The idea of domination continues to play a central role in the criticism of unjust power relations. Here, I will argue against recent attempts to build moral or normative concepts into a definition of domination. Moralized conceptions of domination build assessments of what is right or wrong or just or unjust into their definitions. Suppose we define domination as the power to prevent someone from getting what they’re justly entitled to. Saying as much enmeshes a theory of domination in considerations of what I’m justly entitled to—a moral question. Norm-dependent conceptions claim that domination essentially involves a claim to authority. For example, suppose we say that domination is power over the rules others will be forced to obey. Theories like this need not be moralized. This is because some norms are based on values other than ethical values: “Put the fork on the right side of the plate” depends on values native to etiquette rather than ethics. Also, the truth conditions of a norm-dependent theory are clearly different from those of moralized theories. The existence of norms is a matter of sociological or anthropological fact: “Thou shalt have no other gods before me” functions as a norm in some

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1 For a survey of recent work in applied political and ethical theory, with accompanying references, see the 5th section of the Stanford Encyclopedia’s entry on Domination, “Domination and Applied Ethics”.
social groups even if nobody ever had any moral obligations at all, much less an obligation to avoid idolatry.²

In what follows, I'll first give a brief sketch of my favored non-moralized and norm-independent theory of domination (§1). Then, in §2, I'll argue that a power to break moral rules, even with impunity, doesn’t always add up to domination; and when it does, it’s because of asymmetric power relations we can describe without moralization. In §3, I turn to Henry Richardson’s norm-dependent conception. Here, I’ll show that there are clear instances of domination without any apparent claim to normative authority. Finally, in §4, I'll show how keeping domination separate from claims to normative authority allows us to make an important distinction between domination as such and the strategies agents use to stabilize and maintain dominating power relations.

§1 What’s wrong with moralized and/or norm-dependent theories shows us something about what’s right with non-moralized/norm-independent theories: or so I will argue. And what would a non-moralized/norm-independent theory look like? There are a handful of competitors—the most famous of which come from

² I don’t have a worked-out theory of what it takes for norms to exist, but it would surprise me if much more was required for the existence of a norm than that a social group believes and acts like it exists.
contemporary republicans\(^3\) and define domination as a kind of discretionary choice interference in the context of asymmetric power relations. Moralized and/or norm-dependent theories are sometimes motivated by over-generalization problems with republican theories like Pettit’s. This overgeneralization often involves what McCammon (2015) calls “cheap domination”. If domination is just any kind of discretionary or uncontrolled power to worsen choice situations, domination is ubiquitous and fairly trivial. If I can get to the last piece of cake before you, I seem to have a power to worsen your choice situation according to my whims, but I hardly dominate you.

I prefer theories that identify \(A\)'s domination of \(B\) with what \(A\) can do to penalize \(B\)'s resistance to \(A\). When \(A\) dominates \(B\), \(A\) has a deliberatively isolated, low-cost capacity\(^4\) to attach severe

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\(^4\) I'm inclined to fold most of what republican and republican-inflected theories call the “arbitrary” or “discretionary” element of dominating power, into what McCammon calls “deliberative isolation”. \(A\)'s power is deliberatively isolated to the extent that \(A\) alone decides how to use it. Even so, McCammon’s discussion of deliberative isolation is misleading. He suggests that we first discover what kind of power you have, and then discern the degree to which you alone get to decide how to wield that power. (Speaking here only of domination by a single agent; McCammon introduces an adjusted vocabulary for domination by groups.) That you have deliberatively isolated power—e.g. power “without accountability to any other sense of practical reason” (2015: 1057)—tells us something about your power itself and not merely about how that power is wielded. All social power is socially situated; i.e. it is constituted in part by the relations we stand in to other agents in our social world. If \(A\) can penalize \(B\)'s non-cooperation in “deliberative isolation”, that is because \(B\) (or some third party acting on \(B\)'s behalf) cannot attach costs to
penalties to B’s non-cooperation with A, so that B’s non-cooperation with A is almost always costlier for B than cooperation. At the very least, a power to make non-cooperation with my will worse than cooperation (e.g. by firing you, at will, from the only job you can get) across wide variation in possible forms of cooperation, counts as a more serious threat to your social standing than the mere capacity to interfere with your choices. This is because another agent’s uncontrolled ability to interfere with your choices, especially in “cheap domination” cases, doesn’t tell us much about that agent’s control over you.

§2 If you think domination is morally serious, it makes sense to moralize your account of domination. Paradigmatic dominators—slave masters and patriarchs and tyrants—represent moral horrors. In this light, Victoria Costa’s (2007, 298) suggestion that we identify domination with the power to break moral rules with impunity is

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A’s deployment of penalties; A has a “low-cost capacity” to penalize. This is important, because otherwise empowered parties could avoid deliberative isolation, and so domination, merely by consulting the disempowered. McCammon (2015: 1047) explicitly wishes to avoid this result. How high must the cost be so that A no longer has a “low-cost capacity”? Generally, it must be high enough so that A will be motivated to accept the loss of what they hoped to get via B’s cooperation: e.g. if A can’t fire B without the loss of B’s very-hard-to-replace skill set, A will generally be motivated not to use the threat of firing to get B to work overtime: the cost of losing B’s skills will usually be more severe than the loss of what A hoped to get from B’s overtime work. See also Pansardi (2013).
attractive. Or, with Cecile Laborde (2013, 285) we might think of domination as an arbitrary power to compromise basic interests, where basic interests are moralized by reference to “what we have reason to value”.

Moralizing like this has its costs: odd verdicts about cases where someone can break lesser moral rules. Suppose I have a job I really like. I’m well compensated. My coworkers are great — except for this one guy, Ted. Ted is the CEO’s nephew. That’s the only reason he has the job. He regularly steals things from my desk: office supplies, knick-knacks—one day my whole lunch. I’ve complained up the chain, but the bosses let me know that “So long as Ted doesn’t steal anything really valuable, he’s untouchable.”

Now, Ted can break a moral rule with impunity. I have reason to care that someone not pilfer my personal property at will. But he doesn’t dominate me, right? He’s just really annoying. One way to see this is to notice that Ted probably can’t turn his permission to indulge in petty theft into real power over me. Suppose he says, “If you don’t do my laundry this week, well, you better keep an eye on

5 Costa (2007, 298). We need to add “with impunity” otherwise we’ll end up with an account that calls all wrongdoing domination. That’s implausible. A slave doesn’t dominate their master even if they have the power to spread a slanderous falsehood about the master (on the assumption that it would be wrong to do that—I tend to think slave masters pretty much deserve what they get).

6 I assume that not every moral rule is equally weighty: “Don’t murder people” is weightier than “Don’t cut in line”.


those bananas I see on your desk.” This is not much by way of social power.

The straightforward rejoinder is to say, “Well, power to indulge in petty theft isn’t the power to do serious wrong. That’s why it doesn’t dominate.” But then it seems like what’s doing the work isn’t the wrongdoing, but the fact that someone who can do me serious wrong without penalty can make my non-cooperation very costly. If you can beat me within an inch of my life, you obviously have power to do me wrong. But why is this power to do wrong suited to domination in a way Ted’s power is not? I think the most plausible answer is the way the former, rather than the latter, amounts to a penalty for my non-cooperation almost always costlier than cooperation, even when cooperation is very costly—working in your fields all day, every day, etc.

§3 Henry Richardson’s account of domination focuses on normative power: a purported power to create duties for others or alter their rights (2002, 34) rather than the power to violate moral rules. What’s a purported power to create duties? Think of the difference between you and the police. I have serious doubts about whether you or the police can create duties just by issuing commands.7 Whatever reason I have to comply with either of you is

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7 Read Alex Vitale’s *End of Policing* (2018) for context and support for this claim. I assume, of course, that you are not a cop. Now, if someone is beating their child
almost certainly a matter of prudence, not of duty or right. Even so, the dominant culture here in the United States looks to the police, and not to you, as a source of authoritative commands. The upshot, of course, is that the police have, as Richardson says, a purported power to create duties and alter rights, and you probably do not.

If Richardson is right, a claim to normative authority is part of domination’s essence. A roving band of kidnappers, Richardson says, have a discretionary power to interfere with choice, but they’re not dominators because they don’t interfere under “color of right”. Patriarchs, on the other hand, tend to believe that women have a duty to comply with their commands. Likewise, many slave masters certainly believed that disobedience from their slaves was a moral

and a police officer catches them and shouts “Stop that!” the abuser, of course, has every reason to comply. My claim here is just that this tells us nothing about whether or not the cop can create duties just by issuing commands. The abuser has a duty to stop beating their child regardless of what the officer shouts.

8 This is one reason why there are many, many TV shows and movies about the essential goodness and rectitude of the police, and almost certainly none about your essential goodness and rectitude.

9 Richardson is sometimes understood as thinking that domination involves just the bare claim to authority—the kind of claim you might make if you got very drunk and imagined you were a police officer. But I think Drunken You would have only an imagined power, not a purported power; or maybe a purported power is just something like a culture-wide imagined power.

10 Depending on how we fill out the details of cases like this, I suspect Richardson is right about the kidnappers. The mere capacity to kidnap isn’t enough to wield dominating power—but this isn’t because kidnappers don’t operate under color of right, it’s because kidnapping is a high-cost capacity in a decently organized society. By my lights, a roving band of kidnappers who faced no reprisals from the locals might, in fact, dominate them.
affront to their authority, and not just a clash of wills to be overcome.

Here’s the cost of Richardson’s approach: it gives empowered agents a strange kind of control over whether they dominate or not. Suppose slave masters in the American South stopped believing that slaves owed them obedience. Thereafter, they lost interest in racist ideologies and if slaves regarded them as sources of duties. Over time, imagine a culture-wide shift so that nobody, including the masters, thought masters have normative authority. Even so, the slaves are treated more or less the same. Masters demand cooperation, beating them and splitting their families when they don’t comply. As long as they comply, the masters don’t care if slaves think they have a duty to do so. They act more like mob bosses than traditional masters. If “the purported exercise of normative power” is “essential to the idea of domination” we’re forced to say that the masters’ abandonment of an ideology equals an abandonment of dominating power. Their re-conceptualization of their power becomes a way of losing it. I don’t see how that can be right. Think about it from the perspective of the slaves. Are they much closer to emancipation because their masters push them around by threat of brutal reprisals without bothering with who has a duty? That’s implausible. If the slaves had a domination complaint before the ideological shift, they still do.
Richardson is onto something: the slaves’ condition in our counterfactual history is improved. When the powerful believe you have an obligation to obey, you tend to end up worse off than if they just want your cooperation. When masters imagine they have normative authority, they tend to corrupt the mind as well as coerce the body. When masters care only that you cooperate, they are less likely to try and shape your conception of yourself into something reliably docile. I think this gets at what I think is an important difference between domination and other political evils. Not every attempt to control an agent is also an attempt to define that agent. Domination is a variety of control that may or may not seek to define those who are controlled. We might better identify the attempt to define the controlled as subordinate with oppression. Masters who don’t give a damn about whether they have normative authority may effectively control their slaves just by the specter of what will happen if they don’t cooperate; slaves with masters who think of themselves as normative authorities are often constructed by their masters—successfully or no—as a certain kind of agent: an agent who owes obedience to a superior.

That dominating social power funds illegitimate claims to normative authority is another excellent reason to believe it’s an injustice. Even so, the reason masters in our counterfactual history still dominate is because of the costs they can attach at will to the slave’s refusal to cooperate—a beating, imprisonment, killing,
breaking up of families. It will almost certainly make it easier for the master to dominate if he can convince his slaves that they have an obligation to obey—that’s why masters usually try to do exactly this—but this tells us something about how to maintain and stabilize relations of domination, not what domination is.

That the nature of domination itself should be separate from its uses, and from strategies for stabilizing domination, is important. One reason to think so is that strategies for resisting what I’ve described as domination are not the same as strategies for resisting the methods by which it is stabilized. The conditions of our freedom from a “deliberatively isolated, low-cost capacity to attach severe penalties to non-cooperation” are not the conditions of freedom from normative power. For example, when James Baldwin (1998, 229) tells us that “freedom is not something that anybody can be given” and that people are “as free as they want to be”, he—explicitly—does not have in mind the kind of freedom that increases as we decrease the capacity of other agents to penalize our non-cooperation. The freedom Baldwin calls us to is, among other things, freedom from the norms and narratives that give the sheen of authority to mere power. Achieving such freedom requires something different from equalizing power relations; it requires us to confront the ways we “remain attached to the terms of our subordination” and to ask “difficult questions of motivation, will, and desire” (Allen 2008, 10). Theoretical distance between domination and the political
evils of oppression and psychological subjugation reminds us that opposition to injustice is a fight on at least two fronts—against “at will” power to punish non-cooperation on the one hand, and against power to construct norms and narratives that, once accepted, make such punishments less necessary.

REFERENCES


