Freedom and Domination

I—Cécile Laborde

Being Free, Feeling Free: Race, Gender, and Republican Domination

Members of racial and sexual minorities often live in the fear of arbitrary interference from others—rogue police officers or sexual harassers. Are they unfree by dint of believing they are unfree? I draw on the republican theory of freedom—according to which we are unfree if we are subjected to a risk of arbitrary interference—to offer a qualified positive answer. I clarify the role of probabilistic judgements about risk in republican political theory. I argue that under specific circumstances, diagnoses of republican freedom can be indexed to a certain belief about probability—what it is warranted for someone to believe in light of their distinctive epistemic perspective.

I wish I knew how it would feel to be free …
Nina Simone

In societies formally protected by the rule of law, members of vulnerable minorities often feel unfree. In the United States and in France, many young men from racial minority backgrounds live in fear of being arbitrarily arrested, perhaps killed, by the police; in London, many women avoid jogging at dusk for fear of sexual assault. Call these scenarios *Fear of Attack*. Are people in these scenarios unfree by dint of feeling unfree—even if their fear might be unwarranted, in light of the low probability of their being attacked?

One theory of freedom seems well-suited to illuminate the relation between being free (or unfree) and feeling free (or unfree): the republican theory of domination. Republican philosophers have argued that we are unfree when we are subjected to the uncontrolled power of interference of others, even if they do not exercise that power (Pettit 1997). A recurrent theme in the Roman and neo-Roman tradition is that of the unfreedom of slaves with benevolent (non-interfering) masters. The initial idea can be glossed as follows. Even if they are not interfered with, those who live in servitude cannot be

Aristotelian Society Supplementary Volume XCVIII
https://doi.org/10.1093/arisup/akae005

said to be free, because, living in a state of permanent uncertainty, they incessantly strive to protect themselves from their master's unwanted intrusions: seeking to anticipate his wishes, they ingratiate themselves, curtail their aspirations, adjust their ambitions (Skinner 1998). We might be tempted, therefore, to deploy the republican theory of domination to account for the unfreedom we intuitively detect in *Fear of Attack*. While women and racial minorities may not be unfree on the non-interference conception of freedom, they are unfree on the republican conception of freedom, because they live in a condition of permanent uncertainty about the possibility of interference.

While this move is tempting, there are two major difficulties with deploying the republican theory in this way. The first difficulty is that it is not obvious that republican freedom, as clarified by contemporary philosophers, is closely indexed to the beliefs and feelings of those deemed to be dominated. Republican philosophers have insisted that it is the fact of servitude—actual subjection to an uncontrolled power—not the feeling of servility, that defines unfreedom. The slave of a benevolent master might (with good reason) feel unfree, yet what makes him unfree is the fact of his subjection to his master. It follows that feeling unfree is neither necessary not sufficient for being unfree.[1] A slave blissfully ignorant of his state of servitude is still unfree. Conversely, a free person who mistakenly thinks herself a slave remains free. At best, the psychological story plays a heuristic role in republican accounts of unfreedom. It allows us to detect the presence of unfreedom, but it does not account for what unfreedom consists of—the fact of being subjected to the uncontrolled power of others.[2] The mere fact of subjection to others, rather than the specific actions that this subjection impedes, is what makes one unfree. As Quentin Skinner has clarified, 'anyone

[1] Throughout the paper, I use the shorthand 'feeling free', which should be read as encapsulating both the affective and the cognitive dimensions of freedom (feeling free and believing that one is free).

[2] Something similar can be said about Philip Pettit's intersubjective test of domination: 'the eyeball test' (I am free when I can with good reason look at others in the eye, without fear or deference). Failing the eyeball test may be a symptom that I am dominated, but it does not constitute domination itself (Lovett and Pettit 2019, p. 379). The test avoids subjective reductionism through the crucial proviso that only those who fail the eyeball test *without good reason* can be said to be dominated.

Aristotelian Society Supplementary Volume XCVIII
https://doi.org/10.1093/arisup/akae005

who reflects on their own servitude will probably come to *feel* unfree to act or forbear from acting in certain ways. But what actually *makes* them unfree is the mere fact of living in subjection to arbitrary power' (Skinner 2008, pp. 93–4; see also 2002, p. 248). So the question before us is whether *Fear of Attack* tracks an actual fact—actual exposure to uncontrolled power—or whether it expresses an excessively risk-averse attitude.

The second difficulty with the republican theory of domination is that, as advocates of the non-interference view of freedom have pointed out, freedom is a function, not of the mere possibility, but rather of the probability of interference. It is implausible to suggest that we are unfree just because someone might interfere with us at will—in any nearby possible world. At all times, even in a society ordered by the rule of law, we could be interfered with by rogue police officers, emboldened rapists, opportunistic muggers, enraged spouses, or nuclear-bomb dictators (to draw on some examples used in the literature). If so, then republican freedom just seems impossible (Dowding 2011; Simpson 2017; Carter and Shnayderman 2019). A better alternative might be a revised view of freedom as non-interference, according to which we are unfree in proportion to the likelihood of interference actually materializing (Goodin and Jackson 2007; Carter 1999, pp. 189–91, 2008, p. 70; Kramer 2003, pp. 76–91, 174–8). The fact is that in societies governed by the rule of law, the probability of anyone suffering a violent, possibly fatal attack is so low that it should be discounted in our calculus of freedom. On this view, *Fear of Attack* is a disproportionate—hence irrational—response to a minuscule risk.

In this article, I rescue the republican view from these two challenges, and show that it generates a distinct diagnosis in *Fear of Attack* scenarios. I address the two difficulties head-on and suggest that republican theory—suitably amended—is able to deliver a verdict of domination (albeit what I shall call *contingent* domination) that draws on the specific experience of vulnerability of minority members under conditions of racial and gender oppression.[3] In the first section, I clarify the role of probabilistic judgements in republican theory. In the second section, I defend an evidence-based

[3] I use the term minorities in a sociological, not demographic, sense.

Aristotelian Society Supplementary Volume XCVIII
https://doi.org/10.1093/arisup/akae005

subjectivist probabilism that vindicates the epistemic standpoint of victims of contingent domination.

The contribution of the article is twofold. It offers an account of republican domination that answers important recent criticisms of it. And it brings together normative theories of republicanism and critical epistemologies of race and gender, thus updating republican domination beyond its archaic reference to classical or antebellum slavery. Although the paradigm of slavery provides a powerful illustration of domination, it is not, on inspection, clear how instructive it is for understanding contemporary racial and patriarchal oppression. I clarify the role of probabilistic judgements about interference in republican political theory, by showing them to be irrelevant to classical scenarios of *full* domination (as well as *no* domination), but crucially relevant to what I shall call *contingent* domination. I argue that under the contemporary conditions of contingent domination, minority members are unfree to the extent that they warrantedly believe they are unfree. Under these specific circumstances, diagnoses of republican freedom can be indexed to a certain belief about probability—what it is warranted for someone to believe in light of their distinctive epistemic perspective.

I

What Is Unfreedom? Probabilism and Republican Domination. In this section, I aim to answer the probabilistic challenge to republican theory.

> *The Probabilistic Challenge*. Freedom is a function, not of the possibility, but of the probability of interference.

I distinguish between different scenarios: the scenarios where probability matters and the scenarios where it does not.[4] I argue that probability is irrelevant both under scenarios of *full domination* and under scenarios of *no domination*. Probability becomes relevant to republican freedom, however, under the specific conditions of what I call *contingent domination*.

Let me begin by proposing the following general definition of domination. Domination consists in subjection to a *robustly*

[4] This is an application of the broad strategy of 'bounded probabilism' recommended by Pettit (2008).

Aristotelian Society Supplementary Volume XCVIII
https://doi.org/10.1093/arisup/akae005

empowered will. The definition centres on the modal power of the dominator: what she is able to do to the dominated, in the actual world, as well in closely related worlds in which her interference-dispositions change. My definition tracks Philip Pettit's emphasis on the *robustness* of non-interference across such worlds: the absence of interference, not only in the actual world in which *A* does not prefer to intervene with *B*, but also in the possible world in which there are changes in the preferences or will of *A* as to what *B* should do (Pettit 2012, p. 67). On the republican view, non-domination is secured through constraining the power of *A* to interfere, should she will to interfere—a constraint operating via the rule of law and attendant social norms against arbitrary interference. Note that not all interferences compromise freedom, on the republican view. Only interferences that are not appropriately *controlled* are dominating. Interference by legally constituted or democratically authorized powers need not be dominating, because the will of their holders is subjected to suitable controls: it is not discretionary. My definition, like Pettit's, stresses the discretionary power characteristic of domination. However, instead of *uncontrolled* wills, I prefer to refer to *empowered* wills. This is a subtle yet important conceptual difference. It signals that dominating power does not typically happen in a vacuum, in the absence of rules and norms. The most egregious forms of domination—including slavery, patriarchy and racism—are systems where legal rules, as well as social norms, positively work to empower certain wills. On the definition I prefer, what explains the uncontrolled or discretionary power of the dominant is the fact that their wills are robustly empowered.

There are three elements to the definition.

> *Will*. Domination is subjection to human (not natural or impersonal) power—more specifically, to another person's discretionary will.[5] When I am subjected to someone else's will, everything I do, I do *cum permisu*, only in so far, and as long, as they permit it.
>
> *Empowered*. The deployment of one's individual will is generally not sufficient for domination: it needs to be coordinated with other individual wills. Leaving aside fantastical scenarios of dominators with supra-human abilities (such as the Gentle Giant imagined by Matthew Kramer 2008, pp. 41–50), few real human beings, in the actual and

[5] Here I leave aside cases of corporate, collective domination.

Aristotelian Society Supplementary Volume XCVIII
https://doi.org/10.1093/arisup/akae005

nearby worlds, can rely on their sheer personal strength to subject others to their will.[6] To get their way, they crucially depend on the collaboration, active or passive, of others.

Robustly. The powers of collective will-coordination are robustly available across several possible alternative worlds (those in which the preferences of the would-be interferer changes)—they are made resilient via the coordinating role of legal systems and social norms.

When I am subjected to a robustly empowered will, what I can do depends exclusively on the will of the dominator—everything I do, I do as long as it pleases her. Yet crucially, what makes will-dependence possible is the robust empowerment of the dominator's will. The notion of robust empowerment points to the structural conditions that make it possible for someone to act as she wills, discretionarily, without checks or controls (see also Gädeke 2024). The bureaucrat or legislator of a well-constituted state is *not* robustly empowered, because she can only deploy her power under a set of strict constraining rules. My definition incorporates the chief insight of Pettit's (a will that is appropriately and externally controlled is not dominating) while pointing to the way in which dominating wills are those that are empowered by (arbitrary-interference-supporting) external rules and norms. There are several advantages to this definition. It illuminates the paradigmatic cases of republican domination, and it answers some conceptual challenges to the coherence of the ideal, by narrowing the set of possible worlds in which domination obtains. Let me distinguish between three scenarios*: full*, *no*, and *contingent* domination.

Full domination. My definition accounts for paradigmatic cases of domination such as slavery. Slavery is a system of asymmetrical human relationships entrenched in law and maintained by supporting social norms. Even benevolent slave-owning masters are robustly empowered by the system of slavery. It is a matter of public knowledge that, were their will to change—were they to cease being benevolent—it would be rational for them to assume that they would find

[6] Matters may be different in the case of collective entities. In the international arena, for example, powerful states might have enough power to dominate others even in the absence of supporting systems of rules and norms: this is the Hobbesian scenario captured by Realist theories of International Relations. On the distinction between Hobbesian 'agent-relative' domination and the 'systemic' domination that is the focus of this paper, see Laborde (2010).

Aristotelian Society Supplementary Volume XCVIII
https://doi.org/10.1093/arisup/akae005

allies (such as other masters) willing to assist them or turn a blind eye to their action, and their individual or joint action would be legitimized by the broader legal and social system (for instance, they would not be prosecuted for mistreatment of their slaves). The paradigm of slavery therefore suggests that it is a mistake to locate the unfreedom characteristic of paradigmatic cases of domination merely in interpersonal vulnerability to someone's will. It is (the public knowledge of) robust empowerment that makes it the case that power resides exclusively in the changing interference-dispositions of the dominator—in her will. The will of the dominator needs to be robustly empowered to be dominating. The upshot is that domination is a function, not of the probability of interference, but of the fact of robust empowerment. This systemic aspect of domination is not satisfactorily captured by probabilistic explanations. For such explanations imply—implausibly—that slaves can make themselves free merely by reducing the probability that their masters will interfere with them (Pettit 2008; List and Valentini 2016).

No domination. Correlatively, my definition explains why we are not dominated by opportunistic muggers in societies governed by the rule of law (Gädeke 2020). We may occasionally become vulnerable to their episodic power, should they find themselves in a propitious predicament and succeed in their endeavour, unseen and uncaught. Yet in societies where the rule of law is effective, would-be muggers are not robustly empowered. In contrast to masters in slave-owning societies, it is irrational for them to assume that they are likely (*ex ante*) to find willing allies and coalition partners in their criminal enterprise, and unlikely (*ex post*) to face social and legal sanctions. An effective rule of law—and public knowledge that it is effective, that is, supported by widely endorsed social norms—structurally disempowers would-be criminals, such that it would be irrational for them to act on their will. The fact that some opportunistic muggers may episodically succeed in their endeavours can be discounted in our calculus of freedom: they are 'ignorable' (Ingham and Lovett 2019). This defuses the 'impossibility of freedom' criticism: the thought that republican freedom is impossible on the grounds that we are constantly vulnerable to the wilful interference of manifold others. This undeniable fact obscures the crucial difference between different types of wills: robustly empowered wills and episodic wills, which are not dominating. My answer to critics of the possibility of republican freedom such as Carter and Shnayderman (2019),

Aristotelian Society Supplementary Volume XCVIII
https://doi.org/10.1093/arisup/akae005

therefore, is that the fact that interference is merely possible does not entail domination in scenarios where the would-be interferer's will is not robustly empowered.

Contingent domination. My three-criterion definition also helps us theorize intermediate cases, which are the focus of this paper. Contingent domination obtains in the case of subjection to what I call contingently (not robustly) empowered wills. Consider a society—perhaps much like our own—where, despite the formal protections promised by the rule of law, certain vulnerable groups are still subjected to widespread prejudice and discrimination, traceable to long-standing systems of historic oppression. As a result, the effective operation of the rule of the law is patchy and uneven: there are contexts where it is thwarted by the local persistence of oppressive social norms (Coffee 2025, 2020). For example, there are prevalent social norms which legitimize beliefs such as that black men are dangerous, or that women mean yes when they say no (to sex). Such norms have the effect of empowering would-be interferers, because they can contingently rely on finding willing allies and partners in their criminal enterprises. Police officers can terrorize black men when they have reason to believe that their actions will be condoned by colleagues and covered up by their superiors; sexual harassers and predators can rely on pervasive prejudices about women's sexual availability to escape punishment in courts. Their wills are *contingently empowered*. They are *empowered* because—in contrast to opportunistic muggers—it is not irrational for them to believe that they can in fact form local coalitions with others—willing accomplices or biased law enforcers—should they form the will to interfere. Yet this empowerment hinges on the presence of socially *contingent* facts—who happens to be around, what the local norms are, what would-be interferers know about one another's intentions and plans, and so on. In contrast to scenarios of full domination, the powers of coordination available to would-be interferers under scenarios of contingent domination are not robustly available across all the close worlds in which their preferences change.

Because these powers of interference are merely latent (their materialization depends on coordination opportunities being present), they threaten republican freedom only in proportion to the probability they will actualize. (Lovett and Pettit 2019 argue that latent coalitions must meet several conditions—will convergence, awareness and strategy—to have dominating power.) Black men encountering

Aristotelian Society Supplementary Volume XCVIII
https://doi.org/10.1093/arisup/akae005

a police patrol, or women running into a group of men in a London park at night, are unfree in proportion to the probability that those wills will be empowered by the formation of coalitions. This probability is non-negligible, because what characterizes scenarios of contingent domination is that vulnerable minorities find themselves precariously living in the interstices between different systems institutional and normative systems—the formal equality promised by the rule of law and the official ideology of equality, on the one hand, and the locally persistent oppressive social norms that threaten to subvert its operation, on the other. In contingently propitious situations, would-be interferers might be empowered and find willing allies and accomplices, thanks to the coordinating function of local social norms. The coordinating function of social norms explains that we are dominated by only some—not just any random—coalitions of strangers (Sandven 2020; Sandven and Laborde 2024).[7]

Probability calculus, therefore, is relevant to contingent domination in a way in which it is not to either full or no-domination scenarios. Of course, under full and no domination, we can assign probabilities to the changing will-dispositions of would-be interferers (benevolent masters in the first case, opportunistic muggers in the second). Yet such probabilities are irrelevant to whether domination obtains. This is because domination is indexed to the fact of the publicly known presence (or absence) of the robust empowerment of would-be interferers' wills. Under full and no domination, probabilistic uncertainty applies only to the changing will-dispositions of potential dominators, not to the fact of their robust empowerment. Under contingent domination, by contrast, *whether* some wills are *in fact* empowered is itself a matter of probabilistic calculus, because it is contingent on certain conditions being present. As the power of would-be interferers is only latent, it is subject to probabilistic uncertainty. Republicans should be probabilistic about latent, not actual, power (Pettit 2008). Individuals are contingently dominated when there is uncertainty about whether they are in fact protected by the rule of law in local contexts where would-be interferers have latent powers to form coalitions to subvert its operation.

[7] I focus on the case of law-thwarting social norms because they support the most prevalent type of (what I call) contingent domination in contemporary societies. I do not rule out the possibility that social norms can be so pervasive as to cancel the effect of the law altogether, so that full domination can theoretically obtain merely from the power of social norms.

Aristotelian Society Supplementary Volume XCVIII
https://doi.org/10.1093/arisup/akae005

In sum, we answer the *Probabilistic Challenge* in the following way. Advocates of the republican view should grant to their critics that freedom can be subjected to a probabilistic calculus, but only under the specific conditions of contingent domination. Individuals are contingently dominated when their freedom is conditional on some latent risks of successful local coalitions forming. Such possibilities are not to be discounted as non-probabilistically relevant (as in the benevolent master or opportunistic mugger scenarios). In societies where social norms of oppression contingently threaten to subvert the effective operation of the rule of law, a subset of citizens are vulnerable to the latent collective power of would-be interferers and their allies or accomplices.

Now, does this entail that republicans would judge women and ethnic minorities in *Fear of Attack* scenarios to be unfree in proportion to their feelings of uncertainty and insecurity? It does not. Recall that, on the republican view clarified by Skinner and Pettit, subjective beliefs or feelings are neither sufficient nor necessary for being unfree. Republicans, even if they admit of probabilism, will be committed to *objective* probabilism. That is, they are bound to say that minority members are unfree in proportion to the actual likelihood that latent powers will be enabled, not in proportion to how much they subjectively fear that latent powers will be enabled. In the next section, I explain why we should revise this conclusion.

II

Domination and Evidence-Based Subjective Probabilism. Republican philosophers have insisted that freedom is a fact, not a feeling. They are right: we want to be able to say that a slave blissfully ignorant of, or content with, his state of servitude is still unfree. If freedom merely referred to psychological states, then (implausibly) slaves could increase their freedom by altering their wills and desires, or ingratiating themselves to their masters by placating the latter's wills and desires (Pettit 2011). That a slave need not be aware of his predicament to count as unfree, however, is compatible with the thought that a slave aware of his predicament is *less free* than a slave unaware of it. This, in fact, is the most compelling interpretation of the neo-Roman writers' insights into the

Aristotelian Society Supplementary Volume XCVIII
https://doi.org/10.1093/arisup/akae005

psychology of unfreedom and the distinctive harm of anxiety and uncertainty involved in subjection, even for slaves of benevolent masters. Neo-Roman writers perceived something important about the value of freedom: that living in a state of constant uncertainty about the risks of certain interferences makes it difficult for individuals to plan their lives without having to implement costly anticipatory strategies of risk management. Think of a lodger at permanent risk of eviction. Not only will she be anxious about the eviction itself, but it will also shape everything she does: she will refrain from building local relationships, she will constantly look for alternative accommodation, and so forth (Baderin 2021).[8] Exposure to certain risks of interference, therefore, is relevant to individuals' freedom because it leads them to live a life of uncertainty and anxiety. Here we may say that feeling unfree *compounds* the unfreedom of being unfree.

Can we go further? I identify a tighter connection between the phenomenology and the epistemics of unfreedom, whereby the experience of unfreedom is itself a reliable epistemic route towards knowledge about freedom. Feeling unfree, here, points not simply to the experience of living with uncertainty but to the knowledge of the probability of certain risks materializing. Under contingent domination, unfreedom is a factor of probabilistic assessment of the actualization of latent power. Recall that individuals are contingently dominated when there is uncertainty about whether they are in fact protected by the rule of law in contexts where would-be interferers can form coalitions to subvert its operation. Uncertainty is an essential, ineradicable feature of contingent domination. As I suggested above, this is a key difference with scenarios of full domination, where there is a publicly known fact about whether would-be interferers' will is robustly empowered. A slave might live in a state of uncertainty about whether his master has the will to intervene—yet this feeling is irrelevant to the fact of his unfreedom (although it can compound it). What makes him unfree is the publicly known fact that his master holds robust powers to intervene with him. Not

[8] Baderin's analysis tallies with an insight of Ian Carter and Matthew Kramer, who both point out that republican domination can be captured in terms of the conjunctive unexercisability of different options available to individuals living under uncertainty (Carter 1999, pp. 180–2; Kramer 2003 pp. 38–40). (Their further point is that domination affects overall degrees of negative freedom adversely, although it does not interfere with any specific negative freedom.)

Aristotelian Society Supplementary Volume XCVIII
https://doi.org/10.1093/arisup/akae005

so in cases of contingent domination. As freedom is dependent on a distinct risk assessment (whether would-be interferers do in fact hold such powers), uncertainty seems to be constitutive of the fact of unfreedom itself.

At this point, a sceptic would point out that this risk can still be objectively (externally) assessed. Subjective feelings of uncertainty and anxiety might compound, but do not define, the fact of unfreedom—now measured in relation to the objective probability of certain local, contingent risks materializing. My response is in several steps. To begin with, it can be pointed out that providing an objective measure of such probabilities will be exceedingly difficult. Consider the 'reference class' problem, familiar to philosophers of probability, as it applies to situations of contingent domination. In societies broadly (albeit patchily) governed by the rule of law, the relative frequency of incidents such as those anticipated in *Fear of Attack* scenarios is very low for the average citizen. Yet under conditions of contingent domination, the relevant reference class for the calculus of probability is not made up of average citizens. Because social norms of oppression target members of specific minorities, the latter are vulnerable to greater risks of interference than those to which average citizens are exposed. But how are we to specify the relevant reference class to which probabilities are attached? For example, there are potentially infinite different descriptions of the relevant subsets of members of racial minorities who are at high risk of heavy-handed police interventions (young? hailing from deprived neighbourhoods? wearing particular attire? presenting in a particular way? and so forth). We need more fine-grained descriptions in order to select the reference class in relation to which the risk is assessed (Colyvan, Regan and Ferson 2001).

Considerations such as these have led philosophers of risk, such as John Oberdiek (2017), to endorse a subjective or Bayesian probabilism. Under Bayesian probabilism, the only coherent way to assess risk is for individuals themselves to update their subjective beliefs (or credences) about the risks *they* are subjected to. Individuals update their own beliefs about the likelihood of some risk materializing in light of evidence as it comes in; and the extent of the updating depends on the credibility of the evidence. Because singular actions ('my being attacked while jogging in this park tonight') do not come attached to known probabilities, individuals must rely on their own

Aristotelian Society Supplementary Volume XCVIII
https://doi.org/10.1093/arisup/akae005

experiences, and the testimonies of trusted others, to accurately measure the risk that applies *to them*.

Consider what US sociologists call 'the talk': the set of precautionary conversations that black parents have with their children in order to prepare them to survive their interactions with the police. It is a discussion about where to put one's hands and eyes, how to manage the tenor of one's voice, what not to wear, how to walk and run, and generally 'how to make sure that African American children do not frighten armed police officers into shooting and perhaps killing them' (Whitaker and Cunore 2016, p. 304; Baderin 2023). Recommendations such as these are rooted in the lived community experience of continuing racial oppression in the US, an experience drawn from historical memory with persistent echoes in the present. During the Jim Crow years, there were on average 70 lynchings of black people every year—many of them for violations of 'racial etiquette'. Moving to the post-Brown era, in 2015 alone, 102 unarmed black people were killed by police officers (Diaquoi 2017). These eerie similarities give credence to the continuing grip of racialized norms of oppression—the perception of black men as predatory, dangerous, unmanageable, and inherently criminal, and the concomitant racial socialization of black people as 'docile bodies'. As testimony about white atrocities—lynchings, police killings, race riots—was passed down through segregated informational channels, black to black, from generations to generations, parents of black children have developed a unique epistemic perspective about the risk their sons are living under. As Ta-Nehisi Coates puts it in the harrowing letter he wrote to his son, 'Here is what I would like you to know: in America, it is traditional to destroy the black body—it is heritage' (Coates 2015). The subjective assessment of those living with risk should be the starting point for evaluations of the probability of their being subjected to interfering coalitions. Their subjective assessment will not only map the contours of the black experience as a whole: it will also incorporate the granular, practical knowledge of the specific contexts in which risk is heightened—the fine-grained data that eludes objective probability assessments and gives rise to the reference class problem.

While we should *start* from the experiences of those who live with risk, we should not *stop* there. Their perception of risk cannot be purely subjective and detached from facts: it must appeal

Aristotelian Society Supplementary Volume XCVIII
https://doi.org/10.1093/arisup/akae005

to shareable evidence. In recounting their experiences of living with risk, individuals are accountable to others, because what is at stake is the collective evaluation of the moral and political justifiability of the imposition of certain risks on them (and therefore their freedom as non-domination). Shareable evidence makes it clear to others that it is *warranted* for the dominated to believe they are subjected to distinctive risks, given their specific situation and experience. This tracks the important insights of feminist standpoint epistemology, which points out that knowledge substantively involves the standpoint or social and historical contexts of particular knowers (Harding 1991; Cole 2014). Socially marginalized groups, in particular, have developed distinct social perspectives. Because of their specific location in a social structure, they experience group-specific constraints and enablements: they hold knowledge that others may lack (Lepoutre 2020).

This includes knowledge about the risk they live under. The existing body of socially shared common knowledge often fails to register important dimensions of the local experience of groups subjected to norms of oppression. Consider women's fear of sexual aggression in urban parks at night. Women can draw attention to a diffuse environment of insecurity, as communicated via the pervasive sexualization of female bodies and availability of pornography, the multiple 'micro-aggressions' they witness on a regular basis, and the leniency of the police and justice system in the prosecution of sexual crimes. Under what I call contingent domination, which generates such distinctive anticipatory environments, it is rational for minorities not to see racial and sexual attackers as isolated madmen (or opportunistic muggers). Even in the absence of a reliably objective measure of the probability of aggression at any time, it is warranted for them to believe they are subjected to non-negligible risks of interference. Through the sharing of relevant evidence about the at-risk environment in which they operate, they build common knowledge about their freedom. The subjective probabilism we should endorse, therefore, is (again following Oberdiek) an evidence-based subjective probabilism. So long as it is objectively based, risk need not itself be objective to justify one's belief about risk (Oberdiek 2017, p. 36).

Note, however, that the fact that a piece of evidence is *shareable* does not mean that it is easily *shared*—that is, effectively communicated to socially privileged agents in a way that will be believed. In fact, under conditions of contingent domination, not

Aristotelian Society Supplementary Volume XCVIII
https://doi.org/10.1093/arisup/akae005

only is it likely that the relevant evidence will not be shared prior to the testimony (this, after all, was the insight of proponents of the social situatedness of knowledge). It is likely, further, that the evidence will be difficult to share as it might fall on deaf ears: it might be resisted or ignored by those to whom it is addressed (Dotson 2014, p. 115). Under contingent domination, the prevailing ideology stresses the equality of all before the law, obscuring the dynamics of continuing gender and racial oppression (Smith 1997). Not only do socially privileged agents lack the practical or experiential knowledge of the oppressed; they are also bound to have cultivated a hermeneutical attitude of suspicion and disbelief towards their testimonies. Charles Mills (2007) has shown how 'white ignorance' has contributed to erase the reality of racial oppression in the USA—notably through the management of national history, which notoriously omitted the destruction and displacement of Native Americans, and whitewashed the atrocities of slavery and Jim Crow. White people are generally ignorant of the continuing racial system that links slavery, segregation-era lynching and post-Brown police practice, and are therefore bound to discredit the moral testimonies of those who live in fear of racialized killings by the police. It is true—as critics of republican freedom have pointed out—that the aspiration to 'freedom from fear' can be irrational when there is a gap between subjective perceptions of probability of interference and the objective probability warranted by the evidence (Goodin and Jackson 2007). Yet what counts as objective evidence under contingent domination is problematic, as it might be tainted by epistemic injustice (Fricker 2007). As social knowledge is situated, oppressed minorities and socially privileged groups are bound to update their beliefs in light of *different* evidence. So if we are to build a shared, objective body of evidence, there is no short cut. We must rely on minorities' own testimonies, including their warranted assessment of the relevant evidence as they see it (Pasternak 2021).

Let me clarify what I mean by 'warranted' assessment of the evidence. On my view, it is not sufficient that the beliefs of minorities be supported by the evidence they have (a thin notion of warrantedness). It is necessary, in addition, that the evidence itself not be false (a thick notion of warrantedness). My analysis is therefore compatible with the thought that individuals may falsely believe they are dominated because the evidence on which they base their

Aristotelian Society Supplementary Volume XCVIII
https://doi.org/10.1093/arisup/akae005

assessment is in fact misleading. In that case, their feelings of unfreedom are warranted in a thin sense, but unwarranted in a thick sense. For example, members of socially privileged groups may in fact be free even if they believe they are dominated; this might apply, for example, to men who believe they suffer 'feminist domination', or to white people who think they are oppressed by identity politics. Members of minority groups may make errors about the true source of their unfreedom; for example, women may unwarrantedly believe that they are more vulnerable to attacks by strangers than to domestic violence, when the available evidence suggests the opposite (Krishnan 2020). This raises tricky issues about the epistemic grounds for the critique of subjective credences. On the one hand, I have argued that subjective perceptions of probability contribute to building a body of common knowledge—a knowledge which, *ex hypothesi*, cannot be reached in any other way. On the other hand, I have conceded that subjective perceptions of risk can be corrected by appeal to divergent factual evidence, when that is available. While there appears to be a tension between the two arguments, the tension is only apparent. As long as we keep in mind that what counts as objective factual evidence can be obscured by the workings of racial and gender oppression, there are good prospects for an epistemically conscientious, evidence-based subjective probabilism.

In this article, I have argued that diagnoses of republican freedom can be indexed to thickly warranted beliefs about probability and risk—what it is warranted for someone to believe, in light of their distinctive epistemic perspective. This incorporates contemporary republican philosophers' insight that the presence of domination is a matter of shareable facts and evidence, while expanding the notion of relevant evidence to that made salient via the situated knowledge of socially vulnerable, though epistemically privileged, groups. Warranted beliefs about probability and risk are crucial to assessments of freedom under scenarios of contingent domination. Under such scenarios, some individuals are vulnerable to the latent (not actual) power of would-be interferers acting in coalition. The formation of such coalitions is facilitated by the pervasiveness of social norms of oppression, even in societies formally regulated by the rule of law. Minority members are best positioned to identify the local contexts in which such social norms are likely to facilitate

Aristotelian Society Supplementary Volume XCVIII
https://doi.org/10.1093/arisup/akae005

the formation of interfering coalitions. Under contingent domination, (warrantedly) feeling unfree can be constitutive of being unfree.[9]

Nuffield College
University of Oxford
Oxford OX1 1NF
UK

References

Baderin, Alice 2023: '"The Talk": Risk, Racism and Family Relationships'. *Political Studies*, 71(4), pp. 1347–64.

——2021: 'Anticipatory Injustice'. Draft paper, on file with the author.

Carter, Ian 2008: 'How are Power and Unfreedom Related?'. In Cécile Laborde and John Maynor (eds.), *Republicanism and Political Theory*, pp. 58–82. Oxford: Blackwell.

——1999: *A Measure of Freedom*. Oxford: Oxford University Press.

Carter, Ian, and Ronen Shnayderman 2019: 'The Impossibility of "Freedom as Independence"'. *Political Studies Review*, 17(2), pp. 136–46.

Coates, Ta-Nehisi 2015: *Between the World and Me*. London: Text Publishing Company.

Coffee, Alan 2025: 'Two Spheres of Domination: Republican Theory, Social Norms and the Insufficiency of Negative Freedom'. *Contemporary Political Theory*, 14(1), pp. 45–62.

——2020: 'A Radical Revolution in Thought: Frederick Douglass on the Slave's Perspective on Republican Freedom'. In Bruno Leipold, Karma Nabulsi, and Stuart White (eds.), *Radical Republicanism: Recovering the Tradition's Popular Heritage*, pp. 47–64. Oxford: Oxford University Press.

Cole, Lorraine 2014: 'Ignorance, Injustice and the Politics of Knowledge. Feminist Epistemology Now'. *Australian Feminist Studies*, 29(80), pp. 148–60.

Colyvan, Mark, Helen Regan, and Scott Ferson 2001: 'Is It a Crime to Belong to a Reference Class?' *Journal of Political Philosophy*, 9(2), pp. 168–81.

[9] For helpful comments on previous versions, I am grateful to Alice Baderin, Paul Billingham, John Deigh, Jamie Draper, Lior Erez, Dorothea Gädeke, Charles Girard, Simeon Goldstraw, Sophie Guérard de Latour, Desmond King, Max Klinger, Jessica Leech, Maxime Lepoutre, David Miller, Avia Pasternak, Philip Pettit, Larry Sager and Hallvard Sandven. Thanks also to audiences in Austin, Brussels, Exeter, London, Lyon, New Delhi, Paris, Warwick and Zhuhai.

Aristotelian Society Supplementary Volume XCVIII
https://doi.org/10.1093/arisup/akae005

Diaquoi, Raygine 2017: 'Symbols in the Strange Fruit Seeds: What "the Talk" Black Parents Have with Their Sons Tells Us About Racism'. *Harvard Educational Review*, 87(4), pp. 512–37.
Dotson, Kristie 2014: 'Conceptualizing Epistemic Oppression'. *Social Epistemology*, 28(2), pp. 115–38.
Dowding, Keith 2011: 'Republican Freedom, Rights and the Coalition Problem'. *Politics, Philosophy and Economics*, 10(3), pp. 301–22.
Fricker, Miranda 2007 *Epistemic Injustice: Power and the Ethics of Knowing*. Oxford: Oxford University Press.
Gädeke, Dorothea 2020: 'Does a Mugger Dominate? Episodic Power and the Structural Dimension of Domination'. *Journal of Political Philosophy*, 28(2), pp. 199–211.
——2024: 'Domination'. In Frank Lovett and Mortimer Sellers (eds.), *The Oxford Handbook of Republicanism*. Oxford: Oxford University Press.
Goodin, Robert E, and Frank Jackson 2007: 'Freedom from Fear'. *Philosophy and Public Affairs*, 35(3), pp. 249–65.
Harding, Sandra 1991: *Whose Science? Whose Knowledge? Thinking from Women's Lives*. Ithaca, NY: Cornell University Press.
Ingham, Sean, and Frank Lovett 2019: 'Republican Freedom, Popular Control, and Collective Action'. *American Journal of Political Science*, 63(4), pp. 774–87.
Kramer, Matthew H. 2003: *The Quality of Freedom*. Oxford: Oxford University Press.
——2008: 'Liberty and Domination'. In Cécile Laborde and JohnMaynor (eds.), *Republicanism and Political Theory*, pp. 31–57. Oxford: Blackwell.
Krishnan, Kavita 2020: *Fearless Freedom*. Gurgaon: Penguin Random House India.
Laborde, Cécile 2010: 'Republicanism and Global Justice'. *European Journal of Political Theory*, 9(1), pp. 48–69.
Laborde, Cécile, and Hallvard Sandven 2024: 'The Coalition Problem'. In Frank Lovett and Mortimer Sellers (eds.), *The Oxford Handbook of Republicanism*. Oxford: Oxford University Press.
Lepoutre, Maxime 2020: 'Democratic Group Cognition'. *Philosophy and Public Affairs*, 48(1), pp. 40–78.
List, Christian, and Laura Valentini 2016: 'Freedom as Independence'. *Ethics*, 126, pp. 1043–74.
Lovett, Frank, and Philip Pettit 2019: 'Preserving Republican Freedom: A Response to Simpson'. *Philosophy and Public Affairs*, 46(4), pp. 363–83.
Mills, Charles W. 2007: 'White Ignorance'. In Shannon Sullivan and Nancy Tuana (eds.), *Race and Epistemologies of Ignorance*, pp. 11–38. Albany: State University of New York Press.
Oberdiek, John 2017: *Imposing Risk: A Normative Framework*. Oxford: Oxford University Press.

Aristotelian Society Supplementary Volume XCVIII
https://doi.org/10.1093/arisup/akae005

Pasternak, Avia 2021 '"It's Good to Do Something with Your Rage": Violent Protests and Epistemic Injustice'. Draft paper, on file with the author.
Pettit, Philip 1997: *Republicanism: A Theory of Freedom and Government*. New York: Oxford University Press.
——2008: 'Freedom and Probability: A Comment on Goodin and Jackson'. *Philosophy and Public Affairs*, 36(2), pp. 206–20.
——2011: 'The Instability of Freedom as Non-Interference: The Case of Isaiah Berlin'. *Ethics*, 121(4), pp. 693–716.
——2012: *On the People's Terms: A Republican Theory and Model of Democracy*. Cambridge: Cambridge University Press.
Sandven, Hallvard 2020: 'Systemic Domination, Social Institutions and the Coalition Problem'. *Politics, Philosophy and Economics*, 19(4), pp. 382–402.
Simpson, Thomas W. 2017: 'The Impossibility of Republican Freedom'. *Philosophy and Public Affairs*, 45(1), pp. 27–53.
Skinner, Quentin 1998: *Liberty before Liberalism*. Cambridge: Cambridge University Press.
——2002: 'On Neo-Roman Liberty'. In Hannah Dawson and Annelien de Dijn (eds.), *Rethinking Liberty before Liberalism*, pp. 233–66. Cambridge: Cambridge University Press.
—— 2008: 'Freedom as the Absence of Arbitrary Power', In Cécile Laborde and John Maynor (eds.), *Republicanism and Political Theory*, pp. 83–101. Oxford: Blackwell.
Smith, Rogers M. 1997: *Civic Ideals: Conflicting Visions of Citizenship in US History*. New Haven, CT: Yale University Press.
Whitaker, Tracy E., and Cudore L. Snell 2016: 'Parenting While Powerless: Consequences of "The Talk"'. *Journal of Human Behavior in the Social Environment*, 26(3–4), pp. 303–9.

Aristotelian Society Supplementary Volume XCVIII
https://doi.org/10.1093/arisup/akae005