals – human or animal – have access to the sort of good work that we normatively endorse. But existing forms of work (and of workplaces) can be closer to or further from this normative ideal, and we need a sense of the full spectrum of such experiences. Political economists and sociologists in this context speak of different forms of human labour along an axis, a spectrum, or continuum from unfree labour to free labour (Fudge & Strauss, 2014, p. 14, 163; Skrivankova, 2010; Steinfeld, 2001, p. 8; Strauss, 2012, p. 138-139). These end points are commonly defined as unfree vs. free; but are sometimes also identified as decent vs. forced (ILO 2005; ILO 2006); or bad vs. good – depending on the discipline and one's socio-economic and political points of reference.

As Coulter (2020) notes, this sort of continuum is common in the discussion of human labour, as it illustrates the range of existing and possible future work relations, and we think it would be helpful to keep in mind in the animal case as well. The continuum helps us analyze existing work relations with animals (*analytical/descriptive function*) and also sketch possible and desirable work relations with animals, forcing us to be more explicit about both the ends of the concept animal labour and the means to achieve those ends (*normative function*). In our volume, the authors implicitly or explicitly operate with such a continuum of animal labour, which we might summarize this way:[21]



While our volume does not explore in depth all of the different points along this continuum, we can identify several critical signposts along this axis:

[21] For a related discussion, see Coulter (2017, p. 73).

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Unfree labour: As Guha-Majumdar notes, in the case of work done by humans, slavery is commonly seen as the farthest end of unfree labour (Guha-Majumdar, p. 18).[22] It is important to note that slavery is not necessarily a fixed status or condition (e.g., institutionalized and state-sanctioned chattel slavery), but comes in different forms and may vary cross time and depending on the discipline examining it (Dayan, 1999; O'Connell Davidson, 2015; Sinha, 2017). An important aspect of slavery – in comparison to forced labour – is that not only is someone's labour commodified, but they are themselves bought, sold, and traded as property (Strauss, 2012, p. 140). Commodification is "the action or process of treating a person or thing as property which can be traded or whose value is purely monetary" (Oxford English Dictionary, 2021). In relation to humans, it is a quintessential part of slavery; in relation to animals, it is a quintessential element of what we could simply term "unfree labour." Legal ownership, then, is the manifestation of one's commodification through the law; which, in relation to nonhuman animals, is still the dominant paradigm of most (if not all) legal orders today (Deckha, 2021).

Forced labour: Even with legal self-ownership in place, one can still experience tremendous unfreedom at work, notably as one is forced to work. Forced labour remains a much-disputed concept. Its most prominent signifiers are legal force, physical force, and psychological force. By *legal force*, we mean the removal of rights and privileges. *Physical force* is experienced by workers as they are held captive, are imprisoned, confined, or otherwise isolated from their community and social life. Forced labour, in this physical sense, also takes place as one is deprived of shelter, food, and other necessities of life. Finally, *psychological force*, menace, threat, and the like, too, qualify as forced labour (ILO, 2005; Morgan & Olsen, 2015, p. 174; *Siliadin v. France*, 2005). These factors need not all be present for work relationships to be seen as "forced"; it usually suffices if one of them is fulfilled (Skrivankova, 2010, p. 8). In relation to animals, the majority of today's work relationships clearly exhibit such forces: physical force is exerted over animals, which is justified with reference to legal power/force over them (Wadiwel, 2015), and includes psychological threat, menace, and danger of repression.

Economic compulsion: If a work relation does not qualify as "forced labour", then it is often assumed to be "free" labour (e.g., ILO, 2002, p. 98; ILO, 2009, p. 5; Andrees & Besler, 2009). However, this assumption is increasingly criticized by scholars who argue that economic hardship can be just as crushing and devastating as other forms of force, from the perspective of the workers (Skrivankova, 2010, p. 7). The definitions of "free" and "forced"

[22] Note that Guha-Majumdar, following Wilderson, suggests that slavery should ultimately be defined, not in terms of either forced labour or property status, but in terms of social death (p. 22) – and hence can persist even when forced labour and property status is abolished.

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remain disputed in labour law and beyond, but it suffices to note that economic compulsion, duress, hardship, and the like can seriously reduce, even thwart the much-coveted freedom work should deliver. Some people argue that because domesticated animals are heavily dependent on humans to take care of them, and might not survive otherwise, it is legitimate to demand that animals give us their labour (and indeed their lives) in return (as "gifts", as Porcher, 2017, calls them). As Delon (2020) notes, this argument is hypocritical, since it was humans who created this dependency in the first place through selective breeding, and it is factually incorrect, since some domesticated animals can and do learn to live on their own. But in any event, it is illegitimate to take advantage of economic duress to impose unfair labour terms, on humans or animals.

Substandard work: Forms of substandard work may not feature force or economic coercion but can leave workers in a precarious position (hence, "precarious work") due to, e.g., low pay, erratic hours, few benefits, unsafe working conditions, discrimination, and other forms of oppression (Coulter, 2017, p. 73; Rodgers, 2016; Vosko, 2005). Many working animals can and do experience a similar fate, even in allegedly humane work settings, such as animals in tourism.[23]

Decent work: For the world's largest labour organization, the ILO, "decent work" is the positive endpoint on the axis from unfree to free labour. The ILO (2006) describes decent work this way: productive and secure work that ensures respect of labour rights, provides an adequate income, offers social protection, and includes social dialogue, union freedom, collective bargaining, and participation. Here, we can see that the focus is not on listing the absence of negative parameters (ownership, force, threat, coercion etc.), but on the positive dimensions of work. Many labour rights operate to positively secure workers' interests, including the right to retirement, the right to pension, the right to decent work, and the right to free time and leisure. Animals, too, have such positive interests, which is why scholars specializing in this area have demanded such rights for animals, as well (Coulter, 2016, p. 159; Cochrane, 2016, 2020; Donaldson & Kymlicka, 2011, pp. 101 ff., 153 ff., 140; Shaw, 2018).

Post work: The ILO's definition of decent work as necessarily "productive" work shows its preoccupation with productivism and consumption, which we now know results in unchecked environmental, social, economic, and political harms. A "post-work society" would move beyond economic production and its resultant extractivist and socially harmful practices. It would "disincentivize work for work's sake, distribute necessary work more fairly,

[23] For a recent review of the precarious and oppressive work conditions of animals in tourism, see Rickly & Kline (2021).

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reduce environmentally damaging patterns of production and consumption" (Donaldson & Kymlicka, 2020, p. 221). Visions of a post-work world also have positive dimensions, nudging us to imagine a world that centers on "the reproduction of our shared social world and natural environment" (Donaldson & Kymlicka, 2020, p. 221). In this world, "(w)e do not meet each other solely in the role of contributors exchanging goods and services. We meet each other as members of a society, committed to creating and perpetuating a co-operative community together" (Donaldson & Kymlicka, 2020, p. 224). Donaldson and Kymlicka argue that shifting towards a post-work society may be essential to overcome the abjection of animals, since it removes the stain or stigma associated with dependency.[24]

The above categories along the axis from unfreedom to freedom are not clear-cut and they are not always readily identifiable. Rather, they are messy, can emerge and disappear gradually, are unstable, and can overlap. One may experience different degrees of freedom and unfreedom at different stages: at the point of entry into a work relationship (e.g., being sold, born, coerced, compelled, or deceived into the work situation), during the work relationship (e.g., the terms and conditions of the current work situation may be onerous, significantly harm the well-being of the worker, or violate her or his legal rights), or at exit (e.g., one is not free to exit the current work situation or enter into an alternative) (Lerche, 2007; Morgan & Olsen, 2015; Strauss, 2012, p. 139). It is therefore possible to enter work on free terms but the relationship takes on coercive dimensions over time (or perhaps vice versa).

What's important for our purposes is that the continuum helps us think through our normative understanding of what good/free work is and how to work toward this goal. By combining the proscription of certain work-related harms and wrongs (prohibitions, freedom rights, elements of abolition etc.) with support for the positive values of work (claim rights, institutional guarantees, procedural rights etc.), the continuum helps us see how animal labour can indeed be part of a "constructivist project" where the world can be built anew (Guha-Majumdar, p. 24). To date, society has been understood as comprising human members only – ignoring the fact that billions of animals live among us and are working hard for it to flourish. They contribute significantly to its social fabric, community building, our personal happiness, and economic success, and accordingly, have a right to work (and not to work!) in freedom as part of this shared multispecies society. Wherever animals are

[24] To return to Guha-Majumdar's terminology, Donaldson and Kymlicka (2020) can be read as saying that while decent work could eliminate the exploitation of animals in the political economy, only a post-work society can address the abjection of animals in the libidinal economy.

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on this continuum, we should strive, in unison with them, to move them toward the freer endpoint of the axis.

Sequencing and Transitions

This in turn raises the question of transitions and sequencing, which form the core of Niesen's commentary. Looking at the continuum helps clarify the scope of the challenge. Virtually all existing forms of animal labour in our society are at the far left of the scale, involving coercion and commodification, whereas our normative goal is strongly to the right of the scale, aiming not just for minimal labour standards, but for free labour that affirms the subjectivity and membership of animals. Where do we start in addressing this challenge?

We agree with Niesen that the priority should be on farmed animals who make up the majority of animals directly exploited by humans, and who are overwhelmingly found on the furthest left side of the continuum. However, we disagree about how to analyze their case. Niesen helpfully suggests we distinguish between three types of rights in this context:

- *natural rights* (i.e., universal basic rights) protect the most fundamental interests of rights-bearing subjects (based on sentience) and apply regardless of any work relationship (e.g., rights to bodily integrity);
- *presuppositional rights* identify the preconditions for acceptable practices to arise (e.g., without consent, a legitimate work relationship cannot arise); and
- *derived rights* flow from participation in a work relationship (e.g., a right to a fair return on one's labour).

This is indeed a useful taxonomy. Many of the core labour rights enshrined in international law can be seen as presuppositional rights, determining the broader conditions under which a work relationship is acceptable. Such core labour standards include the elimination of all forms of forced and compulsory labour (ILO Conventions 29 & 105), the abolition of the worst forms of child labour (ILO Conventions 138 & 182), freedom of association and effective recognition of the right to collective bargaining (ILO Conventions 87 & 98), and the elimination of discrimination in respect of employment and occupation (ILO Conventions 100 & 111). Derived rights arise within such acceptable relations, and include the "functional equivalent of a decent life wage, workplace safety rights, welfare rights such as health insurance, a pension scheme, but also industrial representation vis-a-vis farmers, and an immediate and obvious link to political membership and its entitlements" (Niesen, p. 31).

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As Niesen notes, in the human case, commentators typically assume that the three sets of rights should be established in sequence: we first guarantee people's basic universal human rights, then we secure the presuppositional rights that make it possible for them to enter legitimate work relations; and then we seek to protect and enhance their derived rights as workers. He suggests that our volume implicitly presupposes a similar sequence for animals: first we guarantee universal rights for sentient animals (including the abolition of property status), then we secure the presuppositional rights for domesticated animals that would be required for legitimate work relationships to arise (including the recognition of their rights to membership and co-authorship of a shared society), and then we work to enhance their derived rights as workers (including a living wage and pensions).

Niesen is skeptical that it is necessary or desirable to follow this sequence in the animal case. He suggests that insisting on natural and presuppositional rights for animals will condemn the argument to political futility, since it offers nothing to farmers (p. 4). He suggests starting instead from derived rights, and then building out from there, if and as a political will to do so develops. In effect, Niesen argues that we are subverting our own LRTT. If the LRTT is to be effective, he argues, we should start with derived rights – that is, with the specific rights that animals have *qua* workers – and then hope that this will over time generate political support for basic and presuppositional rights. Otherwise, our argument will only appeal to those who are already convinced of animal rights (and hence whose views don't need "transformation" in the first place).

This is an important question, and we don't mean to make any definitive pronouncements about the right sequencing. It may indeed be possible to jump-start processes of societal transformation by focusing on derived rights. However, if we pursue this strategy, it is important to be aware of how easily it can subvert, rather than promote, transformation. Consider Niesen's argument that even if animals lack presuppositional rights and hence are forced to work, welfare provisions for them can and should be seen as "not alms, but returns" (p. 28), which he takes to be a potentially transformative way of thinking about their treatment. Certainly, they are not alms, but calling them "returns" need not be transformative. Nearly every action to keep exploited subjects alive can be called a "return" (e.g. shelter offered to imprisoned people, a bed to sleep on for trafficked people, food for the enslaved etc.). The language of "returns" implies a level of reciprocity or voluntary cooperation that may be entirely lacking, and may lead to complacency rather than transformation.

Niesen arguably falls into this trap when he describes farmed animals forced to work and then killed as "contributors to social cooperation" (Niesen, p. 31), resulting in precisely the sort of "labour-washing" (Niesen, p. 26) that we need to avoid. From Niesen's previous

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work (e.g., 2020), it is clear that this is not his goal or intention. But it reflects a chronic risk with an opportunistic prioritization of narrowly welfarist derived rights. This may be a tempting "low-hanging fruit" strategy, but we have little evidence to date that such welfarist reforms generate transformative change for animals.

Part of the disagreement here, perhaps, is that Niesen thinks that derived rights will help generate a more "Durkheimian" or "systemic" perspective of society as a potentially fair system of interspecies cooperation (p. 30), which he thinks is missing when we just focus on the ethics of dyadic interactions. We fully agree that it is essential to think of society in these Durkheimian terms, and to think about working animals' "structural and abstract contribution to an overall functioning and thriving society" (Niesen, p. 30). But we would argue that the crucial step towards this Durkheimian view is the recognition of animals' *membership rights*, which in Niesen's typology are presuppositional rights, not derived rights. Indeed, we might reverse Niesen's argument. Without presuppositional membership rights, derived rights are likely to be seen as simply an ethics of dyadic interactions – a matter of whether a farmer treats her animals "humanely" – and not as an expression of Durkheimian solidarity amongst members of a shared society.

Work vs. Labour; Animality vs. Humanity

Clearly there are deep and unresolved questions here, both about our normative goals with respect to animal labour and about the best strategies and sequencing for achieving them. We hope our volume will stimulate much-needed further research on these questions. And this in turn raises the final issue we wish to discuss: namely, in thinking through these normative and strategic questions, is it necessary or helpful to distinguish "work" and "labour"?

As Rossello notes, "work" and "labour" are used interchangeably in the book (Rossello, p. 9), unlike in the Arendtian tradition that draws a sharp distinction between the two. According to Arendt, "labour" revolves around the sustenance of life itself, cyclical, repetitive, and utterly worldly; whereas through "work," individuals elevate themselves above nature, bringing "natality" or new things into the world, creating artifacts that endure over time, and that become the focus of collective political agency. The authors in our volume do not draw this distinction. We should note that this was not a deliberate decision of the editors: we left authors free to decide for themselves whether or how they wanted to draw such a distinction. But it is interesting and perhaps revealing that none of our authors found it necessary or helpful to distinguish work and labour.

Is this a problem? Should we have distinguished work and labour?

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In our view, Arendt's distinction obscures rather than illuminates the ethical and political challenges we face. As we discussed earlier, there are certainly important distinctions to draw amongst different kinds of labour – including the extent to which labour is free or forced, exalted or abjected, imposed or co-authored – but these do not map onto Arendt's distinction between labour and work. In fact, we would argue that Arendt's commitment to distinguish labour from work is an expression of her human supremacism. By human supremacism, we mean not just the view that humans are superior to animals – since most political philosophers have endorsed that – but more specifically, that what makes a human life and a human society valuable is how far it has risen above animality. Value and worth and dignity are defined through their distance from animality. This means that any kind of activity that animals engage in cannot be a source of human worth or dignity. And so, predictably, Arendt distinguishes merely (animal) "labour" from truly (human) "work": the former involves the brutish repetition of natural cycles, whereas work is "history-initiating" – it involves "natality," or bringing something new into the world. And since the aim of politics is to enable humans to distinguish ourselves from animality, merely animal labour needs to be kept at bay outside of politics. In sum, for Arendt, any credible argument for free/good work for humans must necessarily be defined against animals. This is a prime illustration of Guha-Majumdar's observation that animality all-too-often serves as a "negative referent for freedom" to "ensure humanity's superior status" (Guha-Majumdar, p. 20).

In our view, this Arendtian approach is deeply problematic. There is no reason whatsoever to assume that the value or dignity of a human life is measured by its distance from animality. Moreover, as with all such forms of human supremacism, this approach not only denigrates animals but creates internal hierarchies amongst humans. After all, for Arendt, not all humans are equally capable of truly human work. Just as we need to keep animals out of the politics, so too Arendt argues we need to keep children out of politics. Their forms of labour and play are too close to animality. Children, for Arendt, may be examples of biological natality, but they are not capable of political natality, and so have no place in politics. (She says children "have neither the ability nor the right to establish a public opinion of their own" [Arendt, 1959, p. 56]). And commentators have argued that Arendt's framework easily leads to the political exclusion of other groups who have been positioned as closer to animality, such as Indigenous peoples or people with disabilities (Rollo, 2020).

Now it's clear that Rossello is not endorsing this sort of human supremacism. On the contrary, he has written brilliant critiques of this sort of "species aristocracy" (Rossello, 2017). He has also written thoughtfully on how themes from Arendt's political thought (such as the performativity of politics) can be recuperated to serve animal politics (Rossello, 2021).

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But in our view, recuperating Arendt to serve animal politics requires dropping the dichotomy between work and labour. We certainly want to be able to distinguish various forms of labour – free labour versus forced labour; alienating versus non-alienating labour; self-affirming versus self-effacing labour; socially recognized vs socially invisible labour; care labour versus productive labour – but none of these are illuminated by a hierarchical distinction between the "cyclical labour of social reproduction" and "history-initiating work of political natality." What Arendt describes as "labour" is never merely cyclical, and what she describes as "work" is never purely natal. The two are always already intertwined, and valorizing work over labour is almost always a pretext for privileging the forms of reproduction/natality associated with some groups, while denigrating the forms of reproduction/natality associated with other groups.

Digging a bit deeper, why did Arendt believe that this distinction between the "human" and "animal" was necessary? Why did she believe it necessary to anchor "animality" as the lowest place of moral and political worthiness? We might consider here the related debate over Marx's humanist account of labour. A reading of supplementary materials suggests that Marx's humanist legacy was not necessarily intended to withhold recognition of animals as workers. The prime motivation was to argue for decent work for humans, for which Marx considered the construction and denigration of animality necessary. Consider in this respect Marx's famous passage on bees:

> We presuppose labour in a form that stamps it as exclusively human. A spider conducts operations that resemble those of a weaver and a bee puts to shame many an architect in the construction of her cells. But what distinguishes the worst architect from the best of bees is this, that the architect raises his structure in imagination before he erects it in reality. At the end of every labour process we get a result that existed in the imagination of the labourer at its commencement. He not only effects a change of form in the material on which he works, but he also realizes purpose. (Marx, 1967, pp.177-178).

As David Harvey suggests, the reference to bees, though appearing to primarily degrade what animals do, had a hidden purpose. Marx was apparently referring to Mandeville's Fable of the Bees (1714), which developed (and criticized) the idea that society could only prosper if workers remained poor and deprived of any knowledge and capacity to resist. Marx's concept of human labour sought to break with "this idea of the ignoble and degraded status of a 'worker bee' under capitalism" (Harvey, 2000, p. 201). This is an important piece of the puzzle, because it shows that his main objective was not to degrade and deprecate animals' way of living and being. Instead, constructing anthropologic difference through labour seemed necessary for Marx to develop a fully-fledged argument for

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decent and dignified ways of living and being for humans. The same, we must assume, is what motivated Arendt as she developed vita activa. Denigrating animality therefore was a means to humanize labour.

Today, however, we now know that denigrating animals is not necessary, and indeed is counterproductive, to usher in a world of good, decent, dignified, and free labour even for humans (Kymlicka, 2017). Research shows that emphasizing species hierarchy undermines rather than secures respect for humanity: it creates internal hierarchies amongst humans, causes dehumanization of human outgroups, and paves the way for violence (Costello & Hodson, 2010). Research into dehumanization also shows that flattening species hierarchy benefits both human outgroups and animals. Factual information that emphasizes how much "animals are like us" (versus emphasizing that some humans are similar to animals) facilitates inclusive intergroup representations and increases empathy, leading to less prejudicial attitudes toward human outgroups (Costello & Hodson, 2010, pp. 3, 15). This, in turn, leads to more beneficial attitudes toward animals, as well (Park & Valentino, 2019, p. 63).

In previous centuries, it may have seemed legitimate and essential to defend the freedom and dignity of human workers on the backs of animals. Distinctions between (truly human) work and (merely animal) labour might have made sense in this context. But today, they have outlived their usefulness. We need to accept that we too are animals, and that good work is work that affirms rather than suppresses our animality. Otherwise, we will be permanently stuck in a situation where, as Guha-Majumdar puts it: "Labor's dignity depends on the indignity of whatever it means to be animal or slave labor, and so 'animal labor' would be an oxymoron: whatever concrete activity captive beings do, it is simply something else" (Guha-Majumdar, p. 21).

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