

Expressed Will to Exercise Practical Autonomy in Mink: An animal-based-interest approach for banning fur farming in the EU

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I - An animal-interest-based case against the welfare-based approach

This section explores:

- Analyzing interests mink interests from different abnormal behaviors
- Why study mink behavior, stereotypies and perseverance?
- The (im)possibility to establish sufficient welfare standards

Analyzing interests mink interests from different abnormal behaviors

Introduction to prevailing motivations behind behavior

What: The proposed research will analyze and compare the different forms of abnormal behavior in mink both as animal welfare indicators and expressions of other higher-scoring interest, to evaluate which scientific approach should motivate legislation.

That is, comparing the following two options to reasoning for the fur farming ban:

- 1) The impossibility to establish sufficient animal welfare standards under which *normal behavior* could occur;
or the alternative proposal to take minks expressed hierarchy of interests into account:
- 2) The impossibility to modify the interest and willfulness of mink to exercise their *practical autonomy*.

How: What is to be removed, the *cause* of frustration from captivity or the *consequence*, i.e stereotypes?

- **Teleological** or Interest-scaling understanding: Goal-oriented, interest-based, recognizes cognitive capabilities for perseverative scapatory behavior.

- **Functionalist** or Welfare-reductionist understanding: Relief-directed, impulse-based, animals trapped in their emotions.

Why study mink?

- Caged mink have been found to 1) portray a high number of stereotypes and 2) that these differed between individuals (e.g. De Jonge *et al.*, 1986; Hansen, 1989).
- Wild species bred in captivity for only 80 - 120 generations (Heller, 1989 upd.).
- Selective breeding, but for more profitable fur characteristics, rather than for an ability to survive confinement (McMillan, 2020).
- Very explicitly expressive of emotions like fear, anxiety and anger (Malmkvist & Hansen, 2002).
- Mink are by far the most farmed species for fur production in the EU.
- National public opinion polls and fur farming bans.
- European Citizens' Initiative *Fur Free Europe*.

https://europa.eu/citizens-initiative/initiatives/details/2022/000002_en



II - Understanding the hierarchy of interests from behavior

This section explores:

- A. Stereotypical behavior v Perseverative behavior
 - Forms and causes
 - Defining stereotypical and perseverative behavior 'units':
 - 1) Pacing, circling, '&' vs 2) rubbing, biting
- B. Impulse- and interest- based eliciting/emitting functions
 - Stereotypes as animal welfare indicators
 - Perseveration as indicators of higher-scoring motivations in their interest scale

Behavior, stereotypes and perseverance

- **Behavior** can be defined as a compound of elements or ‘behavioral units’ which reveal interest and the different mechanisms to pursuit thereof. Flexible, self-initiated and voluntary acts are considered normal behavior.
 - In captivity, due to a confined environment and a deprivation of the exercise of their own will, abnormal behavior often arises. (Ref. 13)
 - A.- **Stereotypical behavior** is the set of elicited ‘movement units’ normally expressed in sequences of abnormal repetitive movements. They follow three conditions, they are:
 - 1) Repetitive, 2) Unvarying and 3) have no obvious function (Ref.14)
 - B.- **Perseverative behavior** is defined as more flexible and adaptation abnormal behavior, but the two main differences from stereotypes being:
 - 1) There is a function, the pursuit of a goal that becomes of high-interest 2) Behavior which represents a restriction of behavioral possibilities without excessive production (Ref. 15)



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Mechanics of eliciting and emitting functions

Intentions are interests being manifested through behavior (Rummel, 1972)

- ❖ 1.- Input/internal: Sensorial impulse originating from the Central Nervous System (CNS), which, depending on the mental state, disposition and *capabilities* of the individual for goal-attainment (interest consummation) might develop into:
- ❖ 2.- Output/External: Motor act expressed through movements similar to natural movements or abnormal behavior, that is, in stereotypes.



From **impression**

To **expression**

Interest is constituted in individuals as a product of:

1) Concrete mental situation 2) species-specific biological needs; and 3) the environmental conditions they find themselves in —which may or may not —enable the consummation of interests through action.

Interest (recognition) - Intentionality (disposition) - Attempting (first purposive action) - Failed interest consummation (frustration) - Perseverative behavior (self-aggression).

Movements repeated often enough can develop into central control establishment (Meyer-Holzapfel, 1968; Stoba et al., 1983).

Perceptive consciousness (Natsoulas, 1974; Griffin, 1992).

Stereotypical behavior and Perseverative behavior

Forms and causes

Pacing x5, 14s



Circling x22, 22s



Rubbing x31, 9s



Biting x3, 11s



Stereotypes

- Stereotypes or ‘unit movements’ (Fox, 1971) of behavior can be defined as:

The excessive production of one motor act, or mental state, which necessarily results in repetition (RM Ridley 1994).

Stereotypes are 1) Repetitive, 2) Unvarying and 3) Have no apparent function (Fox, 1965; Hutt & Hutt, 1970; Ödberg, 1978; Wiepkema et al., 1983).

Two main categories for grouping them:

1.- Form (Mason & Turner, 1993):

- + Longitudinal stereotypes
- + Stationary stereotypes

2.- Cause (Hinde, 1962):

- + Confinement stereotypes
- + Deprivation stereotypes



‘&’ x25, 40s



Perseverance

A restriction of choices of action such that behavior is repetitive but not excessive (Stein, 1998).

In contrast to stereotypical behavior, perseverative behavior 1) does have a function, so it is 2) not excessive

* Development along with other stereotypies that are not related to scapatory behavior: pacing (longitudinal), circling and ‘&’ (stationary) movements.

Interest - Will - Performance - Encounter deprivatory environment - Behavior not terminated - Frustration - Perseverative stereotypes - CNS fixation:



Mink have been observed to perform perseverative behavior even when the goal-attainment attempting causes harm. Foto credit: Tu Abrigo Su Vida® | 2021©

III - From expressed interests to rights

This section explores:

- Practical autonomy
- A Teleological- instead of Functionalist -account to banning mink farming
- Benefits & disadvantages: Welfare- vs Autonomy-based approaches
- Conclusions

Practical autonomy

This key concept can be understood as:

“The three-part test for practical autonomy asks whether the animal 1) can desire something; 2) can intentionally act to fulfill those desires; and 3) knows that it's he, the animal, who is doing the desiring and the acting” (Wise, 2003).

Uses in theory and practice:

- Teleological account: This view allows some cognitive capabilities to other animals, assuming that behavior can also be interest-based and goal-oriented. Furthermore, it acknowledges the possibility of voluntary behavior adaptation to satisfy interests, by using both memory and imagination.
- Functionalist account: This approach limits behavior to the existence of a stimulus that produces a response, assuming that an stimulus that produces pain will impulse-based and relief-oriented.

Which theoretical arguments should then be employed as basis for banning fur farming?

1.- **Animal welfare-based**, to eliminate stereotypes, which impede them from expressing *normal behavior*; that is, from expressing their frustration;

or the alternative proposal to take minks expressed hierarchy of interests into account:

2.- **Animal interest-based**, to eliminate of the deprivatory environments that impedes them from exercising their *practical autonomy*; that is, from attaining their highest-scoring motivation.

Benefits and disadvantages of each

	Functionalist account - Animal welfare based	Teleological account - Animal interest based
Advantages	<ul style="list-style-type: none"> - A very known concept legally, politically and socially - Already used by juries, MPs, media framing operators and scholars - Great for improving consumer and corporate (legitimacy + tech/productivity) protection - One of the key elements of ‘The Brussels Effect’ and EU’s regulatory capacity for unilateral market policy-making by setting mirror-clauses in import standards 	<ul style="list-style-type: none"> - Remained widely unused - Opportunity to build rhetorical precedence - Legislative wording that might also be used in strategic litigation for wild animals in captivity - Applicable to all species where systematic behavior analysis can explain that ‘unit’ elements of behavior constitute the interest of the animal (in exercising their practical autonomy)
Disadvantages	<ul style="list-style-type: none"> - Goes directly against animal interests, which are not limited to reducing damage suffering and pursuing happiness through normal behavior - Reinforces the human-animal (un)consented forms of exploitative relationships - A never-ending, unfinishable project 	<ul style="list-style-type: none"> - Preliminarily limited reference to wild species in captivity. - Dependent on scientific advancements on animal communication and species- and individual- specific analysis - A proposal for long-term fundamental freedom rights granting

A Teleological account over a Functionalist basis to banning mink farming in the EU

Why?

Animals have been shown to lose or de-prioritize interest in having their welfare standards risen to achieve normal behavior, but they do signal interest and predisposition to exercise practical autonomy, even if mink self-damages in the process of consummating behavior.

Conclusions

Animal welfare assessment protocols for mink labelling are being promoted by the industry itself, and even inside the Parliament. The most notorious example being the WelFur certificate.

The main criticism it has received from ethologists and clinical animal welfare veterinarians is that individual welfare surveillance can never be met considering the enormous amounts of numbers by which mink are bred.

This impossibility to preserve individual animal welfare is a good premise, but does not fully explain the actual interests of mink in captivity. In fact, the observed prioritization of their interest in attaining autonomy above all else, including their own bodily integrity, comes to say that the EU shouldn't ban the activity on a welfare basis.

But rather because their willfulness to exercise their practical autonomy, which is being frustrated by the captivity.



¡THANK YOU!