

Federico Zuolo: *Animals, Political Liberalism and Public Reason*

Cham, Switzerland: Palgrave Macmillan, 2020. Hardback (ISBN-13: 9783030495084). €88,39. 280 + xiii pp.

Federico Zuolo's *Animals, Political Liberalism and Public Reason* is a distinctive addition to the “political turn in animal rights” literature.¹ In line with that literature, it engages issues of animal treatment from a liberal political perspective. In contrast, it focuses on matters of liberal *legitimacy* rather than liberal *justice*. Zuolo aims to convince animal ethicists, especially those with a political emphasis, to take disagreement about the moral treatment of animals seriously in both their theorizing and policy prescriptions (2). More controversially, he aims to show that, when we take disagreement seriously, this leads to a revisionary, but not revolutionary, approach to animal policy (6). As such, Zuolo's work functions both as critique of the existing animal politics literature and a distinctive theory of animal politics.

The book is divided into three parts, which Zuolo labels as the “epistemology” (Chs. 2-3), “ethical normativity” (Chs. 4-5), and “politics” (Chs. 6-7) of disagreement about animals (7). Part 1 makes the case for public justification [Ch. 2] and presents Zuolo's “hybrid theory” of public justification [Ch. 3]. The case for public justification follows from the existence of *reasonable disagreement* about the moral treatment of animals and commitment to the liberal principle of legitimacy, according to which “all coercive laws must in principle be justifiable to all those who are subjected to [them]” (67). Chapter 2 is of particular interest given its engagement with the epistemic disagreement literature to justify reasonable disagreement, the existence of which is typically taken for granted among political liberals.

¹ For the sake of brevity, I will refer to the “political turn in animal rights” literature simply as “animal politics” literature.

Zuolo’s “hybrid theory” of public justification helps us determine which views are “publicly admissible” (88) – that is, which must be considered in the procedure – and how to process those views to output publicly justified principles that then guide political decisions (90). Publicly admissible views must meet two criteria: The *Formal Epistemic Norm* (FEN) excludes views that violate basic laws of logic or fail to treat like cases alike and the *Substantive Epistemic Norm* (SEN) excludes views that are not “compatible with the findings of science”, with a particular emphasis on evolutionary biology (88). The main upshot of these criteria, found in chapter 4, is to exclude from the list of “publicly admissible views” any view that wholly denies the moral relevance of animal interests.

Zuolo’s theory is a “hybrid” because it adopts both a *neutrality* condition – a principle must be supported by reasons acceptable to everyone no matter their view on animals – and an *inclusiveness* condition – the principle must also be supported by reasons emanating from each particular view on animals. In Chapter 5, Zuolo argues that the *only* conclusively justified principle of animal treatment – that is the only one supported by both neutral and inclusive reasons - is that “We ought to minimize animal suffering in interactions with human beings as much as reasonably possible” (211). No other welfare principle, and no life- or liberty-related principle is conclusively justified. This conclusion is in stark contrast to much of the animal politics literature, which typically embraces much stronger consideration of animals as a matter of justice.

Importantly, for each type of interest - life [§5.3], liberty [§5.2], and welfare [§5.4] – it is typically only the most extreme principles (at either end) that are *unjustified*, while others are simply not conclusively justified. Following some of the existing public justification literature, Zuolo suggests that those principles which are not conclusively *unjustified* may be selected as policy guides via democratic procedures [§5.5]. However, the moderate welfare principle functions more like a constitutional right, as something above democratic politics.

According to Zuolo, two liberty-related principles are eligible for democratic selection: the restriction of human-animal relations to those that are “mutually beneficial” and “provide animals with good life chances”; and a less strict one that requires human-animal relations to respect certain constraints rooted in the animals’ nature and welfare (191-2). Similarly, two life-related principles are considered eligible: we ought not kill animals for any reason, and we ought only to kill animals for “important human purposes” (197-203). These eligible principles, in every case, tend to represent a sort of compromise between extreme positions, while the extreme positions themselves are ruled out. In this way, the public justification procedure mirrors the practice of political compromise, a feature Zuolo discusses later [§5.7].

Chapters 6 and 7 turn to more “downstream” questions: how to address unlawful action in defense of animals [Ch. 6] and the public justification of specific animal policies [Ch. 7]. Chapter 6 makes the case that civil disobedience is permissible, since it often serves a politically communicative function, while animal rescue and sabotage are impermissible. It is the short concluding chapter which offers potentially more interesting conclusions but also highlights an issue with Zuolo’s theory. Here, Zuolo applies his procedure to the genetic engineering of animals, recreational hunting, and zoos. While the arguments in this section are (by Zuolo’s own admission) skimpy, what is of critical interest is that the approach deployed contrasts with the theory we were given earlier in the book.

In presenting his framework, Zuolo tells us that *views* are inputs and *principles* are outputs of the procedure. Two related issues arise: First, principles are too abstract and open to interpretation to be the basis of meaningful agreement. This is evidenced in Zuolo’s arguments in Chapter 5, for many of his arguments turn on interpreting the principle in one way rather than another for no obvious reason. Second, the turn to democratic procedures to decide among inconclusively justified options does not make sense if we are selecting principles. Democratic procedures are used to select among

rules (or laws more precisely), partly because of the vagueness of principles but also just because of the (socio-historical) nature of such procedures. This is why most political liberals have focused on the justifications of *social-moral rules* or *laws* rather than principles.

Zuolo's focus on specific policies in the conclusion suggests a recognition that his theory of public justification is flawed. For had he applied it consistently here, the basis for determining whether recreational hunting should be outlawed would be its fit with the publicly justified principles, not the "publicly admissible views on animals" directly. Thus, whereas he does directly appeal to the views surveyed in chapter 4 to make recommendations about hunting, his own theory suggests he should have been appealing to something like the welfare principle he argued was publicly justified. Nevertheless, the application of the views on animals directly to the question of policy is certainly more determinate and helpful. This evidences a need to revise the theory of public justification to focus on different outputs. And so, here we can note that Zuolo has provided the first substantial engagement with political legitimacy and public justification in the context of animal political philosophy, and for that reason his work deserves consideration. However, given the theoretical and argumentative difficulties discussed, we should hope that his is not the last word on the matter.