

Relations of Inferiority and Structural Domination

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Received: 31/03/2025

Accepted: 03/06/2025

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ABSTRACT This paper challenges the sharp opposition Niko Kolodny draws between relations of inferiority and neo-republican domination in his book *The Pecking Order: Social Hierarchy as a Philosophical Problem* (2023). I argue that if we adopt a structural account of domination, such as that proposed by Dorothea Gäddeke (2020), some of Kolodny's objections to neo-republicanism lose their force. Gäddeke's framework provides a way of articulating domination as neither "Will Universal" nor "Possibilist", since, in her view, the mere fact that any other person can interfere with you at any time and at will does not in itself constitute an instance of domination, unless it is based on a structural (robust) asymmetry of power. While this suggests a significant overlap between relations of inferiority and neo-republican domination, an important distinction remains: Gäddeke's structural domination is more apt in capturing claims against inferiority in the absence of an identifiable superior individual, what she calls instances of systematic disempowerment, which are crucial to understanding the wrongness of power asymmetries.

KEYWORDS Claims against inferiority; Social hierarchies; Neo-republicanism; Structural domination

RESUMO Este artigo questiona a oposição rígida que Niko Kolodny estabelece entre relações de inferioridade e dominação neo-republicana no seu livro *The Pecking Order: Social Hierarchy as a Philosophical Problem* (2023). Argumento que, se adoptarmos uma concepção estrutural de dominação, como a proposta por Dorothea Gäddeke (2020), algumas das objecções de Kolodny ao neo-republicanismo perdem força. O quadro teórico de Gäddeke permite articular a dominação como algo que não é nem "Vontade Universal" nem "Possibilista", uma vez que, na sua perspectiva, o mero facto de qualquer pessoa poder interferir contigo a qualquer momento e arbitrariamente não constitui, por si só, um caso de dominação, a menos que assente numa assimetria estrutural (robusta) de poder. Embora isto sugira uma sobreposição significativa entre relações de inferioridade e dominação neo-republicana, mantém-se uma distinção importante: a dominação estrutural de Gäddeke é mais adequada para captar reivindicações contra a inferioridade na ausência de um indivíduo superior identificável, aquilo a que ela chama casos de desempoderamento sistemático, que são cruciais para compreender o carácter injusto das assimetrias de poder.

PALAVRAS-CHAVE Reivindicações contra a inferioridade; hierarquias sociais; neo-republicanismo; dominação estrutural

Introduction

Texto In his seminal book *The Pecking Order: Social Hierarchy as a Philosophical Problem*, Niko Kolodny tackles the compelling and challenging issue of relations of inferiority by arguing that human beings generally have a shared claim against being “set beneath another in a social hierarchy” (2023, p. 3). The originality of this position is twofold. Firstly, Kolodny considers relations of inferiority as social problems that deserve investigation themselves, rather than as a means of perpetuating other evils, such as the unequal distribution of resources. Secondly, Kolodny’s reasoning is rooted in the interesting and relevant premise that there are some key “commonplace claims” that are related to the request every person has to others of not making her their or anyone else’s inferiors. These claims, however, remain unaddressed by prevailing perspectives within contemporary political philosophy, which instead rely on either “rights against invasion” or “interest in improvement” (2023, Chapter 1).¹ The starting point of the book is precisely that these frameworks cannot account for such commonplace complaints, such as the complaint against the hierarchical structure of the state, which cannot be explained otherwise than as a complaint against inferiority, that is, as a complaint having to do with social hierarchies.

According to Kolodny, a claim of this kind is a claim against standing in a relation of inferiority to another person, with his words, a claim “against being subordinated to another or set beneath them in a social hierarchy” (2023, p. 87). A compelling illustration of this claim is, of course, the claim of an enslaved person against her enslaver; indeed, Kolodny himself refers to the traditional case of slaves and masters to illustrate relations of inferiority. It is important to note that relations of inferiority are defined, first of all, as genuine relations, i.e., relations that involve either some interactions or co-membership in a common society. Secondly, they are relations among individuals, i.e., they involve natural persons, rather than artificial, collective or natural entities. Finally, they are characterized by unequal ranking, meaning that some persons stand above whereas others below. Moreover, the problem with such relations is that they entail asymmetries of power and/or authority, as well as disparities of regard, to the extent that “those who find themselves in the inferior

1 This distinction echoes the well-known dichotomy between negative and positive freedom by Isaiah Berlin (1969): wherein negative freedom is liberty from others’ interferences, while positive freedom is intended as liberty to one’s self-realization.

position [...] have claims against being in it" (2023, p. 97). However, as Kolodny rightly points out, not every relation of inferiority is objectionable: one might stand in a relation of inferiority with her teacher without necessarily having a claim against inferiority. What is objectionable are social hierarchies when untempered. The "tempering factors" outlined in chapter 5 include the episodic character of asymmetries in power and authority as well as disparities of regard that arise by chance and in one-off encounters. Furthermore, they encompass limitations of context, pertaining to those asymmetries that occur in a particular and circumscribed time and place (e.g., flight attendants and passengers), as well as limitations of content, concerning those asymmetries in which what can be done or commanded is constrained (e.g., teachers and students). Together with their escapability – that is to say, the possibility for exit from the power relationship – these are some of the tempering factors that serve to limit the wrongness of social hierarchies and constitute another crucial and original aspect of Kolodny's work. In sum, the underlying issue of the book is claims against inferiority and claims against inferiority are claims against untempered social hierarchies that entail asymmetries of power and/or authority, as well as disparities of regard.

It is evident that this issue found resonance with neo-republicanism, notably that strand of contemporary political philosophy, initiated by Philip Pettit (1997), which takes freedom as non-domination as its core idea. According to Pettit, freedom means not being subject to someone else's arbitrary power, and this is only possible if there are no asymmetrical power relations in which someone above has an uncontrolled capacity to interfere with someone below (Pettit 1997, 2012). In this sense, domination bears a striking resemblance to relations of inferiority. Kolodny himself acknowledges the resonance between his perspective and neo-republicanism. Nevertheless, he criticizes the concept of freedom as non-domination, deeming it to be an "unstable amalgam of rights against invasion and claims against inferiority" (2023, p. 7), and therefore considers neo-republicanism (as relational egalitarianism) to be unsuited to "clearly distinguish objections of social hierarchy from objections of other kinds" (2023, p. 4).

The aim of this paper is to show that the distinction between relations of inferiority and neo-republican domination is narrower than Kolodny contends. I argue that if we consider other accounts of non-domination, such as the structural one offered by Dorothea Gädeke (2020), some of Kolodny's objections weaken. Moreover, reference to Gädeke's structural account may actually improve Kolodny's understanding of rela-

tions of inferiority by giving voice to those claims against inferiority in the absence of an identifiable superior individual. Consequently, contrary to what Kolodny argues, neo-republicanism, at least in such an acceptance, may be well suited to account for claims against inferiority. Aside, perhaps, from concerns about conceptual overload, this is good news because it fosters constructive dialogues among scholars driven by similar concerns about injustice, and it allows neo-republicans to borrow crucial and original aspects of Kolodny's work, such as the "tempering factors" mentioned above.

The remaining of the paper is organized as follows. Section 1 addresses Kolodny's two main objections to neo-republican domination, by stressing how a structural account of domination can overcome them. Section 2 underlines a crucial difference between structural domination and relations of inferiority, by arguing that the latter is better suited to account for claims against inferiority in the absence of an identifiable superior individual. Section 3 concludes.

1. The overdemandiness of domination

Kolodny distinguishes relations of inferiority from neo-republican domination on a twofold ground: on the one hand, domination is narrower than relations of inferiority, while on the other, domination is broader (2023, Chapter 23). Domination is narrower for two main reasons: first, it consists only in asymmetries of power, rather than involving also disparities of regard, and second, it consists only in "the power to encroach, whereas relations of inferiority may consist in asymmetries of power of other kinds" (2023, p. 273). For the moment, let us set aside the initial reason (it will be examined in the subsequent section that the role of disparities of regard in Kolodny's account is ambiguous). Instead, let us direct our attention to the second reason. To explain this claim, Kolodny refers to the case of "Car Wash" (2023, p. 76), which exemplifies exploitative offers, such as a boss telling an employee "Unless you wash my car, you are fired" (2023, p. 76). Since Pettit's freedom as non-domination is based on the dominator's capacity to interfere with the dominated, and interference means "leaving someone's choices situation worse than they are entitled to from the interferer" (2023, p. 273), Kolodny states, freedom as non-domination cannot capture the wrongness of exploitative offers like the "Car Wash" case:

Boss's exploitative offer in Car Wash (Section 3.7) in no way interferes with Employee's choice. Boss does not invade Employee's body or property, and Boss does not leave Employee's choice situation worse than Employee is entitled to from Boss. And yet it seems like the sort of case that republicans would want to count as domination. Even by republicans' own lights, therefore, the official definition of the relevant sort of power, as a power to interfere in choice, seems too narrow (2023, p. 273).

Although I agree that the issue of exploitative offers is problematic for Pettit's account, the case of "Car Wash" does not seem to be so complicated. It seems to be more of a credible threat than an exploitative offer: the boss's statement "Unless you wash my car, you are fired" clearly worsens the employee's choice situation. Before such a statement, the employee has the option of keeping his job without washing the boss's car, while after the statement this option disappears. This looks like the familiar case of the mugger who points a gun at you and says: "Your money or your life". Whereas before you faced the mugger you had the option of keeping both your life and your money, afterwards this option disappears (your choice situation has been made worse). Both cases involve asymmetries of power: that of you vis-à-vis the mugger because of the gun (force), and that of the employee vis-à-vis the boss because of the firm's hierarchy (structure). It is this asymmetry that grounds both the mugger's and the boss's uncontrolled capacity to interfere, making both situations instances of domination in Pettit's view.

Kolodny is right, however, in saying that Pettit's account struggles to capture the wrongness of exploitative offers. Consider the case of an employer who offers an unemployed person a job with a very low salary and terrible working conditions. Of course, the job offer would improve the unemployed person's choice situation (before the unemployed person had no option to work and earn money, now he does), but still we might think that there is some kind of injustice going on, since the employer is using his superior (powerful) position to exploit the unemployed person's labor. Indeed, this is a case that Pettit's account hardly captures. According to Pettit, offers do not restrict one's set of options, but either expand it or make one option more likely than the others, plus they are refusable, therefore they do not stand as an instance of domination (Pettit, 2006). Moreover, in the employer-unemployed situation, there is not yet a power relationship (such as that between employer and employee) that allows the employer to have an

actual – in Pettit’s words, “ready to be exercised” (Pettit, 1996, p. 580) – capacity to interfere with the unemployed. Indeed, even if Pettit could concede that the economy itself influences the employer-unemployed relationship, this would simply open up the risk of domination, as for him structures lead to potential, rather than actual, domination (Gädeke, 2020).² Nevertheless, I am not sure that Kolodny’s view can account for this problem either. The employer and the unemployed may not yet be in a social hierarchy (as employers and employees are).³ Or at least not in an objectionable one, as their asymmetry of power might be limited by some of the “tempering factors” mentioned above, e.g., their encounter might be seen as a one-off encounter with some context and content limitations (the employer could not demand anything from the unemployed at any other time and place), as well as with some margin of escape (in principle, the unemployed can say no to the employer’s offer), and so on. Subsequently, we will examine how alternative accounts of domination can encompass such cases by accentuating the role of structure, thereby resolving some of Kolodny’s ambiguities in this regard.

Now let us turn to the second claim, namely that domination is broader than relations of inferiority. Once again, there are two main reasons why Kolodny argues this. First, domination is “Will Universal”, that is, it is present whenever a person is exposed to any arbitrary (uncontrolled) power, whereas relations of inferiority are not “Will Universal”, since an individual can only be in a relation of inferiority to another superior individual (2023, p. 274). Second, domination is “Possibilist”, that is, it is enough that another can interfere with you, regardless of whether he will not, and you know that he will not, for you to be dominated, whereas relations of inferiority are not “Possibilist”, since they involve only exercised asymmetries of power. The well-known case of the gentle giant (Kramer, 2008), who has an uncontrolled capacity to interfere in a community, but does not want to do so, thus exiling himself to a nearby

2 For Pettit “a non-married woman in a sexist society who avoids any kind of relationship with men is not dominated but rather exposed to the risk of domination. She is only dominated once she is subjected to the direct power of, say, a husband or a male employer” (Gädeke, 2020). Similarly, an unemployed person in a capitalist society is exposed to the risk of domination and will only be dominated once she is subjected to the direct power of an employer.

3 From Kolodny’s perspective, the question of whether the two are already positioned within a social hierarchy remains ambiguous. Kolodny posits that social hierarchies are constituted by social relations, which require some form of interaction or “comembership in a common society”, as will be recalled later in this text. It is therefore plausible that the employer and the prospective employee are already in a social relationship, albeit of the more general kind of two individuals who are members of the same society. The argument presented here however is that even if they are positioned within a social hierarchy, this is not objectionable, as the factors mentioned above will serve to temper it.

hill, does not represent a relation of inferiority, according to Kolodny, while it is generally agreed that it represents an instance of domination, similar to the case of the kindly master who does not want to interfere with his slaves but still dominates them. Both the slaves and the community remain at the mercy either of the kindly master or of the gentle giant who can change their mind at any time and choose to interfere with them at will. Meaning that, their choice is entirely up to them, neither the slaves nor the community can control their decision-making. In short, the difference between neo-republican domination and relations of inferiority, in Kolodny's reading, lies in the fact that while the former consists in subordination to any possible (arbitrary) power of someone else, and thus would be too demanding (since it would require immunity from anyone else's possible arbitrary power), the latter consists in direct subordination to another person, and thus is less demanding.

Nevertheless, this analysis seems to focus mainly on Pettit's account of freedom as non-domination, overlooking further developments of the notion within neo-republicanism. Structural neo-republican accounts, such as that of Dorothea Gädeke, may indeed counter some of the objections raised by Kolodny. Gädeke's account is neither too narrow nor too broad. Starting from the latter, let's see how a structural understanding of domination can address both the "Will Universal" and the "Possibilist" criticisms. In Gädeke's view, there is a distinction between an "opportunistic" arbitrary capacity to interfere, which is "based on favourable circumstances and vanishes once these circumstances change", and a "robust" arbitrary capacity to interfere, which is instead "structurally constituted" (Gädeke 2020, p. 206). This distinction is brilliantly illustrated by the so-called mugger dilemma: there is a mugger in a park holding a gun who can assault anyone at any time and at will. However, it is counterintuitive to say that "the mugger dominates everyone he could shoot", since this clearly neglects the difference between the victim and the other people in the park (Gädeke, 2020, p.: 200). On the other hand, it is misleading to say that "the mugger dominates only the person he points his gun at", since this statement implies a collapse of the notion of domination into that of interference, thus jeopardizing the distinctiveness of the former (Gädeke, 2020, p. 200).

Moreover, there seems to be a crucial difference between whether the mugger attacks you because of "favourable circumstances" – e.g., meeting you alone in a hidden corner – "[b]ut as soon as someone turn up, he will be stopped and sanctioned" (Gädeke, 2020, p. 206), and whether the

mugger attacks you because of an existing power asymmetry between the two of you (as between men and women in a society based on sexist norms). In the latter case, his arbitrary capacity to interfere with you is not a matter of chance but is rooted in the very structure of society. According to Gädeke, only the latter is a matter of domination: “whether the mugger in the park dominates you or not can only be established by analysing the wider power structures in which your interaction is embedded” (Gädeke, 2020, p. 199). Therefore, domination does not arise whenever someone else has an arbitrary capacity to interfere with you, but only when someone has a robust capacity to interfere with you. In this respect, Gädeke’s (non-)domination is neither “Will Universal” nor “Possibilist” since the mere fact that any other person can interfere with you at any time and at will, e.g., a mugger holding a gun in a park, does not in itself constitute an instance of domination, insofar as the mugger’s arbitrary capacity to interfere with you is not based on a structural power asymmetry between you two (as if you were a woman and the mugger were a man in a sexist society). Under this interpretation, both of the issues raised by Kolodny seem weakened: it is not enough to be exposed to another person’s arbitrary power, or that another person can simply interfere with me, in order to be dominated; instead, there must be a specific structural asymmetry of power. As a result, non-domination would not be overly demanding.

2. Systemic domination and disparity of regard

So defined structural domination looks very much like Kolodny’s untempered relations of inferiority. The dominated person stands in a lower position within a social hierarchy and this asymmetry of power is not tempered by resulting from a one-off encounter, it is not “opportunistic”.⁴ However, it seems to me that there is an important difference between Gädeke’s and Kolodny’s account. Gädeke indeed distinguishes two sides of domination: “interpersonal” and “systemic” (Gädeke, 2020, p. 200). Interpersonal domination occurs when the dominated directly face their dominator (as in the case of slave-master relationship, or employee-employer), while systemic domination entails the systematic

4 The same can be said for other tempering factors that are lacking, such as content limitation, as structural domination is not a matter of what dominators can command to the dominated, but rather a matter of status asymmetries (see Gädeke, 2024).

disempowerment that the dominated experiences even in the absence of a particular dominator (it is the case, for instance, of women in a sexist society who are disempowered even if they do not relate with men, or the case of unemployed persons in a capitalist society). This bipartition matters since it rightly pinpoints that the problem of domination is not a problem of actions and interactions, but rather a problem of structural asymmetry of power, thus preserving the distinctiveness of the wrongness of domination (Gädeke, 2024).

By contrast, I see an ambiguity in Kolodny's view in this respect. Although he admits that relations of inferiority "need not to be face to face encounters" but they are more broadly relations that involve either "interactions" of some kind or "co-membership in common society", Kolodny also states that "to the extent that Hyman and Loman do not interact, Hyman cannot have greater power or authority over Loman" (2023, p. 94). Thus, interactions seem to be needed for relations of inferiority. After all, this is consistent with Kolodny's idea of claims against inferiority which are claims against another natural person, not claims against no-one. However, I contend that there might be claims against inferiority, as Kolodny intends them, without being subordinated to an identifiable individual. One may be in a lower position within a social hierarchy without being directly subordinated to anyone in particular – see the example of the unemployed person, who is not directly subordinated to any employer, yet she has a claim against inferiority, a claim against being "set beneath (...) in a social hierarchy". To grasp this claim, Gädeke's notion of systemic domination seems better suited: one person can be in a disempowered position even if she does not face anyone in the empowered one. Note that, in Gädeke's terms this does not mean that she is dominated by no-one (or that she has a claim against inferiority towards no-one). Indeed, structures are produced and reproduced by individuals and while disempowering someone they also empower someone else; the fact that these two do not interact does not change the domination relationship at stake.

Kolodny might counter this objection by stressing the role of disparities of regard within his idea of relations of inferiority (2023, Chapter 6). Disparities of regard seem independent from interactions: one may regard another as better or worse without having a direct relationship with them. Yet they are fundamental for relations of inferiority: "asymmetries of power and authority themselves, when not attended by a disparity of regard, do not make for objectionable hierarchy" (2023, p.

96). However, the role of disparities of regard looks ambiguous: disparities of regard seem to be problematic only when they are grounded in asymmetries of power or authority, rather than per se. If the employees do not esteem their employer, this does not seem to be a problem itself, what is problematic is the social hierarchy among them. Conversely, if you do not esteem me, and there is no unequal ranking among us, this does not seem compelling. On the other hand, if disparities of regard were problematic themselves, they would bring along a different claim: a claim of being treated equally as individuals, as Kolodny points out in his analysis of disparity of consideration (2023, p. 108-114, §6.3),⁵ rather than a claim against inferiority. In his discussion of discrimination (2023, Chapter 13) – the one that comes closest to systemic domination à la Gädeke – Kolodny refers to disparities of regard in order to talk of instances of sexism and racism. According to him, discrimination arises when there are untempered (“unmerited”) disparities of regard related to a basing trait such as gender and race (2023, p. 185). This is an interesting angle, however, I wonder whether disparities of regard alone without any existing asymmetries of power would be enough to grasp the problem of discrimination: the problem of discrimination indeed is not (or at least not only) that some people are given greater regard (consideration, esteem...) than others, but rather that some people have greater power than others, thus the latter are systemically disempowered or dominated. In this respect, Kolodny’s objection that domination is narrower than relations of inferiority because it does not include disparities of regard is also overcome, since disparities of regard do not seem to be always necessary nor sufficient for claims against inferiority.

3. Conclusion

By considering Gädeke’s structural account of domination, we have seen that Kolodny’s objections to neo-republicanism lose their force. Moreover, Gädeke’s perspective helps illuminate how claims against inferiority can be articulated even in the absence of an identifiable superior individual, thus reinforcing the relevance of neo-republicanism in addressing concerns about structural asymmetries of power. This

5 For Kolodny being treated as an individual means not being treated differently in virtue of particular traits, e.g., gender or skin color: “If you are White, others “see through” the pane of Whiteness to your particular qualities. If you are Black, that is all others see” (112).

suggests that neo-republicanism, at least in a structural formulation, has the conceptual resources to account for claims against inferiority more effectively than Kolodny allows. However, important distinctions remain. While a structural approach to domination can bridge some gaps between relations of inferiority and neo-republican domination, it does not fully capture instances of systemic domination unless one introduces the idea of disparities of regard – an aspect that raises its own conceptual challenges. Thus, while Kolodny's sharp contrast between relations of inferiority and neo-republican domination is weakened by structural considerations, the two concepts do not collapse into one another. Neo-republican domination still retains a crucial advantage: its ability to track systematic disempowerment in a way that relations of inferiority alone cannot.

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