Work, Domination, and Contemporary Republicanism

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Abstract:

Republicanism - in particular the 'Roman' or 'neo-Roman' republicanism of Philip Pettit and Quentin Skinner - has brought notions of domination and power to the forefront of political philosophy. Its proponents argue that non-domination is a radical ideal, one that is demanding and practical, and which can ground an effective and open-ended "normative and institutional research program". I hope to show that non-domination in the sense envisioned by most mainstream republicans is indeed a radical ideal, but one that requires much more substantial change than many of those republicans envision. Specifically, this thesis intervenes in ongoing debates within and around contemporary republicanism about the demands of non-domination when it comes to the organisation of work. It has both a critical and a constructive element. Where they pay attention to the organisation of work at all, the typical republican strategy involves little more than strong workplace regulation and some very limited mechanisms of worker voice. This set of proposals is coupled with tentative support for a universal basic income, or other ways of lowering the exit costs of any given job. After defending the application of personal accounts of domination to the world of work, I critically assess this mainstream republican approach to the workplace before arguing in favour of two broad strategies that better satisfy a commitment to non-domination: the pursuit of workplace democracy and the reduction of work. I argue that both strategies ought to be cornerstones of an anti-domination approach to the workplace, whether from a republican perspective or not.

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Introduction

Republicanism - in particular the 'Roman' or 'neo-Roman' republicanism of Philip Pettit and Quentin Skinner - has brought notions of domination and power to the forefront of political philosophy. Its proponents argue that non-domination is a radical ideal, one that is demanding and practical, and which can ground an effective and open-ended "normative and institutional research program[1]". I hope to show that non-domination in the sense envisioned by most mainstream republicans is indeed a radical ideal, but one that requires much more substantial change than many of those republicans envision. Specifically, this thesis intervenes in ongoing debates within and around contemporary republicanism about the demands of non-domination when it comes to the organisation of work. It has both a critical and a constructive element. Where they pay attention to the organisation of work at all, the typical republican strategy involves little more than strong workplace regulation and some very limited mechanisms of worker voice. This set of proposals is coupled with tentative support for a universal basic income, or other ways of lowering the exit costs of any given job. After defending the application of personal accounts of domination to the world of work, I critically assess this mainstream republican approach to the workplace before arguing in favour of two broad strategies that better satisfy a commitment to non-domination: the pursuit of workplace democracy and the reduction of work. I argue that both strategies ought to be cornerstones of an anti-domination approach to the workplace, whether from a republican perspective or not.

[1] Lovett and Pettit 2009.

In this introductory chapter I give a brief history of republicanism and the republican revival, and give some reasons to welcome the development of a language of freedom and domination within contemporary political philosophy. I then discuss my choice of work and the organisation of the workplace as the testing ground for republican accounts of domination, before sketching the plan of the thesis as a whole.

1. *Which republicanism?*

Pithily characterising the history of republicanism is not an easy task - it is a very long and diverse history, and any narrow interpretation is bound to either leave some theorist out or count some theorist in who may be best left out. I won't, for instance, try to give any necessary and sufficient conditions for being a republican. Instead I want to make do with a broad account, and then narrow down into the specific, contemporary subset of republicans that I am particularly interested in[2]. An inclusive story about republicanism paints it as a very broad tradition in the history of political thought. Beginning in the organisation of Classical Greek and Roman city-states, the tradition was resurrected in medieval Europe, particularly through engagement with the writings of Aristotle, Cicero, and Livy. Harking back to these much older theorists, city-states like Florence and Venice were crucibles of a resurrection of this republican ideal, with this Italian strand of self-consciously Classical republicanism most famously preserved in the work of Niccolo Machiavelli. As well as helping shape the Dutch and Polish Republics, the tradition later found influential expression in the brief English Republic of the mid-seventeenth century,

[2] The following historical survey of the republican tradition and its revival is informed by a range of sources, including Gourevitch 2015; Honohan 2002; Laborde 2008, 2013; Laborde and Maynor 2009; Lovett 2018; Lovett and Pettit 2009; Pettit 1997, 2012, 2015a; Sandel 1996; Skinner 1998; and White 2008a.

in the political thought of writers like James Harrington, John Milton and Algernon Sidney. The eighteenth century saw a flourishing of republican politics and theory, especially in the American and French contexts, represented by the (different shades of) revolutionaries in both countries and their supporters overseas. Although playing its part in political struggles in the nineteenth century, after the late eighteenth century republicanism was increasingly swept out of view by the emerging politics of liberalism, nationalism, and then socialism, all of which incorporated and developed large parts of the previously dominant republican themes[3]. This "Euro-Atlantic political heritage[4]" became largely just that - a heritage - even if republican language persisted in some political cultures[5].

The modern republican revival was first and foremost a movement in the history of political thought, creating the story above of republicanism as a coherent body of political philosophy that had been obscured and eclipsed to modern eyes by the triumph of liberalism. This task was accomplished most influentially by J.G.A. Pocock and Quentin Skinner, who in the late twentieth century identified, although in different ways, this idea of a unified tradition of political thought stretching back to ancient Greek and Roman city-states, percolating through medieval Europe into Early Modern Europe and America, and then beyond into the nineteenth century. This revival in the field of intellectual history enabled a subsequent revival of these ideas in legal and constitutional thought and in normative political philosophy: republicanism as a live body of political philosophy, rather than merely as an interesting genealogical study[6].

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[3] Honohan 2002, p.5.
[4] Laborde 2013, p.513.
[5] This is a geographically very partial history, focusing just on Europe and North America, but it will do for my purposes of narrowing down to the Italian-Atlantic strand I intend to focus upon. Especially in the twentieth century, republican ideals featured heavily in anti-colonial struggles across the globe.
[6] Not that the two tasks were wholly distinct: Skinner in particular is both an influential historian of republicanism and a modern proponent of the ideas recovered through that history.

This history is little more than a list of names and places: what is the *content* of this republican tradition, revived in contemporary political philosophy? As with any sufficiently old and broad tradition, searching for a single unifying set of commitments or beliefs will be unsuccessful. Honohan sees the republican tradition as having "multiple interwoven strands[7]", gaining prominence at various points and in the work of various theorists, and fading away in the work of others. There are strands of republicanism, sometimes called 'Athenian' or 'neo-Athenian' Republicanism, that focus on the idea of civic participation - the vigorous engagement in the organisation of one's political community - as intrinsically good or, in Rawlsian terms, as constitutive of the good life. Athenian republicanism is derived from Pocock's historical work in which, as the name suggests, he traces a line of this thinking back to ancient Athens[8]. Contemporary theorists of this kind will often emphasise notions of civic virtue and participatory democratic structures. In contrast, 'Roman' republicanism - identified by Skinner, and having its origins more firmly in ancient Roman legal theory - is focused much more clearly on the idea of freedom as non-domination, and the idea of the free citizen as one who is robustly protected against domination through membership of a political community. The distinction is not sharp, but it is on this second, Roman tradition of republicanism that I want to focus.

In this Roman or "Italian-Atlantic[9]" tradition, Philip Pettit identifies three particular themes - again, interpreted differently by theorists in that tradition, with some themes taking prominence over others at different times. The first is the idea that freedom, understood as non-domination, is the primary political goal of any state. The second is that the state should, in order to pursue that non-domination, be organised and

[7] 2002, p.5.
[8] See, e.g., Pocock 2016.
[9] 2015a, p.170.

constrained in various ways (often associated with the mixed constitution). And the third is that citizens will need to have certain kinds of civic virtue in order to ensure that the state does its job. Both Pettit and Skinner see this first idea - freedom as non-domination - as the most distinctive in this tradition. The thinkers in this tradition interpreted freedom in the same way as the authors of ancient Roman law, in which "the most fundamental distinction within the law of persons is between those who are free and those who are slaves[10]". Slaves are not, the argument goes, made unfree by the fact that they are frequently forced or coerced into performing tasks for their master against their own will. Rather, they are unfree because they are not (in a phrase that is echoed in much of Pettit's contemporary work) *sui iuris* - they are not under their own jurisdiction, but instead are under the power of another. This allows us to make sense of the unfreedom of slaves whose masters are kind or absent, or slaves who manage to outwit or acquiesce to their master's will: even if a slave is never or rarely coerced into doing something they wouldn't otherwise want to do, they are nonetheless *in the power* of a master. The kindest master could stop being kind, and the most absent master could decide to take a closer interest in the conduct of their slaves. Rather than seeing these last two scenarios as representing a sudden increase in the slave's unfreedom, this republican account makes no such distinction - they are still owned by another, and subject to their will, whether good or ill. They are dominated[11], and so they are unfree.

This identification of unfreedom with slavery persists through the Roman tradition. In the eighteenth century, an influential republican tract presented the point well - "Liberty is, to live upon one's own Terms; Slavery is, to live at the mere Mercy of

[10] Skinner 1998, p.39.
[11] Where I follow Pettit in favouring the use of the term 'domination', Skinner prefers 'dependent', or 'dependent on the will of another' to refer to broadly the same phenomenon.

another; and a Life of Slavery is, to those who can bear it, a continual State of Uncertainty and Wretchedness…[12]". This metaphorical expansion of *literal* slavery allowed republicans to radically "stigmatise with the opprobrious name of slavery a number of governments[13]" and forms of governance, including British rule in America, as incompatible with freedom. Because they were subject to the arbitrary will of an unaccountable Britain, these American republicans were like slaves in their unfreedom. Individuals who were under the power of others were unfree, but so too were all citizens of states that were not properly constrained. This more explicitly political and constitutional bent was common to the Italian-Atlantic tradition, connecting the idea of freedom very closely to certain forms of constitutional government (and most famously, at least in the UK, opposition to most traditional forms of monarchy). This contrasted with the emerging liberal conception of freedom as non-interference, now dominant in political philosophy. On that view, only *actual* constraint compromises the freedom of its victims, rather than the mere *power* to constrain[14]. Conceiving of freedom as non-interference, this republican contrast between liberty and slavery is simply wrong: slaves with kind and permissive masters, because they are less restrained, genuinely have more freedom. A monarch might have all the power in the world, but until they actually *use* that power, their subjects are free, when freedom is understood in this sense. And even then, those subjects are unfree only to the extent that their monarch interferes.

In its translation into contemporary political philosophy, most effectively and influentially carried out by Philip Pettit, Roman republicanism underwent some serious changes. The first and most important change is the universalising of republican freedom.

[12] Trenchard and Gordon, quoted in Pettit 1997, p.33.
[13] Skinner 1998, p.59.
[14] See Pettit 1997, ch.1, for a discussion of articulations of this freedom as non-interference, from early theorists like Hobbes to writers like Bentham and Paley.

Throughout its history, republican ideals of freedom have been elitist, concerned only with the freedom of small segments of the population. It is only in more recent work that women were considered candidates for freedom as non-domination in any meaningful sense - previously, their domination by their husbands (and men in general, in other spheres) was considered unobjectionable. Men without property, too, were excluded on the basis that one must be *materially* independent as a precondition of real, republican non-domination - only a propertied elite could dream of achieving that ideal. And perhaps the most basic exclusion was of slaves themselves. The 'most fundamental' Roman distinction between free men and slaves didn't generate an opposition to slavery, but rather presupposed a slave class that would generate the material preconditions of citizens' freedom. The threat was that citizens would be treated *as if they were slaves.* This explains the fact that American slaveholders could nonetheless condemn their position relative to the British state as akin to slavery. Justification could always be found, in ancient Rome as in early modern America, as to why actual slaves deserved their treatment. Contemporary republicans take it as a starting point that freedom as non-domination is a universal ideal, with everyone having an equal claim to that freedom[15].

The historical tradition of republicanism, even within the narrower 'Roman' or 'Italian-Atlantic' republicanism, is one of various competing and overlapping themes, even if the focus on non-domination was the most distinctive of those strands. Pettit's formulation of republicanism gave it an "explicit and systematic basis[16]" in the notion of freedom as non-domination, the pursuit of which brings in, instrumentally, the other themes: the preference for certain kinds of constitutional constraints, and the need for

[15] There are caveats, but nearly all would agree that all relevantly able-bodied, adult, more or less permanent residents of a country have an equal claim to the promotion of their freedom as non-domination by that state.

[16] Laborde 2013, p.519.

certain modest forms of civic virtue that are required to give life to institutional protections against domination. In this way, contemporary republicanism is narrower and more precise than the tradition out of which it emerged - the particular ideal of non-domination is pushed to the fore, and the other concerns are pushed back, emerging again only as instrumentally required for the satisfaction of that ideal. Since Pettit's 1997 work *Republicanism: a Theory of Freedom and Government*, the field has developed considerably. Apart from Pettit's own subsequent body of work - dozens of papers and two explicitly republican books, *On the People's Terms*[17] and *Just Freedom*[18] - Frank Lovett's *A General Theory of Domination and Justice*[19] represents perhaps the next most comprehensive account of domination in the contemporary, analytical, neo-Roman republican tradition. Quite how to conceptualise domination has been a matter of debate within this branch of modern republicanism since its inception, and Pettit himself has changed his mind a number of times. I address these different accounts in detail in the next two chapters, but, in the words of Pettit and Lovett themselves, "most converge roughly on the idea of one person's having arbitrary or unchecked control over the choices of another[20]" - the power to interfere with someone else, whether one uses that power or not.

With a relatively stable conceptual core of opposition to domination, Pettit and Lovett have explicitly attempted to remain open as to how that non-domination might best be achieved. In a co-authored paper which serves well as a statement of intent for the modern republican project, they write that they want to encourage a "normative and institutional research program[21]": an experimental approach to finding policies and

[17] Pettit 2012.
[18] Pettit 2014.
[19] Lovett 2010.
[20] Lovett and Pettit 2009, p.14.
[21] 2009, p.11.

strategies that reduce the domination of citizens by each other - of women by men, employees by employers, of the weak by the strong, and so on - and to do so in a way that does not expose those citizens to domination by the state.

There is more to contemporary republicanism than this Roman approach, and it is worth making clear what I am leaving out. Stuart White, in an effort to characterise contemporary republican philosophy inclusively, identifies six core ideas, each of which might take a more or less central role in republican work. They include an interest in the common good, in an inclusive polity, in deliberation and especially deliberative democracy, in the (aforementioned) ideal of independence or non-domination, in the demand for participation on the part of citizens, and in economic egalitarianism[22]: "[T]he more central these ideas are to a political thinker's work, the more defensible it is to regard the work as republican[23]". This is compatible with a great deal of variation. Perhaps the most coherent and significant tradition of contemporary republicanism I leave out is the US body constitutional and legal scholarship which, aside from technical interpretation of the US constitution, has been used by theorists like Michael Sandel in an attempt to generate (or resurrect) an explicitly home-grown public philosophy in a more or less Athenian key[24]. This sort of work places more emphasis on the notions of civic virtue, political participation, and deliberation, and isn't tightly organised around a core opposition to domination. However, these other strands of contemporary republicanism will come up now and again throughout the thesis - for instance, where I discuss civic virtue (which Pettit's strand of republicanism also embraces, but instrumentally), I will bring up where helpful the work on the subject in these other, parallel bodies of republican thought.

[22] 2008, pp.8-11.
[23] 2008, p.9.
[24] See, e.g., Sandel 1996.

2. *Why republicanism?*

Why choose to focus on this form of republicanism? The general answer is simple - I think that domination is a fruitful way to think about politics, and contemporary republicanism, as shown above, is centrally organised around an open-ended opposition to domination. Roman republicanism[25] is, therefore, a natural place to start.

The republican revival - variously described as spectacular[26], striking[27], dramatic[28], and splashing[29] - has certainly been *successful*. Republicanism's place in academic political philosophy has been firmly entrenched, and by several intuitive measures of academic success it does very well indeed[30]. Visibility is perhaps the most obvious hallmark of a successful body of political thought and, at least in the academy, republicanism's visibility is not in question. There are special issues of journals, hosts of conferences, seminars, and edited collections dedicated to contemporary republican philosophy. Any syllabus lacking at least some attention to recent republican work would be incomplete, as would any introductory handbook without a chapter on the subject. Republicanism is also elastic, in the sense that groups of theorists with quite different beliefs and priorities call themselves republicans, and even in the subset of ('neo-', 'Roman', 'neo-Roman') republicanism I'm interested in there exists a diversity of views that stands as testament to its success, and to its adaptability and so potential for survival. There are critical friends, fringes, and diehard critics surrounding a mainstream that itself

[25] From now on, by 'republicanism' I mean to refer to this Roman or neo-Roman republicanism, unless otherwise mentioned.
[26] Laborde 2013, p.513.
[27] White 2008a, p.7.
[28] Lovett 2018, n.p.
[29] Ypi 2014, p.149.
[30] See Davis 2008 for a more thought-through account of the criteria of academic success that I merely gesture at below.

contains some significant disagreement. To some extent republicanism has succeeded in the capture of a few key concepts. Shout 'domination' in a crowded seminar room and you may well be taken to mean, or expected to justify your disagreement with, the conceptions of domination at work within mainstream republicanism. The same can be said for some adjacent concepts: arbitrariness, subordination, perhaps independence. And whilst republicans have not managed to capture the term 'freedom' - not for want of trying - the idea of freedom as non-domination is now at the very least an obvious rival to the (still more dominant) idea of freedom as non-interference. Lastly, republicanism is fast cementing itself as an off-the-shelf framework to be applied to individual problem cases. Starting with a fixed 'republican approach', the object of investigation becomes one of working out what that approach requires in various policy contexts. Papers are written on republican approaches to faith school selection criteria[31], immigration law[32], and medical ethics[33]. It is a mark of academic success to be the kind of theory that can be applied in this way: the theory on the shelf must be assumed to be sufficiently worked-out and coherent to be ready for action, there must be an expectation that it will be received by an interested audience, and the author must be able to assume knowledge on the part of that audience in order to launch into discussion of a problem with only a paragraph or two on the framework at hand. So republicanism in this context is very academically successful, and shows no signs of fading away. It was responsible for bringing the language of domination to the mainstream of political philosophy, and it represents the most sustained attempt in that context to work out the implications of a commitment to non-domination. Alone, this gives republicanism a great deal of importance as an object of analysis.

[31] Daly and Hickey 2011.
[32] Victoria Costa 2016.
[33] O'Shea 2017.

There are also good reasons to think that republicanism's modern success has changed political philosophy *for the better*, and has done so precisely because of its focus on domination. Republicanism has, since its revival, been explicitly contrasted with classical liberalism by its proponents. Indeed, this opposition is often built into the retelling of the fortunes of the historical republican tradition: its distinctive ideas about freedom and domination were not just forgotten or submerged, but co-opted and distorted by ascendant liberal conceptions of freedom in the nineteenth century. The process of recovering republicanism, and making it fit for contemporary political theorising, is thus closely linked to criticising the modern counterparts of the liberalism that usurped it. Almost every modern republican writer presents their ideas as a corrective to the dominant, liberal ways of thinking about freedom and politics.

Perhaps the most characteristic feature of this Roman-style modern republicanism is in drawing a sharp distinction between the liberal ideal of freedom as non-interference and the republican ideal of freedom as non-domination, and in the idea that the latter is much *more demanding* than the former. Understanding freedom as non-interference is intuitive enough: I am free when other people don't prevent me from choosing certain options, or coerce me into acting in a certain way. In short, I am free whenever others do not use their power to constrain me. For Frank Lovett, this is "a weaker conception of liberty[34]" - it permits far more and calls for far less from those who are committed to promoting freedom. "[B]ecause republican liberty is inherently incompatible with any form of dependency or mastery", he writes, "its social implications are considerably more radical than those of mere negative liberty[35]". Indeed, this was acknowledged by early proponents of freedom as non-interference. William Paley argued that universalising this

[34] Lovett 2018, n.p.
[35] *Ibid.*

kind of republican freedom should be rejected, because, as it is "unattainable in experience", it would "inflame expectations that can never be gratified, and disturb the public content with complaints, which no wisdom or benevolence of government can remove[36]". Pettit also expresses this idea of republicanism as inherently more demanding and radical, writing that non-domination "is indeed a very dense and demanding goal around which to orientate our social and political institutions; it would support radical changes in traditional social life…[37]". He, of course, disagrees with Paley's assertion that it is unattainable.

So while both are focused on the promotion of freedom, republicanism in its modern form differs from liberalism in finding many more threats to that freedom. A commitment to non-domination requires us to worry about any area of life in which some people have power over others, because to the degree that that power is arbitrary or uncontrolled (a more thorough discussion of which will be given in the next chapter), that power will be dominating. This kind of republican view will not, therefore, be satisfied with an appearance of consent or contract on the part of would-be victims of domination - relationships of unequal power will be a cause for concern even if they appear to be accepted or legitimated: the relationship of dependent spouses to their sole-earner partners, the employment contract between a worker and an employer, and so on. Focusing on instances of interference instead of relationships of domination risks losing critical purchase on some of the harms of being subject to another's power. The anxiety of having to adapt oneself to the whims of the powerful, the inability to plan one's life, the internalisation of norms that justify that domination - because they do not require actual interference, this phenomenology of domination goes unexamined when we equate

[36] Paley 1825, quoted in Pettit 1997, p.47.
[37] Pettit 1997, p.47.

freedom with mere non-interference. In this sense, a focus on non-domination tends to produce a more *critical* view of the world than a mere focus on non-interference. Because of this, Pettit sees republicanism as much more amenable to radical critiques of the status quo than liberalism. Certain characteristic feminist and socialist critiques simply aren't expressible in the language of non-interference, he argues: while an opposition to interference could make sense of complaints of *abuse* of power, an opposition to domination can accommodate complaints of the *position* - the power, even if un-exercised - of, say, men under patriarchy or capitalists under capitalism. In this sense, republicanism is intended by proponents like Pettit to appeal to, and reflect the traditional complaints of, these more radical schools of political thought[38].

The republican ideal of non-domination is also, on the other hand, more willing to accept certain forms of interference as compatible with freedom, most centrally certain forms of constrained *state* interference. To some proponents of 'pure negative' freedom, or freedom as non-interference, every intervention by the state into the lives of its citizens reduces the freedom of those citizens. For republicans, only *arbitrary* or *uncontrolled* state interference does so. A state sufficiently controlled by its citizens - and there are more or less demanding republican ideas of what this control would need to involve - could undominatingly interfere in the lives of those citizens. The relationship is complex, but the tendency it produces is one of less scepticism towards an active and powerful state than some libertarian-minded liberals. Republicans defend the possibility that there are forms of state interference that "are entirely undominating and entirely consistent with freedom: not only will they inhibit potential dominators and reduce unfreedom, they will do so without representing a form of domination in their own right[39]".

[38] Pettit 1997, pp.132-143.
[39] Pettit 1997, p.66.

These combine to make republicanism, in the words of Cecile Laborde, "a particularly suitable language for the advocacy of politically progressive causes[40]". In our existing political discourse, 'freedom' - understood roughly as non-interference, especially a lack of *state* interference - is mobilised in service of free market policies and a reflexive distrust of state intervention in the economic or social spheres. The more demanding ideal of freedom as non-domination "unsettles [this] discursive monopoly[41]". When the main threat to freedom is not non-interference but non-domination, we are forced to turn much more critical attention to the threat of 'private', or non-state domination. The unequal power of dominant social, economic, or political groups becomes *res publica* - a public affair, and thus a political concern. And this focus on domination also provides republicans with a way of clearly assessing various kinds of state intervention. Rather than always and inherently a threat to freedom, a strong and active state can, if properly controlled through democratic mechanisms, be seen as a necessary and non-dominating means by which to reduce that private domination. The same ideal - non-domination - gives us both a demanding goal and a set of practical constraints on our means to reach that goal.

Now, the differences between modern republicanism and liberalism can be overstated. In many ways, republicanism in its contemporary form accepts many of the basic tenets of philosophical liberalism: it accepts significant pluralism, for instance, and (in the Roman strand that I want to focus upon) rejects the idea that civic participation is an essential component of the good life. Indeed, some - but by no means all - contemporary republicans broadly accept that the practical, policy consequences of their work will align with redistributive left-liberalism, but should be preferred because they

[40] 2013, p.530.
[41] *Ibid.*

offer a better, simpler, or more persuasive justification for that programme[42]. But I see the focus on non-domination as a genuine departure from liberal discourse, both analytically and in terms of the political strategies that follow from that focus. It is worth bearing in mind that there are forms of academic liberalism - what Laborde calls 'constitutional liberalism[43]' - that will converge with the approach of many mainstream republicans on questions of constitutional design. On roughly the same basis, Stuart White argues that republicans should "end the war with philosophical liberalism[44]" by recognising these similarities, and focus instead on distinguishing themselves from particular *kinds* of liberalism. But whatever the strength of that argument with regard to certain forms of academic liberal theory, it is to the real-world, non-academic discourse of liberalism that republican work most clearly stands in tension. A language of domination and subordination paints a much bleaker picture of the world than a language of formal rights and pre-political freedoms, and demands, on the face of it, a correspondingly much more demanding and radical political programme to attack those relations of domination.

3. *Why work?*

Another distinctive feature of contemporary republicanism is its focus on political thinking that can effectively guide political action. This is shown in Lovett and Pettit's call for a normative and institutional research programme, discussed above, and is explicitly endorsed in some more recent work from Pettit[45]. "Political philosophy should be essentially practical[46]", he argues, and he sees his own republicanism as faring well on

[42] See, e.g., Lovett 2010, introduction.
[43] 2013, p.524.
[44] 2012, p.143.
[45] See Martí and Pettit 2010, ch.5; Pettit 2017.
[46] 2017, pp.1-2.

that account. This stands in contrast with certain forms of liberal ideal theory, and chimes with the recent realist methodological critiques of the political-philosophical mainstream. I leave a fuller discussion of whether and how this republican methodology is distinctive until the final chapter, but for now this rule of thumb should help motivate my choice of devoting a large portion of this thesis to an assessment of republican strategies towards reducing domination in some particular political arena - in my case, the workplace. I agree: republicanism and its focus on non-domination are to be judged on what they allow us to do. And looking in detail at the pursuit of non-domination in some concrete area is a good way of finding out what it allows us to do, whether the framework of domination is a good way of understanding some existing problem, whether the pursuit of non-domination can act as a good guide in suggesting and assessing strategies to solve that problem, and whether contemporary republicans interpret the demands of non-domination correctly in that area. Applying a body of philosophy to a practical, 'real-world' example, or examining such an application, can tell us things that a bare, propositional account of that philosophy cannot. It can shed light on the contours and details of the theory, the priorities of its proponents, and the ways in which aspects of that theory tend to be interpreted or fudged when they meet the inevitable resistance of real examples to clear analysis.

That is why I think it is important to look in depth at *some* practical context. I've chosen to focus on work and the workplace. What I mean by 'work' here is, in very rough strokes, what one does for a living: usually in return for a wage, usually within a firm. Although I'm particularly interested in hierarchical workplaces, all formal employment will fall into this category, including what we might think of as liberated or radical forms, such as horizontally-organised cooperative work. Self-employment also falls into this definition, although cases of genuine self-employment, as opposed to legal fictions of

self-employment designed to exploit loopholes in employment law, will be largely ignored throughout the thesis. It is not intended to be pejorative: we might refer to both good work and bad work, dominating and non-dominating work. It is a category that is fuzzy around the edges. Forms of work that are illegal and therefore informal, like most sex work in the UK, will nevertheless almost certainly count as work for my analysis. But I don't offer a full definition of 'work', at least in any strong sense of giving necessary and sufficient conditions. That doesn't strike me as very helpful here - any answer would likely be difficult and time-consuming to reach, and not worth the trek. And I recognise that my answer rules out a good many things that have a strong claim to be called 'work' in some contexts - unpaid and informal domestic labour, for instance.

So - why choose work? There are two reasons. The first is fairly simple: work is an area of life large enough, central enough, and on the face of it so clearly a site of power, suffering and control that any political project organised around an opposition to domination will have something to say about it, even if we might disagree on precisely *what* to say about it. Roughly three-quarters of working-age UK residents work[47], and those who work full-time spend around a third of their waking lives in the workplace[48]. The overwhelming majority of those workers will have signed an employment contract and, if they fail to carry out their duties (largely as interpreted, where their contract is imprecise, by their employers) they face sanctions or unemployment. Leaving a job is not a decision that most workers can take lightly, although (in the UK) all are formally free to do so: unemployment carries with it the risk of poverty and social exclusion, and the safety net of the welfare state is worn and patchy. For the vast majority of people it is not an option not to work, unless they are supported by someone who does work. And the

[47] Office for National Statistics 2018, p.2.
[48] González-Ricoy 2014a, p.234.

vast majority of jobs available to those people are hierarchical, and involve subordinating oneself to the (more or less constrained, and more or less formalised) demands of a manager throughout the working day. To put it quite roughly: if you don't own significant productive assets, you will have to have a boss. If you do own productive assets, you will get to *be* a boss. It might be unclear at the outset precisely which aspects of this arrangement constitutes domination, and certainly it is not obvious what to *do* about it. But if we are interested in how a body of political thought centred upon non-domination fares in the real world, work is a good place to start.

What's more, work is changing, and in ways that seem highly amenable to an analysis in terms of domination rather than, say, just the welfare or freedom-as-non-interference of workers. One of the hallmarks of the post-crash labour market in countries like the UK has been the rise of *precarity,* as identified and popularised by writers like Guy Standing[49]. And the loss of security and stability on the part of many contemporary workers seems closely connected to a loss of *power* relative to their employers. Aspects of the 'gig economy[50]' hand employers an enormous amount of power, and simultaneously undermine workers' own collective power: forced to rely on the good will of their current, temporary managers, workers are thrown into deeper competition with others in the same position. Modern technology also gives employers more resources for surveillance and control of workers, with tracking and data technology expanding the scope of workplace domination to a degree unimaginable only twenty years ago.

[49] See, e.g., Standing 2011, 2017. This is of course not to say that precarity is a uniquely post-2008 phenomenon, even in Western European economies. For an earlier identification of precarity as a distinctively modern feature of miserable work, see Bordieu 1998, ch.13.

[50] Strictly, 'the gig economy' refers to a subset of insecure work - that which is performed task-by-task or shift-by-shift, with workers often having to search or bid for those units of work. While this sort of work has always existed (often in manual trades), this gig-by-gig system has been dramatically expanded and given a sheen of Silicon Valley modernity in recent years by firms like *Uber, Deliveroo,* and delivery companies like *Hermes.*

The distinctive psychological harms of precarity also reflect the typical psychological effects of domination in the republican canon: most centrally, both cause radical *anxiety*, an inability to predict one's future, and an internalisation of and adaptation to the dependence upon powerful others[51]. It might be the case that republican conceptions of domination are unable to fully account for certain kinds of internalisation of dominating relationships and norms - the psychological effects of domination, we might say - outside specific, ongoing relationships of interpersonal domination. Nevertheless, the idea that domination has profound psychological costs, and can in some important sense shape or construct its victims, are found throughout the republican tradition. This thesis will not attempt an analysis of precarity and precarious work in terms of domination - something that I suspect would be worthwhile and interesting - but it will lay the groundwork for one, by looking at the ways in which domination in a broadly republican frame can make sense of, and critique, relations of authority and control within the workplace.

Furthermore, issues of workplace organisation - often in response to precisely the kind of precarious work described above - are high on the political agenda. Support for universal basic income, which I discuss in chapter three, is growing in political circles and popular media, with a diverse bunch of supporters ranging from socialists to Silicon Valley capitalists. And forms of workplace democracy, the subject of chapter four, are at the centre of a range of recent proposals from the Labour party to gradually extend worker ownership - with caveats and within certain limits - into large private firms[52].

[51] See, e.g., Garrau and Laborde 2015, who argue that the long-term, structural effects of certain kinds of domination can't be adequately captured by mainstream republican conceptions like Pettit's, and are better analysed through using more "structural" (p.60) notions of domination. Laborde's work on republicanism in the French context (e.g. Laborde 2008) provides an example of doing just this.

[52] For an early report into the direction of public ownership in the modern Labour party, see "Alternative Models of Ownership", Labour Party 2017.

These Labour plans in particular seem to represent a shift in direction, an explicit rejection of the pernicious but dominant idea that politics ought properly to limit itself to taxing and redistributing the profits of business (if that). If this is just the start of a period of renewed political attention towards the organisation of the workplace, then it seems to me that an analysis of domination in the workplace, and of how various proposals may reduce that domination, is more relevant now than ever.

The second reason is that work and related economic issues are areas on which the modern republican project has received substantial criticism. While workers and the image of the dominating employer have featured consistently in normative work from the beginning of the republican revival - in early work, Pettit describes "the employer who can fire his employees as whim inclines him[53]" as a paradigmatic example of domination - some observers of contemporary republicanism see work as an area on which the existing literature is comparatively silent. Cecile Laborde and John Maynor, having discussed republican approaches to the workplace and the economy, write that "[m]uch work remains to be done on republican political economy…we expect it to be [a topic] of growing importance and relevance in years to come[54]". Iñigo González-Ricoy (a republican, sympathetic to Pettit's project) writes that "[c]ompared to other issues such as criminal law, welfare provision, or global justice, contemporary republican theory has left the organization of the workplace largely unaddressed[55]". And for Alex Gourevitch, a critic of the Roman revival, "neo-republicans…often elide economic issues" and "keep well short of arguing for anything like transformed work[56]". But it is easy to overplay the silence of modern republicanism on issues of workplace domination: if it was a fair

[53] 1997, p.57.
[54] 2009, p.21.
[55] 2014a, p.234.
[56] 2013, p.2.

criticism a decade ago, it is less fair today. Partly in response to these criticisms, there is by now enough work situated within mainstream, Pettit-style republicanism on the subject to construct a 'republican approach' to the workplace, coalescing around a strategy of tight workplace regulation, certain forms of limited worker participation in the decision-making of a firm, and measures to enhance the ability of workers to exit and move between jobs[57]. Unfortunately for the fortunes of mainstream republican approaches to work, these too have come under criticism. Some attack republican conceptions of domination themselves as being wholly unsuitable for analysing the modern workplace, and better suited to the pre-modern world of slavery and serfdom out of which the republican tradition arose[58]. Or, as other critics have it, republicans must accept that a satisfactory strategy towards the workplace requires the guidance of ideals other than non-domination - in order to distinguish between various practical approaches, we will need to incorporate the value of non-alienation[59], or self-direction[60]. In sum, the republican approach to the workplace is certainly not a settled matter. *How* and *whether* an opposition to domination can guide political strategies towards the institution of work are open questions, hotly debated in the literature.

So not only is work an important area of study in its own right, one that involves relationships of control and power, and one in which we can be more or less guaranteed to find that *some aspects* of the institution are dominating and therefore a proper object of political concern, and in need of political change. The organisation of work and its relationship to domination is also one of the most interesting and fractious areas of research in modern republicanism, with a good deal of recent work from republicans

[57] See, e.g., González-Ricoy 2014a; Hsieh 2005, 2008a; and Pettit 2007.
[58] See Thompson 2013 and, to a lesser extent, Gourevitch 2013.
[59] Watkins 2015.
[60] Breen 2015.

themselves and their (sympathetic and not-so-sympathetic) critics from outside the tradition. Intervening in this body of work will give me a set of concrete strategic disagreements through which to explore contemporary republicanism and its handling of domination, as well as allowing me to contribute to a timely and ongoing set of debates.

4. *Chapters*

The thesis has the following structure. In chapter one, I explore in more detail the rival conceptions of domination in contemporary republican literature. After presenting a novel objection to Frank Lovett's 'procedural' conception of arbitrariness, I discuss the changing accounts of domination offered by Philip Pettit, whose work on the subject is by far the most influential in the field.

In chapter two, I tackle two objections - both broadly from the left - to the application of what I call 'personal' accounts of domination to the workplace. On personal accounts, like Pettit's, the relevant dominating agent in a workplace will be the employer. Two criticisms are ranged against this account: one, from Alex Gourevitch, seeks to expand that cast of dominators to include a whole range of other relevant agents[61], all of whom causally contribute to workers' having no option but to work for an employer. The other criticism, well represented by theorists like Michael Thompson, seeks instead to narrow the cast to zero: personal accounts of domination are held to rely upon an idea of agency that employers in a competitive marketplace simply do not have. I reject both of these criticisms and defend the personal account, but try to incorporate aspects of each challenge: a republican analysis of, and strategy towards, domination in

[61] See Gourevitch 2013, 2015.

the workplace cannot allow the background conditions of that domination to slip out of view.

In chapter three I examine one aspect of the mainstream republican strategy towards the workplace: tentative support for a universal basic income, or UBI. I argue that when these republican strategies *rely* upon a UBI, they face insurmountable practical difficulties. Only a very generous and well-entrenched UBI, delivered by a dramatically reformed state, could secure the kind of worker power that its proponents imagine. And so, while apparently a simple and efficient reform - one single policy having the knock-on effect of radically reducing domination in the workplace - a UBI is a very unstable policy on which to rest the anti-domination approach to work.

Chapter four presents two new arguments for workplace democracy in pursuit of non-domination. The first, a modified parallel-case argument, leverages republican support for democracy at the level of the state to argue in support of democracy at the level of the firm. I raise and respond to a number of possible objections to this argument, before offering an argument from civic virtue, which has similarities with (a modest version of) traditional psychological-support arguments for workplace democracy. On this account, even if workplace constitutionalism reduced domination at work as effectively as workplace democracy, republicans ought to prefer the latter on the basis of the *indirect* promotion of certain capacities that will tend to promote non-domination in other spheres.

In chapter five, I consider and support a largely neglected set of strategies for reducing domination at work: reducing the time *spent* at work. As a complement to my proposals for workplace democracy, I offer a direct and indirect argument for shorter working weeks. I then explore the problem of work/non-work distinctions and the extension of managerial authority into purportedly ‘free’ time, a practice enabled by

modern surveillance technology. I argue that addressing this drift of authority is crucial from the perspective of promoting workers' non-domination. Lastly, I examine a set of newer and more long-term arguments of 'post-work' theorists, who argue that developing automation technology in order to reduce the amount of socially *required* work should be a political concern. I make an amended version of the same argument - to the extent that it is likely that harnessing and investing in emerging technologies will relax the structural constraints on either reducing working hours, or reorganising the workplace along democratic lines, a commitment to non-domination justifies that strategy.

In my concluding chapter I consider some of the methodological tendencies of contemporary republicanism, and argue that while some (including an attention to questions of strategy and rhetoric) are attractive, others exhibit a markedly conservative streak, and may explain the failure of some mainstream republicans to follow through on the radical implications of a commitment to non-domination. I sketch a realist politics of anti-domination beyond the bounds of modern republicanism, and give some strategic reasons of my own for unmooring the pursuit of non-domination from the Pettit-style republicanism explored in previous chapters.

5. *Conclusion*

There is a tension in my relationship to republicanism throughout this thesis. But it is, I hope, a productive tension. On the one hand, I am interested in republicanism precisely because I think that its conceptual core is useful and interesting, and that its revival represents a welcome change to the mainstream of political philosophy. On the other, I am critical of what I see as a repeated pulled punch - when mainstream republicans talk about strategies to reduce domination (particularly, as I argue, with reference to the

workplace), the proposed solutions just don't seem to live up to that radical promise. In this sense, I am making an internal critique. In chapter two I argue, against some critics, that mainstream republican accounts of domination aren't inflexible or unhelpfully narrow, or at least not narrow enough to rule out any more radical proposals than they currently offer. And in the following chapters I have tried to show that not only are strategies like workplace democracy and the reduction of work required by the republican commitment to non-domination, but that it is perfectly possible to pursue those strategies within a mainstream republican framework. On the other hand, I am not firmly invested in the republican project. To a large extent, the republicanism of Pettit and Lovett appeals to me precisely because it focuses on non-domination to the exclusion of other, more traditional central concerns of republicans: thick ideals of civic virtue, a heavy focus on constitutional constraints and statecraft, and so on. It is because this contemporary republican project offers a compelling language of freedom and domination, rather than the fact that it represents a revival of a rich tradition of political thought and culture, that makes it attractive. And to the extent that the contemporary republican project fails to follow through on the radical promise of that language of domination, I have little reason to stay within that project. In the final chapter, I argue that this pursuit of non-domination might be best accomplished outside the republican framework: indebted to republicanism, and retaining its conceptual core and certain attractive methodological features, but ultimately distinct from that tradition. This makes my approach throughout the thesis pseudo-republican at best: a fellow traveller interested in organising political thinking around an opposition to domination, and seeing which social, political, and economic changes are required as a result of that focus. I hope that my engagement with republicanism is sympathetic enough for my criticism to find purchase, and convince mainstream republicans to take certain strategies towards the workplace more seriously.

And I hope that my substantial disagreements with those mainstream republicans do not overshadow my belief that their project, because it has brought a language of freedom and domination to the foreground of political philosophy, is a welcome and long overdue realignment of the priorities of the discipline.

Chapter 1

A Republic of Rules: Domination and Arbitrariness

Throughout this chapter and (except where explicitly addressed) throughout the thesis as a whole, I will be using 'republican' to refer to the 'neo' or 'Roman' republicanism that has emerged over the last few decades, first in the work of Philip Pettit and Quentin Skinner. As discussed in the introduction, the most distinctive feature of this republicanism is its focus on domination. Republican conceptions of domination have a good deal in common with each other, and differ from the many common uses of the term in other areas of political philosophy. They are, for instance, personalised: someone cannot be dominated by capitalism, or patriarchy, or social norms, except metaphorically. While those impersonal forces might enable or permit relationships of domination, those relationships of domination will, strictly speaking, always be between agents[1]. In this sense they reflect the idea of *living under the will of another,* a prominent feature of the traditional republican literature from which the modern republican project emerged. This distinguishes republican notions of domination from more expansive ones found in other contexts - Iris Marion Young, for instance, conceives of domination as any "structural or systemic phenomena which exclude people from participation in determining their actions

[1] Groups constituted in the right way (and precisely how they must be constituted is a matter of debate) can count as dominating agents - very loosely, those groups must be able to make and issue decisions. This allows entities like the state to dominate, or other properly organised, sufficiently agent-like groups: certain firms, gangs, cartels, and so on. There is a large and unwieldy literature on group agency, but for some material relevant to the modern republican project, see List and Pettit 2011. Furthermore, the next chapter will explore issues of agency and domination more fully.

or the conditions of their actions[2]", and some modern anarchists like Uri Gordon use the term as a kind of discursive umbrella that "remains inclusive of the myriad articulations of forms of oppression, exclusion and control by those subject to them…[3]".

Similarly, republican conceptions of domination share the fact that they are not exercise concepts. Many accounts of domination are indeed exercise concepts, where domination is a thing one can *do*, rather than a relation between two agents. Ian Shapiro's work provides a good example, defining domination as "the avoidable and illegitimate *exercise* of power that compromises people's basic interests [emphasis mine][4]". For republicans, again in common with a thread that runs through the entire tradition, domination involves not the exercise of power but its possession. A dominating agent may never, or only rarely exercise their power: it is their ability to exercise it that makes them dominating.

Another key commonality in the republican approach is that domination involves power that is in some sense *arbitrary.* Philip Pettit[5] and Frank Lovett[6] provide the two most thorough and sustained discussions of domination in the republican literature, and their work on conceptualising domination forms the core of the modern republican project. In his influential early work on the subject, Pettit writes that "[S]omeone has dominating power over another…to the extent that

1. they have the capacity to interfere

[2] 1990, p.31. Although Young is often taken to be a paradigmatic 'structural' theorist of domination, she does go on to write that "I do not deny that it is individuals who are powerful and who dominate" (*Ibid,* p.32), which draws her closer to my position in the next chapter.
[3] 2007, p.38.
[4] 2016, p.5. While characterising domination in this way, Shapiro in fact shies away from offering a precise definition, quite reasonably opting for a 'family resemblance' view instead.
[5] Especially 1997, 2012.
[6] 2010.

2. on an arbitrary basis

3. in certain choices that the other is in a position to make[7]"

Frank Lovett gives us a similar definition: "persons or groups are subject to domination to the extent that they are dependent on a social relationship in which some other person or group wields arbitrary power over them[8]". Lovett calls both of these accounts "arbitrary power conception[s][9]" of domination. But these considerable similarities mask a great deal of difference. Specifically, the two accounts differ on what it means for someone's power to be arbitrary. Lovett takes what he calls a "procedural" account of arbitrariness, in contrast to what he calls Pettit's "substantive[10]" account. This is no mere terminological difference: the two answers lead to disagreements about which relationships count as dominating, and even where their diagnoses of domination align, they will license and encourage different kinds of responses to that domination. Of course, Lovett and Pettit consider themselves to be working in the same, narrow area of modern republicanism - they agree enough to co-author the statement of republicanism as a "normative and institutional research program[11]", as discussed in the introduction. But their rival conceptions of arbitrariness matter, and adjudicating that rivalry matters especially to a project like mine. Pettit's conception of domination is more influential than Lovett's, so when discussing 'the republican conception of domination' it would perhaps be fair to focus on the former to the exclusion of the latter. But I also think that Pettit's is more plausible than Lovett's. Before moving onto how republican ideas of

[7] 1997, p.52.
[8] 2010, p.119.
[9] *Ibid.*
[10] *Ibid,* pp.111-119.
[11] 2009 - their disagreement over the definition of arbitrariness is confined to n.2, p.14.

domination fare in the workplace, it is worth narrowing down those conceptions to what I see as their most useful and defensible form.

So - for Lovett, power is arbitrary when its use is unconstrained by effective, common-knowledge rules. On the face of it, this is a simple, common-sense definition. Non-arbitrariness can be roughly equated with the rule of law, and codification and regulation become powerful tools in the republican toolkit. In this chapter I argue that these procedural accounts of arbitrariness should be rejected. First, it is noted even by Lovett that this kind of procedural account has some uncomfortable implications. Certain legalistic and highly rule-bound forms of apartheid, for instance, will count as non-arbitrary, and therefore non-dominating[12]. Lovett bites this bullet, urging us to remember that not everything that is unjust must also be dominating, and stressing the benefits of his procedural account for analysing other paradigm cases of domination. Even when we take some of the most unjust cases imaginable, Lovett wants to say that codification of those relationships replaces the anxiety, fear, and deference of domination with certainty, an ability to plan, and a sense of security.

In political philosophy, there is no truth in definition: accounts of something like domination will rise and fall according to what they *do* for us as theorists. My argument is that wholly procedural accounts fail to do much at all for theorists concerned with some phenomena that seem to require analysis in terms of domination - highly rule-bound, tightly controlled areas of life such as those that the sociologist Erving Goffman referred to as "total institutions[13]". Hospitals, prisons, schools, benefit regimes - all of these can have elaborate rulebooks constraining the behaviour of those who run them and those who live within them. I will show that such total institutions (or, more usually,

[12] 2010, p.101.
[13] 1957.

institutions with totalising tendencies) can produce the same bundle of psychological effects, the same kind of anxiety and fear, that theorists usually ascribe to domination. If we cannot see these totalising features as implicated in domination, I argue, then we are unable to usefully analyse a variety of pressing cases from the perspective of domination.

The chapter has the following structure. In section one I lay out the best case for a procedural account of arbitrariness. In section two I introduce the intuitive problem case for procedural accounts, before reconstructing the most plausible defence against this objection in section three. In section four, I argue that another problem case - total institutions - cannot be defused in this fashion, and point towards the need to recognise what I call 'rule-bound' domination. In section five, I argue that a variety of contemporary political problems require analysis in these terms, and that a purely procedural account can only pass them over in silence. In section six I raise and address some possible objections to my argument, before concluding, in section seven, with a discussion of Pettit's changing conceptions of domination, which manage to avoid the problems raised with Lovett's procedural account.

Before starting in earnest, it is worth noting that Pettit has now rejected the language of arbitrariness, precisely because it has these various and competing connotations. To some extent this is just a change of terminology, but there have been some substantive changes to Pettit's account over time as well. Where I contrast Lovett with Pettit's account in what follows, I will use Pettit's earlier formulations which involved discussion of arbitrariness. But despite now outdated terminology, none of his disagreements with Lovett have been overturned. I return to his more recent formulations in the last section.

1.1. *Arbitrariness*

Returning to Lovett's conception of domination, he writes that:

> In plain English, we can say that persons or groups are subject to domination to the extent that they are dependent on a social relationship in which some other person or group wields arbitrary power over them[14].

Lovett's definition of arbitrariness here is thin and common sense, self-consciously opposed to what he sees as the thick, moralised, and ultimately unhelpful accounts of arbitrariness - what he calls "substantive" accounts[15] - proposed by fellow republicans like Philip Pettit. For Lovett, someone's behaviour is arbitrary so long as it is not constrained by rules. Specifically, so long as it is not "…constrained by effective rules, procedures or goals that are common knowledge to all persons or groups concerned…[16]". Note that the content of these rules, procedures or goals is irrelevant. Their mere presence reduces arbitrariness (and thereby domination), making this what Lovett calls a "procedural" account of arbitrariness[17].

Its simplicity makes this sort of procedural account intuitively appealing. Pettit, who eventually settles on a far more convoluted account of arbitrariness, nevertheless initially writes:

[14] 2010, p.119.
[15] *Ibid,* p.112.
[16] 2010, p.101.
[17] *Ibid,* p.112.

> An act is perpetrated on an arbitrary basis, we can say, if it is subject just to the *arbitrarium*, the decision or judgement, of the agent; the agent was in a position to choose it or not choose it, at their pleasure[18].

Or, slightly later:

> Such an agent will enjoy an absolute power of arbitrary interference over that person. The only brake on the interference that they can inflict is the brake of their own untrammelled choice or their own unchecked judgement, their own *arbitrarium*[19].

Here we have the image of arbitrary power as power that someone can exercise simply according to their judgement, their will, their whim, their pleasure, and so on. Lovett stays within this frame when he writes that power is arbitrary if it "could be exercised merely according to the "will or pleasure" of the person or group holding that power[20]". Note that this is also, roughly speaking, the meaning of the term in normal usage, at least a provisional advantage for any conceptual analysis.

This sense of arbitrary power as power controlled only by whim, or will, provides a typically republican assessment of several paradigm cases of domination, cases which any remotely plausible conception of domination will have to include. The relationship of a slaveowner to a slave is one such case. An obvious candidate for what makes this relationship distinctively dominating (and not merely exploitative, or cruel, or unjust) is that the slaveowner can act in almost any way they choose towards the slave, without fear

[18] 1997, p.55.
[19] *Ibid,* p.57.
[20] 2010, p.96.

of reprisal. Some slaves might be treated in a kind and permissive way, some in a sadistic and demanding way, but all slaves will ultimately be treated according to the whim of their slaveowner. It is this arbitrariness that distinguishes slavery from other cases of exploitation or injustice, and that (so the argument goes) distinguishes domination from non-domination.

Since Lovett conceives of arbitrary power as power answerable only to the will of the powerful agent, the presence of any *external, effective, and common-knowledge* constraints will reduce that arbitrariness. Assuming a simple arrangement of two people, one of whom has power over the other, a constraint is any measure which restricts how that power may be used. It could be a formal, legal constraint - an extension of the criminalisation of rape to cover rape within a marriage might be an example - but it could also be a social or informal constraint: perhaps the dissolution of a strong norm of the private sphere as a space of absolute privacy and male authority.

That constraints must be *effective* to reduce arbitrariness is fairly straightforward: they must actually constrain the will of the target, rather than *aim* to do so or merely *formally* constrain. As an example we might look at modern-day slavery in countries where the practice is formally prohibited. As some cases in recent years show, people can be kept 'as slaves' even in the UK[21], but those relationships will have a different character to those that take place where slaveholding is protected by laws and social norms. They will require different methods of enforcement - concealment from the police and the public, physical imprisonment, and so on. The power of the illegal slaveowner over the slave relies upon the fact that modern anti-slavery laws are not entirely effective, and in some cases can be avoided.

[21] See, e.g., the case of Aravindan Balakrishnan (Booth 2016).

The requirement that a constraint be *external* contrasts it with merely internal constraints. An employer might happen to have a personal code of conduct which he takes very seriously, and might pride himself on always treating his employees well, paying them high wages, and so on. If he takes his code very seriously indeed, then the shame and sense of failure he might feel by breaking that code may make it genuinely effective - other people would be able to hold him to it, plan their behaviour around it, and so on. But, writes Lovett, these constraints "…are internal in the sense that they depend on the psychology of the power holder himself, and are thus unreliable unless or until they are given some sort of external backing by third party[22]".

The third condition, that of *common-knowledge*, requires that these external, effective constraints on the powerful party are relatively fixed and stable, and are fully accessible to all parties involved - by the would-be dominator and by their would-be victims. Everybody in the room, to put it simply, must have a copy of the rulebook.

1.2. *Problem cases*

On this arbitrary power conception of domination, how can that domination be reduced? Since we are given several jointly necessary conditions for domination, there are several different ways. We might reduce the dependence of the less powerful party upon the social relationship with the more powerful - exit rights and schemes like basic income are designed to do just this in the workplace. Alternatively, we could reduce the social power some have over others through, say, redistribution of income, assets, or productive assets. Technically speaking, we could reduce domination by having everyone place themselves in solitary confinement, thereby eliminating social relationships altogether. Or, as will be

[22] 2010, p.97.

the focus of this section, we could reduce the *arbitrariness* of a given social relationship by imposing the sorts of constraints discussed above.

Reductions in arbitrariness are often a crucial reform, and are certainly both possible and desirable in many cases. For instance, it is better from a perspective of arbitrariness that judges are constrained in the level of evidence required to convict people for crimes, rather than being able to decide the appropriate level of evidence at a whim. It is better that employment law (at least in theory, although its effectiveness is gutted by the formal and informal costs of employment tribunals) gives permanent workers the ability to know that their employers are constrained in when they may sack them, rather than those employers being able to terminate at will and without fault.

But this kind of procedural account of arbitrariness leads to some uncomfortable conclusions in terms of the resulting conception of domination. As we have seen, arbitrariness in this sense is reduced by the presence of constraints. But so long as these constraints are effective, external, and common-knowledge, they reduce arbitrariness *no matter what their content may be.* As long as there is a rulebook - impartially enforced and available to all - we don't need to look beyond the cover to know that arbitrariness, and therefore domination, are being reduced or eliminated. As Lovett notes, it is possible that on this account a "rigorously legal system of institutionalised discrimination[23]" might not exhibit any domination at all, so long as that system is enforced and maintained in an entirely non-arbitrary way. His example is of an apartheid state, but we can think of many others. A gender-segregated society in which women are confined to the home might be non-dominating, as long as the permissible interactions between women and men are painstakingly codified. A subordinate class might be forced to perform a punishing work duty to maintain a leisure class, and yet remain non-dominated as long as they can consult

[23] *Ibid,* p.117.

a rulebook informing them of those duties, and the consequences of failing to perform them. Many other hypothetical cases fit this description, and we are spoilt for choice - dystopian fiction often features such highly rule-bound, repressive, suffocating societies.

1.3. *Defusing the problem case*

The obvious initial response is to treat this consequence as a *reductio ad absurdum* - if just any sufficiently legalistic and rule-bound society counts as free from domination, then this account lets a great deal of domination off the hook. Something has gone deeply wrong, and we should go back to the drawing board. But a dismissal of procedural accounts of arbitrariness on these grounds would be too hasty.

First of all, Lovett reminds us that not everything that is unjust - even grossly and obviously unjust - must also be an example of domination. Nor must everything that we pre-theoretically and intuitively take to be an example of domination be included in our preferred conception. Some degree of intuitive mismatch is permissible, if the resulting conception serves us well as political theorists and actors.

Sally Haslanger, in her work on social construction, distinguishes between various kinds of definitional projects - projects of the form 'what is X?' each making different use of our intuitions about the normal use of the term under discussion [24]. *Descriptive projects* are entirely beholden to our normal use. People who write dictionaries engage in these projects every day, answering empirical questions about language use with enormous databases and text sampling. Political philosophers aren't usually involved in this kind of project, even if they may well make use of the results of those projects. Next are *conceptual projects*. These are grist to the mill of philosophers and political theorists,

[24] See, e.g., Haslanger and Saul 2006.

asking 'what is *our* concept of X?'. This kind of project hopes to reach a reflective equilibrium between 'our' intuitive cases of X and principles which can generate those cases. The end result may well exclude some of those intuitive cases of X from the final definition, and perhaps add some surprising and unintuitive new ones. But conceptual projects cannot deviate too far from the initial 'intuitive', or broadly descriptive, set of cases of X.

Haslanger's third kind of project is *ameliorative*[25]. The questions we ask within these ameliorative projects aren't 'how is 'X' used?' or 'what is our concept of X?', but rather (in Haslanger's words) "What is the point of having the concept in question…What concept (if any) would do the work best?[26]". Here we might want to *re*define some term, or consciously attempt to include much more in that term than is normally included. Intuitions about normal use play a still weaker role here. Our resulting definition of X must have some clear connection to ordinary use - it must be a recognisable definition of X and not something else; a revision and not a substitution - but otherwise our definition (or redefinition) is justified on its merits. Here, the political rather than the semantic warrant is what matters. We can deviate wildly from ordinary usage, as long as we can justify that with reference to the effect that we can reasonably hope this definitional change to bring about. Critical race and gender theory, according to Haslanger, fall into this camp, consciously trying to revise our ordinary uses of the terms.

Work like Lovett's sits more or less squarely between conceptual and ameliorative projects. He is beholden to ordinary use, and intuition about cases of domination, but is willing to exclude some of these ordinary uses if doing so can make for a politically useful definition. We are still looking for something that is recognisably 'our' concept of

[25] Or, in earlier work, 'analytical', e.g. Haslanger 2000.
[26] Haslanger and Saul 2006, p.95.

domination, but we are also willing to compromise this goal if there is sufficient political warrant to the proposed definition. On this model, to reject his work because of his problem cases is to say not just that his definition fails to fit our ordinary intuitions about domination. It is to say that this *particular* failure to fit our intuitions is *particularly* egregious, and that it does not have the considerable political warrant required for such an intuitive failure. To stress the point, it is not enough to point out that procedural arbitrariness is unintuitive: any project hoping to offer a definition of as contested and political a term as 'domination' is likely to exclude similarly intuitive cases. Instead, we have to evaluate the justification for this particular exclusion in terms of the resulting theory.

These problem cases appear to show that procedural accounts of arbitrariness lead us to under-diagnose domination. We are told that some hypothetical scenarios - intuitively, dystopias in which some people suffer a great deal of domination - may exhibit no domination at all. But as we have seen, an account of domination needn't encompass every case we might pre-theoretically think deserves inclusion. More important is that it is, in Lovett's words, "useful, and captures most of our prior intuitions[27]". By looking more closely at these problem cases, he argues, we will be able to see that something important, and something recognisable as domination, is missing from all of them.

Lovett gives his own sketch of a problem case: a society in which one group in a society acquires a great deal of power for various reasons, and wields it over a number of subordinate groups who are exploited for the powerful group's benefit. At some point, members of the subordinate group, possessing no great power of their own, nevertheless

[27] 2010, p.114.

manage to convince the powerful group to codify their (unjust) relationship. All of the "rights and privileges[28]" of the powerful group are written down and fairly enforced by independent judges. This places constraints - external, effective (by stipulation) and common-knowledge constraints - on the behaviour of the powerful group. These constraints naturally do nothing to materially improve the standing of the subordinate group, since they merely pin down the basic workings of the relationship they had with the powerful group (Lovett even suggests that the powerful group would have little trouble accepting this demand, since their position remains the same).

Has the level of domination changed over the course of this transition? On non-procedural conceptions of arbitrary power, then perhaps not. Certainly, Lovett thinks that accounts like Pettit's are unable to see any difference in domination between these two scenarios. But on this account, something has changed, and Lovett argues that we should see that change as a reduction in domination. In order to get into quite *what* has changed, and why we should consider it a reduction in domination, I want to use a different hypothetical case. Part of the reason for this is in order to strip out some of the irrelevant detail from Lovett's example which might be doing some of the intuitive work: for instance, Lovett has his subordinate class *demand* and *achieve* a codification of their relationship to the powerful group. This level of resistance or agency on the part of the subordinate group is irrelevant to this sort of account of arbitrariness, but its presence in this example might nonetheless muddy the waters when it comes to our intuitions about the changes in domination (if any) that take place. Mostly, I want to use a different, structurally similar case because it will subsequently allow me to modify the example to highlight a difficulty with such procedural accounts.

[28] *Ibid,* p.116.

In what follows, institutions A, B and C represent the same institution at various times. So first, take institutions A and B:

INSTITUTION A: A closed institution in an unjust society is set up in order to isolate and reform a group of social and political 'deviants'. The institution is run by a doctor whose treatment of the inmates is unchecked by any outside authority: inside the walls of the institution, he can do anything he likes to them. On his rounds every day he sets the work levels, privileges and punishments of various inmates according to their treatment plan, but inevitably favouritism, prejudice, and whim enter into his deliberation as well. The inmates, on average, suffer a fairly mild level of control and are left to their own devices between work or therapy sessions. Guards prevent them from hurting each other or establishing inmate-to-inmate hierarchies as far as is possible.

INSTITUTION B: In the hope of franchising out the treatment programme, a supervisory committee of trustees is established to oversee the running of the institution. Forcing the doctor to write down his treatment plan, they establish a constitution and a code of conduct. This code legislates every possible interaction between the doctor, guards and inmates, and is fairly and impartially enforced by members of the supervisory committee. The constitution also ensures that members of the committee invigilate each other's behaviour. Copies of the constitution and code of conduct are freely available for staff and inmates alike. The average levels of therapy, work duty, recreational time, and so on remain the same.

INSTITUTION B is a problem case - the doctor's power over the daily lives of the inmates is fully checked by a supervisory committee, who check each other according to a constitution. Everyone who has power over the inmates has it in a non-arbitrary capacity and, consequently, the inmates are in no way dominated (on Lovett's account). This conclusion is unintuitive, as Lovett recognises. Many people would certainly feel that they had a legitimate complaint of domination if they were locked away in an institution for social deviants, whether or not its chief doctor was supervised by a committee. In order to account for this intuition, Lovett writes, "we must contrast a rigorously legal system of discrimination [INSTITUTION B] with alternative methods for securing similar levels of material advantage and disadvantage[29]". In other words, we must compare INSTITUTION B with its arbitrary forerunner, INSTITUTION A. Both are equally the product of a (by stipulation) unjust and discriminatory society, and both might accurately be described as dystopian. But by comparing the two from the perspective of the inmates, we can see genuine and important differences which it makes sense to call a reduction of domination.

Inmates in INSTITUTION B have advantages over inmates in INSTITUTION A. In a passage worth quoting at some length, Lovett observes:

> Members of the disadvantaged groups now at least know exactly where they stand: they can develop plans of life based on reliable expectations; provided they follow the rules, they need not go out of their way to curry favour with members of the powerful group; and so on… These are important *experiential differences*, best captured by saying that the introduction of externally effective constraints on the holders of power constitutes in and of itself a reduction of domination. This is not to

[29] *Ibid,* p.116

> say, of course, that the advantages of the powerful group are now perfectly fair. Far from it. Rather, it is only to say that not everything that is unfair must also constitute domination[30]. [emphasis mine]

This reference to important experiential differences recalls other discussions of the phenomenology of domination, and indeed points to discussions of what we think is *wrong* with domination in various paradigm cases. For example, a plausible candidate for a distinctive harm of slavery (given that some slaves might be treated very well, and others very badly) is the experience of radical insecurity and anxiety which it generates. Inmates in INSTITUTION B can consult the code of conduct and be assured that their treatment at the hands of the doctor and the guards will be no more and no less than what is written down, something which was not available to them before. This experiential bundle can be split roughly in two. On the one hand, inmates will see a reduction in blunt uncertainty - which allows them, as Lovett notes, to plan their lives. On the other, they will see a reduction in what we might call adaptation. Although the word suggests evolution, or other evaluatively neutral processes, I mean here a broad category of basically pejorative adaptations faced by those who, more or less consciously, alter their behaviour to better weather or avoid the harmful influence of a powerful party in their life. Republicans, Lovett and Pettit included, often talk about ingratiation, fawning, toadying, and a whole host of other pejoratives which can be included in this category. Although only briefly sketched, this category contains typical republican concerns ranging from a slave learning to make themselves invisible when they can tell that their master is in a bad mood, to an academic in a surveillance state self-censoring to avoid

[30] *Ibid.*

punishment[31], to Wollstonecraft's critiques of femininity, adopted by modern republicans[32].

As a brief aside, the emphasis on this experiential or psychological effect of domination explains the 'common-knowledge' condition Lovett imposes on republican constraints, which until this point might well have seemed like the odd one out in the list of conditions. Constraining arbitrary power, for Lovett, isn't solely a matter of whether powerful agents are forced to abide by an impartially enforced set of external rules. Their would-be victims must be aware that these rules exist, must be able to easily find out their detail to the letter. In a throwaway line, Lovett also writes that these rules can't change too often either, such that even a would-be victim with a rulebook would have to throw it out and learn a new one every week[33]. These common-knowledge conditions only make sense if we see the reduction of arbitrariness as closely connected to this corresponding reduction in uncertainty and adaptation in the powerless. This gives that experiential bundle a key role in Lovett's account of arbitrariness.

This bundle (adaptation, uncertainty, anxiety, etc) that is reduced in the transition from INSTITUTION A and INSTITUTION B is intuitively connected to domination, and intuitively connected to what is *wrong* with domination. At the very least, identifying that reduction as a reduction in domination doesn't suffer the same intuitive mismatch as when problem cases are confronted for the first time. This provides the intuitive hook that Lovett hopes will drag us along - a theory of domination must be able to capture this difference, and his does, through the use of a procedural account of arbitrariness.

[31] Quentin Skinner repeatedly uses the example of self-censorship, and especially academic self-censorship; see e.g. Skinner and Marshall 2013, or Skinner 2016.
[32] See, e.g., Anne Phillips 2000, or Alan Coffee 2013.
[33] 2010, p.217.

So let us accept that a theory of domination should be able to distinguish between these two examples, and be able to capture the important experiential differences between being an inmate in each institution. But accepting that domination is *reduced* between the two examples is not the same as accepting that it is eliminated. Of course, it might be impossible to ever eliminate domination everywhere, and any theory which promised us that ability could be accused of excessive optimism. But if arbitrariness is a *necessary* condition of domination, then there is nothing dominating about the relationship between the inmates and those who have power in INSTITUTION B.

Lovett's reasoning gives us cause to favour procedural arbitrariness as part of a conception of domination, in order to adequately capture the experiential differences between the two cases. In the next section I argue that we have equally good reason to require our theory of domination to capture the experiential differences between two other examples, and that it cannot do so if procedural arbitrariness remains a necessary condition.

1.4. *Total institutions*

Consider a third example, INSTITUTION C.

> INSTITUTION C: The supervisory committee of trustees retire, and are replaced with a younger generation. In the interests of making the institution as cost-effective as possible, and in order to franchise the model out to institutions with many more inmates, the content of the constitution and the code of conduct are changed. Now, every inmate's day is identical, and planned to the minute, in order to make surveillance and enforcement easier. There is no free or recreational time. The

> punishments for breaking these new rules are severe, designed to have a deterrent effect and reduce guard workload. In all other regards (the rules are freely available, fairly enforced, and so on) the institution remains the same.

INSTITUTION C shares many features with what the sociologist Erving Goffman described as a "total institution[34]". A total institution is closed to the outside world, where every sphere of the inmates' lives is highly regimented and homogenised. They eat, sleep, and work in unison and to a schedule, and in a manner prescribed and enforced by the staff. The description of a total institution does not make reference to the arbitrariness or non-arbitrariness of the inmate's treatment, so it need not be arbitrary in the procedural sense (as I have stipulated in INSTITUTION C). Goffman believed that many institutions in our society were either total or had totalising tendencies[35], and argued that such arrangements had a fairly unified deleterious effect on the inmates who lived in them compared to institutions with similar goals which did not exhibit totalising tendencies. He calls this process "mortification":

> On the outside, rules are sufficiently lax and the individual sufficiently agreeable to required self-discipline to insure that others will rarely have cause for pouncing on him. He need not constantly look over his shoulder to see if criticism and other sanctions are coming. On the inside, however, rulings are abundant, novel, and closely enforced so that, quite characteristically, inmates [in total institutions] live with chronic anxiety about breaking the rules and chronic worry about the

[34] 1957.

[35] Whether this is true or not, or was once true but has now become false, is an interesting question but fairly irrelevant to this part of the chapter. The real-world implications of a theory of domination which simply has nothing to say about totalising tendencies or total institutions will be discussed in a later section.

> consequences of breaking them. The desire to "stay out of trouble" in a total institution is likely to require persistent conscious effort and may lead the inmate to abjure certain levels of sociability with his fellows in order to avoid the incidents that may occur in these circumstances[36].

Of course, we all live by rules - whether formal laws or mere social conventions - and these extend to almost all aspects of our lives in varying degrees and with types of enforcement. But 'mortification', or this kind of psychological effect, seems to result from a particular configuration of expansive institutional control. Aside from the anxiety Goffman describes, institutionalisation of this kind tends to produce other, more permanent effects on inmates, as illustrated in this description of the experiences of a group of prisoners in California:

> Correctional institutions force inmates to adapt to an elaborate network of typically very clear boundaries and limits, the consequences for whose violation can be swift and severe …The process of institutionalisation in correctional settings may surround inmates so thoroughly with external limits, immerse them so deeply in a network of rules and regulations, and accustom them so completely to such highly visible systems of constraint that internal controls atrophy or, in the case of especially young inmates, fail to develop altogether[37].

I quote these passages at length not because they contain particularly surprising or novel

[36] 1957, p.52.
[37] Haney 2002, n.p.

information, but almost the opposite - it is common knowledge that totalising institutions of this kind (if not spoken of in those terms) cause those people unfortunate enough to live in them radical and intolerable levels of anxiety and stress, a degradation of self and of agency, just as it is fairly obvious that being a slave, whether treated badly or treated well, produced a similar bundle of psychological effects.

Compare INSTITUTION B and INSTITUTION C. Since those with power in both institutions are constrained by a supervisory committee, members of which are themselves constrained by each other and with reference to a common-knowledge constitution, both institutions are non-arbitrary and therefore non-dominating on Lovett's account. This is a strange enough conclusion on its own. But a consequence of this view is that both institutions display *the same level of domination*. From the perspective of domination, we must remain silent on the change from a non-total institution to a total institution. In section 3, the prospect of being unable to discriminate between two situations which had important experiential differences was enough to weigh in favour of including arbitrariness as a condition of domination. There are certainly important experiential differences involved in the transition from INSTITUTION B to INSTITUTION C: the introduction of psychological effects discussed above. If the first set of differences demands recognition from a theory of domination, I suggest that this second set also demands recognition.

Some considerations support this conclusion. The first is the similarity between the two sets of experiential differences. While, of course, not just any experiential difference needs to be explained as an increase or decrease in domination, the psychological effects of INSTITUTION A and INSTITUTION C upon inmates are similar enough to at least motivate a discussion of whether they should be grouped together as different mechanisms of the same phenomenon. Both produce anxiety, a sense of looking

over one's shoulder, a persistent fear of falling foul of conditions over which one has no control but which are man-made. Both can produce a sense of dehumanisation, and can gravely affect one's sense of self as a decision-making agent.

The fact that total institutions and slavery both produce relatively similar psychological harms is important if we want a consistent and plausible normative response to domination: the idea that domination produces a fairly unified set of psychological harms in its victims is often given as the best reason to have non-domination as a political ideal. Lovett certainly seems to take this view. We are told that part of what makes domination wrong is that:

> …those subject to domination additionally suffer from psychological anxiety and a sort of paralytic sense of helplessness. At the extreme, this may result in a complete resignation and social withdrawal: recognising the improbability that even modest life plans will come to fruition, the victims of domination may give up the idea of formulating goals or aims for themselves at all[38].

We could note that this sounds precisely like the two descriptions of institutionalisation given above. But it also highlights the problem of excluding procedurally non-arbitrary total institutions as examples of domination. If our motivation is to better understand the cause of this sort of psychological harm in order to make sure, as far as is possible, that nobody is subject to it, then we are failing in that project when we have nothing to say about the totalising features of institutions like these.

[38] 2010, p.132.

1.5. *Rule-bound domination*

By accepting procedural arbitrariness as a necessary condition of domination, we are left unable to recognise crucial distinctions between various procedurally non-arbitrary social arrangements which nevertheless seem to involve different levels of domination. I used total institutions as an example for a number of reasons: they are self-contained and typically small, which allows us to exclude various complicating factors while avoiding more unrealistic hypotheticals; they present a particularly serious and obvious case of the psychological effects of highly rule-bound environments; and they are often genuinely non-arbitrary in the relevant sense. But total institutions are just one extreme example of this kind of problem case. In this next section I want to briefly point to some other possible examples of non-arbitrary domination, before summarising my main arguments against Lovett's conception of domination.

It may be the case, for example, that a recognition of procedurally non-arbitrary domination can allow us to analyse more clearly the problems with the administration of jobseeker's allowance in the UK. While all claimants are required to show an advisor that they are actively looking for work, the precise nature of this requirement differs from council to council. Some allow the advisor a fair amount of leeway in determining whether or not a claimant has fulfilled this condition in any given week. Claimants in these councils are therefore exposed to a fair degree of arbitrariness: an advisor could simply dislike a claimant, and choose to take an unusually harsh interpretation of the requirement. For reasons already discussed, this sort of dependence on an arbitrary, powerful party can be psychologically and materially crippling. On a procedural account, we would regard this relationship as one of domination, to some degree. An obvious strategy for reducing this level of domination would be to reduce the level of procedural

arbitrariness by simplifying and codifying the conditions upon which a claimant can be declared actively looking for work. Many councils have indeed routinised the process to an enormous degree: claimants must apply for a certain number of jobs online every week, notification of which is automatically sent to their advisor. They might also be required to attend a certain number of training sessions a week. Realistically, strategies to reduce the arbitrariness of the advisor's conduct will also routinise the behaviour of the claimant, when they involve codifying the eligibility requirements into a set of clear and inflexible conditions. When this level of routinisation is high enough, or its demands sufficiently difficult to confidently meet, claimants can expect to face some degree of the psychological effects of living in a highly rule-bound environment. Consider this extract from a report by the Poverty Truth Commission, a Scotland-based advocacy group, describing from first-hand experience the anxiety and feelings of dehumanisation that result from being subject to an increasingly rule-bound benefits regime, which threatens heavy sanctions for any infraction of those rules:

> Our lives have become chaotic through sanctions and the constant threat of sanctions. Every day we live in fear of being late for an appointment, missing a phone call, reading a letter wrong - and being sanctioned. Of having no money for one month, six months, three years. Losing your money is one thing. But what sanctions do to your mental health and dignity is another… The threat is so heavy. It's like being crushed. It seems as if we are no longer regarded as human beings. You are under constant suspicion and scrutiny. People are getting pushed to the limit. They are sick with the stress. It really hurts the bones on us… You used to be able to go into the Jobcentre and talk to someone. To explain to them if you were

> having trouble understanding forms or weren't computer literate or were worried about something…[39]

We could look at this as a case of reducing domination successfully, but causing other problems along the way - the problem of intrusiveness, for example. Indeed, this would be the response on the procedural account. As such, we might oppose the move, but we would have to oppose it on grounds other than reducing domination. This in itself seems to stand at odds with the idea of many republicans that non-domination is a sort of gateway good, the promotion of which looks after any other goods we might want to promote.

Instead, we could see this kind of strategy as a particularly bitter kind of failure, eliminating arbitrariness only to eventually secure domination through other means. In which case, in the interests of reducing domination in such benefits regimes we should look to other solutions: a universal basic income, for example, which removes dependency on arbitrary power rather than attempting to make that power non-arbitrary through routinisation[40]. On this picture, republicans and those who share their concerns must give careful attention to these kinds of practical difficulties: some reforms, like excessively demanding regulation, will be counterproductive from the standpoint of reducing domination.

Recognising that procedurally non-arbitrary, but highly rule-bound relationships can be dominating directs our attention towards other real-world cases as well. Broken

[39] McCormack and Murray 2015, n.p.

[40] As it happens, both Lovett and Pettit endorse (or, in Pettit's case, argues that republicanism *could* endorse) a universal basic income for other reasons (Lovett, 2010, p.199; Pettit, 2007). Chapter three looks in more detail at Pettit's arguments for a basic income of this sort.

windows policing, the trend for zero tolerance policies in schools[41], the encroachment of workplace rules into employees' private lives[42]: those with power in all of these situations may well be strictly bound by externally enforced, common-knowledge rules. But this procedural non-arbitrariness should not reassure us that nobody is being dominated, or less dominated than they otherwise would be.

1.6. *Objections*

Before concluding this chapter I want to anticipate some possible objections to the arguments above. One concerns the possibility of eliminating procedural arbitrariness. At one point, Lovett explicitly denies this possibility:

> We need not imagine that a complete absence of arbitrariness can ever be achieved. It cannot. The arbitrary power conception will be useful provided it is possible to *reduce* arbitrariness. Since reduction is clearly possible, the arbitrary power conception will have the sort of descriptive contouring we are looking for[43] [emphasis in original].

A part of my argument relies on the possibility of a *completely* procedurally non-arbitrary environment, totally and effectively bound by public rules. That is, I suggest that if a total institution were completely procedurally non-arbitrary, it would still be dominating on other grounds (something that Lovett rejects, since arbitrariness in his sense is a necessary

[41] The briefly notorious student handbook of the Great Yarmouth Charter Academy provides a particularly gruesome example of totalising tendencies in education: see Cope 2017.
[42] For some examples of the expansion of managerial authority in the workplace, see Bertram, Gourevitch and Robin 2012, as well as the following chapters.
[43] 2010, p.111.

condition of domination). However, we might agree with Lovett in thinking that nothing can ever be completely and effectively rule-bound. So long as human agents are involved, there will always be gaps in the system, room for manoeuvre in an otherwise fairly regimented arrangement, no matter how much the powerful are 'forced' to abide to a set of rules. This might seem to let Lovett - and procedural accounts of arbitrariness - off the hook. If we can never achieve full procedural non-arbitrariness, then the problem cases I examine above will never be truly non-dominating on Lovett's account. But this objection only works so well. Of course, it seems absurd to suggest that an entire society can be fully and effectively subject to rules governing the relationships between its members. But it is much less absurd to suggest that smaller, more tightly defined *parts* of a society might be effectively rule-bound. Lovett himself seems to agree, giving the example of the legal arena in a well-functioning judiciary of an apartheid state. But we can imagine tightly defined areas in a physical sense as well - the sorts of institutions I discuss above. In these institutions, I see no reason to doubt that particularly well-functioning examples could be effectively rule-bound, especially if (as Lovett-style republicans would naturally prefer) they were to consciously pursue a policy of non-arbitrariness.

Nevertheless, a related point seems to me to be true. Even when an institution is genuinely rule-bound, there might be cases where it is subjectively impossible to see that as the case. Take the example of a procedurally non-arbitrary total institution, similar to the examples above (we could call it INSTITUTION D). INSTITUTION D is genuinely non-arbitrary - the guards are effectively constrained by a public set of rules, and so on. As such, the inmates know that no amount of flattery, adaptation, or exhortation will affect the way that they are treated - this is a benefit of non-arbitrariness, on the procedural account. But suppose that these inmates are subjected to unspeakably cruel treatment: torture, or a work requirement so severe that it amounts to torture. Such treatment would

be so subjectively unacceptable that, despite what they know about the conduct of the guards, inmates might be unable to resist at least *trying* to escape it, treating their relationship with the guards *as if* it were procedurally arbitrary[44]. Even if I thought it was a lost cause, even if I thought that there were only a one-in-a-million chance of success, the severity of those rules may well lead me to mimic exactly the sort of relationship that procedural non-arbitrariness was meant to avoid.

Replacing the guards with *truly* impersonal enforcers - robots, say - would presumably leave no room for doubt in the minds of the relevant victims about their chances of escaping punishment. So this objection to overly harsh regimes only applies to ones where the enforcers are genuinely agential. But (in the republican context at least) only agents can dominate - were the guards to be replaced with robots, 'their' domination of inmates would be located 'upstream', to the agent responsible for programming those robots. With human enforcers, however, this point seems to me to tell in favour of my argument, by providing another way that an entirely procedurally non-arbitrary relationship might, nonetheless, produce something that looks very much like the effects of domination as arbitrary power[45].

Perhaps the defender of the procedural account could respond by adding a new requirement - that rules must be performable under reasonable assumptions of human

[44] There is a worry here that if *subjective* unacceptability of punishment can cause radical anxiety (and so on), then one could escape such anxiety by changing one's preferences (or having them changed for you). This point seems uncontroversial: therapy for phobias being a good example of such a process. The worry is that we might allow such processes to reduce the level of *domination* faced by the relevant victim, and thereby make adaption a plausible domination-reducing strategy. While I do not have the space to address possible solutions here, it means that the relationship between such radical anxiety and domination cannot be straightforward in this sense.

[45] I am grateful to an anonymous reviewer for the *Critical Review of International Social and Political Philosophy* for pressing me on this point, and have borrowed some of their phrasing: there is a good deal of much interest to say about agency and domination, and little space to say it here, though in the next chapter I explore some distinct questions of agency and intention more closely.

imperfection, so as not to produce this kind of radical anxiety. Certainly, when it comes to forms of *epistemic* imperfection, this is a plausible and straightforward response. Indeed, if rules are too complex to understand or remember, then we might doubt that they are truly public in the first place. But when it comes to human imperfection more generally, the picture is much more complicated. If we want to rule out unduly demanding sets of rules, how demanding is too demanding? On the one hand, even very dense and demanding rules might be strictly performable for most people, but still cause incredible anxiety and require permanent vigilance and strenuous effort. On the other, even relatively undemanding sets of rules can still cause high levels of anxiety, where we might very reasonably fear being unable to observe them through simple bad luck or competing responsibilities (cf. many existing benefits regimes). Prohibiting rules more demanding than this relatively low level would be a significant revision of the procedural account. Aside from simple alterations, like requiring rules to conform to epistemic imperfection, this response seems to raise more questions than it answers.

What other moves might a defender of procedural accounts of domination make? They could simply bite the bullet, as Lovett does with the case of a rigorously legal systems of apartheid. Readers would be asked to accept both unintuitive consequences - that some forms of apartheid are non-dominating, and that total institutions may be no more dominating than non-total institutions. There is an obvious problem with this approach, in that the fewer unwelcome consequences of some argument, the better. In order to tolerate *both* problem cases, we would need to insist that the resulting conception of domination is nonetheless the most political useful one around. In section 1.5, I hope to have given reason to believe that this is not the case, since an analysis of total institutions and totalising tendencies is crucial to several practical, political problems. In any case, this is the level on which this kind of response would have to argue.

Another strategy would be to argue that the case of rigorously legal apartheid is a genuine problem case (albeit one to which our intuitions can be defused), but that total institutions present no special problem case for the procedural view. The argument might go something like this. Inmates in (non-arbitrary) total institutions may well face a experiential differences to those in (non-arbitrary) non-total institutions - they may tend to suffer fear, anxiety, an inability to plan, and so on. These experiential differences may well be associated with domination, might provide useful evidence that someone is dominated, and might form a large part of our reason to oppose domination. But not *every* situation that produces anxiety and insecurity (and so on) must be one of domination. Living on a floodplain produces insecurity, but nobody is suggesting that floodplains are dominating their inhabitants.

There are two responses to this. The first is to emphasise the relevant similarities between the situation of inmates in non-arbitrary total institutions and in other paradigm cases of domination, and to downplay their similarities to, say, inhabitants of a floodplain. Assume that the experiential bundle itself is similar - anxiety, insecurity, an inability to plan, and so on - and that this bundle is both intuitively connected to domination, and is at least part of the reason that domination is to be opposed. I take this to be fairly obvious, and to establish an intuitive hook for including the sort of non-arbitrary power under discussion as an example of domination. The differences will be found in the *source* of that experiential bundle. The source of anxiety of those living on a floodplain is a genuinely impersonal natural world - there are no agents involved on the dominating side of the equation. The source of anxiety of Goffman's inmates is only *apparently* impersonal, but in fact is shot through with agency: the directors who create the constitution, the guards who administer it, their own potential inability to act according to the rules, and so on. Of course, defenders of a strictly procedural view will argue that

only a very specific kind of agency properly qualifies as the source of domination - the uncontrolled will of a single individual. This is why strictly procedural views are incompatible with an analysis of non-arbitrary total institutions.

The second response is more directly related to the existing defences of procedural accounts. As I showed in section 1.3, Lovett attempts to defuse our intuitions about the case of apartheid with reference to the experiential differences between hypothetical cases (what I called INSTITUTIONS A and B). Lovett associates these experiential differences closely enough with domination to argue that their reduction should reassure us that there is a corresponding reduction in domination. But my argument uses that *same* set of experiential differences to show that total institutions (as illustrated by INSTITUTION C) present another problem case for the procedural account. If we reject the idea that institution C is more dominating than INSTITUTION B, then we should also reject the idea that INSTITUTION A is more dominating than INSTITUTION B. This takes the form of an internal critique - Lovett accepts that these experiential differences should be seen as a change in the level of domination in order to defend himself from the first problem case, and as such cannot reject the second problem case without abandoning this defence.

1.7. *Conclusions*

My main argument against Lovett's account has roughly taken the following form:

1. If procedural arbitrariness is a necessary condition of domination, then turning a non-total institution into a total institution (when both are procedurally non-arbitrary) does not increase the level of domination.

2. Total institutions are more dominating than non-total institutions (when both are procedurally non-arbitrary), both on an intuitive level and because they produce a bundle of psychological effects relevantly similar to paradigm cases of domination, such as slavery.
3. Therefore, procedural arbitrariness is not a necessary condition of domination.

Wholly procedural accounts of arbitrariness should be rejected. We should agree with Lovett that intuitive fit with everyday language isn't the end of the matter, and that issues of definition should stand or fall on what they allow us to do as theorists. But we should reject procedural accounts like his precisely on this basis: they leave us ill-equipped to deal with the sorts of totalising tendencies described above.

This rejection is intended to raise a second, more general point as well. Total institutions, and areas of social life that exhibit totalising tendencies - prisons, schools, eligibility schemes for various government programmes, and so on - are deserving of serious and critical attention from theorists concerned with domination, republican or otherwise. Not only are they an overlooked phenomenon in the literature, but they can provide a cautionary tale about the value of bureaucracy and routinisation: the pursuit of non-domination through these means can reintroduce the very problems they were intended to solve.

So where does this leave us? Which accounts of domination can capture the case of total institutions? The most relevant answer is given by Lovett himself - arbitrary power conceptions of domination which make use of a 'substantive', rather than a procedural, account of arbitrariness. Pettit's conception of domination as power that is not forced to track the avowed, or avowal-ready interests of those affected fits this bill[46]. In

[46] Lovett 2010, p.112.

this last section, however, I want to give an account of Pettit's more recent formulation of domination.

Pettit has now moved away from the language of arbitrariness and arbitrary power, for reasons that bear directly on the disagreement with Lovett discussed in this chapter. The term 'arbitrary', he argues, used to have a meaning much more closely connected with the substantive sense in which he intends it. But "it has other, misleading connotations today[47]": 'arbitrary power' more readily evokes power that is unconstrained in Lovett's sense of the word, or simply power that is illegitimate or condemnable. So Pettit changes his definition. Rather than domination as the power to *arbitrarily* interfere, in this more recent work he writes that domination should be seen as the power of "uncontrolled interference…interference that is uncontrolled by the person on the receiving end[48]". As such, total institutions clearly count as examples of domination - the guards and directors of the hypothetical institutions above might be controlled in how they may act towards inmates, but they are not controlled *by the inmates themselves.* The problem case of a rigorously legal system of apartheid is also avoided, for the same reasons.

Pettit's more recent account is thereby fairly similar to his older work on the subject, but is more explicitly distinguished from accounts like Lovett's. But it is worth digging a little deeper into this conception of domination, since Pettit distinguishes between two kinds of conception - what it is to be undominated in a *choice* (and thereby be free in that choice) and what it is to have undominated *status* (and thereby have the status of a free citizen). We have already seen what it is to be undominated in a choice: it is to not stand in a relationship with any more powerful agent who has the ability to

[47] 2012, p.58.
[48] *Ibid.*

interfere in the making of that choice, interference which you yourself cannot control. Pettit is at pains to show that this has two particularly salient consequences. The first is that you can be dominated without suffering any actual interference in your choices. So long as some other agent has the uncontrolled *power* to interfere (even if they do not, for whatever reason) you remain dominated. This chimes with the traditional republican concern with domination as an ability concept rather than an exercise concept. When non-domination is identified with freedom, this leads to a sharp contrast with freedom as non-interference. And the second is that you can suffer interference without being thereby dominated. If, for instance, I instruct a charity to take money out of my bank account every month, then that charity interferes in my choice about what to spend my money on. Where I may previously have been able to afford two coffees a week, I can now afford only one - they take the cost of the second and spent it on orphaned donkeys. But although they interfere, they do so only with my continued permission. I could stop the direct debit at any time, and they would be forced to stop taking that money and thus interfering in my coffee-buying choices. This power of interference isn't dominating because it doesn't "reflect a will that [I] do not control[49]" - it instead reflects *my* will, outsourced to another but remaining under my control.

I am undominated to the extent that I control others' abilities to interfere in choices I am able to make - so I am less dominated in any choice if I have more control over any other agent powerful enough to interfere with my making of that choice, and I am less dominated overall the more of my choices I am able to make in this undominated manner. This is strictly what it is to be non-dominated, on Pettit's account. The *status* of being undominated, on the other hand, is about the duty a state has towards its citizens.

[49] *Ibid.*

Pettit argues that states ought to secure their citizens' non-domination in a particularly important range of choices, what he calls the "basic liberties[50]". Getting into quite what this range of basic liberties might be would take this chapter too far afield - in any case, I am more concerned with his conception of domination than his related notion of what it is to be a free citizen.

With this in mind, I will be proceeding with Pettit's notion of domination as the uncontrolled power of interference. Despite the change in name, it meets all of the distinctively republican conditions I discussed at the start of this chapter - it is restricted to relationships between agents, it must involve subjection to the will of another, and so on. Exploring these other conditions more fully - especially the sorts of *agency* and *intention* that are required to count as having a power of uncontrolled interference - will be the subject of the next chapter.

[50] See, e.g., Pettit 2012, p.92.

Chapter 2

Up Close and Personal: Domination, Agency, and the Problem of Many Masters

The account of Pettit's conception of domination given at the end of the last chapter - roughly, the uncontrolled power of one agent to interfere in the choices of another - has some further conditions. A dominating agent must possess what he calls "the cognitive resources required for interference[1]". In order to count as dominating you, I must have the power to *actively* and *voluntarily* interfere, on a more-or-less *targeted* basis. The idea behind these requirements is to distinguish mere interdependence or interaction (which may well involve the power to constrain or alter someone else's ability to choose what to do) from the power to impose one's will upon another: only the latter will usually count as domination. So not only must domination involve agents, but it must involve agents who relate to each other in at least a minimally intentional and deliberate fashion. In this sense, Pettit hopes to preserve the idea of domination as being under the thumb of another or, as he puts it, as suffering an "active invasion[2]" of one's will.

These conditions have given rise to a good deal of criticism: specifically, that conceptions of domination like Pettit's are inappropriately narrow and restrictive. The claim is often explicitly historicised - these notions of domination might be useful "in relation to monarchical and feudal forms of political power" but fail to "take us very far when confronting modern forms of social power and domination[3]". In this chapter I want to consider two forms of this critique - both with a long pedigree, but represented well by the recent work of Alex Gourevitch and Michael Thompson - which challenge the idea

[1] 2012, p.62.
[2] *Ibid,* p.57.
[3] Thompson 2013, p.293.

that Pettit-style conceptions of domination can be helpfully applied to the modern workplace. In different ways, they urge us to drop some of these restrictions of the kinds of agency required for domination, and argue instead for the adoption of what they call more "structural[4]" or "systemic[5]" accounts of domination. I reject the letter of both critiques, while hoping to preserve their spirit. They are right that we should direct our critical attention towards the structural conditions that govern spheres like work and the workplace, rather than focusing exclusively on the wills of individual employers. But they are wrong to think that these concerns are incompatible with contemporary, mainstream republican conceptions of domination.

In section one, I explore Pettit's 'cognitive resources' required for interference in more detail, and argue that this set of conditions isn't as narrow as it might appear on first glance: ambiguities in that set of conditions create several grey areas, in which it is hard to say whether an agent strictly counts as a dominator. In section two I apply this conception of domination to the workplace, presenting what I call the 'personal account' of domination at work, upon which workers are dominated by their employers and by managers to whom their employers have delegated authority. In section three I discuss what I call the 'too-few-dominators critique', in which Alex Gourevitch argues that we should expand the category of relevant dominators of any individual worker to encompass many, many more people than their individual employer, including the entire property-owning class. Without doing so, he argues, mainstream republicans are strategically limited in their responses to workplace domination. I give some reasons to reject this resulting conception of domination before showing that, in any case, his strategic motivations are compatible with the personal account. In section four I present the 'too-

[4] Gourevitch 2013, p.591.
[5] Thompson 2013, p.295.

many-dominators critique': Michael Thompson argues that rather than expanding the cast of dominating agents, we ought to restrict it even further, to zero. Employers in a capitalist market, he argues, simply don't have the agency required to choose whether to interfere or not - the logic of the market compels them to maximally exploit their workers. Therefore, we should reject Pettit's conception of domination as too closely tied to the will of the dominating agent: modern employers just aren't able to make decisions on a whim, and so an account that assumes they are is unlikely to tell us anything interesting about workplace domination. Again, I accept the spirit of this critique, but go on to show that the personal account is perfectly compatible with an analysis of workplace domination that focuses on the logic of the market, and so the rejection of accounts like Pettit's on this basis is also unwarranted.

2.1. *The cognitive resources required for interference*

The idea that dominators must have a certain kind, or a certain minimum level, of intentionality is largely intended to distinguish dominators from those who merely *enable* domination. And, as noted in the introduction to this chapter, this intentionality can be divided up into three sorts of concerns: in order to count as a power of interference, the would-be dominator must have the power to affect their would-be victim *voluntarily*, (usually) by *acting*, rather than failing to act, and with a certain degree of *knowledge and targeting*. There are some cases where it is easy to see the value of each condition. The most obvious case of involuntary interference is one of coercion. Say that I am in a position of apparent dominance over an apparent victim. I have the resources to interfere in their choices however I like, a power that they don't control in the slightest. But if I have a gun to my head, and I am merely forced to carry out the instructions of a

kidnapper, Pettit would say that my position isn't one of domination. I can't choose to interfere or not interfere in the would-be victim's choices: I am coerced into following my kidnapper's orders. The victim's predicament does "reflect subjection to the will of another", but it is not *my* will but the kidnapper's, who is using me as a tool (and, in the process, dominating me). I do not have the freedom required to voluntarily intervene or not intervene as I would like, and so I can't strictly count as a dominating agent.

Similarly, in the majority of cases, the power of omission will not count as a relevant power to interfere in the choices of another. I have it in my power to choose *not* to give my next-door neighbour my laptop, and I've been exercising this power ever since I moved in. My power to choose to make such an omission certainly constrains the choices of my neighbour, because under the current arrangement they cannot choose to use my laptop. And assume that I can completely voluntarily make that choice: I might lend it, I might not, as I choose. For Pettit, this doesn't count as the right kind of interference, and so I don't count as a dominator. He requires dominating agents to have the power to *actively* interfere, or "invade[6]", a would-be victim's free choice, and in most cases this means the ability to perform certain actions, rather than omissions. He does permit that some cases of omission may be sufficiently like active invasion of the will of another to constitute a power of interference that might be domination. The laptop-neighbour case doesn't involve any expectation on the part of the neighbour, no established pattern of me giving them my laptop. But in cases where there is a longstanding agreement of providing some help or performing some action, Pettit wants to allow that "the negative action of refusing further help can be indistinguishable from an invasion of your free choice[7]". Take the case of the state providing, or funding the

[6] 2012, p.73.
[7] *Ibid.*

provision of life's necessities - food, housing, and so on - to people who cannot rely upon selling their labour or on the charity of others. If this arrangement continues, and its recipients continue to be dependent upon it, then it will take on a fixed or absolute presence in its recipients' lives. From the point of view of one of these recipients, Pettit argues, the sudden *failure* to provide resources will look very much like an active decision to interfere in their life, restricting their choices just as much as any straightforward interference. Unless the recipient has a whole string of other sources to turn to for these resources - unless, that is, they are not really dependent on the provider - then this relationship becomes one of domination. The consequence of this point at the level of political design is that *how* a state provides resources is just as important as *which* resources that state provides, a question that I discuss more closely in the next chapter.

The third set of conditions involve the kinds of knowledge a would-be dominator must have concerning the effects and targets of their interference. That is, my ability to choose whether to interfere must reflect your subjection to my will if it is to count as domination, and I cannot subject you to my will if I don't have the right sort of knowledge about you - any possible effect I have on your life will be more or less accidental. The paradigm case of domination, for Pettit and for republicans more generally, is slavery - specifically Classical slavery, examples usually involving an individual master's ability to command an individual slave. In this case, the level of knowledge about the victim of domination is very high indeed: we can assume that the master knows 1) the situation of the slave, where they are, and what they are doing, and 2) the sorts of behaviours the master would like to produce. The opposite case - total ignorance of someone over whom you have the power to interfere - is hard to imagine (and indeed would not count as domination for Pettit), so we will have to do with an abstract example. Say that I apply to take part in a science experiment, and I am shown

what I am told is dash-cam footage of a self-driving car making its way around a city. I am then told that whenever I feel like it, I can pick up a console controller and take control of the car, driving it myself. If the ride is uneventful I can simply take control and explore the city. Little do I know that behind the wheel is an unsuspecting taxi driver, unaware of what's happening and understandably surprised to find that his car has been tampered with overnight. In this situation it is quite clear that my will is related to the taxi driver's ability to do as he wishes. I have the ability, one that I can choose to exercise or not, to act in such a way as to frustrate his plans, take him far off his route, even cause an accident if I wished. But there is still a strong sense in which we might want to say that I do not *dominate* him. I have no idea that he - or anyone - is in the car, let alone any desire to restrict or control his choices in any way. My interference is almost entirely accidental and un-targeted. If there is any domination in this situation, then we have to look elsewhere for the relevant agent.

In practical terms, however, several kinds of ignorance might be relevant to the question of whether agents concerned are dominators. In simple, interpersonal cases of domination - the relationship of a master to a slave, or (to varying degrees) a parent to a child - the powerful agent can easily point to and name the person over which they wield power. They can 'invigilate' their behaviour, as Pettit puts it, keeping an eye on them and interrupting when they stray from a desired path. But a great deal of domination doesn't have this character. Indeed, when someone has power over a *number* of other people, it is often delegated and mediated to such a degree that the person making the decisions may never meet a fraction of the people whose lives they can affect. Think of a board of directors at a large company: they might be entirely ignorant of the situations of all the people they could affect through their decisions. Even if, by some epistemic feat of strength, they are aware of the identities and positions of all of their employees, the

families of those employees - who will certainly be just as deeply affected by the actions of that employer - will almost certainly remain unknown to them. And yet Pettit wants to include agents (perhaps group agents in the case of a board) like these as potential dominators. He writes:

> [C]orporate agents represent salient sources of domination. Think of how a multinational corporation can treat its workforce…when it can move base without excessive cost and the workforce are heavily dependent on it for employment and welfare.[8]

Or, at an even greater remove, how the corporation in question:

> …may treat the local population or the local environment when the community would be put in serious economic jeopardy by the corporation's departure.[9]

Since Pettit thinks that these are examples of a corporation's domination of these groups of people, he must think that they possess the required cognitive resources for interference, including the right kind of knowledge and targeting in their ability to interfere. But the level of knowledge the corporation has about these disparate groups is only targeted in the loosest sense of the word. It would be a struggle to know exactly which restaurants in a town will fail once you make your local workforce unemployed - perhaps even unknowable before the fact. If these cases count as domination, then the required cognitive resources turn out to set a fairly low bar. In an analogy with the

[8] Pettit 2012, p.116.
[9] *Ibid.*

master-slave case discussed above, the corporation neither 1) knows the situation and identity of the relevant victims, nor 2) has any particular desire when it comes to how these victims behave. Other examples show the same pattern. A striking newspaper union may not know precisely who will be affected, nor will they have any desire to restrict the choices of those customers except instrumentally, as a means by which to put pressure on their employer. Nevertheless the union "actively and deliberately interfere[s]"[10] with those customers. In neither case does the dominating agent have to know the identity of those with whom it may interfere in a strict sense - it can identify them merely as a group, or with a definite description that sets the criteria for such a group. And in neither case does the dominating agent have to know how they would like the affected group to behave - they can simply know that their choices will be restricted in some way.

The level of knowledge and targeting required for agents to count as dominating is thus unclear in Pettit's work. They must have *some* knowledge, and *some* target, but they are not required to even approximate the direct, face-to-face knowledge that a slave's master might have of his slave. The distinction between those who do and those who do not have the cognitive resources required to interfere will, in part, determine the line between those who dominate and those who do not. I suggest that the gulf between a slave's master and a corporation, when it comes to such resources, shows that where to draw the lower bounds of this requirement remains an open question.

There are still some obvious questions about quite where to draw the line between those who have the cognitive resources required for interference and those who do not. How long must a pattern of activity continue before deviation from that pattern through omission can be considered sufficiently 'active' to constitute interference in my choices? Say I have a friend who has some disposable income. Assume too that they don't

[10] *Ibid,* p.40.

dominate me just through having the uncontrolled power to deny me some of that money. I fall short one month, and they offer to help me pay rent. How would this one-time gift (whose giver does not dominate me) turn into an established pattern of provision, a benefactor-recipient relationship that may well involve domination? Would that change occur only after my friend has given me that gift once a month for a year? Or would I also have to become reliant on that continued provision? Would it matter if the friend had maintained, from the outset, that they couldn't guarantee that they would keep providing that money every month? Would I have to have *believed* my friend when they said that? There are grey areas here, and they do matter - for instance, we might want our conception of domination to lead to very clear answers about when and why sole earners ought to be forced to provide for the non-earners in their family, even in the absence of an explicit agreement to that provision at any point. I won't try to resolve these grey areas here, although I do discuss the boundaries of the condition of voluntariness in section four of this chapter. Nevertheless, there is good reason to see why these conditions are required in some form, and many - perhaps even nearly all - potential dominators will relatively clearly either possess or lack them.

2.2. *Domination in the workplace: the personal account*

Since the critiques of this conception of domination in the rest of this chapter will concern the workplace, and since the rest of the thesis will as well, now is a good time to introduce the ways in which work is seen as dominating on this standard, mainstream republican account. So: which features of modern work exhibit the power of uncontrolled interference in the choices of another? And who's doing the dominating?

There are many interesting senses of the term ‘work’ which include a wide variety of practices. Definitions for some purposes will include formal employment alongside informal, unpaid domestic labour. Marxist definitions of work might range over all creative shaping of the external world, including many things we may otherwise think of as leisure (and, indeed, excluding some of things we may currently think of as work[11]). Mine is not an interesting sense of the term. I am primarily interested in formal, paid, employment - jobs. That is, contracted employment in return for a wage in a capitalist economy.

In the overwhelming majority of cases, workers have a boss. They spend their days at work not freely organising their own activity, or jointly determining that activity with other workers, but labouring under the direction and invigilation of their employer. The relationship between a worker and an employer is codified in an employment contract, signed by both parties. The terms of those contracts set out the duties of the worker and the employer, the benefits given in return for performing those duties adequately, and the penalties for failing to perform them. These terms are, in principle, negotiable - if a worker doesn’t like the terms proposed they can bargain with the employer, and vice versa. But the two parties do not come to the table with equal bargaining power. An individual employer can generally take their pick of many suitable candidates, and is therefore very likely to find someone willing to accept their terms unamended, except in some rare cases of particularly highly-skilled, elite workers.

These contracts are, in any case, incomplete. While they set out the basic duties of a worker, they do not legislate over every possible interaction between a worker and an employer: my contract might tell me that I have to input data to a spreadsheet for eight hours a day, but it might not tell me how quickly I have to do it, how I should handle

[11] For a useful discussion of Marxist conceptions of work (and alienation), see Swain 2012.

problems with the system when they occur, how that work should be divided up between the dozens of workers doing the same thing, and so on. What's more, employment contracts *cannot* be complete in a strong sense. They cannot legislate over every possible contingency that might arise in the course of production (in this case, the production of databases). And there is a limit to the fine-grain of a contract - even if not strictly impossible, it would be prohibitively costly to legislate over the million tiny component actions that I am expected to perform as part of my role. Contracts are therefore generally broad-brush, and always incomplete in a strong sense. They have gaps, where what I am expected to do in return for a wage is not written down in black and white. The authority to decide what happens when I stumble into one of those gaps - what is sometimes called "residual authority[12]" - rests, in the overwhelming majority of cases, with my employer. Where it is not explicitly laid out (already in a contract that was agreed by parties with unequal power), employers generally have the ability to state what constitutes a breach of my contract. In practice, this supplements a complex employment contract with a very clear and simple one: "if you want to get paid, obey the boss[13]". The sanctions for failing to perform one's duties, whether as laid out in a contract or as decided through an employer's residual authority over gaps in that contract, are varied. Legal forms include formal warnings, docked pay, and increased surveillance, along with the informal, largely illegal, but nonetheless prevalent sanctions of animosity, humiliation, and harassment. But the real weight behind the employer's authority is the simplest sanction of all: the sack. In some legal contexts workers can be fired for any reason (or none), and in others employers must follow a more demanding routine. In both contexts the heavy lifting of

[12] See, e.g., Gourevitch 2013, p.607.
[13] Bertram, Gourevitch, and Robin 2013, n.p.

ensuring that a worker accepts managerial authority is performed by the threat of losing one's job and wage.

There are several kinds of interference that an employer can visit upon their workers. Nein-hê Hsieh separates these decisions into three categories, which helps illustrate the scope of the discretion normally left to managers at different levels[14]. The first category involves decisions that govern the day-to-day behaviour of a worker: which boxes a worker is expected to take where, how quickly a worker is expected to complete some task, when (or whether) a worker is allowed to go to the toilet or have a cigarette break - this category describes the routine exercise of managerial authority in everyday work. The second of Hsieh's categories relates not to the worker's behaviour but to "other features of her employment, such as working conditions, compensation, or promotion[15]". The third category involves decisions made higher up the chain of command, decisions concerning company location or direction - issues that may gravely affect workers but do not primarily refer to them. An obvious place to look for domination, then, is in this kind of discretion - employers have, at all of these levels, considerable power to interfere in the lives of their workers, and to interfere in ways that would have serious consequences for those workers.

Is this power uncontrolled by its victims? It is true that workers have *some* influence over the decision-making of their employers. The most obvious source of such influence is the threat of exit. Unlike slaves or serfs, workers are free to leave any individual job, and the ability to do so generates at least some form of what Pettit, in earlier work, called "antipower[16]": countering the decision-making power of employers and, at least to some degree, restricting their ability to freely choose to interfere in the

[14] Hsieh 2005, p.122.
[15] *Ibid.*
[16] Pettit 1996.

ways discussed above. Employers must suffer costs if a worker leaves their job, at least the costs of hiring a suitable replacement. So the implicit threat of exit gives employers an incentive to interfere only in ways that individual workers would welcome - otherwise, they will leave, and the employer will incur those costs. There are two problems with this strategy. The first is that in the vast majority of cases, an individual worker will bear *far higher* costs than their employer if that worker leaves their job. Unemployment carries enormous risks, both material and non-material. In functioning welfare states[17] it still risks deprivation, social exclusion, humiliation, and so on. In poorly-functioning or non-existent welfare states it risks poverty, homelessness or, at the limit, death. Even in the best-case scenario, in which a worker immediately finds another comparable job, they still face both material transfer costs and non-material costs: the loss of built-up social and firm-specific capital, for example. So any antipower provided by an individual worker's ability to leave a job is minimal - quite how minimal might differ from case to case, but it will certainly not generate *control* over one's employer. Managerial power is thus largely uncontrolled, and so dominating.

The second problem is that even in this best-case scenario, workers face a menu of similarly hierarchical - and similarly dominating - workplaces. They may be able to escape any particularly tyrannical boss, one who *uses* their power in a particularly damaging or sadistic fashion. But managerial discretion over various important decisions to be made within a firm is the overwhelming norm. Unless they are lucky enough to find a job in the tiny cooperative sector, workers who find another job will tend to simply swap one relationship of domination for another.

[17] I use 'functioning welfare state' here in a decidedly non-demanding sense: there is obviously a good argument to made that a state in which unemployed people risk deprivation and social exclusion isn't doing a very good job of looking after their welfare.

So, if workers are dominated, who dominates them? Perhaps the most obvious answer, and the one that the mainstream republican account settles upon, is the worker's current employer. Employers have power over their workers, as discussed above. That this power is not effectively controlled by workers is almost a given: far from any democratic control, workplaces are generally as autocratic as the law allows. Where formal checks on employer power exist, they reduce domination to a degree - for instance, allowing workers the right to contest unfair dismissal or dangerous working conditions in an impartial hearing. Nevertheless, the ongoing relationship is one of domination between a pair of agents: the owner, who daily makes decisions that interfere in the life of the worker, and the worker, who must largely put up with this treatment in return for a wage. Furthermore, this answer fits well with Pettit's conditions explored in section one of this chapter. Employers voluntarily and actively choose to interfere, often through explicit directives, in the lives and conduct of their workers. And their interference is acceptably targeted, in that they know who they interfere with (even if, in the case of large companies, their targets are just definite descriptions: 'our data entry workers', and so on) and what they would like them to do.

This account of personal domination in the workplace has a long pedigree. "The Roman slave", writes Marx, "was held by fetters: the wage-labourer is bound to his owner by invisible threads. The appearance of independence is kept up by means of a constant change of employers, and by the *ficto juris* [legal fiction] of a contract[18]". Cutting through this 'appearance of independence', the contemporary republican is in this sense joining a family of anti-capitalist critiques. The slave-owner and the employer might derive their

[18] 2000, p.823. For a useful discussion of Marx's use of various conceptions of domination and, relevantly, how far these link him to the republican tradition, see Leipold (forthcoming).

power from different sources, and the position of a worker might be drastically better than that of a slave, but both relationships are ones of domination.

Two final notes: first, in large corporations it may be the case that no individual owns or controls the firm, and so no individual is in a position to enforce their will or freely make the decision to interfere in certain ways with their workers. In this case, the dominating agent might be best seen as the corporation itself, acting as a group agent. This would certainly be Pettit's suggestion[19]. Without going into the issue of group agency, it seems very plausible to say that if *any* group constitutes an agent in the relevant sense, a large corporation does, with its formal mechanisms of producing and enforcing collective decisions about the direction of the enterprise. Secondly, for any individual worker, the employer may not be the only dominator in the workplace, even on this personal account. In an abstract sense, we might imagine the structure of a firm to be something like this: the owners make all the decisions, which are then effectively enforced by managers, and dutifully obeyed by workers. But it is perhaps more often the case that workers are exposed to *two* dominators. First the owners, who are in a position to make important decisions that affect their working life - what they produce, their production targets for the year, where the enterprise is to be located, and so on. But then the managers, never quite the robots imagined in an abstract anatomy of a firm, will have their own tighter sphere of discretion. Precisely what workers must do, minute-to-minute, precisely how fast they must do it, and any number of petty decisions about their conduct, dress, attitude, and so on, may be left fully in the hands of lower-level managers[20]. In cases like this, workers may well have two dominators in the workplace, but these remain two relationships of personal subjection. With this caveat in mind, I intend to proceed as

[19] He explicitly speaks of corporations as group agents in, e.g., Pettit 2012, p.116.
[20] For a good illustration of this expansion of managerial authority, see Anderson 2017.

if there were just one dominator in a workplace on the personal domination account - call them the employer.

2.3.1. *The too-few-dominators critique: many masters and structural domination*

In a famous passage from *Capital*, Marx dramatises the thin veneer of equality and freedom that exists between workers and their employers, and their descent into the relationship of personal domination described above. Once the worker signs a contract, "we can perceive a change in the physiognomy of our *dramatis personae.* He, who before was the money owner, now strides in front as capitalist; the possessor of labour-power follows as his labourer[21]". On the personal domination account, we have our cast.

But there are actors waiting in the wings, and some critics of the personal domination account want to usher them on. On this view, it is a mistake to think that each worker has just one master - their employer - they have many, and accounts like Pettit's are conceptually incapable of properly recognising them as agents of domination. Alex Gourevitch makes the case for a "broader view of domination, both in terms of the relevant agents and the relevant sense of intentionality[22]", illustrating the point with an analysis of Classical slavery. Mainstream republicans like Pettit see only one relevant dominator in any individual slave's life - their master. An individual master fits Pettit's criteria for intentionality - the knowledge and targeting described above - because they are able to have specific intentions towards a specific victim. The master possesses all the cognitive resources for domination in that they know exactly who they have control over, and how to exercise that control. Theirs represents the relevant dominating will.

[21] 2000, p.254.
[22] 2013, p.600.

This, argues Gourevitch, misrepresents the position of a slave. Of course slaves were tied to their master's will, but they were tied to the wills of a large group of other people as well. The institution of slavery required the support of the body of Roman citizens: to defend the legal system which enabled the practice, to capture runaway slaves, to oppose or be ready to oppose demands for the end of slavery. The wills of these "many masters[23]" are just as relevant to the position of any individual slave as that of their own, individual master: each of these 'many masters' dominates every slave. In a similar way, Gourevitch argues for the expansion of the cast of dominators in the case of contemporary work. Just as a slave is tied to the wills of those who propped up the institution of slavery, a worker is tied to the wills of those who prop up the institution of wage labour - the private and concentrated ownership of the means of production. It is this distribution of property that guarantees that all (or virtually all) *non*-owners must work for someone else[24], because they lack any reasonable alternative to doing so. Workers might have a choice of masters, but the structural compulsion to have *some* master - and the conditions that allow any individual employer to have uncontrolled power over any individual worker - is produced and re-produced by the willingness of property owners to defend the current distribution of productive assets[25].

The demand is this: a satisfactory anti-domination approach to the position of a worker must recognise two types of dominators. The individual employer, whose relationship to the worker is one of personal subjection, *and* every private owner of productive assets - every capitalist - whose willingness to defend their ownership of those assets guarantees that the worker in question must suffer such personal subjection. In order to make this change, we have to relax the conditions of intentionality that theorists

[23] *Ibid,* p.602.
[24] Or, of course, be supported by someone who does work: a parent, or partner, or child.
[25] Gourevitch 2013, pp.601-603.

like Pettit impose. These many masters have no particular desire that any *specific* worker be tied to any *specific* employer, and so do not exhibit the kind of knowledge or targeting required to properly count as dominators on the personal account. As seen in section one of this chapter, Pettit is slightly looser on these requirements that Gourevitch imagines, indeed looser than Pettit himself seems to imply at points. As described above, Pettit *does* want to allow for the proper domination of workers by the owners of large, multinational corporations, who may never really intend for their edicts to affect any particular, specific worker in any specific way. But Gourevitch is absolutely right to claim that mainstream accounts like Pettit's cannot see just any owner of productive assets as relevantly dominating every individual worker.

The joint opposition to both *personal* and (what Gourevitch calls) *structural* domination has historical pedigree as well, most directly in his case from the 'Labour Republicans' of late nineteenth-century America[26]. Marx and Engels, too, rail against this kind of structural domination, sometimes even appearing to do so at the expense of an opposition to personal domination. "The slave is the property of one master", Engels writes, in the *Draft of a Communist Confession of Faith*, "…the proletarian is, so to speak, the slave of the entire bourgeois *class,* not of one master [emphasis in original][27]".

2.3.2. *Rejecting the letter of structural domination*

Gourevitch's proposal involves changing the requirements Pettit imposes on prospective dominating agents, expanding the cast of dominators by loosening the demands of intentionality. But the reasons for this change are deeply practical. Gourevitch observes

[26] Gourevitch (2015) goes into much more historical depth in his excellent book-length treatment of this Labour Republican movement.
[27] 2010, p.100.

that mainstream republicanism often appears relatively unconcerned with the sphere of work or, when it turns to the subject, tends to shy away from proposals that might radically reshape that sphere, an observation shared by others from both within and outside the broad republican tradition [28]. This practical failure, Gourevitch argues, is *because* the personal account limits its cast of dominators to the individual employers of individual workers. Mainstream republicanism is conceptually impoverished, left "without theoretical resources to address certain forms of economic domination[29]". Personal domination accounts cannot "…extend to a normative concern with access to productive resources and control over work[30]" Indeed, without recognising the domination of workers by capitalists *in general,* we are left "indifferent to the background structure of control over productive assets and to what kinds of control labourers exercise over the work activity[31]".

I don't want to challenge the idea that mainstream republicanism exhibits a level of practical indifference towards these 'background structures' - the legal and social conditions that create the structural compulsion to work for some employer. I want to argue that even *if* this is the case, it is not because of this deep conceptual fault, and it does not require the acceptance of an account of structural domination to fix. An opposition to personal domination alone is more than enough to motivate opposition to the background structures - the private and concentrated ownership of productive assets, the default hierarchical structure of the firm, and so on. Gourevitch mistakes a series of practical and *contingent* failures for an expression of a deep and principled disagreement

[28] See, for instance, González-Ricoy 2014 and Breen 2015. Or, indeed, the introduction and conclusion to this thesis.
[29] 2013, p.591.
[30] *Ibid,* p.593.
[31] *Ibid,* p.599.

over the nature of domination, and seeks to remedy it through an unnecessary and unnecessarily expanded cast of dominators.

Here is my proposal. The badness of what Gourevitch calls 'structural' domination lies in the fact that it causes the vast majority of people to enter into contracts of employment with those lucky few who own productive assets. Employers have power over their workers because 1) even though workers are formally free to leave any particular job, doing so comes at great cost to them, a cost that is reduced but not eliminated by welfare-state institutions, whereas the costs of replacing a worker are much more minimal, and 2) the overwhelming majority of employment contracts establish wide areas of managerial authority. These are relationships of domination because employers have power over their workers that is not effectively controlled by the workers themselves. In other words, the badness of structural domination rests upon the badness of personal domination, and a thoroughgoing opposition to the latter will (or should) require an opposition to the former.

I fully accept Gourevitch's argument that, like in the case of Roman slavery, a wide network of actors are in some sense implicated in the personal domination of every individual worker by their employer. A factory owner, in defending or being willing to defend the private ownership of factories in general, is in this sense a cause of the structural compulsion of *all* workers to work for *some* employer. It is unclear why Gourevitch stops here, however - people other than owners of productive assets defend, or are willing to defend, that system of private ownership: the employee of a think tank who writes spirited defences of free-market capitalism, or even just the worker who is nevertheless ready to uphold the property law that compels them to seek a wage. None of this requires us to think that these 'many masters' constitute a different, structural kind of dominator. The point is that all of these facts can be expressed in merely *causal* terms:

they *cause* instances of personal domination, and are therefore relevant to us on that basis. We can justify the most radical "transformation of work[32]" just through an opposition to these structural causes. Any mainstream republican failure to do so is not through lack of conceptual resources.

We can test this argument with reference to some specific disagreements Gourevitch has with Pettit's approach. For instance, Pettit suggests that a "well-functioning labour market[33]" or a universal basic income[34] would eliminate the domination of workers by their employers, by allowing them to smoothly and costlessly transfer between jobs at the slightest hint of managerial power being wielded in a way that workers resent. Gourevitch disagrees, because in both scenarios workers would still face a structural compulsion to work for *some* employer, and gives these as examples of Pettit's conceptual inability to recognise important forms of domination. If we can't reject these bad suggestions without recourse to a concept of structural domination, the argument goes, then this gives us enough reason to adopt one.

Assuming that these are bad suggestions (a position I'm very sympathetic to - see the next chapter), I disagree that we cannot say so in the vocabulary of personal domination. In fact, Gourevitch *himself* can say so merely in the vocabulary of personal domination, and does so in the same paper. The idea of a well-functioning labour market is that workers leaving a job will not face long-term unemployment - they will be able to quickly and easily find a suitable replacement. To pre-empt the next chapter, the idea of a basic income, assuming it is not high enough to opt out of work entirely, is similar. Both attempt to reduce the material costs of leaving a job as far as possible, and so give workers greater bargaining power over their employers. In the words of Gourevitch,

[32] *Ibid,* p.591.
[33] 2006, p.142.
[34] 2007, p.139.

however, "the threat [of leaving a job] is often either not credible or inadequate. It cannot compensate for all the costs of leaving a job and threatening to leave a job is a kind of nuclear option that is simply not credible in many low-level disagreements[35]". This means that workers are still personally dominated by their employers, and so from the perspective of reducing personal domination, both proposals are inadequate.

A trickier case, but one that I think can still be dealt with, can be found when we examine some indirect aspects of the power of large corporations. If a large corporation is a major employer in a community, then it exercises significant and uncontrolled power over the members of that community - it dominates them as a collective agent, we might say, or the board of directors dominates them. It is able to rely upon the threat - implicit or explicit - of moving its operations elsewhere, and thereby extract concessions from that community. This is amenable to an analysis on the personal domination account. But consider the structural compulsion for communities to *pre-empt* the demands of corporations, and change themselves to attract them: the recent race-to-the-bottom in the hopes of attracting a new Amazon headquarters was as good an example as any of the 'courtier spirit' so despised by traditional Republicans. Shaping laws and slashing regulations in order to attract desperately-needed employment opportunities seems to be the exercise of *someone's* power, even if the only possible actor is the capitalist class at large. Since it precedes any possible personal relationship, it is not easily placed in that frame. But on a conceptual and practical basis, it seems to me that a mere opposition to personal domination can also motivate an opposition to the impersonal economic arrangements that create these 'business-friendly' incentives. While the adaptation of a town towards the needs of large multinational corporations (for instance) doesn't occur *within* a personal relationship of domination with any particular corporation, it *invites*

[35] 2013, p.608.

such a relationship, is oriented *towards* personal domination. If we oppose personal domination, we can oppose conditions which make communities adapt themselves in order to attract a would-be dominator, and support practical steps towards those communities instead achieving independence from those corporations as a class.

2.3.3. *Accepting the spirit of the critique*

Against Gourevitch, I've argued that when it comes to domination and work, we don't need to expand the sphere of proper dominators in order to expand our sphere of *attention* and *normative concern* to encompass things like the private ownership of the means of production. We can pay attention to and oppose what he calls 'structural' domination perfectly well solely with reference to its tendency to causally produce this narrower, personal domination.

This is, broadly speaking, the approach that personal theorists of domination already purport to take. Frank Lovett considers the position of agents very much like Gourevitch's 'many masters' in the case of Classical slavery. While they may be "…a part of the background conditions for the social relationships of domination existing between slave owners and their slaves…strictly speaking, they are not themselves members of those relationships, and thus not themselves agents of that domination[36]". Pettit goes further: "It is usually because of the ways a society is organised, culturally, economically, or legally, that some people have such power in relation to others that they dominate them directly", he writes. "The republican theory of justice…is designed in great part to target such *structural domination*[37] [emphasis mine]". This use of the term

[36] Lovett 2010, p.37.
[37] 2014, pp.63-64.

itself, while merely metaphorical, indicates just how amenable the conceptual apparatus of *personal* domination is to motivating the kinds of *structural* critique Gourevitch wants to be able to make.

So I reject the letter of this first critique - those concerned with domination in the workplace, then, don't need to expand Marx's *dramatis personae.* But I am wholly sympathetic with the spirit of it, and share Gourevitch's practical dissatisfaction with the attitude towards work taken by many, if not most, personal domination theorists. In a sense, Gourevitch gives mainstream republicans too much credit in assuming that this deep, conceptual limitation is the reason for their apparent hesitance to direct their energies towards issues of control over productive assets, and control within the workplace[38]. They have all of the conceptual resources necessary to do so, as I've shown and as even their own writing on the topic seems to indicate. If they fail to do so, then it is the result of a practical and political disagreement with the arguments that recommend those strategies.

2.4.1. *The too-many-dominators critique: freedom to act and the logic of capital*

If the previous critique was a call to *expand* the cast of dominators in the workplace, this next critique sends the actors offstage. Never mind the 'many masters' who enable employers to dominate their workers - we shouldn't even see the individual employers *themselves* as proper agents of their workers' domination. Michael Thompson[39] gives a clear recent example of this particular argument, and makes it with specific reference to

[38] The next two chapters will involve much more discussion about this mainstream republican approach to the workplace. And, of course, some broadly mainstream republicans do direct their concern to issues of democracy in the workplace - see, e.g., González-Ricoy 2014a.
[39] 2013.

Pettit's personal account of domination, so provides a useful contrast to Gourevitch's attacks on the same target. Recall two of the demands that Pettit places on would-be dominators: they must be able to choose to interfere in the choices of their would-be victims *voluntarily* and with *knowledge and targeting*. The claim here is that individual employers fail to meet the first demand. The logic of the market, rather than any truly voluntary choice, dictates how they may treat their workers. And as such, if we want to understand the domination of workers, we have to look beyond conceptions of domination that rely on their employers' ability to voluntarily choose how to interfere in their lives.

Although perhaps counterintuitive, Thompson is not alone in making this sort of argument. Marx, discussing the terrible working conditions imposed by many capitalists of the time, writes "…looking at things as a whole, all this does not, indeed, depend on the good or ill will of the individual capitalist. Free competition brings out the inherent laws of capitalist production, in the shape of *external coercive laws having power over every individual capitalist* [emphasis mine][40]". Again, I want to accept the spirit of the critique but not the letter. There is a weak sense in which Thompson is absolutely correct - we ought to focus on the logic of the market, rather than the will of any particular employer, if we want to *predict* or *change* the way they will tend to treat their workers. But the strong claim - that employers *do not voluntarily choose* how to treat their workers - is one I argue we should reject.

First, the strong claim. Thompson considers the simple case of a factory, whose owner faces the choice of whether to sack the workforce and move the operation abroad in search of cheaper labour. On the personal domination account we can clearly see the employer as dominating those workers. The power to make that choice is in the hands of

[40] 2000, p.389.

the employer - the workers do not control that decision in any sense - and so the employer has the power to interfere in his workers' lives in a significant way. Thompson disagrees. Although we might argue that the factory owner could simply choose to stay where he is and make less profit, "it is more likely that, regardless of the predisposition of the owner as a moral agent, the functional logic of the economy would dictate such a move: the need for more extractive power (lower wages, less organised labour force, and so on.)[41]". In this sense, the workers are "dependent less on the individual capitalist than on the structure of extractive power. We would *hardly be able to characterise this kind of domination as 'arbitrary'* in the sense that Pettit theorises it, and we would also be unable to characterise it as *between two agents* in the sense that there exists a systemic context within which these agents operate, constraining their choices and options [emphasis mine][42]".

The general case of the strong version of this argument runs as follows.

1. In order for an individual capitalist to personally dominate their workers, they must be able to voluntarily choose how to treat those workers.
2. The capitalist must make economic decisions according to the logic of the market - they must maximise their 'extractive power'.
3. Because of (2), capitalists are unable to voluntarily choose how to treat their workers.
4. Because of (1) and (3), individual capitalists do not personally dominate their workers.

[41] 2013, p.288.
[42] 2013, p.288.

The argument has a number of flaws. First of all, even if we accept premise (2), the inference in step (3) doesn't hold. Assume that individual capitalists must increase their extractive power as much as possible, and so cannot voluntarily choose to make decisions that will weaken their extractive power. Their choice to move the company abroad in search of cheaper labour is not really a choice at all, much like the choice a highwayman gives his victims between their money or their lives. Even in this case, employers are still in a position to make a whole host of voluntary decisions about how to treat their workforce, so long as those decisions are, so to speak, *non-economic.* An employer could choose to wield their power to sexually harass their workers, or to influence their political activity, or for any other purpose that would have little impact on their ability to extract profit from those workers. In other words, even if an employer has no ability to voluntarily choose between a range of differently extractive options (market forces compel them to choose the most extractive option), there is a vast sphere of economically *irrelevant* choices available for them to freely make. Workers are still at their mercy, and as such still personally dominated by them[43].

But more directly, premise (2) itself is false, when taken in the strong sense. Employers may well have strong incentives to act according to the functional logic of the market - profit maximisation, increasing relative power over workers, and so on - but these incentives do not render that choice non-voluntary. The demands of the market upon an employer are importantly *un*like the case of a highwayman's demands upon his victims to choose between their money or their lives. To see why, consider another relevant case where we adjudicate between voluntary and involuntary actions: the choice of a proletarian to sell their labour power. How can we make sense of the traditional Marxist claim that a worker is *forced* to sell their labour power to a capitalist, when they

[43] I am indebted to Bruno Leipold for a useful discussion on this point.

are free to choose between a host of alternatives (starve, steal, beg, and so on)? Because, one influential answer has it, the worker is left with *no acceptable alternatives.* It is a non-voluntary choice. A voluntary choice, on the other hand, is one made between two or more acceptable alternatives.

And what constitutes an acceptable alternative? Serena Olsaretti's work on the topic - cited by Pettit in his brief engagement with the issue of voluntariness - defends an idea of an acceptable alternative, roughly, as one that would not cause the chooser's well-being to dip below a certain threshold[44]. The precise level of that threshold is up for debate, but intuitions will do for my purposes. Is choosing the option of being murdered by a highwayman likely to lead to my welfare dipping below an intuitively acceptable threshold? I suspect so. Is choosing the option of starving to death? Similarly, I would think so. Is choosing the option of failing to maximally exploit my workers, thus risking losing my edge in a competitive market? In this case, I think it is not. In order for employers to be in a genuinely non-voluntary position when it comes to economic decisions, they must be so constrained by the demands of the market that they are left with *just one acceptable option*, just *one* option that doesn't cause them to drop below a minimum well-being threshold. Even leaving aside precisely the level of that threshold, this seems very unlikely.

In a sense, this is obvious stuff. Market forces don't really *force* an individual capitalist to do anything, and the pressure of competition isn't really *coercive* power. However an employer chooses to act towards their workers, they could always choose otherwise. Employers could even choose to erode the personal basis of their power, and, as Gourevitch notes (but does not expect) simply give over control of their firm to a

[44] Olsaretti 2004.

cooperative of workers and the local community - "it is all *at their whim* [emphasis in original][45]". The choices made by individual employers are voluntary in precisely the sense required by personal accounts of domination. And, back to Thompson's example, the owner of a factory who faces the choice of sacking the entire workforce and moving abroad is free to choose otherwise, even if that choice might come at significant cost to their profit margins.

2.4.2. *Accepting the weak form of the critique*

Although employers have entirely the right sort of minimal agency required to be treated as proper dominators of their workforce - for any decision they make, they could choose otherwise - Thompson is right to observe that this tells us very little about what they will actually choose to do, or what should be done to curb their power. In order to predict *which* decisions employers will make, we do need to look to the institutional arrangements that shape their incentives, interests, and abilities. Coupled with the need, discussed in section 2.3 of this chapter, to direct our *practical* energies towards these social and economic structures, rather than towards individual dominating agents, this observation may well mean that "[i]ndividual agents do not become the primary unit of analysis, but the logics of social systems[46]".

This weak version of Thompson's argument can be found in passages like the following: "[S]ocial processes and structures have the ability to constrain and even shape the agency of individuals…[r]ead in this way, domination cannot be reduced solely to the will of an agent, but must be seen as generated by the logic of social structures[47]". This is

[45] 2013, p.605.
[46] Thompson 2013, p.284.
[47] *Ibid,* p.287.

true - the possibility that employers could deviate from the demands of the market is a necessary condition of their being proper agents of domination, but the *probability* of them deviating from those demands will be very low[48]. They will tend to try and increase their power over their workers, all the better to increase the profit they can extract from that workforce. As such, appealing to the "predisposition of the owner as a moral agent[49]" is a waste of time, in both practical and epistemic terms: it isn't likely to reduce domination, and nor is it likely to tell us anything very interesting about the causes and consequences of that domination. Far better, as Thompson argues, to look for these answers in the logic of the wider systems in which personal relations of domination are embedded. Theorists of personal domination are perfectly capable of absorbing this advice without denying that an employer dominates their workers.

2.5. *Conclusions: it takes a village (to dominate somebody)*

I have spent this chapter exploring and defending the personal account of domination, upon which an individual worker is dominated in a proper sense by just one agent - their employer (with the caveats discussed at the end of section 2.2). In both the critiques that I've considered, the argument is that the limitations of the personal account prevent us from making *practical* or *epistemic* progress. Personal domination theorists - that is, mainstream republicans - thereby fail to properly understand or properly oppose the domination of workers under capitalism. I have argued that in each case, the personal

[48] In the case of large corporations with shareholders and executives, there may well be a further step required to reach this conclusion. Each individual manager may be legally compelled to maximise shareholder returns, thereby creating quite a compelling case that they are *not* able to voluntarily choose otherwise. Even if we accepted this, we might nonetheless say that the shareholders - or the corporate agent they constitute - have no such legal obligation, and thereby genuinely voluntarily choose to direct executives to maximise profits whatever the consequences.

[49] *Ibid,* p.288.

domination account is fully able to absorb the spirit of the critique, and fully able to reject the letter of the critique. Sticking to the simpler personal account, we are still able to identify the causal structures of personal domination in the workplace (private ownership of productive assets, employment and corporate law, and so on) as the place to target the efforts of an anti-domination politics: we do not need to include the background agents whose actions and choices constitute these causal structures as proper, relevantly dominating agents to do so. And, sticking to the simpler personal account, we are still able to recognise that the individual disposition of any individual employer is more or less irrelevant when we want to understand the logic of capitalist power: we do not need to *exclude* those employers as relevantly dominating agents to do so. In both cases, not only are personal domination theorists *able* to accept the spirit of the critique without any deep conceptual change - they *should* do so, if they want to properly understand or oppose domination.

In sum, I've argued that the answer to the question 'who counts as a proper agent of domination?' matters a lot less than some critics seem to believe. Much more consequential are the answers provided to the questions 'what enables domination?' and 'what shall we do about it?'. This is a good illustration of the degree to which domination - even the personal account of domination - is really *about* individuals. On the personal account it is a relationship first and foremost between individuals, and those individuals must relate to each other with a certain minimal degree of agency and intentionality. But we cannot identify that relationship as domination without knowing a great deal about *other* agents. Take the example of a bully in a school playground. Does he dominate the smaller child in the corner? We can learn various relevant facts just by looking at the bully and the smaller child. We can find out that the bully is more powerful (he's bigger, after all), and we can guess that he has the ability to interfere in his would-be victim's life

in various ways (he could demand lunch money, for instance). But in order to find out whether the bully *dominates,* we need to look beyond that pair, to see if his power is directly or indirectly controlled or constrained. We need to know that there isn't a strong informal agreement between the other children that would allow his would-be victim to rely upon the help of dozens of his friends. We need to know that there isn't a teacher in the playground, waiting to step in. We need to know various *negative facts* about the social structure of the playground before we can say that the conditions for domination have been met.

We also usually need to know various *positive* facts about social structures in order to explain or identify domination. To have power over others and to have the use of that power be uncontrolled, we need to have resources. The bully in the last example was powerful because he was bigger than the other child. Cecile Laborde calls these "personal" resources: strength, intelligence, wit, rhetorical skill, and so on[50]. She distinguishes these from what she calls "systemic" resources: those that allow people to dominate "by virtue of [their] location in a specific institutional system, as an IMF official, a police officer, a company director[51]". Almost all widespread forms of domination are sustained through systemic resources of this kind, rather than through mere personal ones. These 'institutional systems' don't have to be formal affairs - a strong enough system of social norms can work just as well. Strong gender norms can provide resources for individual men to dominate individual women, acting in concert with or in the absence of any special personal resources. Laborde poses this distinction as a friendly amendment to Pettit's account of domination, and (as mentioned earlier in the chapter) in more recent work he explicitly adopts the framing, writing that "[i]t is usually

[50] Laborde 2010, p.57.
[51] *Ibid.*

because of the ways a society is organised, culturally, economically or legally, that some people have such power in relation to others that they dominate them directly[52]". Closely related is the idea that some victims of domination are only victims by virtue of where they stand in some similar institutional system. In Pettit's early work he brings attention to the fact that certain kinds of domination function like "badges of vulnerability[53]" - for instance, white supremacy, or at least some of the aspects of white supremacy that we think appropriate to describe as domination (rather than oppression, or something else), function like this.

More concretely, what I hope to have shown is that mainstream republicans are not, because of their conceptions of domination, strategically limited. They can directly target the structural compulsion of the vast majority to have to work for someone else: that is, they can target private ownership of productive property, or divorce the ownership of such property from the right to exclusive control of that property, or any other similar strategy. And they can do so perfectly sensibly as a means to oppose interpersonal relationships of domination, because of the causal link between these broad social structures and those interpersonal relationships. So much for which strategies mainstream republicans *can* propose - which *do* they propose? In the next chapter I look at, and argue against, one particularly important and increasingly popular republican strategy: universal basic income.

[52] Pettit 2012, p.63.
[53] Pettit 1997, p.123.

Chapter 3

One Republican Strategy: Exit and Universal Basic Income

Following the previous chapter, let us assume that the domination of workers by their employers - broadly following the personal account I discussed - is a shared concern amongst mainstream republicans. All can agree that the workplace is dominating, and dominating in roughly the same sense and for the same reasons. So what should be done about it? After a period in which contemporary republicans could be criticised for paying insufficient attention to the organisation of work, there is by now enough written on the subject to construct what I want to call the mainstream republican strategy towards the workplace[1]. Several tools make up this republican strategy. On most proposals, a bundle of strong regulation and some limited forms of worker participation in the governance of the firm - what I will call 'workplace constitutionalism' - is paired with mechanisms of reducing the exit costs of workers.

This overall strategy of enhanced exit and workplace constitutionalism will be discussed at greater length in the next chapter. In this chapter, I want to explore a particular form of enhanced exit, one which forms a fairly central part of some republican strategies towards the workplace: universal basic income (or UBI). The idea of a UBI has been gaining ground both within the academy and in the wider political landscape for the last few decades, in part because of the tireless efforts of a group of political philosophers

[1] For accounts that note the limited attention paid to the organisation of work, see, e.g., González-Ricoy 2014a; Gourevitch 2013, 2015; and Laborde and Maynor 2009, as well as my discussion of this point in the introduction to this thesis. For republican attempts to address the workplace, see Anderson 2015; González-Ricoy 2014a; 2014b; Hsieh 2005, 2008a, 2008b; and, to a lesser extent, Dagger 2006. For engagement with and criticism of these attempts, see, e.g., Breen 2015; Gourevitch 2013, 2015, 2016; Thompson 2013; and Watkins 2015. See also the next chapter for a fuller discussion of republican strategies within the workplace.

whose work is based almost exclusively around extolling the virtues of the policy[2]. A UBI, proponents argue, could eliminate poverty in one fell swoop, or compensate currently unpaid caring and domestic labour. Related to this last point, a UBI could have profound value for feminists, eroding, for example, the material dependence upon wage-earning men that often traps women in abusive relationships. It could guard against the threat of automation and widespread unemployment, or it could simply replace our humiliating and degrading conditional welfare regimes. Some republicans have more recently turned their attention to the idea of a UBI, but for distinctively republican reasons - as a way of transforming the labour market and redressing the imbalance of power between workers and their employers. By promoting independence *from* work, republicans seek to secure independence *at* work, transforming workplace power structures and increasing the bargaining power of workers. It is also conceptually very neat - one fairly simple redistributive policy would have knock-on effects that go well beyond the realms of more equitably parcelling out the social surplus. In the language of self-help books and popup adverts everywhere, it is 'one weird trick' to address the domination of workers by employers, promising, on its own, quick and counter-intuitive returns on a comparably small investment. Approaches like this, to the extent that they expect solving the problem of domination at work to require little, if anything, other than the introduction of such a policy and its predictable consequences, can be called 'UBI-first'[3].

In this chapter I want to argue against such approaches. The benefits of an anti-domination UBI would be real, and the effects of an appropriate UBI on the workplace

[2] See, e.g., Van Parijs 1995; Widerquist 2013.

[3] This is not to say that I disagree with UBI as one goal among many. See the final section for some examples of what we could call "UBI-too" approaches, where it is treated as a tool among others, rather than a magic bullet.

would be transformative. But I argue that a UBI oriented towards solving the problem of domination at work - rather than, say, oriented towards reducing poverty, or compensating domestic labour - faces some particular obstacles concerning both the level of the grant and the method by which that grant would have to be introduced and maintained. On the basis of some minimal assumptions about political change, a UBI of this kind will be very difficult to implement and sustain. UBI-first strategies are at best a risky gamble, staking an approach to work on the unlikely introduction of a single policy. At worst, they are a distraction, diverting attention from more piecemeal but more direct approaches to the same ends.

The chapter has the following structure. In section 3.1, I give a definition of a UBI, and focus on the kind that has the most transformative potential - a 'liveable' UBI. In section 3.2, I explore the benefits of such a UBI, the mechanisms by which it might reduce the domination of workers by employers. I also consider and reject some objections to this account. In section 3.3, however, I introduce the first difficulty with the republican adoption of a UBI - the level of the grant, in order to provide the kind of radical exit its supporters intend, would have to be very generous indeed; much more generous than a UBI suitable for other purposes. In section 3.4 I raise another, more serious set of problems. Republican theorists have argued that in order to protect recipients from increased state domination, any UBI would have to be delivered by a properly controlled and democratised state, or the existence and level of the income would have to be reliably removed from political contestation: no mean feat, and a serious hurdle if a radical UBI is key to one's approach to the workplace. I consider a response to this problem - that at least state power is *partially* or *imperfectly* controlled, and so would represent an improvement on subjection to employer power - before showing that this response fails. Without the certainty of either a well-controlled state or a

very well-entrenched UBI, the policy would fail to achieve its stated goals of transforming power structures in the workplace. In section 3.5, I conclude with a brief discussion of how a UBI could nonetheless play a role in an anti-domination approach to the workplace, despite being unsuitable for the heavy lifting its more enthusiastic proponents expect it to perform.

3.1. *Universal basic income*

A universal basic income is a "periodic cash payment unconditionally delivered to all on an individual basis, without means-test or work requirement[4]". This is the definition of the Basic Income Earth Network (BIEN), and will do for the general formula[5]. The income level of the UBI will vary from proposal to proposal, and the *value* of two UBI proposals of a similar income level will vary as well, depending on whether it is intended to supplement or replace existing public services.

An intuitive way of sorting proposals is according to whether they are liveable or non-liveable. A non-liveable UBI is one that merely supplements income from other sources, and this is the form that most of the empirical examples of schemes like basic income have taken. Alaskan citizens, for instance, are entitled to an individual dividend from a fund sustained by the state's natural resources, changing year-to-year, but hovering at just above a thousand dollars for the last few years. This income might be worthwhile, even lifesaving, for some. A liveable UBI goes further - it is high enough to replace the need to find income from other sources. Philosophers are understandably

[4] Basic Income Earth Network, n.d.
[5] In practice, of course, they are not universal, and largely exclude undocumented migrants, short-term visitors, or new citizens.

reluctant to use too many numbers when it comes to these levels of basic income, and in any case it is the *value* of the income that matters for our purposes, rather than the income itself[6]. But even characterising the value of a liveable UBI is no easy task. Eric Olin Wright writes that a liveable income is one that "…would enable a person to live at a respectable, no frills level. That is, the level of the grant is sufficiently high that withdrawing from the capitalist labor market is a meaningful option[7]". Philip Pettit, on the other hand, acknowledges that there exist various intuitive criteria of adequacy, suggesting Amartya Sen's basic capabilities approach as a good starting point[8]. In this chapter I am only interested in those theorists who propose a liveable UBI, and what the consequences of that proposal may be - so for the remainder of this chapter, consider 'UBI' to be shorthand for 'a liveable UBI'[9].

Another point before carrying on: although I am concerned with the political feasibility of introducing a UBI, and while I will discuss in sections 3.3 and 3.4 some difficulties with introducing and sustaining a republican UBI in particular, throughout this chapter I put aside questions of *economic* feasibility. The distinction is not a clear one, but I only mean this - a set of typical objections against the idea of a UBI might be summed up as 'nice idea, shame about the economics'. These objections foresee massive inflation (thereby counteracting the benefits of a UBI) or a large shortfall in necessary production, or any number of other broadly economic negative consequences, with the effect that a UBI is more or less *impossible*. I assume that it is possible to give everyone

[6] Casassas and De Wispelaere (2016) make a similar distinction between the economic floor and the worth of the economic floor.
[7] 2006, p.8.
[8] 2007, p.2, n.1.
[9] I exclude a categorisation of Frank Lovett's views here, for simplicity. He argues that the level of a UBI should be as high as sustainably possible, but that empirically this level may never meet or exceed basic subsistence. So his preferred UBI is "ever-increasing and as high as possible", with little regard for whether that level is liveable or non-liveable, although practically he defends a non-liveable UBI. See Lovett 2010, p.200.

an income valuable enough that they no longer have to rely upon a job or any other source of income. I cannot and need not settle the question one way or the other. My concern is to find out whether, *were* it economically possible, a UBI would be a good strategy to reduce domination in the workplace.

3.2. *Radical exit*

How could we expect a UBI to challenge the domination of workers? First, a brief restatement of the source of that domination. People who do not own significant amounts of capital - the vast majority - must work for someone else, or be supported by someone who works or owns capital, in order to live. And once they do work for someone, they will in the overwhelming majority of cases enter a firm that is structured not as a democracy, but instead as a fairly rigid hierarchy of command and control[10]. As discussed in the previous chapter, employers have significant, uncontrolled power of interference relative to any individual worker. They can make decisions that affect their workers in all sorts of ways, from deciding how workers must act on a minute-to-minute basis, to deciding where the firm will be located, or what it produces. Workers, by and large, have no effective mechanisms to reliably control this interference: very few workers have any formal control rights within the firm. On the contrary, individual workers rely upon their employers to keep providing them with a wage, and so have little bargaining power.

A UBI could reduce this domination in a number of ways. The most basic mechanism is a genuine ability to *exit.* Currently, workers have a formal right to leave any job they like, subject to notice periods and so on. But it is a largely empty right for

[10] Elizabeth Anderson (2017, p.38) bluntly characterises the power structure of most firms as "dictatorships".

those without independent resources, significant savings, or another job lined up. Not finding another job means throwing myself on the worn safety net of the welfare state, a demeaning and uncertain way of meeting my basic needs. Taking this risk is not an attractive option, so leaving a job is very costly[11] indeed. My employer knows this as well as I do. So the threat of exit is barely one worth making, especially for those with poor prospects of finding another job quickly. I need my employer more than my employer needs me, and so my individual bargaining power is low.

A UBI turns this merely formal right to exit into a meaningful *ability* to exit, and various forms of UBI allow various forms of exit. Simon Birnbaum and Jurgen De Wispelaere distinguish between weak, strong, and radical forms[12]. The weak form involves the ability to drop one's hours, creating a shorter working day or week, with the money from the basic income picking up the slack. The level of the grant in this case would not have to be liveable, in the sense described in the last section. The second option, strong exit, gives workers the resources to have a longer search for a new job once they have left the old, making their threat of exit more credible and thereby redressing power imbalances in the workplace. Alternatively, they could simply *use* this power of strong exit and find a different, less dominating job, putting market pressure on the firms that refuse to reform. Again, the level of grant required to provide strong exit would not have to be liveable, since it doesn't rely upon enabling independence from all work, just independence from one's particular job. From the perspective of reducing domination,

[11] Because what is at stake here is one's ability to make credible threats of exit against an employer, it is the *subjective* costliness of exit that matters. This leaves open various unappealing possibilities - (falsely) convincing workers that unemployment will be even worse than they think it is will turn out to be an effective strategy to increase the relative power of an employer. It seems to me a strength, rather than a weakness, to acknowledge this possibility as a weapon in an employer's armoury. For other purposes - deciding whether a worker is really *free* to leave, for example - we might want to look at some less subjective assessment of their alternatives instead.

[12] 2016, pp.61-74.

strong exit suffers from some problems. Chief among them is the fact that the ability to switch jobs is unlikely to allow workers to escape domination itself, instead of merely employers who *use* that dominating power particularly cruelly or harshly. Employers know this, and so will be unlikely to give in to demands to make the sorts of deep changes to their workplaces that might address their dominating structure. At best - and it really would be an improvement, just not necessarily in terms of non-domination - those workers would be able to leverage their more credible threat of exit for better conditions, less toil, higher pay, and so on: less *abuse* of employer power. Say I use my power of strong exit, secure in the knowledge that my finances can now withstand a potentially quite prolonged hunt for a new job. Even if I manage to find another job in a week, this will be of little comfort if the problem with my old job was that I resented managerial authority. There are, and under current conditions perhaps can only be, few opportunities to work for a cooperative or be meaningfully self-employed. Iñigo González-Ricoy compares this situation to that of a woman seeking to escape the misogyny of her workplace in a misogynist society - her power of exit is fairly worthless if there is nowhere better to go[13]. My new boss might be nicer or more permissive, but absent a significantly different power structure this means very little from the perspective of domination - I don't control their interference in my life. When it comes to redressing power imbalances within a workplace, Birnbaum and De Wispelaere[14] show that strong exit can produce some unwelcome consequences. While some highly-skilled and valuable employees might be able to effectively increase their bargaining power, the most dominated workers, those who might be easily replaced, will still be at the mercy of their employers. Those employers "have very little incentive to accede to any of [a replaceable

[13] 2014, p.241.
[14] 2016.

worker's] demands, for the simple reason that replacing that worker with another one may be the cheaper option[15]". In those cases where employers decide to keep on vulnerable workers, and change in accordance with their demands, they are not being *forced* to do so. It amounts, they write, "to a privilege being granted by the employer out of the kindness of her heart. This is a far cry from the change in the power relations between employee and employer[16]".

Radical exit, the third option, is the one relevant to this chapter. This power of exit provided by a *liveable* UBI works in a number of different ways to effectively fight domination in the workplace. In the most basic case, a dominated worker can simply choose to exit the labour market entirely, falling back on the adequate income provided by the state. If you are dominated by your employer, and all alternative jobs are similarly dominating, then a UBI allows you to escape. But we don't need to go too far into the economics of a basic income to see that this cannot be the answer for every dominated worker, at least if a UBI is to be sustainable. A sufficient number of people need to work and - we might assume, for the purposes of this argument - *want* to work, just not in jobs that are dominating and hierarchical, demeaning, or otherwise unpleasant and unrewarding. In any case, the more interesting and transformative effects of a UBI are indirect, using newfound independence *from* work to produce independence *at* work.

If workers can simply leave and subsist on an adequate level of basic income, then they can credibly threaten to do so rather than suffer under the dominating power structures of their workplace. More than this, employers will know that their workers have this option. In response to some gross overstep of managerial power this might take the form of an actual threat, but in normal circumstances it would function as an implicit

[15] *Ibid,* p.67.
[16] *Ibid.*

threat on the part of the worker. The right to exit would be more than a tool to contest, after the fact, given managerial decisions; it would be an ever-present possibility, raising the bargaining power of individual workers and reshaping the relationship between themselves and their employers. In this sense the power structures of individual workplaces would be transformed, with managers no longer able to assume the residual authority described in the previous section. Rather than just the ability to exit, an adequate UBI gives workers various abilities - by the reckoning of one supporter, the power to "enter, undominatedly stay, exit, and restart all kinds of social relations, starting with work relations[17]".

On a wider scale, proponents of UBI argue that this individual bargaining chip would have a collective effect on the labour market as a whole. A whole class of very dominating jobs will become almost impossible to fill. "On the plausible assumption that the great majority value their enjoyment of non-domination highly", writes Frank Lovett, "few will [accept dominating work] except where necessary to meet their basic needs[18]". Outside the relationship of any individual employer to any individual worker, *employers as a class* would be forced to change the jobs they offer. Workers would have the advantages of a tight labour market magnified beyond recognition. And while some dominating jobs would be rendered attractive with higher pay and better conditions, it is plausible to assume that directly reducing domination - offering contracts with less room for managerial authority, and reshaping power structures to give workers control over their jobs - would be a winning and necessary strategy for attracting and retaining employees[19].

[17] Casassas 2016, p.9.
[18] 2010, p.197.
[19] A corollary of this is that already attractive jobs would likely become less well-paid - see Wright 2006 - but this is unobjectionable from the perspective of reducing domination.

On an even more direct level, a UBI may well have other transformative effects on work. With the security and bargaining power that it provides, we can expect many people to work in formal, paid employment *less,* and some people to not work at all. This newly freed-up time allows for activities that we might loosely group together as 'experimentation'. The sustainable, direct, decommodified provision of labour - in caring or volunteering roles - would be available to all, instead of merely to those who have independent means of support. And for those who already provide such labour, they would be able to do so on a much firmer footing. The ability to rely on a basic income would breathe life into cooperative and non-hierarchical working arrangements, taking a great deal of personal risk out of what is otherwise a very risky endeavour. And time is freed up too for political action on whichever level - engaging more with the state, or organising workplaces and communities autonomously. Although harder to predict, these knock-on effects of free time and economic independence may be the most transformative of all: challenging other sources of domination in society, or engaging in the nondominating provision of goods and services outside the strictures of a traditional firm.

I see little reason to doubt that a UBI of this kind would transform the world of work. By eliminating the basic inequality between owners of the means of production and workers - the means to subsist without selling one's labour - we could expect a labour market with a UBI to provide an escape route for very dominated workers, to exhibit significantly less overall domination than it currently does, to promote forms of work that consciously exhibit as little domination as possible, and to encourage long-term movement towards a democratic economy or other forms of less- or undominating work. And, although there may be many routes to the same goal, UBI is a particularly tidy way of getting there. By guaranteeing material independence, and with only the assumption that people will not accept domination if they have other acceptable options, the decisions

of countless individual workers about which jobs (if any) to accept will exert pressure on the system as a whole. It has the virtue of simplicity, which at least at first glance might seem to translate into the virtue of practicality: elect *one* committed government with a mandate for the *single* policy of a liveable UBI, and within a term we are on the road to this sort of radical transformation of the labour market.

Existing critics of UBI as an approach to the workplace sometimes dispute the idea that it would affect, or affect greatly, the relative power of workers and employers. Some of these arguments can be rejected and others, in my view, can be overstated. For instance, Alex Gourevitch - whose work on labour republicanism I will return to in the last section - makes two arguments against the transformative potential of a UBI[20]. The first argument is that, despite appearances, a UBI would not allow workers to costlessly leave a job. There are plenty of costs that a UBI cannot cover - loss of status, loss of friendships and networks of support, and so on. Therefore, employers still have the upper hand. Workers might know that their material needs will be met if they leave a job, but their non-material needs may nonetheless keep them there. The observation is obviously correct, in that workers will have non-material dependences on a particular job. But it seems to me a stretch to deny that *enough* workers will feel able to bear these costs that their workplaces, and workplaces in general, will have to change in order to recruit and retain people willing to work for them[21]. It also seems at least plausible that non-material ties to a job are weakest in those areas of the labour market where jobs are most dominating.

[20] 2016.

[21] Furthermore - and this is little more than speculation - it seems plausible that some of these non-material costs of leaving a job would disappear or become less serious were a new UBI to become an accepted fact of economic life. For all the apparent strength of the dogma of the work ethic, I suspect that a generation or two of a truly liveable UBI would significantly weaken the close connection between self-respect and waged work.

The second objection is that the threat of exit is simply too blunt a tool to be used against managerial authority, even when made so visibly credible by a liveable UBI. It is a "nuclear option[22]", a threat too grave to be made in the face of minor, individually inconsequential examples of managerial power. While a UBI might help in extreme cases, or to protest managerial decisions after the fact, it is too coarse-grained (so the argument goes) to address the day-to-day power dynamic of an employer over their employees. Against this, I think it is right to say that the *actual threat of exit* is indeed a nuclear option, one that wouldn't be particularly helpful in transforming the everyday exertion of power by employers: no individual managerial decision may seem serious enough to warrant it. But walking out of a job because you suddenly no longer have to put up with the pattern of managerial authority *overall* does seem reasonable. And even if workers do not make the actual threat, the possibility of that threat will shift the terms upon which residual authority is distributed. Furthermore, even if we imagine current workers to be paralysed, unable to press the big red button or credibly threaten to do so, firms will be unable to attract *new* employees if they do not change their structures of everyday managerial authority.

So would a UBI be enough on its own? The answer differs according to who you ask. Approaches to work that include the introduction of a UBI can be roughly ordered based on how much *else* is taken to be necessary. For certain republicans like Frank Lovett, a free market and a UBI will solve the problem with domination at work. Workplace regulation could in fact be repealed, saving on the cost of inspection, tribunal, and enforcement[23]. But this is a minority view. A more mainstream target is best exemplified by Philip Pettit's writing on the subject, in which a UBI does the heavy

[22] Gourevitch 2013, p.608.
[23] 2010, p.200.

lifting in an approach that also involves some workplace regulation, the prosecution of offending firms in a public court, the facilitation of collective bargaining, and the prohibition of certain practices like termination-at-will[24]. In cases like Pettit's, a UBI[25] is not sufficient, but it is necessary - the cornerstone of the approach, without which the other measures will fail.

3.3. *Problems of political strategy*

In this section and the next I want to argue that while a UBI of this kind could be genuinely be transformative, approaches to domination at work that *rely* upon one are unlikely to be effective and, at worst, constitute a distraction from other more likely strategies. Again, what follows assumes that a UBI is economically viable. That is, in a society with a UBI, enough people would produce and reproduce what we need to be produced and reproduced to sustain the scheme. So the practical issues in question are less about whether a UBI could be sustainable, and more about the obstacles to a UBI being implemented and achieving its stated goals - including winning popular support, and being funded, distributed and sustained by a state. First it is worth saying that these are issues that are shared by the vast majority of the republican theorists under discussion. This need not be the case: it might be worthwhile to think about whether a UBI of this sort would be a good idea in the abstract, and then think about whether it would be politically feasible and so on. We might thereby find out something about justice or an ideal economy which would then allow us to theorise more concretely about the sorts of

[24] See Pettit 2007; 2012, pp.113-116.
[25] Strictly speaking, Pettit has endorsed a UBI, but would appear to support other means of 'nonstigmatizing' and 'non-nullifiable' provision of material independence - more on which in the following sections.

practical steps we would need to take to get there. But republicans are quite distinctively concerned with issues of strategy. UBI, where they support it, is a contribution to a discussion of *which* strategies could be pursued to reduce domination, reflecting a concern that "political philosophy should be essentially practical[26]". I will not dwell on this distinctively republican concern with feasibility and strategy here - although I return to it in the final chapter of this thesis - but I want to make clear that it is, for most contemporary republicans, important whether their chosen strategies for reducing domination are politically feasible.

A UBI will be politically difficult to implement for some very obvious reasons. First of all, it will be expensive. Most proposals for an *adequate* UBI are at least part-funded through dramatically increased progressive taxation, at least initially. The rich will be motivated to oppose this taxation, and so to oppose the introduction of a UBI. The higher the level of the grant, the higher the level of taxation required to sustain it, and so the higher the opposition from those whom a progressive tax will hit hardest.

Another group who would be very motivated to oppose the introduction of a UBI are the owners of productive assets - employers, roughly speaking. This group will overlap significantly with the last. They will be motivated to oppose a UBI for the very same reason that those proponents concerned with domination at work support it. A UBI that transforms work in favour of employees will be one that makes it harder for employers to make profits, since it will destroy the reserve army of labour that helps keep wages relatively low, conditions relatively poor, and managerial authority relatively strong. In a sense, then, this is a good test of a UBI proposal. If it is not being fiercely opposed by at least this second group, then it is probably not going to transform work in the way that its proponents hope it will.

[26] Pettit 2017, pp.1-2.

Finally, the unconditional nature of a UBI presents fertile ground for opposition. Objections in good faith on the grounds of reciprocity, fairness, and the possibility of freeloading are widespread[27], and it is inconceivable that those same objections would not be used to justify the self-interested opposition of the two groups above. As with the case of the rich and the owners of productive assets, the opposition (whether genuine or propagandistic) on these philosophical grounds increase as the level of the grant increases - if it is unfair to give people who don't work a thousand pounds a month, it is even more unfair to give them two thousand.

So at least two of these obstacles are likely to get greater as the proposed *value* of a UBI increases. This presents a special problem for those who are interested in the transformative effects of UBI upon the labour market explored in the last section. As I noted in section 1, there are various ways of setting the level of the basic income. We might set it at a basic subsistence level - enough to eat and drink and have shelter. This sort of UBI would have a dramatic effect on poverty reduction, if that were our goal. A similar basic subsistence level UBI would certainly also have some effect on the labour market, at least allowing the 'strong' power of exit that allows people to switch jobs more easily and certainly the 'weak' power of exit that allows people to work fewer hours[28]. Or we might use another metric: Pettit's adoption of Sen's capabilities approach, or Wright's suggestion of a 'respectable, no-frills' standard of living. But when we want to introduce a UBI for the purposes of transforming work, only one metric really matters - will people choose to live on this basic income rather than stay in dominating jobs? If they would not, or if at least a large majority would not, then the proposed UBI will fail to have the

[27] See, e.g., White 2007.

[28] As a matter of detail, using the income of a non-liveable UBI to reduce one's working hours faces some additional problems: in the absence of any legislation to the contrary, many firms are (and, we can assume, would be) unwilling to allow a fully flexible choice of working hours. Even if I was prepared to drop my income by a fifth, many employers would resist my demands to work a four-day week. Some would, some wouldn't, but again: it is *up to them*.

transformative effects on work explored in the last section. It is, to a great extent, a numbers game. The upward pressure on non-domination provided by 'radical exit' relies upon enough people being willing to drop out of the labour market for at least as long as it takes for employers to feel the squeeze and make accordingly deep changes to the structure of their workplaces.

A work-oriented UBI, I suggest, would have to be very generous indeed: more generous than is perhaps suggested by the phrases 'no-frills' or 'respectable'. It would need to be high enough to cover the everyday basics of living, as would any reasonably adequate UBI. But it would also have to be high enough to allow for an unplanned payment when the boiler breaks; to allow recipients to have a social life and a cultural life; perhaps to be able to go on holiday. It would, in short, need to cover as many of the non-material and less obviously material costs of unemployment as a material benefit can: the epistemic costs of uncertainty about the future, worrying about the welfare of one's family in the case of a disaster or an illness, and so on. Meeting all of these costs goes well beyond a basic subsistence level, but doing so may well be necessary to achieve the policy's more radical goals. This is all, in principle, an empirical matter. If enough people are willing to leave their jobs and subsist on the basic income, then the threat of doing so remains credible. If everyone knows that life on basic income is dreary, thrifty but just about tolerable, then the relative bargaining power of employees is not dramatically increased, and the potency of the UBI as a tool to reduce domination at work is decreased.

I cannot claim any special expertise on questions of political strategy, but it at least seems very plausible that it will be very difficult to win a UBI of the required level. This won't surprise proponents of a UBI. What I hope to have made clear is that this work-oriented UBI is an even harder sell than a UBI required for other purposes. A UBI of below this level would have much to recommend it. It would reduce poverty and make

it much easier to move between jobs. But it would not play the transformative role discussed above.

3.4. *Problems of certainty and the non-dominating state*

So, an adequate UBI would be very demanding in terms of the value of the income. But more serious difficulties arise, from the republican perspective, from considering how that UBI would need to be delivered, and the nature of the state that delivers it. There are two risks. The first is distinctively republican: in providing a UBI, the state might increase its domination of its citizens by assuming the role of a universal benefactor on which they depend. Pettit takes this worry seriously, arguing that any republican UBI would have to be "non-nullifiable[29]" - it must be something that citizens are entitled to as a *right*, rather than merely a gift. It must be "suitably entrenched[30]" against repeal or dilution. This mirrors the concern, discussed briefly in the last chapter, that relationships of charity can be dominating relationships. If the recipient of a gift is reliant upon its continued provision, as many, many recipients of a UBI would become, then as long as it is within the power of the benefactor to withdraw that gift, that constitutes a dominating power of interference. Indeed, republican proponents of a work-oriented UBI would have to *hope* that recipients become reliant upon it, because workers leaving dominating jobs en masse would be the key driver of transforming the labour market. The state already dominates its citizens - I think that all republicans would agree with that statement - but making many more citizens much more dependent upon the continued generosity of that

[29] Pettit 2007, p.2.
[30] *Ibid,* p.3.

state would increase that domination, even while decreasing the domination of those citizens by their employers.

It is a universal tension within republican theory that any state efforts to reduce domination must be careful to avoid imposing domination of their own. Coupled with the possibility of a dominating benefactor, this means that from the perspective of reducing domination, *how* a state provides a UBI is just as important as *how much* each individual receives. On welfare payments more generally, Pettit illustrates the point. "[I]t must not have the aspect of a gift that may be withdrawn…not even at the whim of an electoral or parliamentary majority[31]". "Unless the income support comes under conditions that guard against such whim", he writes, "the claimant is denied freedom as non-domination in the very act whereby that freedom was meant to be promoted[32]".

What kinds of conditions guard against that whim? One sure answer will be nothing less than the answer to the more general republican question, 'what would make state power non-dominating?'. There is, of course, a great deal of disagreement here, even if most agree on the general formula that it requires subjecting state power to the equal control of each citizen. But it would be a quite obvious practical difficulty if rendering state power non-dominating were a *necessary precondition* of introducing a UBI, itself intended (by some republicans) to be a necessary part of our approach to the workplace.

Another, more realistic set of conditions - the ones pursued by Pettit himself - include imposing a requirement that a UBI be secured, at an adequate level, beyond normal electoral contestation - perhaps through a constitutional amendment (or the creation of a constitution which contains it as a right). This would not require the full, prior success of achieving equal citizen control over the state. It would, however,

[31] 1997, p.162.
[32] *Ibid.*

instrumentally require the *absence* of serious and unequal control of the state by the interests that would be harmed by the introduction of a UBI - the rich, the owners of capital, all of the groups who risk losing power as a result. While more realistic, this strategy still presents some problems. There are problems with the strategy of constitutionalisation, reasons to worry that judicial review wouldn't straightforwardly prevent a liveable basic income guarantee from blowing in the changing political winds[33]. Even assuming that these issues can be overcome, pinning one's hopes for reducing domination in the workplace on the introduction of this kind of UBI is at best a very risky strategy. Winning a UBI, even a UBI valuable enough for workers to remove themselves from the labour market, is one thing. Winning it, and securing it to the degree that Pettit suggests, effectively outside political or electoral contestation, is a very demanding proposition indeed.

We might imagine a response from republicans on this issue. Imagine that people have managed to campaign for, and win, a UBI that is liveable in the strong sense discussed in the last section. But it has been impossible to secure it against future contestation. It could be swept away wholesale at the next election, or even just by the government changing their mind in face of some pressure from a hostile media. In terms of the domination of workers by their employers, the policy has been a great success, and all of the transformative effects appear to be happening. But because the existence and value of the UBI is insecure, the state dominates recipients (or at least recipients who rely upon the UBI) more than before its introduction. Measurement issues aside, assume that we can say that there has been *no net change* in the domination of any individual citizen. Where they have gained in non-domination because they are no longer reliant upon an

[33] See De Wispelaere and Morales 2016 for discussion of the difficulties of constitutionalising a UBI.

employer, they have lost in non-domination because they are now more reliant upon an uncontrolled state.

In such a case, republicans could say that there is no reason why state domination should be worse than private domination. In fact, there are reasons to suppose that in cases like this it is considerably better to be subject to the uncontrolled benefaction of the state, rather than the uncontrolled power of an employer. Not only might it be subjectively much more tolerable, but in the case of the state there are *prospects* for reducing that domination. There are systems of citizen control, even if they are compromised or imperfect. And so there is a greater chance that one's UBI might come to be more like a right than a gift, than that one's previous situation as a worker would come to be less dominating without that UBI.

This potential response - essentially accepting that a UBI may well swap private domination for state domination, but nevertheless arguing in favour of the latter - doesn't work. Republicans have been at pains to think about the implications of subjecting UBI recipients to state domination. But there is another reason to demand the certainty and security of any UBI. Without such certainty, *it wouldn't even effectively reduce private domination.* As above, a UBI only has these transformative effects on the labour market if recipients are actually willing to leave their jobs and subsist upon it, knowing that they might be in that position for a while. That is, they must be willing to bear the costs of unemployment. If, for instance, a UBI could be repealed or defunded whenever a new party came into power, would anybody leave their jobs in an election year? Assuming that the UBI were liveable, it would cover the material costs of unemployment. And its stability doesn't affect whether or not it covers some non-material costs of unemployment - the social exclusion of unemployment, the loss of social networks and so on. But other non-material costs, or what we could call quasi-material costs, hinge precisely on the

security of one's material provision. Uncertainty and doubt about what would happen if disaster struck oneself or one's family, leading to unexpected needs, or whether one might soon be plunged into poverty by a change in government, are serious costs. On some reasonable assumptions about how little people like uncertainty and anxiety, I suspect that in such a system people would not leave their jobs, especially if they do not have skills that are in high and constant demand. Or, if they would, they would not do so in great enough numbers to cause the cascade effects that a radical UBI relies upon. In order for a UBI to transform the workplace, then, its future would need to be *certain* to its recipients. Without the guarantee that the UBI will persist through time at its current value, it quickly loses its worth as a bargaining chip to be used against employers. Unless and until we have a genuinely adequate UBI, of an adequate value, and implemented and maintained in a genuinely secure manner by an appropriately constituted state, the policy's transformative goals will not be achieved.

This hits upon the core problem with relying upon UBI as a necessary part of an approach to domination at work. One of the attractions of the policy is its simplicity, and the knock-on effects it can expect to have. We don't need to *directly* fight for workplace democracy - once we have material independence, we can expect an *indirect* democratisation of the workplace to emerge from the ensuing shifts in the balance of power. But if the road to a suitable UBI is this difficult and obstacle-strewn, then it seems reasonable to object to putting all of our eggs in this particular basket. This criticism certainly applies to Frank Lovett's UBI-and-free-markets approach, but it also applies to the more diverse approach of a theorist like Philip Pettit, whose additional measures of workplace regulation are only given real force once a UBI of the right kind is up and running. Both theorists aim for something more than an ideal-theoretic description of the

just society: these are intended to be policy prescriptions, courses of action we might attempt to gain support for as part of a thoroughly practical pursuit of non-domination.

3.5. *Conclusions*

So what does this mean for the strategy of universal basic income? The arguments in this chapter have been directed not at support for a UBI in general, nor even at support for a UBI among republicans concerned with the workplace. They have been directed at those republican supporters of a UBI who see it as a necessary part of their approach to the workplace. I have shown that the requirements of such a UBI are much more demanding, both in terms of the value and the implementation of the policy, than UBIs suitable for other purposes. On this basis I have argued that approaches to the workplace that require a UBI of this kind ought to be rejected.

Alex Gourevitch and Lucas Stanczyk make a similar point in a co-authored paper. There are some differences with my approach. In one sense they are more pessimistic - the kind of UBI they imagine is one of a "bare subsistence level[34]" of $15,000 per year - and in another they are more optimistic, considering only the political difficulties of raising the required taxation to fund that UBI. I take a truly adequate UBI to have both a higher value and to face other constraints on security, certainty, and so on. However, they paint a compelling picture of the strategic mistake of work-oriented UBI theorists of the kind I have been discussing. The strategic argument for a UBI:

> …has got things almost exactly backwards. A basic income high enough to be genuinely liberating…would require enormous expropriation of businesses and

[34] 2018, section 2, n.p.

> wealthy people. Consequently, there is no chance of its passage until there is a working class with the social and organizational power already adequate to extract it.[35]

The claim here is not that a UBI wouldn't have the transformative effects its proponents imagine (although Gourevitch, at least, does doubt that claim in other work[36]). Rather, it is that the argument for a UBI as a relatively neat and simple way to indirectly empower workers would in fact require, as a precondition, that worker power. At any point in time at which it seems likely that a UBI as demanding as republicans would require might be achieved, we will already have that which it promises. I take no strong position on this point - my argument against republican approaches to work that rely upon a UBI does not require it - but it certainly seems plausible.

The arguments in this chapter do not make the case for abandoning the idea of a UBI altogether. Some republicans propose UBIs of various kinds only as part of much more plural strategies towards the workplace, including more direct approaches. David Casassas and Jurgen De Wispelaere, for instance, argue for a three-part republican strategy of a UBI, an economic ceiling, and the direct pursuit of workplace democracy[37]. And, as De Wispelaere has argued elsewhere, an insufficient and inadequate UBI may well be a step on the way to an adequate, transformative one[38]. The hallmark of these more plural strategies is that they are 'UBI-too' instead of 'UBI-first'. If we accept that UBI should at most be one long-term strand of a plural approach, we can pursue those other goals directly in the meantime. Even Gourevitch and Stanczyk suggest that there

[35] *Ibid,* section 1, n.p.
[36] See, e.g., 2013, 2016.
[37] Casassass and De Wispelaere 2016.
[38] De Wispelaere 2016b.

might be a place for the kind of radical UBI they currently so comprehensively reject as a short-term strategy, leaving open the possibility that it might be required in a transformed, democratic economy[39].

Still less does this chapter argue against the idea of lowering the exit costs of workers as a means to reduce their domination. Welfare state institutions and income support, whether universal or not, will be invaluable tools with which to redress power imbalances in the workplace. Secure and dignified shelter for all would function as a partial basic income, to the degree that a large proportion of the wages of low-paid workers is spent on housing already. Pushing for forms of social insurance against unexpected costs plays a similar role, involving, for example, socialised healthcare where there is none, and the protection of that healthcare where it is under attack. Nor do I want to say that a UBI, even a UBI less valuable than the one I have been discussing, would not drastically lower domination in other spheres. Even a bare subsistence UBI would certainly reduce the domination of women by men, since it would target the material dependency within domestic relationships upon which a great deal of male domination relies.

When it comes to strategies to reduce domination in the workplace, though, we ought not *rely* upon a UBI. At its very worst, the pursuit of a UBI as a panacea might function as a distraction. For republicans in particular, who have been criticised for putting issues of workers' rights and economic democracy on the back burner, putting all their hope in a UBI-first strategy can seem like just another way of kicking the solution to those problems down the road. In the next two chapters I consider strategies that might directly bring about the benefits that a radical UBI purported to indirectly obtain - greater worker control in the workplace, and the possibility of more time free from work.

[39] 2018, section 7, n.p.

Chapter 4

Workplace Constitutionalism or Workplace Democracy?

The workplace is a site of power and authority, where employers have the power to make decisions that drastically affect the lives of their workers, and where those workers cannot effectively control that power. For those who oppose this relationship of domination, it might seem that there is an obvious solution - democratise that decision-making. But the strategy of workplace democracy is not at all an obvious one, at least if one looks to mainstream, contemporary republicans for guidance. A few broadly republican theorists - one a sympathetic critic of Pettit-style republicanism[1], others substantially less sympathetic critics[2] - argue for workplace democracy as an indispensable strategy for promoting non-domination. Several more recommend workplace democracy, but on the basis that non-domination ought to be *supplemented* by some other goal (non-alienation[3], resistance[4], or self-direction[5]), and that workplace democracy is the best strategy for pursuing those combined goals.

Mainstream republican theorists, on the other hand, tend to embrace the enhanced exit of a universal basic income, coupled with[6] what one writer calls "workplace constitutionalism"[7] - the regulation and constraint of managerial discretion in the

[1] González-Ricoy 2014.
[2] Gourevitch 2013, 2015, 2016; and, as discussed at the end of the last chapter, Casassas 2016; Casassas and De Wispelaere 2016; these last two supporting workplace democracy as part of a three-pronged strategy along with an economic floor and ceiling.
[3] David Watkins 2015.
[4] Watkins 2015 but also, more implicitly, Gourevitch 2013.
[5] Keith Breen 2015.
[6] Or, in the case of Frank Lovett (2010) - alone, to my knowledge - just enhanced exit does the job.
[7] González-Ricoy 2014, p.242.

workplace, with some elements of worker participation in decision making that nevertheless fall well short of workplace democracy. Pettit, by far the most influential mainstream republican and as such a common thread in the previous chapters, says very little either for or against workplace democracy[8]. Because he does give *some* prescriptions for the organisation of the workplace - focused on constraining the power of employers, prohibiting 'fire-at-will' policies, and enhancing the power of exit[9] - we can sensibly conclude from its absence that workplace democracy is, at the very least, not his preferred approach. Nein-hê Hsieh, explicitly attempting to formulate a Pettit-style approach to the workplace, argues that democracy at the level of the firm pays "insufficient attention to the need for managerial decision-making in large-scale economic enterprises[10]". And Richard Dagger, in the pursuit of a republican "civic economy[11]", writes that the appropriate policies "will not go so far as to require workplace democracy, in which workers participate directly in the governance of the firm[12]".

This often fairly cursory dismissal of workplace democracy - only Hsieh gives it sustained negative attention from a mainstream republican perspective - is strange. I want to argue that I want to show that with some revisions, two very influential arguments for workplace democracy, the 'parallel-case' and 'psychological-support' arguments[13], are highly congenial to republican thought in particular, and anti-domination politics in

[8] Readers may appreciate the break, and his relatively minimal appearance in this chapter might reassure them that this thesis isn't intended to be *about* Pettit - it's just that Pettit functions as the locus of the school of republicanism under discussion to such a great degree that he is normally the touchstone of any discussion of a 'mainstream' republican view.
[9] See, e.g. Pettit 2014, p.105.
[10] Hsieh 2006, p.116.
[11] Dagger 2006.
[12] Dagger 2006, p.163.
[13] This terminology, and the general form of both arguments, introduced by Joshua Cohen (1989): neither I nor Cohen want to deny that *instances* of these arguments greatly predate this terminology - for instance, I will be making good use of Pateman's (1970) *Participation and Democratic Theory* in this chapter.

general. In the traditional parallel-case argument, a simple conditional is given: if we think democracy is necessary at the level of the state, then democracy is necessary at the level of the firm. In the traditional psychological-support argument, a more complex causal claim is made: the proper functioning of democracy at the national level requires certain personal characteristics on the part of citizens, and these characteristics can only, or best, be developed in a democratic workplace as opposed to an undemocratic workplace. I will offer non-traditional versions of both of these arguments which, I hope, are compelling for republicans and others already persuaded of the need to oppose domination in the workplace.

My version of the parallel-case argument concerns the different *strategies* for reducing domination, since my intended audience are already presumably convinced that the workplace is a site of domination, and that workplace democracy would indeed effectively promote non-domination. The question is whether we *require* workplace democracy. The conditional I argue for is this: *if* we need democracy to control state power (as opposed to merely enhancing exit rights, or merely constitutionalism) *then* we need democracy to control employer power (as opposed to merely the enhanced exit rights of a UBI, or workplace constitutionalism). I then consider some objections, one of which gives rise to a secondary conditional. For most republicans, workplace regulation - a key component in the preferred approach of workplace constitutionalism - is justified on the basis of those regulations being imposed by a democratic state, and thus being formed through a procedure in which the workers concerned have had equal political control as voters and citizens. In this sense the regulations allows workers to exercise control over their employer's interference indirectly, using the state as an enforcer. Seen like this, workplace democracy is merely the direct (and, I argue, more effective) application of the

principles that justify workplace constitutionalism. *If* we support the latter strategy, we *should* support the former on the same basis.

Next I consider the psychological-support argument. Traditionally this involves two steps: the identification of some psychological characteristics that citizens must have in order to sustain democracy at the national level, and the argument that workplace democracy is the best or only way to promote these psychological characteristics. Each step involves a contentious empirical assertion, the evidence for which is inconclusive: 1) that some set of characteristics promotes national democracy, and 2) that democratic work promotes, or is necessary to promote, those characteristics. A further weakness is that the argument for workplace democracy is thus parasitic upon the argument for national democracy - not a problem should we think that the need for national democracy isn't going anywhere, but still perhaps not in keeping with the spirit of an opposition to domination in the workplace *in itself*. Instead, I offer a psychological-support argument grounded in the republican tradition of *civic virtue* and *education* more generally - the idea, expressed throughout the republican tradition, that certain skills and characteristics are required for citizens to best resist domination in various spheres, including at the level of the state, and that the design of institutions should be tailored towards promoting these skills and characteristics. I argue that democratic work can be seen as a particularly good opportunity for inculcating some of these skills and characteristics, and one that avoids some common criticisms of this traditional focus on civic virtue. Because I do not argue that there are no other ways of acquiring this sort of education, I can only make the weak claim that my psychological-support argument will *strongly recommend* workplace democracy. But in concert with my revised parallel-case argument, I conclude by arguing that the promotion of non-domination *requires* the direct pursuit of democracy in the workplace.

The chapter has the following layout. Section 4.1 clears some ground, laying out both workplace constitutionalism, some of its critics, and some forms of workplace democracy. Section 4.2 takes on the parallel-case argument. In section 4.3, I discuss the republican strategy of civic virtue and education, and make my attenuated psychological-support argument, and section 4.4 concludes the chapter.

4.1.1. *Workplace Democracy*

Iñigo González-Ricoy gives a concise definition of workplace democracy: "A form of managerial organization in which workers have control rights over the management of the firm[14]". This is a broad definition which, for my purposes, is a good thing. Taking it part-by-part:

1. It is a form of *managerial* organisation: workplace democracy applies to organisations where there is managerial power. That is, some manager (this could be a single person, a committee, or even the entire workforce in a directly democratic workplace) has the power to make decisions, issue orders, and impose costs on those workers who fail to carry out those orders.
2. Workers have *control rights* over this managerial power: these control rights can be exclusively held by workers or held by workers and some other group (owners, consumers, and so on), and could apply to certain areas of managerial power but not all of them, but they must be effective rights upon which they can act. The fuller, more comprehensive, and more exclusive the control rights, the more democratic the workplace.

[14] 2014a, p.233.

3. These control rights are control rights over the management of a *firm*: the organisation in question must be a productive enterprise, in a loose sense of the term.

This kind of definition allows for a variety of organisational forms "…ranging from worker co-determination of enterprise policy with managers and capital owners to cooperativism, where workers both determine policy and own the means of production[15]". What these forms have in common is that workers, alone or in concert with others, have *equal control* over the running of the business. To preview the parallel-case arguments, the workers function like the citizenry in a democratic state.

Perhaps the closest and most relevant organisational forms that are excluded by this definition are ones limited to what Carole Pateman calls 'partial' and 'pseudo' participation rights. These are ways of organising a workplace in which workers can have *influence* on decision making, but the final power to decide rests with the employer only[16]. The distinction between the two can be hazy. Examples of pseudo-participation include those organisations where managers may allow workers to question them about a decision, or take part in consultation exercises - practices that might allow workers to *feel* like they have some control over their workplaces, but not actually exert any significant influence. Partial participation includes all forms of participation that fall short of equal control rights on the part of workers. Giving the entire workforce one voting position on a ten-member strong executive committee is partial participation, as is giving them formalised, effective measures of influence that are nonetheless not binding on managers. The weakest kind of workplace democracy that still deserves the name, therefore, involves the effective right for workers to have binding and equal control over decisions

[15] Breen 2015, p.471.
[16] 1970, p.70.

relating to the lowest level of decision making: the decisions that concern precisely how the day-to-day duties of the job are discharged - how fast, in which order, and so on. The strongest kind of workplace democracy involves equal and exclusive control rights of all workers over all forms of decision-making in the firm, including the long-term strategic direction of the enterprise - which productive assets to invest it, where those assets will be located, and what they will be used for. I leave the issue of ownership entirely out of the picture here, since it is only the *control* rights that matter for workplace democracy, which can in principle be divorced from ownership itself. Democratic workplaces could certainly be owned by the workers - ownership of productive assets is currently the only way to exercise control over those assets, and some of the most promising schemes to introduce and increase worker control involve gradually increasing employee ownership of firms - but strictly speaking they do not need to be.

4.1.2. *Workplace constitutionalism and its discontents*

First, it is worth giving an account of the typical contemporary republican approach to domination at work, a combination of what we can call workplace constitutionalism[17] and the enhanced exit supplied by a UBI. The intended benefits of a UBI were covered extensively in the last chapter, and there is no need to rehearse them again here. Workplace constitutionalism, however, deserves more attention to make clear why and how it differs from workplace democracy.

Workplace constitutionalism is itself composed of two strategies: significant restriction of managerial authority through extensive state regulation, and some contestatory mechanisms designed to give workers voice within the firm. Extensive state

[17] After González-Ricoy, 2014.

regulation is designed to shrink the area of discretion that managers enjoy, replacing some areas of decision-making that were previously open to managers with a more restricted set of options provided by the state. Health and safety restrictions do this by replacing one set of managerial options (which conditions to order one's employees to work in) with another, smaller set of options (which conditions to order one's employees to work in, *excluding* the prohibited, most dangerous conditions). Restricting the grounds upon which employers can sack workers is another such kind of regulation, replacing one set of options (sacking workers for any reason or none) with another, smaller set (sacking them only for gross misconduct, say). When this regulation is effective - when the state guarantees regular inspection and enforcement, and enables employment tribunals, and so on - it reduces the *scope* of managerial discretion, thereby (so the argument goes) reducing the areas of workers' lives in which their employers represent a dominating will[18].

Of course, regulation cannot eliminate managerial discretion, merely narrow the bounds in which it operates (just as contracts can never be truly complete, as discussed in previous chapters). Any set of regulations will have gaps, and it will be impossible or prohibitively costly to try to legislate for every possible interaction between employers and workers. For most proponents of workplace constitutionalism, this open-endedness of regulation and contracts is not just a regrettable limitation, but rather something that we should regard as desirable and essential in any productive enterprise. Because unforeseen or unforeseeable circumstances arise during production, "the exercise of discretion becomes a required feature of economic activity[19]". Work involves the coordination of many different people with different roles and skills, and this coordination can only

[18] Hsieh 2006, p.60.
[19] 2005, p.136.

happen efficiently with substantial managerial discretion. In the language of computer programmers, significant remaining managerial discretion is a feature of workplace regulation, not a bug. The task is for the state to limit that discretion when it comes to the *most harmful or consequential* areas of decision-making - thereby precluding some of the worst forms of domination - given the demands of efficiency. The remaining discretion must then be rendered non-arbitrary or non-alien, depending on the precise wording of the republican theorist in question. It must be made as little like the imposition of an alien will upon the workers concerned as possible.

Here we come to the second strategy in workplace constitutionalism - contestatory mechanisms within the firm. Nein-hê Hsieh is the clearest proponent of this approach[20], which he characterises as a system of "institutional guarantees for workers to be able to contest managerial directives as part of the decision-making process internal to the firm[21]". Some of these contestatory mechanisms are just intended to be internal replacements for otherwise external rights of redress. Where before you might have taken your boss to an employment tribunal, Hsieh's system would call for the right to have tribunals within the firm, and for a more fine-grained set of reasons. Insofar as these are effective, however, they simply involve the more efficient, small-scale, and timely enforcement of state-backed regulation. The more interesting contestatory mechanisms are those that Hsieh sees as changing the decision-making procedure itself. These are intended to resemble workplace democracy in some ways, with the recognition that "what matters is that the decision-making procedure incorporates the voice of workers as part of

[20] Hsieh himself calls his approach 'workplace republicanism' instead of workplace constitutionalism. I avoid this for obvious enough reasons - *all* of these approaches are potential applications of republicanism to the workplace - but I do not intend for this wording to imply that his approach is merely limited to enforcing a constitution in the workplace (a brief which regulation alone might better satisfy than his regulation/contestation proposal).

[21] 2005, p.116.

the process[22]". These mechanisms of voice could take place at *all* levels of decision making, but take different forms in each. Hsieh suggests that the right of individual workers to take grievances to internal arbitration might secure sufficient contestation rights on the day-to-day level; the right to contest at committee level may be appropriate for matters of working conditions; and contestation of decisions made at the highest level - the large-scale behaviour of the enterprise as a whole - might best be secured through some worker representation on the board of directors[23].

These mechanisms differ from workplace democracy in two ways. First, even if workers have the right to contest managerial decisions regularly and on an ongoing basis, where this contestation happens after the fact they are still denied the power of jointly coming to those decisions, forming and debating options, and so on: rights that workplace democracy usually provides. This applies to some of Hsieh's proposals, but not all of them. The first and second levels of contestation above are intended to incorporate worker voice *after* a decision has been made, whereas the third, worker representation on the board of directors, presumably guarantees the incorporation of worker voice in all stages of decision-making at that level. The second important difference is in the power that workers are given over employers on this approach. There is little sense in Hsieh's writing that workers would ever be able to enforce their will in an intractable conflict with employers. Many of Hsieh's proposals amount to workers being given the right to demand a *justification*[24] for managerial decisions that affect their lives, or to "express dissent[25]". He explicitly rules out the possibility of workers having the power of veto over managerial decisions, at least in anything but the most exceptional circumstances[26], and

[22] *Ibid,* p.137.
[23] *Ibid.*
[24] *Ibid,* p.123.
[25] *Ibid,* p.134.
[26] 2006, p.54.

makes no demands that workers should have any hand in formulating the rules under which they can contest managerial decisions made after the fact. In this sense, as one critic describes Hsieh's proposals, "worker voice would be a voice that must be heard, but not one which would have to be acted upon[27]". It is possible that these amount to partial participation rights in the sense described above, but it seems more realistic to see many of these mechanisms as guaranteeing little more than pseudo-participation, the right for workers to be consulted, and the right to speak their minds. In situations of conflict between managers and workers, Hsieh's proposals for worker voice give little reason to believe that workers could *force the hand* of managers.

Nevertheless, these mechanisms of regulation and voice make up workplace constitutionalism. Combined with enhanced exit, the argument is that workplace constitutionalism is sufficient for the purpose of promoting non-domination in the workplace. This claim requires some unpacking. Nobody argues that this package eliminates domination completely. More reasonable is the claim that it reduces domination to *the lowest level possible*, or that any remaining domination is *not bad enough or consequential enough* to justify any stronger measures, especially when those stronger measures have downsides of their own. Specifically, of course, those concerned with domination will be wary of introducing more state interference than is necessary, since that constitutes an unnecessary risk of state domination. Hsieh thinks that this package is sufficient in this sense. It allows workers to leave their jobs with as little cost as possible - thereby reducing the power of employers over employees. State regulation restricts the range of options over which managerial discretion can be exercised - thereby eliminating some particularly damaging forms of domination and constraining the will of employers. And the managerial discretion that remains is forced, through contestatory

[27] Breen 2015, p.482.

mechanisms, to justify itself to workers and consult with them without being *controlled* by them. This, so the argument goes, reduces domination to a tolerably low level while still allowing for efficient and necessary exercise of managerial discretion, without which large-scale productive enterprises could not exist. I argue that this is the wrong answer to the strategic question. Domination at work could be reduced further than this package allows - *needs* to be reduced further than this package allows even in order to prevent domination that seriously threatens workers' interests - and the appropriate strategy for this is the pursuit of workplace democracy. This is especially true if we accept my argument in the last chapter about the possibility of a genuinely radical UBI, and, as I hope to show in section 3 of this chapter, the promotion of workplace democracy can be expected to have knock-on effects for the promotion of non-domination in other areas of life.

4.2.1. *Private government: parallel case arguments*

"Imagine a government", writes Elizabeth Anderson, "that assigns almost everyone a superior whom they must obey." She goes on to describe, at length and in no uncertain terms, a dictatorship:

> Superiors are unaccountable to those they order around. They are neither elected nor removable by their inferiors. Inferiors have no right to complain in court about how they are being treated, except in a few narrowly defined cases. […] In some cases, the dictator is appointed by an oligarchy. In other cases, the dictator is self-appointed. […] Would people subject to such a government be free? I expect that most people in the United States would think not. Yet most work under such a

> government: it is the modern workplace, as it exists for most establishments in the United States.[28]

The implication - and the argument Anderson goes on to make - is that just as we require states to be democratic and state power to be accountable to their citizens, we should require workplaces to be democratic and managerial power accountable to their workers. To require democracy in one sphere and not the other is inconsistent. Anderson is making what has traditionally been called a parallel-case argument for workplace democracy[29]. The argument in its most general form runs as follows:

1. States must be governed democratically.
2. States must be governed democratically because they have some certain set of characteristics.
3. Workplaces share that same set of characteristics.
4. Therefore, workplaces must be governed democratically.[30]

Point 1 is assumed to be shared by the audience - the argument has no force against those who are prepared to admit that states ought not be governed democratically, since consistency would be satisfied by the conclusion that *neither* states nor workplaces should be governed democratically. Point 2 involves picking out the features of a state that justify its democratic rule. These will differ from theorist to theorist, but a typical set of features include that a state is a *collective enterprise* in which *coercive enforcement* of

[28] Anderson 2017, pp.37-39.
[29] Cohen (1989) coins the term, but influential previous exponents include Robert Dahl (1985) and Carole Pateman (1970). More recent overviews on which this chapter draws include Dow 2003 and González-Ricoy 2014a, 2014b.
[30] Cohen 1989, p.27.

rules is required for its proper functioning, and whose members bear *high exit costs.* Because of these features, those subject to those rules have the right to equally participate in their formation. If the power to formulate and coercively enforce rules were not democratic in this sense, that distribution of power would be unacceptable. Point 3 is the one upon which the parallel-case argument is most often challenged, but assume for now that workplaces share those features with states. Point 4, the conclusion, follows easily enough. If we believe that states ought to be democracies, we must believe that workplaces ought to be democracies as well.

The version of the parallel-case argument I want to make is a slight variant on the traditional one, more specifically tailored to those centrally concerned with opposing domination.

1. In order to promote non-domination, states must be governed democratically, rather than with a combination of regulation, enhanced ability to emigrate, and some limited rights to have citizens' voices heard by those wielding state power.
2. States must be governed democratically and not in this second manner because states exhibit significant power over the lives of their citizens, require the formation and enforcement of coercive and binding rules, and citizens face high exit costs to leaving a state - without democracy, through which citizens can equally control the power the state has over them, those citizens are left dominated by that state.
3. Workplaces share these characteristics with states.
4. Therefore, workplaces must be governed democratically and not in this second manner.

Point 1 is, again, assumed, but it is a safe assumption with an audience of contemporary republicans and other theorists concerned with domination. States ought to be as fully democratic as possible, with various overlapping mechanisms by which citizens can participate fully in all areas of decision-making. These might vary from proposal to proposal, and the costs associated with direct democracy might make representative democracy the most democratic option possible - I take no position on that here.

Point 2 is also simple enough, because it amounts to nothing more than a restatement of the republican argument for democracy at the level of the state. A state is a potential source of considerable domination for the same reason that *anything* is a potential source of domination: it has the capacity to exercise power over its citizens in a manner they do not themselves have the ability to effectively control. We can distinguish between dominating power of a state (what Pettit calls *imperium*[31]) and the dominating power of non-state agents (what he calls *dominium*[32]), but the underlying domination is the same, and to be opposed on the same grounds.

Republicans wouldn't accept a Hsieh-style approach of enhanced exit and constitutionalism when it comes to taming the power of the state. We do not think that the right or ability to emigrate makes the state's power over its citizens non-dominating (although it might be *necessary*, it will not be *sufficient*). Nor should we be satisfied with a constitutional monarchy, where the sovereign's power is constrained within certain bounds, or with the presence of an advisory parliament (for instance), whose elected members had the right to force the monarch to listen to their advice but could not effectively control the outcome of any decisions. In such a state citizens could contest decisions to their heart's content, but they could never *force* those in charge to act or

[31] See, e.g., Pettit 1997, p.112.
[32] *Ibid.*

refrain from acting in a certain way. Only the fullest possible democratic rights are sufficient, fuller than ones existing in representative democracies today - a government that interferes with its citizens "only under their equally shared control and so without domination[33]". The precise institutional design of such a state is naturally a matter of debate, but the ambition is not. Only democracy will do. So why should any less suffice in the workplace?

4.2.2. *The objection from managerial discretion*

As in the general parallel-case argument, point 3 is the sticking point. If it can be shown that workplaces are not analogous to states in the relevant sense, then the argument that they, too, require democracy will not hold. So here I want to consider some objections to the analogy. Again, it is worth stressing here that it is assumed that both states and workplaces exhibit domination in their current form, as made clear in the last chapter. So they are obviously analogous in this sense. I aim to defend the distinct claim that they are analogous in *features that require us to demand democracy, rather than some other strategy, to promote non-domination.*

The first objection is also perhaps the most common, and is made clearly by Nien-hê Hsieh. I think that it is also the easiest to resolve, because at least in part it rests upon a misunderstanding. Hsieh writes that the most common objection to workplace democracy is that "it pays insufficient attention to the need for managerial decision-making in large-scale economic enterprises[34]". He assumes that the "successful operation[35]" of such economic enterprises requires significant managerial discretion, the ability to make

[33] Pettit 2012, p.281.
[34] 2005, pp. 116-117.
[35] *Ibid,* p.122.

binding decisions to coordinate the actions of a large and complex production process. Contracts and regulation cannot possibly legislate for all potential situations (see the last chapter), and the nature of the task means that many of these decisions will have to be made quickly and under demanding conditions - attempting to make every one of these decisions through a non-hierarchical, democratic process would be prohibitively time-consuming. Workplace democracy and efficiency are therefore in tension with one another, with democracy threatening the success of the enterprise.

One simple response to this point would be - so what? We are in the business of pursuing non-domination, not pursuing profits for shareholders. A more charitable response would be to assume that Hsieh links the unsuccessful operation of such enterprises indirectly with the level of domination in wider society. There are a few possible ways of doing this. On an individual scale, we might think that individual workers will be at greater risk of domination if they are unemployed, and they are more likely to become unemployed if their workplace cannot efficiently compete in a market of otherwise undemocratic (and therefore more efficient) enterprises. On a wider scale, we could say that the promotion of non-domination has a material basis - scarcity/poverty/a smaller tax base makes it difficult to guarantee anyone's independence - and the 'successful' operation of large-scale economic enterprises is required to maintain this material basis, where 'success' means meeting certain productive goals. Whatever the justification, assume that we need to give a great deal of weight to the successful operation of economic enterprises, and so reject strategies for reducing domination that put this success at risk. On this approach, the parallel-case argument fails - the analogy

between the state and the workplace is misleading, because the workplace has strict demands of efficiency that democracy would violate[36].

Even assuming that there *are* such demands, and that any curtailing of managerial discretion would fail to meet those demands, this objection is misplaced. The need for managerial discretion is simply not in conflict with the demand for workplace democracy. Certain forms of democratic decision-making *are* very time-consuming, and are clearly an inefficient way to organise productive enterprises. If every decision at every level had to be debated and then approved unanimously by a thousands-strong workforce operating across multiple sites, then presumably the production process would grind to a halt. But other forms of democratic organisation don't conflict nearly so much with efficiency. A system of elected and recallable managers who can exercise (while in post) a good deal of binding control over their worker-electorates, for instance, still allows for the kind of managerial discretion Hsieh sees as necessary for an efficient enterprise. This objection only targets those proposals for workplace democracy that aim to get rid of *any* hierarchy - a tiny subset. On the other hand, if Hsieh wants to claim that any form of workplace democracy (even representative forms) would make that workplace unacceptably inefficient, then this is a much stronger, and quite implausible claim.

So the objection rests upon a confusion of workplace democracy with non-hierarchical workplace democracy. But in its general form it also fails to distinguish the workplace from the state. On some plausible assumptions about the purpose of the state, it is *much more important* for the state to be efficient in discharging its duties than it is for

[36] Of course, such arguments *are* sometimes made regarding democracy at the level of the state, and could plausibly make use of any kind of sufficiently important goal, the pursuit of which democracy is supposed to make unacceptably difficult: 'the business of winning the war/securing our borders/ensuring salvation/preventing climate catastrophe is too important to be hamstrung by democracy - it requires an unconstrained governing elite', and so on. The argument is more familiar in its time-limited form, whereby 'states of emergency' require efficiency that normal democratic processes cannot provide.

any individual productive enterprise to do so. The fact that workplaces require some level of managerial, coordinative discretion only strengthens the analogy between them and the state: if democracy is the right anti-domination strategy for the latter, it is the right strategy for the former.

This objection does, however, raise a separate question: *should* we assume that modern work must largely, or even sometimes, take place within large-scale, hierarchical enterprises, as Hsieh does? If we reject this assumption, then democracy might not be the best strategy to take towards the workplace: rather, we should seek to *abolish* managerial workplaces. This would mean treating relationships between a manager and an employee more like the relationship between a kidnapper and a captive. In the latter case, the promotion of non-domination obviously isn't best served by democratising the relationship: giving the captives binding voting rights over decisions the kidnapper would otherwise make alone, giving them the right to recall and elect a new kidnapper, and so on. The kidnapper-captive relationship cannot be justified, and non-domination requires that we dissolve it by taking away the kidnapper's gun. At various points in the wider republican tradition - although still the narrower, Italian-Atlantic tradition - this has roughly been the approach to the employment relation. The power of an employer is the sort of power that requires nothing less than the widespread abolition of wage labour, and its replacement with *not having a boss at all* - self-employment or homesteading in the ideal case, coupled with, at worst, a short period in one's youth of working for another in a small enterprise while building up the capital to start one's own. This response to the domination of wage labour was, as Anderson convincingly argues, the approach taken by American republicans before the Industrial Revolution[37]. From Paine to Lincoln, these 'labor radicals' sought an economy of almost universal self-employment, workers owning

[37] 2017, ch.1.

the capital of their own businesses and, if they employed anyone at all, paying them sufficiently high wages that those apprentices could hope to quickly escape into self-employment themselves. This was seen not just as desirable but eminently possible, *so long as the state kept its nose out* - the prevailing economic theory held that very small enterprises would be more efficient than larger ones, and so the market would keep these conditions of widespread self-employment stable absent state interference. The Industrial Revolution dramatically disproved this last premise. Large, industrial enterprises could achieve levels of efficiency that outpaced small workshops decisively, and the free-market libertarianism espoused by these labour radicals only helped the proletarianisation of a previously largely self-employed population. With the failure of this strategy, and the recognition that economies of scale were here to stay, the hope of an economy (almost universally) without managers of any sort was abandoned.

The outlook was grim for this traditional analysis of large-scale production: Alex Gourevitch describes republican successors in the US grappling with a bleak choice, "nostalgia for the days of artisanal production, or, what amounted to almost the same thing, giving up on the republican theory altogether[38]". This impasse, for Anderson, was the death blow for republicanism as the dominant political tradition in the US - it was "supplanted by liberalism in part because, in committing itself to self-employment or non-hierarchical cooperative production, it could not generate the immense economies of scale of the Industrial Revolution[39]". Even if historically unsuccessful, however, later and more radical republicans took up the challenge. They broke free of the dilemma by giving up on the strategy of abolishing large-scale, coordinated workplaces, replacing it with a

[38] 2015, p.118.
[39] 2015, p.65. A similar argument for the rise of a contract-based liberalism in the US is made much earlier in Michael Sandel 1996, p.187.

demand for *cooperation within those workplaces* as the means by which to implement principles of non-domination within industrial society[40]. *If* such workplaces could not be eliminated, they had to be democratised. This conditional answer is one that I see no reason not to adopt. The elimination of coordinative labour would be the surest and most certain way of eliminating relations of domination in the workplace, but if that is not possible, then workplace democracy is required as part of our best remaining option.

4.2.3. *Disanalogous powers*

Another common objection to the parallel-case argument in general, one that finds a footing in this particular strategic debate as well, begins with the idea that the boss and the state are incomparable in terms of the power they have over workers and citizens respectively. Richard Arneson provides the clearest version of this objection[41], and we can split his main points of difference into three: the relative possibility of exit, the relative severity of sanctions, and the relative scope of power. The first, and most important from his perspective, is that workers have a power of exit that citizens do not. Citizens are raised in a particular state, usually making deep ties to people and places and gaining country- or culture-specific knowledge such that, by the time they reach maturity, leaving that state would be extremely costly. The dislocation and loss of built-up resources involved in emigrating would be so difficult to bear that the right to do so is "entirely a pro forma right[42]" in the lives of most citizens, rather than a live option to escape political domination. The functioning of a modern, competitive labour market, on the other hand, "willy-nilly confers on each person a considerable degree of control in the

[40] *Ibid,* p.119.
[41] 1995.
[42] 1995, p.139.

form of exit rights. If the management of one's firm…opts for policies one finds intolerable, one can generally escape the reach of the unwanted policies by quitting one's job and taking another[43]". Arneson admits that there will still be costs to leaving a particular workplace, but thinks that the difference of degree in costs between leaving a workplace and leaving a state is so great that "membership in one's political society is pretty nearly a nonvoluntary matter and placement in a line of work and a job is to a large extent a matter of free and voluntary choice.[44]".

Next, the state and the workplace differ in the severity of possible sanctions they can impose. The sanctions that a state can impose upon a citizen are almost limitless. Uncontrolled, state power has the capacity to murder, torture, or imprison citizens at will, with a fairly high degree of effectiveness. The state can also exercise sweeping but less dramatic powers - subordinating entire groups to the will of other groups, confiscating or making it impossible to put the food on one's table, and so on and so forth. These are, to say the least, "intolerable consequences[45]", and their possibility justifies, for Arneson, popular control over the exercise of that power. In contrast, there is a great deal of power available to employers - they can institute policies that will have severe effects on the lives of their employees - but the sanctions to which employers can turn to enforce these policies are much less severe. Employers can formally censure, dock pay, and sack their workers. Informally, they can also use their power to insult, harass (sexually or otherwise), and humiliate their workers as disciplinary mechanisms. And they cannot use *violence* except indirectly, through appealing to the state to enforce the law through force,

[43] *Ibid.*
[44] *Ibid.*
[45] *Ibid,* p.140.

or covertly, which is a gamble, reliant upon the unwillingness of victims and bystanders to lose their jobs by reporting that violence.

The last and related point compares the relative *scope* of state and employer power. The state can affect citizens "powerfully and *continuously* [emphasis mine][46]", whereas employers can exercise their power only in a limited domain. The state can exercise power night and day, whereas the employer's power, we might think, stops at the end of each shift, and doesn't start again until the following morning. In brute terms this means that the power of the state is less tolerable than the power of employers: eight hours of some harmful interference is better than twenty-four. Furthermore, the state puts a great deal of resources (and has the capacity to put an *extraordinary* amount of resources) into the surveillance and invigilation of citizens' lives. State sanctions on this basis will be more *effective* than workplace sanctions, since they stand a better chance of detecting rule-breakers, and can use violence and the threat of violence to enforce those rules. It is easier, in other words, to avoid the wrath of one's manager than to avoid the wrath of the state, assuming the latter is unconstrained.

These differences are, as Arneson admits, a matter of degree, but a matter of normatively important degree, and chief among them is the relative ease of exit from a workplace. On his account, democracy is instrumentally valuable in a domain insofar as it "safeguard[s] people's fundamental interests[47]". The almost inescapable power of a state over a citizen requires democracy, because citizens otherwise have no reliable way of avoiding intolerable consequences which would violate those fundamental interests. But the workplace is a domain in which the the power to harm one's fundamental interests is weaker, narrower in scope, and - most importantly - workers already have sufficient

[46] *Ibid,* p.139.
[47] *Ibid.*

means of avoiding intolerable abuse of employer power. They can take advantage of the modern labour market and escape their boss relatively (but not entirely) costlessly. So the parallel-case analogy does not hold, and democracy is not required at the level of the firm.

How successful is this objection against the form of the strategic, anti-domination parallel-case argument advanced here? Before finding out, some alterations have to be made, but in basic structure it applies fairly well to the case laid out above. Arneson assumes that democracy is required in the workplace only if it is instrumental in safeguarding workers' fundamental interests. This instrumental view of democracy can be transplanted into the context of this chapter, with the caveat that the only relevant fundamental interest is the one workers (and citizens) have in avoiding domination. Otherwise, the objection stands as is. The analogy between the state and the workplace fails because 1) employer power is much less consequential than state power, 2) employer power affects a much narrower area of its victims' lives than state power and, decisively, 3) workers can escape an employer without significant cost, unlike citizens for whom the cost of escaping a state is very high - the ability to exit a workplace is a substitute for democracy.

I want to argue that the objection fails, and defend two forms of the parallel-case argument: a weaker form that requires workers to have the realistic *option* to choose a democratic workplace, and a stronger form that makes a strong presumptive case for the democratic organisation of *all* workplaces. Although less important than exit rights, I first want to consider the relative severity and scope of workplace interference versus state interference. There is no doubt that the possible severity of state interference is much higher than that of an employer in a democratic state. The mere fact that states aim to have (and often approximate) a monopoly on violence guarantees that. But even those

arguing for the sufficiency of workplace constitutionalism recognise that managerial power is significant and consequential - that's what motivates the discussion of strategy in the first place. Hsieh, the chief proponent of workplace constitutionalism, argues that (necessary) managerial discretion implies the possibility of "substantial[48]" and "severe[49]" interference in that it can drastically affect such important interests as physical health and self-preservation, relationships with families, friends, and communities, self-respect and self-confidence, and an ability to pursue personal projects outside of work[50]. Managerial discretion determines not just how whether and how far one spends all day in humiliating drudgery, but also to what *ends* one works. The ability to choose *what* a firm produces is also a choice that substantially affects workers' interests, as indicated, for instance, by protests by workers at Google being ordered to produce artificial intelligence software for the military[51], or the 1976 'Lucas Plan', in which workers at Lucas Aerospace demanded the right to produce socially useful technology, rather than military hardware[52]. So while the powers available to managers might not reach the heights of state power, they are certainly significant and consequential - a point of agreement among even those republicans unconvinced of the need for workplace democracy.

Next, the scope of workplace interference is certainly lower than the scope of a determined police state. Employers cannot conduct dawn raids on their workers. But it is by no means limited to the working day. Under current legislation in the US, for example, employers are able to legally interfere in workers' home and personal lives, able to exercise influence over "their political activities, speech, choice of sexual partner, use of recreational drugs, alcohol, smoking, and exercise[53]". Especially at present, when

[48] 2005, p.122.
[49] *Ibid,* p.125.
[50] *Ibid,* pp.122-126.
[51] See Shane and Wakabayashi 2018.
[52] See, e.g., McLoughlin 2017.
[53] Anderson 2017, p.39.

communications and surveillance technology are cheap and accessible to most large enterprises, the scope for off-the-job managerial authority is very high indeed. If workplace authority ever stopped at the factory gates, the fact that modern technology is making that boundary ever blurrier indicates that it was never for want of trying. Furthermore, even if managerial authority were limited to the working day, this should not warrant a sigh of relief. Both quantitively and qualitatively, the scope of the working day is not limited. It occupies a full third of adult workers' lives[54], far and away the sphere in which workers can expect to spend the most time in relations of formal[55] and direct subordination other than the general condition of being a citizen of a state. Qualitatively, the potential interference of a workplace may be even more intrusive and visible than the potential interference of state power. The authority of a manager who one has to see, hear, and suffer every weekday may well loom much larger in one's life than the distant power of the state, which one can expect to go long stretches without having to confront in a personalised form. Employers, in contrast to the state, have a strong and predictable interest in invigilating their workers and extracting profit from their working day as far as possible. For as long as one is subject to this sort of fine-grained and minute personal interference, it is different to, but certainly no less subjectively intrusive than, the power of the state. If this is convincing, then the analogy stands in these two respects - we can agree that the power and the scope of a manager is not the *same* as that of the state, but the reason that state power requires democracy is that it is a collective and hierarchical enterprise that has the power to exercise discretion in decisions that have

[54] González-Ricoy 2014a, p.234.

[55] Of course, people may spend much more time in *informal* relations of gender subordination, and workers who also find themselves in dependent relationships at home will spend very little time outside direct, personal relations of subordination.

severe consequences over a *broad* area of its citizens' lives. The power of an employer, on this picture, falls easily into this category[56].

The relative cost of exit is the decisive point, however. Without barriers to exit, the severity and breadth of employer power loses its edge - in fact, it becomes hard to make the claim that workers are subject to employer power at all[57]. If workers could exit a job costlessly then it would be hard to make even the claims above - that is, if we accept that workers can leave freely at any time, it is hard to see how they are subject to any employer power at all, no matter the sanctions that employers can *try* to impose. But there are clearly *some* significant costs to leaving a job: the question is whether these costs are often significant enough to make them analogous with the drastic measure of emigrating from a state - severe costs that cannot easily be paid to avoid intolerable policies. If so, the parallel-case argument is supported. If not, it is greatly weakened.

First, assume that the exit costs are relatively lower enough in workplaces that the parallel-case argument cannot be made in this way - merely less severe costs that allow workers to transition from job to job in the event of intolerable interference. A parallel-case argument of a sort can still be made for the necessity of *some* number of democratic workplaces. In a capitalist economy, workers might be able to choose between a variety of jobs, but those jobs will overwhelmingly be hierarchical and undemocratic workplaces. Three features of the labour market make this so. First, most people need to have a job - even in the most social-democratic welfare states there are significant material and non-material costs to long-term unemployment. Secondly, most of those jobs will be hierarchical - just as Anderson and Gourevitch argue, economies of scale mean that for

[56] These issues are discussed more fully in the next chapter.

[57] Gregory Dow (2003, pp.29-30) discusses, and rejects, the possibility of relying on a notion of workplace 'authority' that could doesn't rely upon exit costs whatsoever, and is therefore compatible with no (material or non-material) exit costs.

the most part, market forces will select for large, hierarchical enterprises, and most workers lack and cannot expect to obtain the capital for genuine self-employment. Thirdly, the overwhelming majority of those hierarchical workplaces will not be democratic. Private ownership of productive assets, and the (largely) exclusive control rights that currently accrue to ownership, guarantees that[58]. Whilst workers are able to transition between jobs, for the great majority that transition will be from one dominating job to another. They will be able to avoid any idiosyncratic or especially cruel *use* of employer power, but they will not be able to avoid standing in a relation of subordination to a boss that has uncontrolled power over them - they will be dominated. Since the possibility of domination in a collective enterprise is the relevant feature of a state that justifies democracy, we now have a parallel-case argument between states and workplaces in such an economy. Neither workers nor citizens have a realistic option of avoiding domination by exiting that state or that workplace, and just as democracy is the presumptive solution to that lack of options at the level of the state (as opposed to just enhanced emigration, mere constitutionalism, and so on), democracy should be included in the presumptive solution to that lack of options at the level of the labour market. Strictly speaking, this wouldn't require democracy in every workplace, but it would require *enough* democratic workplaces that every worker could realistically choose whether or not to leave an undemocratic job for one.

The stronger response to Arneson's objection is that workplaces simply *do* have exit costs significant enough to be broadly analogous with the case of the state: if they didn't, then employers wouldn't have as much power as they currently do over their

[58] This is the observation that motivated the critics of the personal account of domination in chapter two - the 'structural compulsion' to work. I rejected the idea that this justifies a proper, 'structural' account of domination, but agreed with those critics in that the structural compulsion to work is the cause of widespread personal domination.

workers. To recall the arguments made in chapters two and three, leaving one's job has significant material and non-material exit costs. Blunt, material costs include lost wages and transfer costs while seeking another job, and the possibility of severe privation or poverty if that search is lengthy or unsuccessful. Non-material costs include lost firm-specific capital (social and professional networks in which one might be deeply embedded, knowledge of procedures and skills, and so on) and, if one has to move away for another job, loss of personal networks, dislocation, estrangement from family and friends, and so on. Many of these costs are not too dissimilar to the costs of emigrating, at least in some worse but still fairly common cases. There is a case to be made that the material costs can be drastically reduced with various kinds of state redistribution - the mechanisms of enhanced exit discussed in chapter three - but the non-material costs are harder to bring down, and many of the material and quasi-material costs of exit are very difficult to bring down without an incredibly generous state payment. Arneson, on the other hand, seems remarkably optimistic about these costs, since his argument is that the *mere freedom of the market*, without any of these enhanced exit proposals, guarantees that exit costs remain low enough for workers and citizens to be relevantly disanalogous in their positions. But the mainstream republicans against whom this parallel-case argument is intended to have force disagree with him, already accepting that the high exit costs faced by workers give employers significant power over them. This weakens the objection to the parallel-case argument substantially.

4.2.4. *The redundancy objection*

The final objection I want to consider is that my strategic parallel-case argument fails because although it supports the claim that workplaces ought to be governed

democratically, workplace constitutionalism itself already satisfies that condition. Direct workplace democracy[59] is therefore redundant. Recall that a major part of workplace constitutionalism involves extensive state regulation of managerial discretion, imposing constraints on the kinds of decisions that managers are able to make. Assuming as we are that the state concerned is genuinely democratic (whatever we think that means), the workers in any individual firm have equally participated in the formation of those regulations as citizens, and so indirectly control the decisions their individual employer is able to make. The workplace is therefore subject to democratic governance without democratic governance at the level of the firm. The parallel-case argument works, so the objection goes, but it doesn't require direct workplace democracy - within the context of democracy at the national level, workplace constitutionalism will do.

Inigo González-Ricoy introduces this objection in only a very slightly different context, and gives some responses to it. His first is to make an analogy with democracy at a local as well as a national level:

> It seems obvious that enjoying democratic rights at the state level is not a sufficient reason to prevent citizens from enjoying such rights at the municipal level too, given that decisions that affect them are also made at the latter level.[60]

This isn't the strongest possible response to the objection. Democracy at the national level is certainly *consistent* with democracy at lower levels and, as he argues, it may not even be sufficient reason to *prevent* such lower-level democracy, but it does seem like

[59] By 'direct workplace democracy' in this section I am contrasting democracy at the level of the firm (direct) with democracy at the level of the state that nevertheless constrains managerial authority (indirect). This departs from the common use of the term to distinguish direct from representative democracy, and I only intend to use it in this sense for the rest of this section.

[60] 2014a, p.248.

the case for democracy in various spheres gets weaker the more those spheres are nested within one another. Arneson touches upon this point:

> If a national democratic assembly institutes a program of centralised top-down municipal government, with local mayors appointed by the national government, such a scheme might be objectionable on various grounds but not on the ground that is is undemocratic. The same point would hold of a scheme in which a democratic assembly at the national level control the economic agency that appoints the managers of public firms - this top-down management being an alternative workers' control.[61]

This second possibility - the direct appointment of managers by a national-level democracy - is a good example that stresses the weakness of González-Ricoy's first response to the objection (if his response doesn't work against this national control of managers, it won't work against workplace constitutionalism). If the workers, *qua* citizens, had equal control in the appointment and (say) recall of their managers, then surely we have satisfied the demands of the parallel-case for democracy at the level of the firm. In a sense, there is no longer any governance relation between employers and workers; there is instead a governance relation between the state and those workers, mediated by a democratically-controlled manager. That governance relation is non-dominating because of democracy at the state level, and there is no parallel-case to answer. Maybe we ought to have direct workplace democracy for other reasons (the argument goes), but not for the sake of consistency, as the parallel-case argument had hoped to show.

[61] 1995, p.138, n.5.

Centralised state ownership models may well make the parallel-case argument weaker, but there are still reasons to think that this objection can be overcome. If we take the relevant features of the state - a collective enterprise involving necessary and centralised power, capable of interfering in the lives of those without power in a severe and broad fashion - to justify not just democracy, but as *democratic and participatory a system of governance as possible*, then this same justification could tell in favour of direct workplace democracy over indirect, state-mediated forms. As González-Ricoy notes, the power that any worker had to shape even the most democratic state was only the power of one citizen among many, many others. Whereas the power that a worker has in a system of direct workplace democracy is one among far fewer - perhaps only among dozens or hundreds of other workers. A worker's participation is more *effective* in this sense[62], simply because the number of other participants is lower. Carole Pateman makes the same argument decades earlier, in a passage to be revisited later on in this chapter - "industry is important because the size of the enterprise might allow the individual to participate directly in decision making, to participate fully at the higher level[63]". This response gives us grounds to prefer smaller to larger spheres of participation on the grounds that they *do more* of what makes democracy instrumentally beneficial for promoting non-domination - individuals in smaller democratic spheres are more effectively able to control the use of the would-be dominating power. This response, I think, works when it comes to justifying direct workplace democracy over indirect, centralised state control of managerial power.

It also works for the state regulation involved in workplace constitutionalism. Even if regulation satisfies to some degree the presumptive demand for democracy produced by the parallel-case argument, the fuller and more effective control of workers

[62] González-Ricoy 2014a, p.248.
[63] 1970, p.84.

in a system of *direct* workplace democracy satisfies the presumptive demand for as democratic a system as possible.

However, there is an easier and more decisive response to this objection: workplace constitutionalism leaves large amounts of managerial authority free from democratic control at either the level of the workplace *or* the state. This is entirely by design. Regulation narrows the scope of managerial discretion, but it doesn't get rid of it. And Hsieh's mechanisms of worker voice explicitly do not grant workers *control* over that residual discretion, merely the right to have their voices heard and their views taken into consideration. Even if these measures indirectly bring areas of managerial discretion under democratic control, they leave others untouched, and so fail to satisfy the demands of the parallel-case argument.

4.2.5. *The parallel-case for workplace democracy*

Where does this leave the proponent of workplace constitutionalism? I have argued that the traditional parallel-case argument can be brought, with a few tweaks, to bear on the anti-domination case for workplace democracy. In the case of the state, all concerned agree that *democracy*, not mere constitutionalism or enhanced exit, is required to effectively promote non-domination. This is because the state is a collective enterprise in which some have the power to interfere severely and in wide areas of the lives of citizens, and because those citizens face significant exit costs and have no effective means of controlling that power. In these respects the workplace is analogous to the state, and so democracy, not merely workplace constitutionalism or enhanced exit, is required to effectively promote non-domination.

This strongly supports the case for workplace democracy as the strategic first port-of-call for those concerned with domination at work. Strictly speaking, it supports the case for workplace democracy to be *included within* the anti-domination approach to the workplace - regulation and enhancing exit are still clearly beneficial, perhaps even required alongside direct democracy. But it does show that the programme of workplace constitutionalism favoured by most mainstream republicans is at odds with their approach to domination at the level of the state. On this basis, the only justification for mere workplace constitutionalism would be that workplace democracy of any kind is impossible, or so prohibitively inefficient that it produces domination elsewhere. Theorists like Hsieh, while gesturing at the idea that workplace democracy of any kind is inefficient, do not do nearly enough to show that it is *always* or *prohibitively* inefficient or impossible, nor that this inefficiency provides reason enough to oppose it on the grounds of non-domination.

4.3.1. *Learning to breathe free: psychological-support arguments*

In this section I turn to what Joshua Cohen calls 'psychological-support' arguments[64]. Such arguments, like the parallel-case arguments discussed above, rely upon an audience's prior commitment to democracy at the level of the state in arguing for the expansion of that democracy into economic enterprises. The key difference between the two are the grounds upon which that prior commitment is extended. In parallel-case arguments, the grounds are those of consistency: the principles upon which democracy is required at the level of the state apply equally well to the workplace, so the consistent theorist cannot settle for democracy at one level and not at the other. Psychological-

[64] Cohen 1989. It is sometimes also called the 'spillover' argument: see, e.g, Carter 2006.

support arguments rely instead on a series of causal claims, and generally take the following form:

1. Democracy is required at the level of the state.
2. Citizens require a certain set of psychological characteristics to best support and sustain that state-level democracy (or to sustain it *at all,* in the strong case).
3. The extension of democracy to 'non-state' spheres, and especially the workplace, causes citizens to develop those psychological characteristics (or is required for them to develop those characteristics, in the strong case).
4. Therefore, workplace democracy is desirable (or required, in the strong case).

Points 2 and 3 are both complex, causal claims, the plausibility of which will depend upon the particular set of psychological characteristics picked out. Cohen mentions two - an "active character" and a "sense of the common good[65]", both of which citizens will need if they are to willingly take an active part in the collective decision-making of a democratic state. Although the general case could include other characteristics, I will proceed with these two. Point 2, the idea that these characteristics are required for the proper functioning of democracy at the level of the state, is intuitive - what's the point of formal democratic rights if the majority are psychologically unable or unwilling to participate? - but not to be assumed. Carole Pateman, for example, contrasts this 'classical' view of democracy with what she calls the 'contemporary' view, upon which the passivity of the mass of citizens is a *beneficial* and *stabilising* feature of the democratic system as a whole; if the majority of citizens participated actively in the

[65] *Ibid,* p.29.

running of the state, this would merely open the door to populism (in the pejorative sense) or totalitarianism[66]. Assuming that we accept the basic structure of point 2, for any given set of characteristics there are two versions of the point: a stronger version, upon which those characteristics are *required* for the proper functioning of a democratic system on the level of the state, and a weaker version, upon which those characteristics are merely *desirable* in addition to the formal institutions of state democracy. They lead to stronger and weaker versions of the psychological-support argument as a whole.

Point 3 is a more causally demanding claim, and has a few necessary sub-claims. The first (call it 3.1) is that institutions have an "educative[67]" effect on those within them, what is sometimes called "social training[68]". It would be almost impossible to disagree with this claim in the abstract: to some degree people's forms of consciousness are shaped or conditioned by the wider context in which they live their lives. The second sub-claim (3.2) is more demanding: that spending time participating in collective decision-making structures on *lower* levels than the state causes people to develop the required characteristics (an active character and a sense of the common good, say) to participate on the higher level. Or, in the stronger sense, the claim is that it is *only* by participating in this way that one can develop these characteristics. Mill provides a good example of this strong claim when he writes that "as we do not learn to read or write…by merely being told how to do it, but by doing it…so it is only be practising popular government on a limited scale, that people will ever learn how to exercise it on a larger[69]". This is a straightforwardly causal claim that is, at least in principle, amenable to evidence. It could turn out that democracy at levels lower than the state does *not* develop either of the

[66] See, e.g., 1970, p.13. Pateman rejects this view in favour of a modified 'classical' view.
[67] *Ibid,* p.35.
[68] *Ibid,* p.42.
[69] 1973, p.186, quoted in Marquand 2008, pp.27-28.

desired characteristics or, on the other hand, that these characteristics can be effectively developed without any democracy at lower levels. The third sub-claim (3.3) is that the workplace is an especially important lower level in this respect - that the workplace provides *the best* or, stronger, the *only* environment in which to learn these skills. Evidence advanced for this claim has already been given in response to some of the objections to the parallel-case argument in the last section: people spend a great deal of time in the workplace, its small size offers the chance for effective participation at the highest level in the firm, few other arenas lower than the state are such good examples of collective enterprises, and so on. This claim is also open to challenge, especially the strong version.

Depending on how strong each causal sub-claim is, there are various possible conclusions. The weakest is that if we value democracy at the level of the state, then *some* democratic governance of workplaces is *desirable* to support that state-level democracy. The strongest is that if we value democracy at the level of the state, then *fully* democratic workplaces are *necessary* to support that state-level democracy.

Relying on the psychological-support argument has two key weaknesses for the proponent of workplace democracy. The first is that it is indirect and instrumental - it only supports workplace democracy in so far as it indirectly maintains democracy at the level of the state. If it turned out to be the case that other proposals had similar or greater instrumental value in propping up state-level democracy, then workplace democracy would no longer be required. The second weakness is that each of the causal sub-claims laid out above (except, perhaps, 3.1) requires a good deal of evidence, and no strong consensus in the literature exists. Some studies support the idea that workplace democracy inculcates the virtues of ‘active character’ and ‘a sense of the common

good'[70], but other studies give less promising results[71]. In the absence of any strong and compelling consensus, the psychological-support argument is fairly easily challenged, and the stronger the unconvincingly-supported empirical claims made, the weaker the argument becomes.

4.3.2. *Civic virtue and formative institutions*

In this chapter I am arguing that republicans and others committed to promoting non-domination should take that commitment to require the extension of democracy to the workplace as far as possible. I take the parallel-case argument in the last section to have established a strong case for this already. But a version of the psychological-support argument can give further support to the case for workplace democracy. It deviates in various ways from the general psychological-support argument just discussed, but in ways that both avoid as far as possible the two weaknesses described above, and tie it to an existing focus on civic virtue and political education in the republican tradition (thereby, hopefully, making it more compelling to those working within that framework). In this section I want to explore that tradition of political education and civic virtue, before moving on, in the next section, to my version of the psychological-support argument itself.

First, a caveat: while discussion of civic virtue is found in all (or almost all) republican thought, one way of dividing contemporary republicanism is according to the place that an active and virtuous citizenry occupies in its conceptual scheme. As is

[70] See, for instance, Elden 1981, cited in Breen 2015. I make no pretense of a systematic review of the literature, but feel safe making the claim that no *strong* consensus exists.
[71] See discussion in Breen 2015.

hopefully clear at this point in the thesis, the kind of republicanism I am interested in has at its heart the pursuit of non-domination, and a further identification of that non-domination with freedom[72]. In this school - sometimes called 'neo-Roman' republicanism - when civic virtues feature at all they do so as those characteristics that citizens ought to have in order to best achieve non-domination. Widespread and active participation is valuable instrumentally only insofar as it does so[73]. This is contrasted with 'neo-Athenian' republicanism - harking back to the 'liberty of the ancients'[74] - in which the widespread political participation of citizens is *constitutive* of their freedom and is therefore intrinsically valuable. This difference means that while both schools value and attempt to promote civic virtue (for different reasons), the 'neo-Athenian' school tends to discuss this facet of republicanism more. While chiefly targeted at the 'neo-Roman' school, then, this section will also make use of 'neo-Athenian' literature to lay out the roots of the republican engagement with these issues.

Michael Sandel - firmly in the 'neo-Athenian' camp - sees a recognition and promotion of virtue as defining of the modern republican project. In contrast to liberalism (as he sees it), "insofar as certain dispositions, attachments, and commitments are essential to the realisation of self-government, republican politics regards moral character as a public, not a private, concern[75]". What are these virtues, then, and what sort of capacities are required? The historical tradition of (exclusively US) republicanism upon which Sandel draws presents a long shopping list, worth quoting if only for its dazzling variety:

[72] And, even more specifically, I am less interested with the identification of non-domination with freedom than I am in the pursuit of non-domination itself.
[73] See Pettit 1998.
[74] Benjamin Constant's phrase, echoed by contemporary republicans (see e.g. Waldron 1998) to evoke the Classical idea of freedom *as* participation in the governance of the polis.
[75] Sandel 1996, p.5.

> …marital fidelity, economic independence, honesty, frugality, industry, simplicity of manners, self-control, discipline, moderation, temperance, self-denial, the capacity for shame, obedience, respect for authority, orderliness, religious piety, reverence for tradition, manliness, courage, ambition, the love of fame, patriotism, and a passion for the public good.[76]

Sandel recognises but pulls back from this array of (often conservative and controversial) virtues, and focuses on those more clearly associated with the requirements of collective deliberation. These include the capacities "for judgment, deliberation, persuasion, and action[77]", a focus on the "expansive self-understandings[78]" of citizens, and "a knowledge of public affairs and also a sense of belonging, a concern for the whole, a moral bond with the community[79]". Without such qualities, Sandel argues, citizens are left ill-equipped to collectively determine their lives in a democracy: an intrinsic good on his account, and an indispensable instrumental good on other republican accounts. This fits well with the second premise of the psychological-support argument presented in the last section. Cohen's requirements of active character and a sense of the common good would be at home here, if expressed in slightly different and more expansive terms.

As I have stressed, these collective virtues are valued in neo-Roman republicanism as well as in accounts like Sandel's, albeit only instrumentally. Pettit demonstrates the point clearly, adding to Sandel's list. Laws are only effective so far as they are obeyed, so for any law (properly-formed and non-dominating, let us assume),

[76] Sandel 1998, p.324.
[77] *Ibid,* p.325.
[78] Sandel 1996, p.203
[79] *Ibid*, p.5.

Pettit sees the need for a corresponding *norm* on the part of citizens, compelling them to comply more reliably than simply the threat of state coercion[80]. But more generally, and more interestingly for my purposes, he sees republicanism as demanding a great deal from citizens in their willingness to actively invigilate and control those in power, to "remain the masters of the law, not just its subjects[81]". He points to the virtues involved in the civil rights, feminist, and environmental movements, and the virtues required to stand for public office. And he lauds the virtue of *vigilance* - a willingness and ability of citizens to keep each other and public officials in check, to guard against a slide into public or private domination[82]. These are demanding virtues, but the idea that non-domination requires such constant and active engagement is nothing new. "The price of liberty, in the old adage, is eternal vigilance, in particular vigilance in looking at those in power and in challenging, where necessary, their claims and initiatives[83]".

I have called these virtues 'collective' since, while they are only held by individuals, they are oriented towards collective action (deliberative, collective decision-making) or individual action that is intended to produce collective results (ability and willingness holding public and private power to account). These virtues are required in the interests of *collective* non-domination[84]. However, every one of these virtues is also individual in the sense that, for most people, it is in their individual interests to promote collective non-domination, since that will be the only or most effective way of promoting their *personal* non-domination. And some of these virtues can be used to directly promote individual non-domination as well as collective: Pettit's virtues of vigilance and willingness to challenge those in power will work just as well when 'those in power' are

[80] Pettit 1998, p.48.
[81] *Ibid,* p.52.
[82] *Ibid.*
[83] *Ibid.*
[84] Or, of course, merely collective freedom, for those republicans who do not focus on non-domination.

other, private citizens in the context of (for instance) a workplace or a home, rather than representatives in a parliament. The republican tradition does include some discussion of virtues - desirable skills, characteristics, or forms of consciousness - that are almost exclusively individual in this sense of being oriented towards *individual* non-domination. Cecile Laborde provides a good example (although not expressed in terms of virtue) in her discussion of "autonomy-promoting education[85]". The kind of education she envisions, currently imperfectly and sometimes counterproductively realised in official French educational practice, involves the promotion of "an extensive set of skills encompassing practical reason, moral courage, critical skills, awareness of the 'burdens of reason', exposure to a diversity of ways of life, understanding of one's rights, and so forth[86]". The possession of these skills is intended to provide the minimum level of autonomy required to avoid certain pernicious "ideological and cultural underpinnings of domination[87]", such as the internalisation of norms of subservience and acquiescence to powerful others - they grant protection against certain forms of private domination, by allowing the kind of critical distance and engagement necessary for citizens to detect and resist relations of domination that may otherwise be seen as natural, unavoidable, and unproblematic. So the republican account of virtue is twofold: there are primarily collective virtues (such as those required for collective decision-making and the maintenance of collective non-domination) and primarily individual virtues (such as Laborde's autonomy-promoting skills), although the boundaries between the two are blurred at points.

[85] 2006, p.372.
[86] *Ibid.*
[87] *Ibid,* p.371.

With a clearer idea of these virtues in hand, how do republicans suggest going about promoting them? Picking out the virtues is, after all, only half the task: the republican focus on civic virtue "makes the formation of character…a chief a direct aim of legislation and public policy[88]". Sometimes the proposals are straightforward - if you want citizens to be virtuous, you should teach those virtues to them as children. Thomas Jefferson's proposal that, through scholarships, the best and most naturally virtuous "should be rendered by liberal education worthy to receive, and able to guard, the sacred deposit of the rights and liberties of their fellow citizens[89]" is a good example of this direct method. Laborde's autonomy-promoting education is another, although less vulnerable to objections of paternalism and non-neutrality (objections that will be discussed below).

More relevant for my purposes, however, is the prospect of harnessing the *formative nature of institutions.* This rests upon the idea that (all or nearly all) social and political institutions will tend to shape those within them. The structures in which we live our lives will affect our forms of consciousness and will tend to adapt us in various ways to them, encouraging or discouraging certain skills, abilities, and characteristics. They can promote virtues or promote vices, but they will promote *something.* This lays the ground for a positive project: that we should resurrect the aspect of traditional republicanism that "ascribed a committed, formative role to those institutions[90]", one that insists that they "should be designed so as to form people in that virtuous mould[91]". The battleground for this kind of character formation is broad - the structure of the family, of civil society, of religious institutions, of the economy and the workplace - all are formative, and all will

[88] Pangle 1998, p.20.
[89] Discussed and quoted in Pangle 1998.
[90] Pettit 1998, p.45.
[91] *Ibid.*

inculcate or promote certain characteristics. The task is to consciously shape that formative role towards the promotion of collective and individual virtues, and away from the promotion of collective and individual vices. This social theory, and accompanying political project, have obvious affinities with the psychological-support argument. Sandel's 'formative' institutions are Pateman's 'educative' institutions, and the project of trying to create institution that are *virtuously* formative is a close relation of trying to choose those institutions that are educative in ways that support democracy.

This project of redesigning formative institutions for republican ends could, of course, go in any number of directions. Proponents will disagree about the virtues required, and will disagree about how best to shape certain institutions in order to promote those virtues. Is a sense of loyalty and commitment a virtue from the perspective of sustaining a republic, or will it merely encourage parochialism and unhelpful community-based forms of loyalty? And would getting rid of no-fault divorce reshape the formative institution of the family to *promote* that virtue, or would it simply lead to unhappiness and private domination[92]? For my purposes, what republicans have to say about the formative institution of the workplace is most relevant, and here, too, a range of opinions can be found. There is widespread agreement that the workplace *is* a formative institution, and an important one. But there is less agreement about precisely how it should be reformed, and which virtues a workplace so reformed would be capable of inculcating. Sandel calls for a 'republican political economy, which seeks to form in citizens the habits and dispositions that equip them for self-government[93]". Explicitly drawing out this theme, Richard Dagger appears to suggest that productive work, more or less *un*reformed, can promote the virtues of "[d]iscipline, far-sightedness, creativity,

[92] Pangle 1998, p.22.
[93] 1998, p.242.

responsibility to and reliance on others[94]", and so should be made as widely available as possible. Nevertheless, he goes on to argue that we can reform the workplace to better inculcate these virtues, approvingly citing Hsieh's proposals of workplace regulation and contestation discussed at the start of this chapter. "Such policies", Dagger makes sure to note, "will not go so far as to *require* workplace democracy[95]".

So the republican approach to civic virtue and formative institutions has at least three strands. The first is a conceptual project of deciding which virtues - collective and individual - are required by a prior commitment to a well-functioning republic of free and undominated citizens. The second is a body of social theory, stressing the formative nature of institutions. And the third is a normative and practical project, exploring the ways in which we (usually taken to be the state) should *act* upon these institutions to have them form virtuous citizens. In the modern context this approach is met with some obvious objections. The first is that it represents a fundamentally *paternalistic* approach - in taking on the normative project of consciously attempting to create institutions that shape citizens in virtuous ways, the state is assuming the role of a parent or a teacher, denying the autonomy of those whose virtue it seeks to promote. The second is that it violates the requirement of *state neutrality* - largely a liberal concern, the idea behind this objection is that the conceptual project of deciding what counts as civic virtue amounts to a state-sanctioned privileging of some conceptions of the good over others, a position at odds with modern, plural societies. The third is that this approach will be *counter-productive:* attempting to shape the moral character of citizens will inevitably involve serious state domination, reproducing and perhaps making worse the problems that a focus on civic virtue is intended to solve. I mention these objections here not to dispel

[94] 2006, p.163.
[95] *Ibid*, p.162.

them - they certainly apply to some of the more ambitious and conservative approaches to civic virtue in the republican tradition, and apply less well, if at all, to more modest approaches taken by theorists like Pettit and Laborde. I raise them briefly here because I want to show, in the next section, that they can be avoided with a focus on *democratic workplaces* as formative institutions.

Before moving on it is worth discussing one final feature of the republican approach to civic virtue, one that presents another intuitive objection that I aim to avoid in the next section. The kind of project described above starts by listing the virtues of the successful citizen - the public-spirited, competent, vigilant defender of democracy, ready to deliberate towards the common good at a moment's notice, and willing neither to be dominated nor to dominate. There is another, similar project - call it the civic *vice* approach - that often comes in its wake, and sometimes is made on its own. This approach pursues a negative argument for reshaping institutions on the basis that they promote civic vices, and is in some sense always implied by the civic virtue approach. If we need institutional change to produce the virtuous citizens of the future, what are we to make of ourselves, living within the unreformed and insufficiently virtuous institutions of today? The comparison is never flattering, and throughout the republican tradition has often been made with startling hostility. The figure of the "cringing, toadying, fawning sycophant[96]", as Pettit puts it, is constant warning of the kinds of people created when subject to domination. A figure of hate and pity in the wide republican tradition, this malformed or deformed - often presented as *humiliated* - victim of domination looms large in the republican imagination. It would be polite to call this attitude uncompromising or proud,

[96] Pettit 1997, p.57. It should be noted that Pettit makes clear that these are behaviours that will be strategically adopted to better weather the exposure to a dominating will - this stands in contrast to the stronger claims made within the republican tradition that these adaptations go *deeper*, and create *genuine*, rather than merely strategic, 'fawning sycophants'.

even patronising; it might be more accurate to call it sneering. David Marquand, in his otherwise useful history of the republican tradition in Britain, writes that:

> The 'bowing and cringing' that Milton excoriated, the 'foppery' that Paine mocked and the 'servile respect for wealth and power' that Tawney loathed no longer coagulate around the Crown or the traditional Establishment, but they are part and parcel of the new celebrity culture.[97]

He concludes that "the culture of Big Brother and *The Sun* is not exactly fertile ground for republican self-discipline and liberty[98]". Now, the fact that this leaves a bad taste in the mouth does not mean it is wrong - there might be something about 'the culture of Big Brother' that erodes 'self-discipline', and it might be worth caring about. If we accept an account of assessing individual characteristics as supporting or degrading democracy/the pursuit of non-domination, and we accept that institutions are formative, then it is entirely possible, even likely, that some institutional forms will tend to produce characteristics that we want to condemn.

My intuitive negative reaction to passages like Marquand's is, I suspect, based on two things: an association with 'victim-blaming' in other contexts, and the presumed theorist-theorised asymmetry at work: the republican theorist refuses to be taken in, refuses to be deformed by the domination to which they are similarly exposed. But neither reaction is decisive. Victim-blaming must involve *blame,* and there's no suggestion that the deformed victims of domination could have resisted this domination if they had only tried harder, or taken appropriate protective steps, and are therefore

[97] Marquand 2008, p.31.
[98] *Ibid,* p.32.

culpable, at least not in contemporary writing on the subject. This sort of vice-based victim-blaming was, predictably, a very useful ideological tool that allowed American pro-slavery republicans to salvage some consistency in their position. By squinting in just the right way at the idea that freedom requires certain virtues, it was, in the words of one historian, "not difficult to move toward considering the opposition that Black oppression was the result of 'slavishness' rather than slavery[99]". But this takes some doing. At the very least, it is not a *necessary* consequence of the idea of civic virtue and vice that the vicious are to blame for their continued domination. The idea that such virtues and vices are institutionally produced, and not in any useful sense a product of individual cultivation (or ethnic background), sits uneasily with this kind of personalised victim-blaming.

But it is precisely this idea that virtues and vices are institutionally produced - the 'formative' nature of those institutions - that suggests the uncomfortable asymmetry between the theorist and the theorised. In response, we might note that *any* writing that admits that people are not fully cognitively isolated, and that their forms of thought are instead (at least partially) shaped by their circumstances, faces this second issue of theorist-theorised asymmetry - who are *you,* the writer, to rise above ideology/false consciousness/the formative effects of institutions you diagnose in others? Answering this question, and managing to include the philosopher reflectively in such a diagnosis, animates a great deal of critical theory. But even in the absence of such an answer it seems absurd to demand that we cannot acknowledge such an obvious truth as the statement that our forms of consciousness - thoughts, preferences, behaviours, and so on - are shaped and affected by the systems of power in which we are embedded, and even shaped in ways that might make us in some sense worthy of contempt.

[99] Roediger 1999, p.35, quoted in Gourevitch 2015, p.170.

Selma James, in a different key to contemporary republicanism but on a topic entirely relevant to this chapter, makes what amounts to a civic vice argument about the organisation of work. "We absorb violence from those above and then often let it out on those less powerful than we are", she writes. "If the man is waged and the person he lives with is dependent, even in part, on his wage, and in exchange has as her life's work to serve him so that he is fit to do the work he does against his will, then wife-beating is not a mystery[100]". James is making a straightforwardly causal claim: that violent abuse of power in a dominating workplace teaches men to violently abuse their wives when they return to their similarly dominating homes. This might be correct, it might not. It is as open to, and demanding of, verification as the traditional republican claim that domination creates fawning sycophants. But James recognises, points out, and faces down both the victim-blaming and the asymmetry objections. The former she addresses explicitly, writing that "our case does not rest on working-class moral superiority, or on anyone's moral virtues or lack of them, but…on how, despite weaknesses, ignorance, superstitions, and prejudices, our collective struggle enables each of us to lift ourselves out of what capital has done to us[101]". The latter she confronts with a lighter touch - *we* absorb violence, what capital has done to *us*, and so on. So it is not the case that *any* kind of civic vice approach must produce an uncomfortable theorist-theorised asymmetry, nor is it the case that the stronger or more morally serious the causal claim in question, the more it causes this reaction. After all, James is arguing that capitalism makes men beat their wives, whereas Marquand is simply claiming that Big Brother saps the potential self-discipline of its audience.

[100] James 2012, p.153.
[101] *Ibid,* p.152.

In any case, I can largely dodge these issues. The argument I want to make in the next section relies upon only minimal causal claims, and minimal, positive accounts of what would be called 'virtue' in the republican tradition, without a reliance upon a corresponding account of vices. And the method by which those virtues will be promoted - the experience of workplace democracy - also avoids the three more common objections sketched above.

4.3.3. *The formative potential of workplace democracy*

Drawing upon both the psychological-support argument and the republican approach to civic virtue, I propose an argument in support of workplace democracy that avoids some of the weaknesses of both approaches, while hopefully making a persuasive case against the more typical republican strategy of workplace constitutionalism.

Recall the strategic debate that animates this chapter. All concerned agree that the workplace is a site of considerable domination of workers by employers. And all concerned agree that something must be done about it, and that we should aim for the organisational form that best reduces domination. One position - what I call 'workplace constitutionalism' - is that a combination of enhanced ability to exit, extensive regulation and constraint of managerial authority, and some (non-binding) mechanisms of worker influence will be sufficient. On this account it is accepted that workplace democracy would at least equally well promote non-domination in the workplace, but that it is not required, and, given that workplace democracy is a more onerous or inefficient organisational reform than workplace constitutionalism (the argument goes), we should prefer constitutionalism. Proponents of this position include Hsieh, Dagger, and (although ambiguously, because he says little about contestation rights within the firm) Pettit. My

position is that this combination is insufficient. Democratisation of the workplace, as far as possible, is required.

I take the parallel-case argument earlier in this chapter to have established a strong case for this already but, for the sake of argument, assume that no such case can be made. Instead, assume - along with these mainstream republicans - that workplace constitutionalism and workplace democracy *equally well* reduce domination of workers by their employers, and that there is therefore no way to choose between them on the basis of directly promoting the non-domination of workers by their employers. Faced with such a decision, I want to argue that workplace democracy is nevertheless more likely than workplace constitutionalism to *indirectly* promote non-domination in other spheres, because it is more likely to promote characteristics that best allow people to resist domination individually and collectively in those spheres. A commitment to non-domination overall gives us reason, even in this case, to pursue workplace democracy over workplace constitutionalism.

The first premise - drawing upon the 'neo-Roman' republican approach to civic virtue - is that certain characteristics are instrumentally useful for the promotion of non-domination, and may be *required* for the promotion of non-domination in certain spheres. These characteristics include those oriented towards collective and individual non-domination, and many of them echo the 'active character' discussed by Pateman and Cohen. For instance, only democracy will do to promote non-domination at the level of the state, and certain characteristics are required for the proper functioning of that democratic process: the ability and willingness to participate in collective decision-making, the ability and willingness to hold elected leaders accountable in representative elements of that democracy, and so on. Crucially, however, the pursuit of collective non-domination requires these skills on a smaller scale too. Think of Pettit lauding the virtues

of those involved in civil society groups and social movements (including labour movements) - where collective action is required, participants must be willing and able to participate in the process of jointly forming and pressing demands, of banding together for a common project. Other, more individual characteristics are also required. Vigilance, and the ability and willingness to critically assess and hold accountable those in power - in whichever sphere - fall into this camp. And so too does Laborde's suggestion that a minimum level of self-direction and autonomy is required to gain critical purchase on one's cultural and ideological environment, and adequately resist norms that would otherwise expose one to domination. These skills are, at least sometimes, required in order to resist domination. So, on the basis of a commitment to non-domination, we should value those proposals that will tend to promote these skills more highly than proposals that will not.

The second premise is that institutions are formative, and that work is likely to be *especially* or *significantly* formative. This is the social theory upon which both the psychological-support argument and the republican approach to civic virtue rely. How various important social and political institutions are structured - government, families, churches, markets, workplaces, and so on - will have 'educative' effects upon those within them, to use Pateman's term. They will, even unintentionally, tend to promote certain skills, values, and characteristics and tend to stamp out others. It might be very difficult or impossible to measure or predict this formative process sometimes, but that does little to dent the plausible claim that we are nonetheless 'taught' things by the structures in which we live. And, if any important institutions are formative, formal, paid work is likely to be especially so, if only through the sheer amount of time it consumes in the lives of workers, and the resulting cultural and material centrality it has in capitalist society. The two proposals for workplace organisation - constitutionalism and democracy

- differ significantly, and make very different demands upon workers. They are distinct organisational forms, and we might expect them to be formative in different ways.

Workplace constitutionalism largely pursues a strategy of (what Pettit calls, in another context) 'insulation[102]', the idea being that surrounded with the right institutional architecture, workers won't have to *do* much in order to avoid domination. Employers are left with managerial discretion, but that discretion is forced to take into account the interests of workers through various mechanisms. Enhanced exit (through a UBI, say) means that an implicit threat hangs over the heads of managers - make decisions that your employees don't like, and they will leave. Regulation narrows the scope of that managerial discretion, and prohibits - through active and vigilant state enforcement - managerial decisions that fall outside a range of permitted options. And Hsieh's contestatory measures ensure that workers will have the right to have their voices heard by management while a decision is being reached, to be given reasons for particular managerial decisions, and to appeal those decisions - although without any binding say over management - internally after the fact. These measures rely, in Pateman's terms, on the *influence,* rather than the *participation*, of workers in decision-making processes. To see the distinction, consider an employer deciding whether to increase or reduce the wages of its staff. If those workers are part of a strong union, that fact will *influence* the decision-making process by raising the costs of various options - employers might be able to choose to reduce wages, but they will face the prospect of a strike. But neither the union nor the workers it represents will *participate* in that decision-making process. It is still up to employers to choose between the options available to them, costlier though some of those options may be.

[102] See, e.g., Pettit 2012, ch.2.

Some of this influence is active. The non-binding contestatory rights require workers to *use* those rights and, in some cases, workers may be expected to *actively* threaten to quit their jobs to make use of their enhanced exit. It is worth noting that this active involvement is largely an individual affair - an individual worker's threat to leave the job, an individual worker's opportunity to take some decision to an internal tribunal, and so on. But most of this influence is passive. The state-enforced regulation requires nothing from workers, and explicitly so - in Pettit's words, relying on workers to trigger the state to intervene when these regulations are violated fails to recognise that "the act of triggering them can have costs of its own[103]". The bulk of the influence of enhanced exit rests in the *implicit*, passive threat of exit that workers would be in a position to make, rather than the rarer active use of that power. This is all intended and, in a sense, is an advantage. Assuming (as I am, for the purposes of this argument) that this insulation strategy successfully promotes non-domination, it does so without placing responsibility for that promotion on the shoulders of the would-be victims.

Workplace democracy, on the other hand, secures non-domination through *active participation*. The most fully participatory versions will see workers forming agendas, deliberating, and collectively making and enforcing decisions at all levels of the firm, from the day-to-day coordination of workers to the strategic direction of the enterprise. Of course, different forms will have different levels and mechanisms of participation: throughout this chapter I have assumed that some centralised managerial discretion is required in productive enterprises, at least at some levels of decision-making, so all the forms under consideration will have some place for elected officials. But even where these representative forms are used, the more participatory versions will involve an active

[103] Pettit 2012, p.115.

and ongoing invigilation of those representatives, with workers exercising their rights to recall them, or hold them accountable to specific mandates.

So - given these two organisational forms require very different things from workers, which is more likely to promote the skills and characteristics required for resisting domination? It seems unlikely to be workplace constitutionalism. Its mechanisms are largely passive, protective - in the words of one critic, they "don't so much promote resistance as they remove the need for it in the first place[104]". Even the most active mechanisms, on my reading of Hsieh, are not the best candidates for the formation of skills relating to an 'active character'. Take the ability for workers to have their voices heard in the decision-making process, an ability which is explicitly distinguished from workplace democracy in that it will not, or will not in the vast majority of circumstances, include the ability to have any binding participation in that managerial decision-making. Where managerial and worker interests seriously conflict (as such interests tend to do), workers cannot exercise *control* over that decision, let alone decisive control relative to managers and owners of the enterprise. Even assuming that some of Hsieh's mechanisms include some genuine participation rights - he suggests at one point that worker representation on a firm's board of directors may be necessary for adequate voice[105] - workers by no means have an equal share in that participation. Such unequal rights are unlikely to lead to enthusiastic and active *use* of those rights. An analogy can be made with Mill's proposal for an educative democracy at the national level, where the best-educated could cast more votes than the rest. "The majority are branded by the suffrage system as political inferiors and cannot resist the implementation of dis-advantageous policies;", comments Carole Pateman, "if a predetermined elite are to

[104] Watkins 2015, p.3.
[105] Hsieh 2005.

gain political power why should the majority even be interested in discussion?[106]". Vigilance, participation, even discussion - none of these are easy or stress-free, and nobody goes to meetings for fun. Without the prospect of *determining the outcome*, I share Pateman's doubt that an unequal system of participation rights, already the most intuitively 'active' part of workplace constitutionalism, would involve all that much activity in the long run.

The equal, active participation required by workplace democracy seems more likely to be a good training ground for this set of desired skills and characteristics. In many ways this is just the assumption made by proponents of psychological-support arguments - that the skills required for democracy and self-government are like muscles, which get stronger the more one uses them. This hypothesis has a long pedigree, some of which has already been discussed above. Pateman traces this political-psychological set of arguments through the work of Rousseau, Mill, and G.D.H Cole[107]. It finds root, too, in a variety of modern forms. What Cohen calls (and what I have called) the psychological support argument, others have called the "spillover thesis[108]", the "democratic character argument[109]", and so on - all rely on the idea that certain skills related to democracy, many of which are included in our list of skills and characteristics required for the promotion of non-domination, are best learned through practice. This is an idea explicitly endorsed by some within the republican tradition as well - Alex Gourevitch quotes the US labour activist William Sylvis on this point: "It is not what is done for people, but what people do for themselves, that acts upon their character and condition[110]". Workplace democracy requires collective participation in decision-making, it requires constant and

[106] 1970, p.33.
[107] 1970.
[108] See Carter 2006.
[109] See O'Neill 2008.
[110] 2013, p.19.

active vigilance of those to whom power is delegated, and it requires the autonomy to hold representatives and fellow workers to account. It certainly involves the *practice* of many of the skills and characteristics discussed above, and so, if we think it at all plausible that practice of these skills strengthens and develops them, then this gives us reason to believe that a democratic workplace would help promote domination indirectly in other spheres.

We can accept that the empirical evidence for this process of education-through-participation is somewhat inconclusive. Particular variables like 'willingness to vote in state-level elections' might not show a strong correlation with experience of a democratic workplace, and other variables either simply haven't been measured or would be very difficult to test. The causal relationship in question here could, as in the traditional psychological-support argument, be challenged by new evidence. This is a point of weakness in the context of the traditional psychological-support argument. In that context, this psychological causal claim is used to show that work requires drastic transformation, so the standards of evidence can plausibly be thought to be very high. Unless it can be conclusively shown that democratising work develops and promotes the skills required for the functioning of democracy in other spheres, there is a very obvious counterargument: we should gather that evidence *before* making such a dramatic change. But the context here is different. This revised, anti-domination argument is not intended to show that work needs drastic transformation, but instead to intervene into a debate in which it is agreed by both sides that such a transformation is required - it is intended to help us discriminate between two transformative options. And the claim required is merely that the activity required by workplace democracy is *more likely* to promote those skills than the passivity required by workplace democracy. Furthermore, unlike the traditional psychological-support argument, which ties the benefits of workplace

democracy to a narrow set of skills required for the functioning of state-level democracy, my argument requires workplace democracy to better promote any of a wider range of skills and characteristics - the broad list of personal and collective ones described above. Unless workplace democracy fails to promote *any* of these characteristics, then we still have a (progressively weaker) reason to prefer workplace democracy over workplace constitutionalism, on the basis of a commitment to non-domination.

It is important to be clear about where the strength of this argument lies. As I have made sure to stress, it is not intended to stand alone as a knock-down case for workplace democracy. I am in fact sympathetic to critics of the traditional psychological-support argument, who would prefer not to rest the democratisation of the economy upon such an unstable, open-to-falsification empirical basis. Instead it is intended to provide a reason, *on the basis of a commitment to non-domination,* to choose workplace democracy over workplace constitutionalism, assuming that both adequately reduce the domination of workers by their employers. In this sense it is perhaps best contrasted to similar arguments - briefly mentioned in the introduction to this chapter - for workplace democracy that require us to admit *other* values than non-domination. Workplace democracy, on these accounts, is to be preferred because it best promotes resistance[111], non-alienation[112], self-direction[113], non-usurpation[114] - all things that workers either want, or have reason to want. These arguments are often very similar to the one I make here, especially when they rely upon the promotion of self-direction or resistance. But they can be much more readily brushed off by committed partisans of non-domination, who value the simplicity of their existing theoretical framework. I've argued that the pursuit of non-

[111] Watkins 2015.
[112] Watkins 2015, but also Schuppert 2015.
[113] Breen 2015.
[114] Markell 2008.

domination *on its own* is likely to be best served by the formative effects of workplace democracy, and I hope that this argument will be more compelling for for that fact.

4.3.4. *Objections and advantages*

I mentioned above that my version of the psychological-support argument overcame some of the weak points of the traditional psychological-support argument by being, at once, more modest and more expansive. The list of skills and characteristics (so the argument goes) promoted by a democratic workplace is longer on my account, including various characteristics not so closely tied to the operation of democracy at the level of the state, and instead valuable for individual resistance to domination. And my aims are more modest, wading into a comparative strategic debate instead of using the argument to generate, on its own, a compelling reason to reorganise the world of work. And, dropping the pretence that workplace democracy and workplace constitutionalism are *equally* good at directly reducing the domination of workers, I already take the first part of this chapter to have shown that only workplace democracy is up to this job. My psychological-support argument is intended to merely bolster the case.

Here I want to consider the three common objections, very briefly discussed above, to the traditional republican account of civic virtue, and show that my psychological-support argument can overcome or weaken many of those as well. In so doing I hope to show that there is another very good reason for republicans interested in promoting civic virtue to focus on workplace democracy - if they do, they can avoid some of the most common objections to that project. The objections were:

1. *State Paternalism*: For the state to identify and attempt to promote any conception of civic virtue is unacceptably paternalistic, in that it fails to respect the autonomy of those it seeks to make virtuous.
2. *Non-neutrality*: For the state to identify and attempt to promote any conception of civic virtue will violate the demand for states to be *neutral* with regard to conceptions of the good, and so will be intolerable in modern, pluralistic societies.
3. *State domination*: Any means by which the state could promote virtue would itself increase the domination of citizens by that state. It would therefore be counterproductive to the general aim of reducing domination.

It is not hard to see how these objections have force against the traditional pursuit of civic virtue. There are many ways of seeking to promote virtue, some of which fairly clearly fail to respect the autonomy of their targets. Forcing people to sit down in a classroom and listen to lectures until state officials think they've learned the lesson is one possible method of inculcating virtue, but also a method that would be intolerable. It would represent the state unacceptably coercing citizens for their own supposed good (and so overlaps with the third objection, below), and it is no fit way to treat adults[115]. Other, less directly educational proposals can seem even more paternalistic - take, for example, an attempt to create a virtuously formative media. Inspired by David Marquand's worries about servility-inducing celebrity culture, a republican state might conduct a dawn raid on *Heat* magazine's offices and shoot down the jet taking contestants to the set of *Love Island*. This would not be paternalistic in the same, directly educational sense, but in the

[115] Whether it is a fit way to treat children is a matter of some, but perhaps not enough, debate; the positive case for mandatory childhood education is that one's autonomy must be developed before it can be respected - see Laborde 2006, p.372.

pursuit of virtue it would similarly "prohibit…certain individual actions [namely, watching *Love Island* and reading *Heat* magazine] merely on the grounds that they jeopardize the autonomy of those who engage in them[116]".

State neutrality is put at risk when the kind of virtue sought is thick and concrete enough to represent a distinct conception of the good, to put it in the Rawlsian terms in which this criticism is often made. If a state seeks to promote a particularly comprehensive or demanding account of what it is to be a good citizen (the traditional republican focus on militaristic, manly virtue, for instance), then it unacceptably fails to respect the fact that many citizens will quite reasonably have other ideas about what constitutes their being a good citizen.

The third objection, that attempting to promote virtue will increase state domination, is perhaps the most obvious of the three. The mechanisms discussed above - compulsory adult education, restricting certain forms of media, downing the *Love Island* jet - all require that citizens are subject to increased state domination. They represent the intrusion of state power further into the lives of their citizens, and without adequate control they represent particularly damaging *forms* of domination.

So, do these objections apply to the revised psychological-support argument for workplace democracy? Two features of my account tell against it. The first is that the account of 'civic virtue' (what I have referred to as desirable skills and characteristics) is fairly minimal, which gets around some of the force of the non-neutrality objection. The ability to collectively deliberate, the willingness to hold those in power to account, and so on - these are not comprehensive and thick descriptions of the good life. They are *skills,* valued only insofar as they promote non-domination, *itself* valuable, at least in part, because it will best allow people to pursue any *other* values or conceptions of the good

[116] Laborde 2006, p.360.

they choose. Laborde's response is stronger, and can easily be adopted here. She values autonomy as something like "…a basic capability: a skill which, up to a threshold (minimum discursive control), is essential to the good life, but which, above the threshold, individuals do not have to develop further, let alone to exercise fully[117]". In the same way, the skills and characteristics that I rely upon to argue for democratic work can also be seen as basic capabilities, rather than an attempt to enforce some comprehensive ideal of the democratic citizen.

The second feature does the most work against these objections, however, and that is the *means* by which these characteristics are to be promoted. The paternalism and state domination objections are centred around a picture of the state as benevolent educator, coercing its citizens into virtue through legal prohibitions, compulsory education, or other invasive means. Applied to the case of workplace democracy, these objections are 1) that the state fails to respect the autonomy of workers by enforcing workplace democracy, and 2) in enforcing workplace democracy, the state interferes with its workers and thus exposes them to *more* or *worse* domination than before. In response, it is important to note that the means by which anti-domination skills are to be promoted are simply *the workers' own self-direction*. There is no classroom and no teacher: the exercise of democratic decision-making is the sole means by which the skills and characteristics in question are supposed to be promoted. The typical targets of these objection are proposals that *deny* participants' autonomy in order to later *promote* it as a result - if David Marquand hides my TV remote I will be denied the opportunity to watch *Love Island*, but I will also become more virtuous, losing my slavish devotion to celebrity culture and, as a result, gaining more autonomy in the long run. No such pain-now-gain-later process is happening in the case of workplace democracy. Autonomy (and other, related

[117] *Ibid,* pp.370-371.

characteristics) are to be gained, of course, but only through the exercise of autonomy itself. Autonomy is being respected throughout, all the better to be promoted. For the same reason, the objection of state domination is also misplaced. The formative process of workplace democracy requires no state coercion, because these formative effects are entirely a byproduct of the ongoing use and development of the skills required for participating in the governance of a firm.

In this sense, the educative effects of workplace democracy have often been seen as a form of self-emancipation, explicitly contrasted with emancipation from above by a benevolent, educating state. "Labor Republicans", writes Alex Gourevitch of the late 19th Century US radicals, "argued for…the self-education of workers, and the cultural transformation of citizens without having to argue that this process of inculcation required massive coercion of the state into religious and educational life[118]". For these labour republicans, the educative process was sometimes explicit, involving the organisation of workers' reading rooms and lecture series. But it also included precisely the formative process I am interested in here: the educative effects of self-governance in the workplace. If the political-psychological assumptions described in the last section are correct, then, workplace democracy provides a means of inculcating (at least some) 'virtues' that is resistant to the critiques of state paternalism and state domination. Those questions, in a sense, simply don't arise, because the state is not involved as a coercive educator.

This does not, however, mean that the state is not involved in any way with the formative project of workplace democracy. After all, wouldn't coercive state interference be required to create the conditions for democratic workplaces? Even though this might avoid the paternalism critique, it surely constitutes state interference in the organisation of the workplace, and so risks subjecting both owners and workers to intrusive forms of

[118] 2015, p.171.

uncontrolled state power. I think that this worry, too, can be overcome. Throughout this chapter I have been trying to argue that a commitment to non-domination should require democracy in the workplace, but I have remained fairly vague on what steps the state itself should take to secure that goal. In part this is because I see the conceptual question as prior to the policy question. If non-domination can be adequately pursued with merely workplace constitutionalism, then the policy question doesn't arise. Only if, as I have argued, it cannot, does working out the precise duty of the *state* to pursue the goal of workplace democracy become a live question. I want to remain very open on the possible answers to this question, not least because there are many and I have neither the space nor the skills required to discriminate between them[119]. Even if the goal is full democratisation of the economy, as far as possible, there are many ways to get there. Of those that begin with state action, they span from gradual, incremental, experimental support for a cooperative sector to the immediate legal enforcement of worker control in all productive enterprises.

This last and most direct measure might seem to be an obvious risk of increased state domination - the imposition of sweeping and coercive legislation into existing employment practices. But even in this case the worry is not so clear-cut. Such legislation wouldn't be a case of the state sticking its nose into a previously free domain of personal choice, and thus exposing workers and employers to increased interference. As Elizabeth Anderson convincingly argues, the state is *already* directly involved in the constitution of workplaces: against the libertarian account of the workplace as a free contract between workers and owners, the state formalises and enforces corporate governance, which

[119] For a survey of some different forms and methods of workplace democracy, see Dow 2003, and for an interesting and welcome proposal for one, gradual method by which workers might gain seats in the boards of large corporations in the UK, see the Labour Party's recent proposals for employee ownership funds in private businesses (e.g. Helm 2018).

allows the reliable operation of businesses and the enforcement of employment contracts. While it may impose regulations and other deviations from the "laissez-faire baseline[120]", outside of those regulations "corporate law vests the right to govern the participants in a business enterprise in the owners or trustees of its capital[121]". Changing this default corporate structure would be just that: a *change* in interference, rather than the intrusion of the state into pastures new. The state is already embroiled in the organisation of the workplace, and so even this direct and legalistic approach - enforcing a default of workplace democracy rather than workplace autocracy - would not clearly represent a counterproductive increase in state domination.

4.4. *Conclusions*

"[O]nce we enter the workplace", writes Kathi Weeks, "we inevitably find ourselves enmeshed in the direct and personal relations of rulers and ruled. Indeed, the work site is where we often experience the most immediate, unambiguous, and tangible relations of power that most of us will encounter on a daily basis[122]". Any political project committed to eliminating relationships of personal domination should pay very close attention indeed to power relations in the workplace. And so contemporary republicans do: they refuse to accept the libertarian story of work as a sphere of contract and consent, whose most relevant normative feature is the agreement to sell one's labour in return for a wage. Instead, republicans see workers in a capitalist society are largely dominated by their employers - they are dependent upon their bosses, whose power to interfere in their lives

[120] Anderson 2015, p.64.
[121] *Ibid.*
[122] 2011, p.16.

workers cannot effectively control. Republicans have no problem with this *diagnosis.* But when it comes to the *cure,* they are somewhat more muted.

In the last chapter I looked at one suggestion - strategies that required a radical form of UBI - that relied upon a dramatically enhanced power of exit to transform relations between workers and employers. By eliminating exit costs, or at least by making those costs relatively trivial, it was hoped that the labour market would be indirectly pushed and pulled into an entirely new shape, one that would make domination of workers virtually impossible. I argued that these strategies fail on two counts. First, although a UBI might eliminate most of the *material* costs of leaving a job, the *non-*material costs will remain significant, and so workers won't always be able to rely upon a credible, implicit threat of exit. And second (and perhaps more importantly), the kind of UBI required for such a radical transformation will face enormous practical obstacles, ones that I can only seriously imagine being overcome with an *already collectively powerful working class.* UBI-first strategies hope to build worker power with a simple policy change, but this gets it the wrong way round - that conceptually simple policy change would *require* worker power to enact.

In less hopeful moments, mainstream republicans - even those who flirt with the idea of a radical UBI - recognise the fact that for the most part, we should assume that workers will still face relatively high exit costs to leaving a job. They can be reduced, but they cannot be reduced enough to counter domination at work on their own. We are left with the workplace as an arena inherently at risk of domination. So, assuming that exit costs should be reduced as far as possible, what else is required? I've considered two strategies - workplace constitutionalism and workplace democracy.

What I have called 'workplace constitutionalism' is a package of state regulation - designed to constrain the scope of managerial discretion - and mechanisms of worker

voice which approximate, but never quite reach, binding worker control over the exercise of the remaining managerial discretion. This is the typical mainstream republican response, best expressed by theorists like Nien-hê Hsieh. This combination, so the argument goes, satisfies the commitment to oppose domination in the workplace. It has its flaws, as I've argued. In any productive enterprise we can expect conflicts of interest between workers and their employers - employers want to extract the most profit from their workers as possible, and workers want (among other things) to receive as much pay for as little, and as pleasant, work as possible. This gives employers a strong incentive to try to outpace and outflank any regulation and, in the areas of decision-making explicitly left untouched by that regulation, Hsieh's mechanisms of worker voice and contestation seem bound to leave workers unable to control that managerial power. Workers might be able to demand reasons for particular managerial decisions, and at some levels might even have some (unequal) measure of participation in the making of those decisions, but on these proposals they cannot hope to win out when the basic conflict of interest flares up.

For partisans of workplace democracy, if Hsieh is right, and this sort of proposal fulfils a commitment to non-domination in the workplace, then we might quite reasonably think that non-domination isn't a very demanding or appealing ideal. This is precisely the form that some criticisms of workplace constitutionalism have taken. Keith Breen and David Watkins provide good examples of this kind of critique. Both theorists argue against workplace constitutionalism and for workplace democracy, but seem to accept Hsieh's claim that non-domination is sufficiently promoted by both proposals. They claim that if we want to make sense of freedom at work (which they take to require workplace democracy), we must therefore "transcend [a] monistic focus on non-domination[123]", and

[123] Watkins 2015, p.2.

decide our strategy based on the *additional* values of, respectively, non-alienation and resistance[124], or autonomy[125]. I share the worry that workplace constitutionalism seems weak, preserving the basic structure of corporate authority to a degree that makes the (perhaps uncharitable) accusation of status-quo bias almost impossible to resist. But unlike these critics, I have argued that non-domination *alone* gives us reason to require workplace democracy, as universally and as fully participatory as possible.

First, I made a version of the traditional parallel-case argument. The state is a collective endeavour with high exit costs that requires coordinative authority and centralised power. Republicans of all stripes have no hesitation in reaching for the obvious solution - in order for state power to not be dominating, it must be controlled by citizens in a democratic system. This licenses the ongoing project of exploring ways of making the state more participatory, more contestatory, more devolved in certain areas - an experimental and urgent approach to institutional design with the aim of democratisation. The workplace shares all of these features - it, too, is a collective endeavour with high exit costs that requires coordinative authority, and so it, too, should require a project of democratisation *in the name of non-domination*. Next I made a stripped-down psychological-support argument, similarly drawing a commitment to workplace democracy from a commitment to non-domination. Even assuming Hsieh's conclusion that constitutionalism sufficiently reduces the domination of workers by their employers, we can expect, on some thin and plausible accounts of political psychology, the experience of workplace democracy to help those workers resist domination and collectively self-govern in spheres where such measures *are* required, like the level of the state and civil society groups. This provides another, instrumental reason to prefer

[124] *Ibid,* pp.8-9.
[125] Breen 2015, p.471.

workplace democracy to workplace constitutionalism, one that can be accepted even by those unconvinced of the direct need for democratic workplaces. These arguments are intended for a rather specific audience: those already convinced of a need to oppose personal relations of domination in the workplace, but *un*convinced that this need is best served by the direct pursuit of workplace democracy. I hope to have shown that non-domination in the workplace is a more demanding ideal than many contemporary republicans seem to suppose.

There is a third strategy that is worth briefly discussing: 'property-owning democracy' is suggested by some republicans (although not normally Pettit-style 'Roman' republicans) as a means by which to pursue a republican political economy. It represents a break with capitalism as we know it in that private ownership of productive assets would remain in place, but that ownership would be spread more equally throughout the citizenry, and thus "the distinction between workers and capitalists is blurred[126]". The aim is to prevent the concentration of private ownership in the hands of a few, who thereby gain power that conflicts in various ways with the goal of non-domination. I do not discuss the proposal here, but nor do I see this as a particularly glaring omission: the aims of property-owning democracy might complement, but do not generally conflict with, the choice of strategies I discuss in this thesis. This is because property-owning democracy in most of its forms contributes nothing especially distinctive to the pursuit of non-domination *within a firm.* The dividends that a worker might get from their ownership of some productive assets might function as a partial basic income, thus making it easier for them to exit a job - in this sense, it is comparable to other forms of enhanced exit. And in those cases where workers own property within their own workplaces, the control rights they are granted would approximate workplace democracy

[126] White 2016, p.3.

or aspects of workplace constitutionalism. But there is no strong reason to think that property-owning democracy would compel or even encourage workers to own specifically their own workplaces - this is missing from most of the prominent proposals. Where this is guaranteed or encouraged, property-owning democracy is just one route to workplace democracy. Where it is not, it is not obvious how owning shares in another company gives workers any serious reduction in domination from their own employer. The other domination-reducing effects of property-owning democracy: the "safeguarding against the 'corruption' of democratic politics[127]" and so on, are certainly plausible routes to non-domination more generally[128].

It is worth addressing one final worry about my approach. Both of the main arguments in this chapter, and especially the psychological-support argument, might seem to tie the pursuit of non-domination too closely with the pursuit of self-direction. After all, everyone agrees that democracy is needed at the level of the state to reduce domination, and that at least a minimum level of autonomy is beneficial at an individual level for people to resist domination and come together to collectively resist powerful would-be dominators. And if I'm right about the psychological-support argument, this generates a (defeasible) reason to have democratic structures in *all other collective endeavours,* all the better to promote the skills and characteristics required for this self-direction in spheres where it is required. I've concentrated on the workplace, but one can easily imagine similar arguments for the democratisation of other collective endeavours. The worry is this: non-domination is supposed to be a *negative* ideal, the *lack* of a certain kind of vulnerability to uncontrolled power. It is not supposed to be definitionally tied to

[127] O'Neill 2008, p.81
[128] For more on property-owning democracy and republicanism, see O'Neill 2012; Thomas 2012, 2016; and White 2012, 2016.

self-direction, and the relationship between democracy and non-domination is supposed to be purely *instrumental*. Iris Marion Young's approach, on which "thorough social and political democracy is the *opposite* of domination [emphasis mine][129]" is precisely what republicans like Philip Pettit and Frank Lovett seek to avoid, and my apparent endorsement of a seemingly universal strategy of democracy in the face of domination might seem to weaken this divide. Some of the reasons for highly valuing non-domination as a strictly 'negative' good don't particularly motivate me, especially as I am not primarily concerned with non-domination as a conception of political *freedom* - a good deal of opposition to (explicitly or implicitly) 'positive' accounts of non-domination are linked to an opposition to 'positive' accounts of freedom. I do, however, share Frank Lovett's concern that definitionally linking domination and democracy renders the connection between them trivial - to say that non-domination is best served by democracy would be to say nothing at all, or at least nothing very interesting[130]. It wouldn't constitute an *argument* for democracy in a given sphere, but rather an assertion to that effect. So the more closely domination and democracy are linked, we might think, the less force the former has as a value in arguing for the latter.

My approach to the workplace, although it places great value on self-direction, is entirely compatible with that value being entirely instrumental. Self-direction is instrumental in minimising the domination of workers by their managers, and the exercise of self-direction is instrumental in developing the skills and characteristics required to best resist domination in other spheres. I can certainly be accused of connecting democracy and non-domination more closely that many contemporary republicans, because I take the pursuit of non-domination to require the extension of democracy into

[129] 1990, p.38.
[130] 2010, pp.211-212.

the workplace, where they do not. But this doesn't threaten to make the connection between them trivial - indeed, I have argued at length for the strategic link, and relied upon some (plausible) empirical claims - and nor does it require us to directly pursue any value other than non-domination except instrumentally.

Although my focus on the strategy of democracy is compatible with contemporary republicanism, it does collide with what Keith Breen has called a "dualism[131]" that runs through both Pettit and Lovett's approach - the division of domination into *imperium* (domination of citizens by the state) and *dominium* (the domination of citizens by each other)[132]. Breen argues that the example of private firms collapses the distinction between public and private power, that such firms represent a sort of middle ground: not public power, but nor just the domination of citizens by other citizens. The distinction between *imperium* and *dominium* cannot hold[133].

This division, at least in Pettit's work, isn't meant to identify two different evils - both are domination - but it is meant to usefully divide two types of domination according to how we might best respond to them. For Pettit, reducing *dominium* generally requires various types of 'infrastructural', 'insurance', and 'insulation' programmes[134]. Very roughly, Pettit intends infrastructural programmes to provide citizens with the necessary resources to make undominated choices (education, stable economic and financial institutions, and so on), insurance programmes to guard against bad luck and material deprivation, and insulation programmes (including criminal law) to guard against various ways in which other, more powerful private citizens or organisations might impinge on one's freedom as non-domination. All of the regulation involved in workplace

[131] Breen 2017, n.24.
[132] See, e.g., Pettit 1997, p.13.
[133] *Ibid.*
[134] Pettit 2012, ch.2.

constitutionalism, for instance, would count for Pettit as a special instance of insulation. When it comes to imperium, however, Pettit has an entirely different presumptive strategy: the democratisation of state power, creating and safeguarding the ability of each citizen to exercise equal control over that state.

The effect is to pigeonhole strategies according to which kind of domination they intend to fix. We approach the workplace, and find that we have an example of dominium, rather than imperium, on our hands. So we shoot off down the dominium strategic branch, and are faced with a further choice of infrastructural, insurance, and insulation programmes. Democracy disappears from view - we're on the wrong branch. To the extent that Pettit intends this to be a strict strategic division, my approach is clearly opposed to his. More likely, he intends it to be a rule of thumb, in which case my approach is not so directly opposed to his, but nevertheless should give reason to think that his is not a particularly *useful* rule of thumb.

I have said little about the means by which the workplace could be democratised, or about the role of the state in that process. As discussed briefly in the last section, this is because I take my task here to be largely a philosophical one, albeit one concerned with distinguishing between various broad strategies for reducing domination. It is also because I am entirely ill-equipped to recommend precise forms of workplace organisation, or distinguish in advance between varieties of worker ownership, worker control, joint worker/owner control, and so on. And it is because the form that workplace democracy takes, even if the structural conditions for it must be carved out with state power, will be ultimately decided by workers seeking their own emancipation. This is, more or less, the point. These more directly practical questions are ones in which experience and experiment must intervene. But one directly practical conclusion that *can* be reached on the basis of the arguments above is that the anti-domination approach to

democratising the workplace, as it is widely recognised to be in the case of democratising the state, should be experimental, and it should be urgent. It is a *demand,* and a demand that can be pursued in various different ways by different parties. In the next chapter I want to consider another demand that a commitment to non-domination might require us to make, and (again) one that contemporary republicanism nevertheless fails to pursue: the demand for *less* work.

Chapter 5

Time For What We Will: Domination and the Reduction of Work

If a radical UBI promised independence *at* work through independence *from* work, in the last chapter I focused on the direct pursuit of the former through the democratisation of hierarchical workplaces. But here I want to focus on the latter - independence from the world of hierarchical, paid employment. The cultural centrality of work in capitalist societies is clear enough (the existence and continued study of 'work ethic' justifies that), as is its material centrality, both in terms of work producing what we need as a society, and being the primary source of the food, shelter, and other goods that workers and their families rely upon. But it is also central in the blunt, prosaic sense of *taking up so much time*: a third of an average full-time worker's adult life[1].

The fact that work takes up an enormous block of time in workers' lives is easily taken for granted but, as even a cursory glance at the history of the labour movement shows, the working day is the contingent product of political struggle that has paused, or at least fallen below other struggles (for higher wages, or for better conditions) in the general imagination. But if those concerned with non-domination have reason to worry about work, then they should have reason to worry about how much time we spend working. In this chapter I want to make this anti-domination case for less work in three senses, all of which I hope are amenable to republicans, and all of which ought to form part of a response to domination in the workplace. In the first section I argue for less time at work*,* the blunt reduction of working hours. In the second I argue for less time spent in the *orbit* of work: a retreat from the contemporary blurring of the boundaries between

[1] González-Ricoy 2014a, p.234.

work and non-work. And in the third and most speculative section I consider the claims of the 'post-work' movement, who aim to harness new technologies to drastically reduce the need for people to work at all. I defend a modest version of this post-work argument: that the anti-domination approach to the workplace should include the long-term goal of harnessing emerging technology to take advantage of the previously inaccessible forms of work - either shorter working hours, or more democratic but less efficient forms of workplace organisation - that this kind of technology would allow.

5.1.1 *The working day*

In this section I want to discuss the shortening of the working day and working week - the brute reduction of work performed by an individual worker. First, I give a brief history of the actual campaign for shorter working days and weeks, and discuss the principles upon which this campaign was waged. Then I turn to the *anti-domination* case for a reduction of working hours. Such a case can quite easily be made on the basis of direct and indirect benefits of shorter working hours, although the interaction between the twin demands for *less* work and more *democratic* work complicate the picture somewhat, especially in terms of some of the indirect justifications for less work as a route to non-domination.

The length of the working day and working week are the outcome of fierce political struggle[2]. From the unregulated and punishing twelve- or sixteen-hour workdays of the industrial revolution, successive concessions were dragged - in law - out of employers, largely by the emerging labour movement with some elite support. This legally delimited standard working day, or 'normal' working day, shrank over time and in

[2] The difficulty and unevenness of which is documented well in chapter 10 of Capital, vol.1 (Marx 2000).

fits and starts: a French revolutionary twelve-hour working day here, a ten-hour working day enforced by law in the UK there, culminating (with apologies to historians) in the successful campaign for the eight-hour working day in much of the industrialised world in the 20th Century. The demands did not end here - the Industrial Workers of the World were campaigning for a four-hour day during the 1930s and 40s[3] - but the successes did. Over the same period, the 'normal' working week was reduced (in the same uneven, piecemeal manner) from six 'normal' days to five. Demands for a four-day week are similarly ongoing, and similarly unsuccessful aside from small trials, largely on the scale of individual firms[4].

Some caveats. The demand for a shorter 'normal' working day or week is a demand for this to be enforced by the state, and a demand for this to come with no loss in pay compared to the previous normal working day. A normal working day is not the *maximum* working day - this is a different measure, only implemented in some areas: in the UK the relevant maximum working time is dictated (for the moment) by the EU working time directive, which limits workers to an average of forty-eight hour weeks, but which workers can opt-out of (a decision which workers are under serious informal or formal pressure to take in some industries). The hours between the normal working day and the maximum are paid overtime, and working overtime is intended to be optional, at least in normal conditions.

It is important to note that struggle for a shorter working day[5] was indeed a struggle. The relatively settled normal day of eight-hours reflects neither the preferences of employers nor employees, but is the result of historical successes of the organised

[3] Bekken 2000, n.p.

[4] A recent example of which is the TUC's rousing call for a four-day week 'this century', which neatly encapsulates both the ongoing nature of the demand, and the fairly grim political prospects for such a change happening anytime soon. See Trades Union Congress 2018.

[5] Shorter day and/or shorter week - except when noted, interpret 'shorter working day' as a stand-in for the project of reducing time at work overall, by week or by day.

labour movement against the interests of employers. As Marx explains at length, employers - owners of productive assets - have an ongoing and defining interest in extending the normal working day as far as sustainably possible. He sketches the composition of a working day: the maximum possible working-day is given by biological constraints - the need for workers to rest and replenish their capacity for work. For some imaginary fraction of that maximum, what he calls "necessary working-time[6]", employers don't generate a profit: the value of what a worker produces is 'spent' on the payment of that worker's wages, a proportionate fraction of the running costs of the enterprise, and so on. For the rest of the maximum possible working-day, any work is "*surplus* working-time[7]" - time in which work performed generates profit for the employer. There is a strong incentive, therefore, to either decrease necessary working-time (through productivity gains, wage falls, and so on), increase surplus working-time, or both. Extending the working day towards its maximum possible limit is not the only way to maximally profit from a worker, but it is an obvious and attractive way to do so, one that employers, where permitted, have consistently explored. This picture has its faults. As is shown by the prevalence of zero-hours contracts, employers in certain industries (service, for example) have a further incentive to have a very flexible labour force, such that many workers will only be given working hours in periods of high demand, and left unable to work during periods of low demand. In Marx's terms, this amounts to picking and choosing whether or not to pay wages depending on the predicted ratio between necessary and surplus working-time: in a period of low demand, *more* of the day will be necessary rather than surplus working-time, because the day as a whole will be less productive

[6] 2000, pp.333-334.
[7] *Ibid.*

while wages remain the same, and so it will be more efficient to contract the labour force for those periods.

Various reasons, some specific to the particular historical context, were given in support of shorter working hours, and they can be broken up imperfectly into direct and indirect benefits of a reduction in work. Some direct benefits were obvious - most industrial jobs were, and many still are, dangerous in the short-term and deleterious in the long-term to the health of those who worked them. Reducing the amount of time spent in these conditions would straightforwardly improve the welfare of those workers. Such arguments were made especially easily in the case of children, whose mental and physical development was at serious risk while working long days in poor conditions. Even more simply, work in capitalist firms is often onerous and unenjoyable, performed only in return for a wage - where it is, doing less of it for the same wage is a basic interest of workers, just as securing as much surplus working-time as possible is a basic interest of employers. Marx gives an alternative and idiosyncratic rendering of this welfare-based argument which shades into an indirect reason for a reduction in hours. Working punitively long hours shortens the lifespan of workers, Marx observes, and thereby shortens the time that they can expect to sell their labour power by a number of years. Insofar as this is the case, workers are being paid for one day's labour but *losing* several days' worth of labour power that they could otherwise expect to sell later in life, but which will be lost and frittered away by their early death. By shortening a worker's useful remaining working life by two-thirds,

> [Y]ou pay me for one day's labour-power, whilst you use that of three days. That is against our contract and the law of exchanges. I demand, therefore, a working-day of

> normal length, and I demand it without any appeal to your heart, for in money matters sentiment is out of place[8].

Many of the reasons were more clearly indirect, however. That is, workers demanded a reduction in working hours because of what a shorter working day would allow them to do. Sometimes this was specific: it would allow them to spend more time with their families, or more time engaging with one's community, or simply more time for leisure[9]. More ambitious versions of these specific, indirect benefits could be grandiose, such as those made by the Knights of Labour in the US - a reduction in work was necessary "to secure to the workers…sufficient leisure in which to develop their intellectual, moral and social faculties…to enable them to share in the gains and honours of advancing civilisation[10]". Sometimes it was more general, stressing the value of the *choice* to spend a significant portion of one's day free to do what we want. This last hope was expressed in the slogan of the eight-hour day movement, from which the title of this chapter is drawn: "eight hours labour, eight hours rest, and eight hours *for what we will* [emphasis mine][11]". More recent calls for shorter work have focused on other indirect benefits: less stress and better mental health, or the environmental benefits of a society in which less is produced[12]. More generally still, there is throughout the struggle for shorter hours the idea that such a reform produces a "virtuous cycle[13]" - that the time freed up can be used for further *political* action, the pressing of further demands upon the capitalist class and the state.

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[8] 2000, pp.337-338.
[9] See, e.g., Weeks 2011, ch.4.
[10] Quoted in Gourevitch 2015, p.126.
[11] Weeks 2011, p.162.
[12] Srnicek and Williams 2016, p.116.
[13] *Ibid.*

5.1.2. *Domination and a shorter working day*

Many of the above reasons for shortening the working day will not flow easily from a commitment to non-domination, even if they can easily be supported on other grounds, including grounds likely to be shared by anyone so committed. However, there is a strong case for just such a reduction in working hours on the basis of non-domination. Consider first the sense in which shorter working hours directly promote non-domination. The argument could barely be simpler, but it is no less effective for being obvious.

1. The overwhelming majority of workplaces are non-democratic.
2. Non-democratic workplaces expose workers to the domination of employers while at work.
3. So, shorter working hours reduce the domination of the overwhelming majority of workers.

Point 1 is just a mundane observation, and point 2 is a modest conclusion for which I have argued over the course of the last two chapters - that the power of employers in undemocratic workplaces is seriously dominating, at least in the absence of costless exit for workers (which is not an option for workers at the moment, and very unlikely to be an option in the near future). I hope that my argument on that point has been persuasive, but even if it has not, anyone who thinks that the institution of work, unreformed and as it is, exposes workers to *some* domination by their employers should be able to accept the thrust of the argument. The conclusion follows simply enough. If the experience of the overwhelming majority of workers is one of domination, then less time in the workplace means a reduction in domination.

Of course, this isn't ideal. It isn't a solution. Working for six hours a day in a vicious personal fiefdom, at the mercy of an all-powerful overseer, wouldn't score highly in terms of non-domination. But it would score more highly than working for that overseer for eight hours a day. It would, in crude terms, be only three-quarters as dominating. It would be understandable to find this kind of arithmetic unsatisfying, or even distasteful. After all, I have argued that democratising workplaces, getting to the root of the problem, should be a cornerstone of the anti-domination approach to work. But it is simply inescapable that being subjected to domination for less time, rather than more, means being subjected to less domination overall. Working for four days a week rather than five means that *however* high the level of domination my employer subjects me to, I will cut my direct exposure to that domination by a fifth. The struggle for shorter working days (or weeks) should be taken up by all concerned with domination in the workplace on this basis alone. It is a simple, persuasive, and compelling strategy that would only bolster, in this basic negative sense, the work of any accompanying anti-domination strategies.

It is worth pointing out an apparent tension between the two strategies - democratising the workplace and reducing the working day. The argument for the latter, as given above, rests upon the idea that *undemocratic* workplaces are sources of domination. So the more successful the strategy of democratising work, the less need for reducing the time spent in those newly democratic workplaces. To an extent, this is certainly true, but is no objection to the idea of pursuing both at once. On the other hand, there is still a (weaker) case to be made that reducing the time spent even at a democratic workplace is valuable in terms of the direct promotion of non-domination. As discussed in the previous chapter, a democratic workplace is any form of workplace organisation where workers individually have equal participation rights in decisions made within the

firm. The argument I made is compatible with various organisational forms that meet these criteria, including with representative mechanisms at higher levels of decision-making. Democratic workplaces aren't perfect, and while they prevent the domination of workers by *owners,* they may expose individual workers to other forms of domination that can be found in state-level democracies - powerful majority groups, or even just charismatic and influential individuals. Democratic workplaces are also not immune to a hollowing-out - becoming democratic in name only, without the sort of active participation most likely to secure genuine non-domination. With these risks, reducing the time spent exposed to the centralised power of a workplace - even a democratic one - is still likely to be valuable in terms of non-domination.

The indirect arguments that tie a reduction in working hours to a reduction in domination are less straightforward but no less worth making. The first is analogous to the psychological-support argument advanced in the last chapter. "[T]here is some level of engagement with the market", writes Stuart White, "which crowds out the time and energy needed to develop, maintain and exercise the capacities of competent democratic citizenship[14]". For White, these are deliberative capacities - having the ability to reason critically, being well-informed, and possessing abilities of "empathetic identification[15]". All of these are required for the proper functioning of a deliberative public sphere, and all are skills that require *development.* This development requires a large amount of free time and energy, and so is incompatible with current, long working hours. White's argument is a modest and plausible version of the civic virtue arguments discussed in the last chapter - modest, because he is careful to claim only that free time is a *prerequisite* for developing deliberative capacities, rather than a guaranteed route to those capacities, and plausible

[14] 2008b, p.125.
[15] *Ibid,* p.126.

because the virtues he invokes are a fairly minimal set of capacities, and the necessary-but-insufficient mechanism he proposes doesn't rely on any particularly contentious empirical claims about political psychology. Similar arguments were made by the Knights of Labour in the late nineteenth century, as discussed by Alex Gourevitch[16]. Although some of the vaunted benefits of more free time can seem merely individual goods - the ability to take walks with one's family, read books, and cultivate flowers, for instance[17] - the Knights also had a firm grasp on the kinds of civic benefits that White focuses upon. They stressed the importance of free time to engage in worker-led education, at worker-run reading groups and lectures, precisely in order to gain the sort of knowledge required for genuine political deliberation denied to them by a diet of the capitalist press[18].

The Knights also made the second kind of indirect argument for shorter hours, closely related to the first - that more time *away* from work would increase the capacities for struggle *within* the workplace, rather than just in the political sphere more generally. The two kinds of argument blur together, of course - the point of workers' reading rooms is that they would provide the information required for changing the character of the workplace, a key concern of the Knights of Labour. But there were other, indirect arguments, based on more substantive ideas of developing new desires and needs - "[w]orkers with a bit of leisure would begin to compare their situation to others and give more open expression to the desire for better housing, clothes, food. This, in turn, would require higher wages and shorter hours to enjoy them[19]". Workers with only the energy at the end of the day to eat, drink and sleep would demand little more. But win some genuine free time, the argument goes, and you begin a cascade of increasing demands,

[16] Gourevitch 2015.
[17] *Ibid*, p.146.
[18] *Ibid,* pp.156-159.
[19] *Ibid,* p.154.

demands which will invigorate the struggle within the workplace and lead to further victories, and so on. More modern commentators have made similar arguments as well, although they differ in the precise mechanisms involved. David Frayne writes that "[a] renewed appetite for autonomy, developed outside work, might help to rejuvenate traditional labour struggles[20]" by importing that appetite back into the workplace, leading to demands for greater autonomy that only reorganisation of the workplace could satisfy.

These arguments are not made explicitly in terms of non-domination, although both White and the Knights of Labour are within a broad republican tradition. But they require very little alteration to be expressed in those terms. White's argument that shorter hours are required for the healthy functioning of a deliberative political sphere can simply be appended with the premise that such a deliberative sphere is required for the promotion of non-domination at the level of the state. Or, more in line with my arguments in the last chapter, we could say that the sorts of skills and capabilities that White values will be required for the promotion of non-domination in *various* spheres - any collective endeavour (including the state) will be less dominating the more democratic it is, and the skills of critical reasoning and being relatively well-informed may be valuable for avoiding domination on a personal level as well.

These arguments work well against an unreformed workplace. But compared to the direct, negative argument for shorter working hours, these indirect arguments sit less comfortably with a call to democratise the workplace. Or, at the very least, the *educative* value of free time sits uncomfortably with the *educative* value of a democratic workplace[21]. Frayne's argument that more experience of autonomy outside work will generate a greater desire for it within work is perfectly compatible with the idea of

[20] 2015, pp.36-37.
[21] I am indebted to Tessa Frost for raising this tension.

pursuing workplace democracy while shortening working hours - the two complement each other. But when what is valued is the development of deliberative capacity, the picture is more complicated. If democratic work develops deliberative capacity (a claim that, for instance, Pateman clearly suggests, and that I accept a form of in the last chapter), then it is not at all obvious that time away from *that* kind of work will be valuable in the way that White suggests with reference to autocratic workplaces. When one's working day is not just drudgery, but requires the use and development of the same critical reasoning, information-gathering, and empathetic identification (albeit with fellow workers), then the case for shorter working hours on the basis of precisely this development is weakened significantly. If we have to choose between the strategies, we might note that proponents of workplace democracy suggest that it *will develop* the sorts of capacities under discussion, whereas White's case for shorter hours is that they are merely a *prerequisite* for that development.

But what if there are some forms of deliberative development that can only take place outside of a workplace, no matter how democratic? What if workplace democracy is more likely to foster only partial empathetic identification, or the gathering of information only relevant to one's particular firm? Is working in a small and democratically organised business likely to give workers any insight into the kinds of facts and values relevant to state-level political deliberation on questions of imperialism, for instance? What if one's colleagues and co-deliberators at work are not representative of the citizenry as a whole, excluding, say, people with disabilities who are unable to work[22]? These questions are representative of the kinds of weighting that we would need to iron out the tensions of a combined workplace democracy/shorter working hours approach on the basis of the

[22] Or, indeed, social groups that might be under-represented in any particular workplace or sector – some workplaces will have more women, more men, fewer university graduates, and so on.

educative indirect gains in non-domination. They are also representative of the difficulty of that process, and the sorts of complex political-psychological claims that we would need to make in order to move forward. I suggest that going too far into the weeds on this point is neither fruitful nor necessary. A strategy of shorter working hours has much to recommend it purely in its direct gains in non-domination, and many of the indirect arguments do not conflict with the simultaneous pursuit of workplace democracy.

5.1.3. *Objections*

Why might we object to enforced maximum working hours or, at the very least, a shorter set of 'normal' hours beyond which overtime must be paid?

One set of objections rests upon the idea that doing so would restrict workers' *freedom to choose*. Workers may have different preferences, and enforcing shorter hours means denying some of them the freedom to satisfy those preferences. Some people - those who love their jobs, hate their home life, or have cash-expensive but time-cheap hobbies, for instance - might want to work a great deal and receive higher pay in return. A thirty-hour maximum working week, say, doesn't allow these people the freedom to choose that kind of life. Stuart White gives two responses, both of which largely apply to my more general support of shorter working hours[23]. First of all, it is a mistake to think that the *current* system allows everyone the freedom to choose their working habits. There is a large group of people - some studies put it as high as half the workforce - who would choose to work fewer hours than they currently do, even for a proportionately reduced wage[24]. That is, many people are 'overemployed' - they would accept lower

[23] 2008b, pp.131-133.
[24] For a useful survey of overemployment studies in the US context, see Golden & Gebreselassie 2007.

wages for fewer hours, but that choice is denied to them by their employers and by the opportunities of the labour market as a whole. We should assume that the group of workers who would prefer to work less *and* retain their current wages would be even higher than this group, an even more inaccessible 'choice'. White also highlights coordination problems involved in choosing to work fewer hours, even when formally free to do so - for instance, the phenomenon of working extraordinarily long hours in order to demonstrate more 'commitment' to a job than one's colleagues, and so receive favourable treatment or promotion. In such environments, *none* of the workers might have a preference for working in excess of forty-hour weeks, but *all* may feel unable to choose to work less even when formally free to do so. Because of this, an enforced limit to the working week may well satisfy more preferences (through making these coordination games unplayable) than it denies. White's other response is more decisive - personal choice is simply not the bottom line. On his account, what matters is that free time is necessary for workers to develop the capacities to exercise their civic duties, with an emphasis on the term *duty.* I cannot make the same response, at least not when looking at the *direct* sense in which working fewer hours reduces domination, because in that case no civic duties are involved - the strategy is justified simply because it reduces the domination of workers by their employers. But I can make a similar one: if the best strategy for restricting working hours, and thus reducing the domination of all workers, means that some workers can't satisfy their preferences for *more* domination and *more* reward, then this is a price worth paying.

The next objection is predictable - restricting working hours is "bad for business[25]" - it denies firms the flexibility to compete in a cut-throat market. Here we can note, along with White, that some level of flexibility is perfectly compatible with the

[25] White 2008b, p.133, describing the objections of a business luminary in the UK.

strategy of reducing working hours overall. Certain industries might have seasonal requirements, for instance, and there is no strong reason to reject a limit to the *average* working week, instead of a limit to each individual working week, at least in principle. But where the argument is merely that shorter working hours will dent the profits of the firms in which they are enforced, this is just a restatement of the fact that employers have an interest in long working hours - it is already accepted that this is an interest against which the promotion of non-domination will have to struggle. As White puts it, "at some point we will have to restrict market freedom to protect democratic political life[26]". As I can put it, more generally, at some point we will have to restrict market freedom to promote non-domination.

However, there is a more challenging version of this objection. A reduction in working hours might cause a drop in *production*, rather than mere profit, to the extent that basic needs cannot be met. There are grounds upon which to challenge this idea, of course, and even grounds upon which to say that a shorter working week increases efficiency in some sectors[27]. But there is a core of truth to it, at least in principle. There is a limit below which we may quite reasonably expect production to fall unacceptably low - if farmers work one-hour weeks, then there won't be enough food on the table. Even if *everyone* worked on a farm for one hour a week, the costs of coordination of those millions of very temporary workers would likely dramatically decrease efficiency. While this worry may be overblown a great deal of the time, and while it may be perfectly possible to reduce working hours substantially with no effect on necessary production, there are at least *practical* limits to the reduction of work, however difficult to pin down.

[26] 2008b, p.134.
[27] See Roy 2018 for details of a tentative finding to that effect in New Zealand.

The idea of efficiency and its relationship to necessary production will be explored further in section 3 of this chapter.

5.2. *Escaping work*

Most of the arguments - certainly the direct arguments - for reducing working hours in order to promote non-domination rely upon an assumption of a clean dividing line between work and non-work. Or rather, they rely upon there being a clear limit to the power of one's employer to interfere in one's life, such that if I work for four hours a day rather than eight, then I have four more hours of freedom from the domination of my manager every day, a period of time into which my employer's power to interfere does not extend. Such a sharp dividing line between work-time and free-time is always, at least in some small sense, a fiction. I cannot hope for my work to have no impact upon my leisure time - it might leave me tired and so less able to choose to spend my leisure-time doing something physically difficult, no matter how much I might otherwise want to. It might leave me worried or stressed about problems at work, or simply dreading my return to the workplace the next morning, and so impinge on my free time in that way. But the serious problem for the anti-domination case for a reduction in working hours is the way that the *authority* of the workplace creeps into non-work time. If employers can still control workers in various ways when they are off the clock, then free time is not time free from domination, and the direct argument for shorter working hours will be muddied or stopped in its tracks. In this section I argue that in order for shorter hours to significantly and directly reduce the domination of workers, the ongoing blurring of the limits of employer authority must be stopped and reversed.

There are subtle and unsubtle variants of what David Frayne calls the "colonising power of work[28]". A good place to look for the most unsubtle variants is in the company towns and model villages of the nineteenth and early twentieth century: settlements built and controlled by the owner of a single firm, exclusively or largely inhabited by that firm's workers. Workers living in these town might leave the factory gates, but they were never truly off the job. Their housing, their recreation, their consumption - all would be provided or restricted under the watchful eye of their (often self-consciously benevolent) employer. "It would not do you much good", wrote the owner of one such model village, explaining why he didn't simply share out profits to his workers, "if you send it down your throats in the form of bottles of whisky, bags of sweets, or fat geese at Christmas. On the other hand, if you leave the money with me, I shall use it to provide for you everything that makes life pleasant – nice houses, comfortable homes, and healthy recreation[29]". Company towns like these are often seen as paradigm cases of paternalism, of illegitimately denying the autonomy of those whose welfare one seeks to promote. But they serve just as well as examples of the domination of employers, extended in a particular way beyond the confines of the workplace. At work I must act according to my employer's will, or according to rules that my employer has made. If I have to return to a company town at the end of the day, then my home life is dragged into the orbit of my employer. Whether I can drink, what I can do, how I can live and with whom, what I can buy and what price I can buy it at: all of these will be left not up to me, but to the same person who ultimately governs me during the working day. Shorter working hours won't do me much good in such a position, since my employer's power to interfere doesn't stop at the end of the working day.

[28] 2015, ch.3.
[29] Quoted in Sussman 2009, p.113.

Company towns are a dramatic example of the colonising power of work, but the analogy can mislead. Much of the problem with company towns is that they make exiting the workplace much more costly for workers - leaving or threatening to leave a job would risk losing not just their income, but their house, their entire community, and a higher brute standard of living than they could expect to get elsewhere, because their continued enjoyment of these things is tied to their continued employment at the firm. Just as a basic income would promote non-domination in the workplace by making workers less dependent on their employers, making workers more dependent in this sense means exposing them to greater domination at work. This isn't strictly what I mean when I talk about the expansion of managerial authority into home life. Rather, I want to look at the ways in which the power of employers to control what workers do *inside* the workplace - essential to the working of a capitalist, autocratic firm - extends to what workers do *outside* the workplace. This is clearest, if less severe, in more modern labour practices.

In the US, for instance, workers have been sacked or penalised for (in their own homes, or otherwise in private) drinking, smoking, cross-dressing, having affairs, having abortions, and having various unconventional sexual proclivities (all between consenting adults). They have been sacked for voicing personal views on religion or politics in personal forums like social media accounts or blogs. They have been sacked for supporting political candidates their employers do not favour, and for *not* supporting candidates that their employers do favour[30]. These practices are legal in many US states, and illegal but enforced poorly in others. The situation is better in the UK, where workers can bring unfair dismissal cases against employers, but nevertheless the extent of blacklisting in various industries shows that workers were (and, we must suspect, still are)

[30] All of these examples are cited in Bertram, Robin, and Gourevitch 2012.

covertly sacked or denied promotion for holding undesirable political views, whether or not they relate directly to at-work unionisation efforts[31]. And even where more piecemeal and overt forms of intrusion into workers' private lives takes place illegally, the cost, or simply the hassle, of employment tribunals renders the option of challenging punishment or dismissal less meaningful for many workers. Of course, employers know this as well as workers, so the force of those legal prohibitions is weakened. The rapid extension of employer surveillance into private life is the result, at least in large part, of developing technology. Employers in many states in the US are able to monitor employees' email accounts and social media - in some cases even permitted to demand the passwords to private employee social media accounts - and thereby invigilate their home life[32] - to a degree impossible twenty years ago. These problems are, and should be, commonly conceived of as threats to privacy and freedom of speech. But the more general problem is exactly the one under consideration here: the authority of the boss to leverage their power over workers now routinely extends, legally or illegally, far into those workers' lives off the clock.

This is quite clearly a barrier to the direct argument that reducing working hours will straightforwardly reduce domination, and so restricting employer intrusion into off-work hours must go hand-in-hand with any anti-domination programme of reducing working hours. Furthermore, we have good reason (analogous with White's reasoning in the previous section) to think that it is not enough to give workers the *choice* between accepting or rejecting employer surveillance of their private lives, in the manner of a customer deciding whether or not to let their car insurance company remotely monitor their driving in exchange for a cheaper policy. Given the incentives at play, workers may

[31] See Cobain 2018 for a recently unearthed example.
[32] See Bertram, Robin, and Gourevitch 2012.

well feel unable to refuse the 'offer' of employer surveillance, even where they can legally reject it, for fear of informal or covert disadvantage in the workplace, or even just disadvantage compared to workers with less to fear from that surveillance, who can be relatively sure that their private lives will not draw the ire of their employers.

This extension of employer power also threatens the indirect arguments for shorter working hours, very clearly in some cases. The hopes (of, for instance, the Knights of Labour) that workers could use free time to engage in political organisation and political struggle are dashed if those practices can be punished by their employers. And the self-censorship of workers whose personal social media and email accounts are surveilled by employers is hardly likely to contribute to the free development of deliberative capacity, when they cannot freely deliberate with others on the internet or over email without risking punishment or dismissal.

This extension of managerial authority into free time isn't the only way of blurring the boundaries between work and non-work, nor is it the only way that affects arguments for shorter working hours. Sometimes free time can be rendered worthless, or at least not valuable in the sense required for the indirect arguments for shorter hours, simply because of how it is arranged. Marx makes the point with an example from the passage of the factory act in the UK, which provided a normal working day of ten hours. In order to make those ten hours as productive as possible, "…capital dragged in the labourer now for 30 minutes, now for an hour, and then pushed him out again, to drag him into the factory and to thrust him out afresh, hounding him hither and thither, in scattered shreds of time, without ever losing hold of him until the full 10 hours' work was done[33]". In so doing, "they paid 10 hours' wages for 12 or 15 hours lordship over labour-

[33] 2000, p.418.

power[34]". Three problems are intertwined here: the idea that one's free time may be broken into inconveniently small parcels; the idea that the division of one's free time may be unpredictable; and the idea that there are costs associated to having to work in these parcels that will impinge even *further* into one's free time - the time it takes to travel to work, get to sleep, and so on, which will be multiplied if there is not one continuous block of working time. All three compromise the quality, if not the quantity, of time free from the rule of an employer, at least where the indirect, anti-domination arguments for shorter working hours are concerned. The second problem - an unpredictable schedule - is perhaps the one that resonates most strongly with modern working conditions, as with the rise of zero-hours contracts. There are many things to say about the harms of those insecure working conditions, but one is certainly this: any value we attach to free time, even if just the personal value of free enjoyment, is compromised when workers spend that time waiting to find out when they will next be needed to come into work. Certainly, the educative value of that free time will be compromised, both in White's modest sense as a prerequisite for developing deliberative capacities, and in the more substantive senses of providing space for political action, developing new needs, new desires, and so on. In a note on the same page, Marx quotes approvingly from a factory inspector's report on the value of a normal working day enshrined in law: "A still greater boon is the distinction at last made clear between the worker's own time and his master's…by possessing a sure foreknowledge of this, [the worker] is enabled to prearrange his own minutes for his own purposes[35]". But on its own, a shorter working day guarantees no such thing - in order to breathe life into that free time, and make any of the indirect arguments for shorter

[34] *Ibid.*
[35] *Ibid,* p.434, n.3.

working hours plausible, workers must explicitly be given this foreknowledge, and not be subjected to the uncertainty of precarious working arrangements.

A note, before moving on: this might be read as a criticism of the move towards 'flexible' working arrangements, common, at least in rhetoric, in the UK over the last twenty years. It is not. If an employment contract allows *workers* flexibility, then this is valuable - it allows not just foreknowledge of when one must be at work and when one must be at home, but direct influence in determining those hours, at least within bounds set by the employer. For promoting any of the indirect benefits of free time, this kind of flexibility will be very useful. But employment contracts that allow *employers* flexibility - the ability to expand, contract, or rearrange the working week of their employees - do precisely the opposite. Even if they do not harmfully expand the quantity of working time compared to free time, they reduce its quality in the sense described above[36].

5.3.1. *A world without work?*

In this final section I want to look at another, much more general proposal to reduce working hours. In contrast to the fairly individualised proposals I have largely concerned myself with in this chapter, this proposal is to do with abolishing work *altogether* - creating a society in which people do not need to work in order to produce the things we need. In this society, automation of production will replace the need for human input: raw materials, extracted by autonomous mining processes, will be transported by autonomous lorries to autonomous factories for processing. Work as we know it will become a thing of the past, and people will be free to other things with their time. Now usually advanced by "post-work" theorists, the idea that we can, should, or will live in a world without

[36] See Chamberlain 2015 for a good overview of the idea of 'flexibility' in the UK labour market.

work can be dismissed as idle futurism or utopianism, based on a false and possibly dangerous optimism about the potential of modern technology. And it certainly doesn't help that the language used to express such arguments is often polemical and inexact, even if this comes with the best of discourse-shifting intentions - the demand for 'fully automated luxury communism[37]' is self-consciously extravagant, designed more to provoke than to inform (or, perhaps uncharitably, persuade).

Post-work theorists might be utopians, but they aren't hopeless ones. Nick Srnicek and Alex Williams provide the best recent example of this sort of theorising, and provide too a good example of the kinds of policies and strategies contained within this kind of utopian demand for a world without work. They support a universal basic income and a shorter working week, but for my purposes the most relevant part of their raft of proposals is full automation: that is, using modern technology to make human involvement in production unnecessary. This is not an all-or-nothing goal - "[L]abour will not be immediately or entirely eliminated, but instead progressively reduced. Full automation…aims to reduce necessary labour *as much as possible* [emphasis in original][38]". Capital, left to its own devices, has no incentive to adopt labour-saving automation unless it is more cost-effective than human drudgery, and so Srnicek and Williams consequently place their hopes in long-term state investment in automating various labour-intensive industries, with the eventual goal of full automation of all human labour. I do not assume that this end goal is possible or even desirable. The 'automation' of certain forms of caring labour might be incoherent, or at the very least distasteful (a

[37] As with other phrases originating online and spreading as memes – including its close cousin 'fully automated luxury gay space communism' - the authorship is unclear: see Merchant 2015.

[38] 2016, p.114.

worry that the authors gesture towards[39]), but the goal to progressively automate away forms of work that do not face these problems is not inconsistent with this position.

Normally, this sort of work is situated within a context of utopian thinking or technologically-informed futurism from the late 19th and 20th centuries. The authors themselves discuss Keynes' predictions of a world of fifteen-hour working weeks by the year 2030, and an epigram from the science fiction writer Arthur C. Clarke - "the goal of the future is full unemployment[40]" - opens their chapter on automation. But for the purposes of discussing domination at work, I find it more helpful to situate this discussion of automation within the context of the struggle to universalise non-domination as an ideal, faced by US labour republicans like the Knights of Labour.

The problem was touched upon in the last chapter, but a fuller story can be told here. There is a tension between economic production and universalised non-domination. That is, work needs to be done, and in order for it to be done efficiently, most workplaces must have some degree of hierarchical control - managerial authority. But labouring under managerial authority is very hard to square with the ideal of non-domination. How do you square this tension? Two initial suggestions:

i) *An elite conception of non-domination.* On this approach, we accept that working under managerial authority is simply incompatible with non-domination. Since some people have to work anyway, we preserve non-domination for an elite (owners of capital, slaveowners, citizens in the imperial core - whoever) The rest - (slaves, colonial subjects, workers) the labouring majority who produce the goods required for the functioning of society - are excluded from this ideal.

[39] *Ibid,* pp.112-113.
[40] 2016, p.107.

ii) *An artisanal or fully horizontal economy*. On this approach, we accept that work needs to be done but simply deny that a modern economy needs hierarchical workplaces, and instead seek a society of self-employed artisans or, alternately, fully cooperative workplaces that do not need managerial authority. We can have a universalised conception of non-domination, even if - because it will result in a less efficient economy – it will come at the cost of a reduced standard of living.

The elite conception of non-domination is deeply unattractive, certainly to modern eyes. And the prospects of a fully horizontal economy without *some* form of compulsory managerial relations is implausible, or at least very difficult. The reasons for the implausibility differ depending on exactly which alternative is being imagined, but largely boil down to the drastic losses in efficiency when any large-scale productive enterprise lacks a coordinative authority. Considerations of economy of scale mean that only large-scale production can satisfy the high and growing needs of large societies. And large groups of people working together in some production process will be very inefficient without some form of coordination. Elizabeth Anderson puts the point succinctly:

> Nonhierarchical groups face huge transaction costs in allocating contractually unspecified tasks to particular workers and ensuring that they get done….If several problems call for multiple deviations from routine, who should do what? While joint agreement may be reached if everyone is oriented towards the collective good, the costs of reaching agreement may be high[41].

[41] 2015, p.60.

Without *some* coordinative authority, the efficiency gains of large-scale production can't be realised. As Marx puts it, "[a] single violin player is his own conductor; an orchestra requires a separate one[42]".

So neither option is particularly workable. The US labour republicans, though for a time cleaving to the second, settled on a third - workplace democracy. This will be familiar, since it is what I argued should form a cornerstone of the anti-domination approach to the workplace in the last chapter. Again, I do not take a position on whether full worker *ownership* is required, but merely equal worker control*:*

iii) *Workplace democracy.* Coordinative authority is required, but it is possible and desirable that this authority should be democratic rather than autocratic. We should aim to reduce managerial discretion as far as possible (through full participation at some levels of the firm and the expansion of contracts), and the remaining necessary discretion should be controlled with representative systems of democracy, in which all workers have equal participation rights.

This response tries to cut through the dilemma given above by denying that large-scale production is always incompatible with non-domination. And, as I hope to have shown, it largely succeeds. But it does not do away with the fact that there is a *tension* between large-scale production and non-domination. Democratic work is always, in a sense, a second-best. Centralised managerial authority is always open to abuse, and systems of representative (and partially participatory) democracy are open to hollowing-out. It would be better, in terms of promoting non-domination, if we *could* produce all we needed without recourse to coordinative authority, even when that authority is organised

[42] 2000, p.474.

democratically. Seen in this context, the demand for automation is a demand to act upon that second horn of the dilemma - to change the fact that most people must work, and that they must work in enterprises coordinated by managerial authority. It is a way of breaking out of the deadlock that workplace democracy imperfectly resolves. In a sense, *full* automation is a way of universalising the idea of elite republicanism, by placing everyone into the elite: only those who do not have to work under managerial authority can really be non-dominated, so we need to create an economy in which nobody has to work under managerial authority.

It would be a mistake to think that the goals of gradually automating various important processes of production would be solely in terms of a reduction in working hours. By making production more efficient and less reliant on human labour, it becomes possible *both* for people to work less, *and* for the work that people still have to do to be more democratic in character. The amount of necessary production - call it N[43] - places quantitative limits on how much we work, and qualitative limits on how we work. The need to produce N means that a certain amount of work must be done, and meeting that same need rules out forms of workplace democracy that are too inefficient to produce N within those hours. So any technological development that makes it much easier to produce N produces two new possibilities - a reduction in working hours, or (slightly less straightforwardly) the adoption of forms of workplace democracy that were previously intolerably inefficient. Imagine that we automate parts of the bread-making process to the extent that the same number of workers can produce bread twice as quickly as they previously could. This efficiency gain could be used to preserve managerial, coordinative

[43] Of course, deciding upon an amount of 'necessary production' is no mean feat - what counts as a need, and what as merely a luxury? Which needs are constructed, or just the product of advertising? Almost the only sure thing is that the amount of necessary production will not be the same as the amount of production under capitalism. N stands here as just as piece of (hopefully) explanatory abstraction.

authority over the bakery workers, but cut in half the amount of time workers spend there. Or, it could be used to adopt less efficient but much more participatory forms of workplace organisation. Assume that previously, only quite remote and representative forms of workplace democracy were efficient enough to produce enough bread. With the gains in efficiency, new mechanisms could be introduced: more easily recallable elected managers, for instance, or more fully participatory involvement in certain decision-making processes. Meetings might take longer, but the process as a whole would still be efficient enough to meet the level of necessary production.

The fact that both of these possibilities are opened up by gradually increasing automation and efficiency is often missed in discussions of full automation. I suspect that this is because the utopian goal - full automation - is one in which there is *no* necessary labour, so the question of organisation of labour doesn't arise. And in the context of this goal, *partial* automation is quite naturally assumed to yield *partial* reduction in working hours. But in the context of the dilemma I presented above, one concerned with universalising non-domination while preserving a sufficiently productive economy, reducing the amount of *necessary* work through automation can more easily be seen as an opportunity to reduce the amount of *dominating* work, by whichever means - qualitative or quantitative change in employment[44].

5.3.2. *Automation and the pursuit of non-domination*

What objections are there to incorporating this general demand to automate necessary work as far as possible into an anti-domination political programme? What reasons, for

[44] Again, on the *indirect* and educative case for either proposal, workplace democracy and a reduction in working hours might conflict - if work is educative, shouldn't we do more of it? And if free time is educative, shouldn't we do less work?

instance, would mainstream republicans have for opposing this kind of long-term proposal? One quite reasonable objection would be that the predictive elements of the discussion around automation are flatly wrong: we are not heading towards a world of full automation, and we will not, in the short- or medium-term, develop anything like the technology to automate even the majority of currently necessary labour. Incorporating seriously a set of demands about how automation should affect the organisation and distribution of work would be like writing a constitution for settlements on Mars: the possibility is too remote for discussion on the subject to be anything other than political daydreaming, and political philosophy should be a practical matter[45]. Against this pessimism, it is entirely possible to think that *full* automation is indeed utopian and unlikely, and still think that partial but significant automation is possible, and could open up the possibility for less or better work in the senses described above. This, I think, is exactly the status of the utopian demand in much of the 'post-work' literature and perhaps utopianism more generally: without having to actually accept that a world without work is 'possible' in any remotely near sense of the word, we are nonetheless encouraged to direct our attention towards less dramatic but more achievable partial progress towards that goal. We don't need to be utopians to think, along with Srnicek and Williams, that necessary labour could be "progressively reduced[46]", and so to think that this possibility warrants discussion in terms of whether, and how, it could promote non-domination.

A more pessimistic objection along the same lines would be to argue that even partial automation is just not on the table, and that the current vogue for predicting that robots will take our jobs is just another iteration of the panicked futurism that accompanies any wave of technological advancement. What looks like the eve of another

[45] See the next chapter.
[46] 2016, p.114.

industrial revolution - one that demands new kinds of political philosophy - is nothing of the sort. Perfectly rational fears of mass unemployment and obsolescence join hands with an increasingly sensationalist and click-seeking media and create a feedback loop, over-inflating the actual speed and scope of emerging automation technology. This might be true, it might be false, but it is certainly not something that can be settled in a chapter of a political philosopher's thesis. At any rate, there is certainly disagreement among researchers about the threat posed by automation: two recent studies into the proportion of jobs 'at risk' from automation come to the very different answers of 47%[47] and 14%[48]. But if even 14% of jobs are potentially at risk of automation in the near(ish) future, this suggests a high enough degree of possibility for the normative questions of *how* and *why* we might pursue such automation to find traction. We don't have to be at the eve of a new industrial revolution for these questions to be politically relevant. So the objection can be right - virtually all current discussion of automation can be a mixture of fear-mongering and futurist optimism - and yet a political response to the possibility of automation still be worthwhile. Of course, if automation is indeed going to dramatically accelerate over the coming decades, then what to do with the fruits of that automation will be of significant political concern. If the decision is left entirely to the owners of productive assets, then these gains in productivity will be used to increase private profits, rather than decrease working hours or reorganise the workplace[49].

[47] Frey & Osborne 2017.

[48] Nedelkoska & Quintini 2018. It is worth noting that Frey and Osborne's prediction concerns the US economy, whereas Nedelkoska and Quintini discuss the economy of 32 countries.

[49] "Like every other increase in the productiveness of labour", writes Marx, "machinery is intended to cheapen commodities, and, by shortening that portion of the working-day, in which the labourer works for himself, to lengthen the other portion that he gives, without an equivalent, to the capitalist.", 2000, p.531. It certainly *seems,* for instance, like the introduction of self-service checkouts has not been used to better the position of supermarket workers.

There is, clearly, much more to be said about automation and work, and the potential or likely impacts of automation upon workplace relations and working hours, and I have neither the space nor skill to do it justice here[50]. For my purposes, this detour into 'post-work' theory has done its job if it convinces those already committed to non-domination in the workplace that acting upon and thinking about these long-term, material constraints on working hours and the reorganisation of work is worthwhile. To take these issues seriously doesn't require us to accept any predictions of an impending techno-utopia. It simply requires us to accept that reducing the amount of *necessary* labour opens up various previously inaccessible strategies to reduce domination in the workplace, and so, to the degree that doing so seems increasingly possible, finding ways to profit from such automation will be an increasingly important part of the anti-domination approach to work.

5.4. *Conclusions*

This chapter has been concerned with ways in which a *reduction in work* in three senses - fewer working hours, a sharper line between work and non-work, and the reduction of necessary work overall - should figure in an anti-domination approach to the workplace. First and foremost, I have argued that a reduction in working hours would promote non-domination of workers by their employers both directly and indirectly. Directly, by reducing the amount of time workers must spend at the beck and call of a manager; and indirectly, because the increased free time those workers will enjoy is a prerequisite for all sorts of other non-domination promoting goals: the time and energy to engage in the

[50] For an interesting glimpse into some *dystopian* futures made possible by automation, see Frase 2016.

political life of their community, to develop the skills and capacities to deliberate with others, and so on. The demand for less work has a long pedigree in the labour movement, it is simple, and it is easily recommended on grounds other than non-domination as well. It would, I suspect, be capable of attracting a great deal of support. It would also complement - or at the very least, not conflict with - other strategies for reducing domination *in* the workplace.

The fact that republicans have by and large not engaged with this strategy might require some explanation. The first thing to note is that some have engaged with the idea - Stuart White, although not from the particular school of republicanism at stake in this thesis, argues for the indirect benefits of a reduction in working hours. Of the others, those who support a UBI may well have in mind that some recipients will choose to work less, and that they will avoid domination in proportion to how much less they choose to work. But if they do have this in mind, it is never explicitly stated - the main mechanisms by which a UBI is intended to reduce domination in the workplace, as discussed in chapter three, is through giving workers more power within the workplace by making the threat of leaving a job more credible. The assumed choice on the part of the worker is to *change* jobs, rather than reduce the amount they work. In any case, I argued that any UBI of the kind that would produce the radical effects its proponents value would face serious practical hurdles: to the extent that its proponents value the ability of UBI recipients to work less, a direct reduction in working hours would more realistically achieve this goal. It is perhaps more surprising, then, that a reduction in working hours is missing from the accounts of those republicans who reject UBI as a strategy for transforming the workplace. Alex Gourevitch, Iñigo González-Ricoy, and David Watkins all call for workplace democracy[51] (and, as I've argued, are right to do so), and reject what they see

[51] See chapter four.

as the undesirable and implausible strategy of UBI. To return to the contrast discussed in the introduction to this chapter, they pursue independence *at* work rather than *from* work - to the degree that a reduction in working hours is a strategy of independence from work, we might think that these critics don't give it attention on this basis. But although a reduction in working hours is similar to UBI in the sense that it involves escaping the workplace rather than transforming it, it overcomes many of the problems that quite reasonably cause these critics to instead focus entirely on the workplace itself. Any reduction in work yields gains in non-domination, both directly and indirectly, whereas UBI comes with more stepped benefits - it doesn't really produce the radical gains in non-domination until it is at a level which would allow most workers to leave their jobs. And a reduction in work doesn't produce the individualising tendencies that concern some critics of UBI: it doesn't give workers the incentives to jump ship rather than engage one's colleagues in collective action in the workplace. If, as seems plausibly the case, a general reluctance to support various kinds independence from work causes these theorists to reject a *reduction* in work, then they are throwing the baby out with the bathwater.

The benefits of shorter working hours will not be felt, however, if the orbit of work is allowed to continue spreading unabated into (formally) non-work time. The strategies that would help protect the divide between work and non-work are often the same as those that would protect workers anyway, and so are largely already justified on the grounds of reducing domination in the workplace: for instance, restricting the ability for employers to fire workers 'at-will' and for any reason or none, as they can in many US states, would also make it much more difficult to attach serious consequences to off-work behaviour. Other strategies are more piecemeal and reactive, and will be hard to state in advance of any attempt by employers to legislate over free time in various ways,

especially when enabled by new and unexpected uses of technology. One things that it seems reasonable to suggest in advance is that a key battleground for restricting the orbit of work will be restricting surveillance of workers outside the workplace itself, not just restricting the grounds upon which employers may attach penalties to various activities discovered through that surveillance. Allow employers to demand access to personal email and social media accounts, for instance, and it will be difficult to tell whether or not an employee has been penalised for their performance rather than, say, their political opinions expressed in the privacy of their own free time. While the pursuit of non-domination often requires demolishing previously accepted private spheres (of the home, for instance), in this case it requires *resisting* the encroachment of employers into their workers private spheres.

Alongside these immediate measures, I also made the case for taking seriously the post-work approach to the reduction of *necessary* work, through the promotion and harnessing of automation. Not much more can be said about this prospect here, but it is worth stressing again the relationship between this 'post-work' discussion and the more immediate strategies that those opposed to domination take towards the workplace. At some point in every discussion of reducing working hours, or implementing various forms of workplace democracy, efficiency considerations rear their head. And those same efficiency considerations have played a part in the historical relationship between the ideals of non-domination and freedom and mass, hierarchical employment. We can question how far efficiency considerations really constrain our ability to radically reorganise the institution of work: for instance, we can disagree that the demands of capital and profit maximisation (which militate against shorter hours and more democratic conditions) really map onto the demands of efficiency and necessary production. Often, especially in non-academic work, the idea that the demands of

efficient production are met, and only met, by authoritarian, forty-plus hour working weeks seems like just a knee-jerk defence of the status quo. But the post-work theorists remind us that if we are serious about normative demands (like that of non-domination), then even the genuine material constraints of workplace reorganisation are not the end of the story: if it is politically important to reorganise the workplace, and if material constraints prevent us from doing so, then to the degree that it is possible to loosen those constraints we have a derivative but strong reason to do so.

Chapter 6

Conclusion: Republican Methodology and the Practical Pursuit of Non-Domination

In the introduction to this thesis, I wrote that I am interested in republicanism because republicans are interested in domination. Correspondingly, my criticism of the mainstream, modern republican project has had two strands. The first is an external critique: contemporary republicanism tends to be overly conservative when it comes to the reorganisation of the institution of work, shying away from strategies that I argue would best reduce domination in that sphere. Because we ought to promote non-domination, this is unacceptable. This has been accompanied, often at the same time, by an internal critique: because republicans are committed to non-domination, this conservatism means that they fail in *their own stated aims*. These two forms of critique are very similar, to the point that the distinction collapses at points: both are based on the idea that non-domination is bad, and that modern, mainstream republicanism is too often insufficiently radical in opposing that domination. The chief difference between them is the position of the critic - within, or outside, contemporary republicanism? I was, and remain, attracted to the more critical strands of Roman republicanism. And I was, and remain, left cold by the reluctance of the dominant, mainstream forms of that republicanism to follow through on what I see as the more radical implications of that opposition to domination.

In many of the preceding chapters, my task has been one of convincing the reader that the conceptual basis of contemporary republicanism - a commitment to non-domination - demands something more than is often supposed. In the context of the workplace in particular, it demands much more than what I've called 'workplace

constitutionalism', more than a menu of legal and technocratic fixes that could be implemented tomorrow. For this reason, a good many of the arguments in this thesis have had the form of an internal critique: your reliance on *this* strategy is incompatible with your professed support for *that* goal. I have also tried to give these arguments in such a way that contemporary republicans have as few other reasons as possible to resist them - situating them within republican thought, attempting to rely as little as possible on contentious social theory or empirical hypotheses that some republicans do not already accept, and so on. In other words, I have not just been trying to work out what a commitment to non-domination demands of us; I have had the further goal of persuading republicans that they *should* accept my conclusions, and that they *can* accept my conclusions while remaining republicans.

In this final chapter I want to reverse that approach, at least in part, and focus on the force of the external critique. Even if contemporary republicanism is compatible with the approach I've staked out, how well do the two fit together? That is, how much would republicans have to *lose* in order to accept the approach to domination and work I have argued for? Related to this question is one that has remained submerged throughout much of this thesis: if we care about non-domination, should we be republicans? I want to argue for the perhaps unsatisfying conclusion that it depends on how one defines 'republicanism'. Many aspects of the contemporary republican school are valuable, and (as I hope to have shown) adopting the approach to domination and work for which I have argued is not just compatible with their normative commitments but required by them. Frank Lovett and Philip Pettit have characterised the modern republican project as a "normative and institutional research program[1]" - simple in its core commitment of promoting non-domination, but exploratory, practical, and unconstrained in its search for

[1] Lovett and Pettit 2009.

strategies to reach that goal. Were this the case, the sense in which I have attempted to radicalise republicanism would fall within this research programme, and represent not a break with that programme but a contribution to it. I argue below, however, that there are tendencies within republicanism - often implicit, methodological tendencies - that limit this research programme, and tell against the adoption of the sorts of approach I've argued for in this thesis. In *practice*, the republican research programme is constrained in ways that tend to promote certain strategies and tend to block or overshadow others. It is not the case that these methodological and strategic considerations are baked into the republican project in the same way as, say, the commitment to non-domination is, and so they could in principle be separated from it. But in the absence of any other compelling reason to pursue non-domination within, rather than outside, contemporary republicanism, I conclude that non-domination is best pursued from a non-republican perspective.

Before starting in earnest, it is worth saying here that labels don't matter as much as the content of a body of political thought, and that if this were just a disagreement over terms it wouldn't be particularly interesting or worthwhile. There are substantive disagreements here, to which the issues of what to *call* the pursuit of non-domination, or whether I want to call myself a republican, are very much secondary. And this chapter, I hope, also represents an independently worthwhile look at an under-examined feature of contemporary republicanism - its methodological, rhetorical, and strategic tendencies, some valuable, and some limiting. The chapter has the following structure. In section 1, I explore some methodological aspects of the contemporary republican approach that are valuable and to be preserved. In section 2, I move onto those methodological and strategic aspects of republicanism that I see as most limiting and constraining. And in section 3, I

discuss the issue of 'left-wing convergence', an additional reason to move away from republicanism in the pursuit of non-domination.

6.1.1. *Political realism*

The methodological underpinnings of contemporary republicanism have, until quite recently, received relatively little attention. Republicanism is not typically viewed as very methodologically distinct from the liberal theory to which it is often compared. Rather, the disagreements (where they exist) are taken to be found in more substantive matters, most centrally in the conception of political freedom as non-domination rather than mere non-interference. This is no great mystery - republicans are largely methodologically individualist and analytical, employing both the argumentative style and conceptual tools of contemporary political philosophy.

But these similarities can mask a good deal of difference. Contemporary republicanism has a distinctive methodological key. For instance, the fact that republicanism is self-consciously a revival of a 'forgotten' tradition of political thought leads to a good deal of historical contextualisation of freedom, non-domination, and so on, even if the exploration of this historical material is treated as secondary to the contemporary relevance of the arguments themselves[2]. More relevant for my purposes, however, is the *realist* bent of much modern republicanism. In a recent article, Pettit himself has made the point that republicanism satisfies many of the demands of 'political realism', although his interpretation of those demands is idiosyncratic. I want to add to Pettit's list, identifying some other ways in which republicanism can be said to be realist,

[2] Pettit 1997, p.11.

and which are responsible, in my view, for some of the appeal of republicanism relative to modern liberalism.

But first, a short detour into what realism is and is not. 'Realism' in normative political theory is a viciously contested term[3]. In the most general sense, realists "share an espoused commitment to 'engaging' with the real world, its history and its contemporary politics[4]", and share a corresponding belief that much mainstream political philosophy, or at least certain kinds of liberal ideal theory, are *un*realistic in this regard. This is, of course, consistent with a wide variety of positions. Over the last few years realists have coalesced into two camps. The first is a more-or-less well-defined project that associates itself with the work of Raymond Geuss and Bernard Williams, and whose proponents see themselves as having "theories of politics[5]" distinct from, and in opposition to, those typically associated with mainstream liberal philosophy. Realists of this kind can be characterised by their acceptance of and focus upon three basic axioms:

1. Coercive power wielded by the state is inevitable and necessary to produce order and stability in the face of deep disagreement.
2. The most basic political demand is that this power be *legitimate*, rather than mere domination.
3. Legitimacy is a function of the beliefs of those subject to power, in some sense. Whether or not power is justified depends upon whether it "makes sense to[6]", "is

[3] Useful surveys include Galston 2010; Baderin 2014; Rossi & Sleat 2014; and Sleat 2016 - the last two, admittedly, from self-described 'realists' involved in the struggle to decontest the term.
[4] Finlayson 2015, p.3.
[5] Rossi & Sleat 2014, p.696.
[6] Williams 2005, p.10.

> acceptable to[7]", or stands in some other relevant relation to those subject to it, rather than depending on some external source of justification.

One helpful survey by Alice Baderin calls this first grouping "displacement realism[8]" - because it accuses the mainstream of 'displacing' the real political sphere of power and conflict, distinguishing it from "detachment realism[9]".

Detachment realism is a much looser affair. Rather than a well-defined project with dedicated partisans, detachment realism is a family of methodological critiques of the political-philosophical status quo: a series of warnings against allowing philosophy to fall too far away from the real political world, coupled with some remedial advice on how to *re*attach it. The set of critiques is too large to give more than a brief idea of here - I go into some in more detail below - but they cluster around two points: that much political philosophy fails to *pay proper attention* to various complicated social and political phenomena, and that (often as a result) much political philosophy fails to offer *practical guidance* to political action. Rectifying both of these errors allows philosophy to adequately capture and practically critique the real, non-ideal political world.

Although there are ongoing attempts to sharpen up the distinction between these two forms of realism[10], and although to some extent they are successful, I nevertheless don't want to defend a strict division between them. Some theorists who have been held up as paragons of displacement realism - Raymond Geuss, for instance - nevertheless express a great deal of detachment realist concerns with idealisation, abstraction, and so on. The opposite is also true, with Charles Mills, perhaps the most influential detachment

[7] Rossi & Sleat, *Ibid,* p.693.
[8] Baderin 2014.
[9] *Ibid.*
[10] See, e.g., Rossi & Sleat 2014; Hall 2015; Rossi 2016.

realist, expressing some typically *displacement* realist concerns about the relationship between power and ideology[11]. Other attempts to map a clear division similarly fail: Matt Sleat characterises detachment realism as a methodological conversion between liberals, while displacement realism is a move *away* from liberalism, and is antagonistic toward its conception of politics altogether. This hits a snag immediately in the form of Bernard Williams' (admittedly complicated) self-description as a liberal, and a further problem: if discussion of methodological realism looks like a conversation between liberals, it is surely possible that this is because there are simply so many liberal philosophers working today, and that forms of realism are *compatible* with liberalism. There may well be good grounds upon which to draw a sharp distinction between displacement and detachment realism, but antagonism to liberalism doesn't seem like one of them. For my purposes, at any rate, I will pick and choose from both camps, although largely sticking with the methodological family of critiques represented by detachment realism.

6.1.2. *Republican realism*

With this sketch of realism in hand, I want to move onto republicanism's realist credentials. Pettit organises his own evaluation of those credentials into a series of realist desiderata that republicanism meets well compared to other mainstream bodies of political thought (as ever Pettit's main comparison, not without reason, is with liberalism). As I mentioned above, these desiderata are slightly unconventional, but worth listing - they represent one of the only sustained reflections upon republican methodology I know of. They are, in slightly shortened form:

[11] See, e.g., Mills 2005.

1. Anti-moralism: "Political philosophy should begin from the concerns of people in the society for which it prescribes[12]". Republicanism satisfies this because, as Pettit argues, opposition to living under the power of another is a basically universal complaint.
2. Anti-transcendentalism: "The ideal or set of ideals [a political philosophy] adopts should be capable of guiding people's judgements of their actual society and their actions within it[13]". Republicanism allows what is sometimes called 'transitional' or 'non-ideal' theory - it allows us to judge between different strategies within an imperfect society, rather than *just* giving us a goal.
3. Anti-utopianism: That guidance should "focus on feasible initiatives and sustainable institutions, not just on ideal measures[14]". Republicans, Pettit included, have a strong concern for the practical feasibility of various domination-reducing strategies given facts about political psychology and political possibility, and we should be able to distinguish between different imperfect social orders. Closely related to the issue of 'fact-sensitivity'.
4. And finally, anti-vanguardism: "[I]t should not pronounce on what is right and wrong without acknowledging the claims of democracy[15]". A slightly strange desideratum, but one that republicanism satisfies, for Pettit, by distinguishing between what is non-negotiable (democratic rights, because necessary for promoting non-domination) and what must be up for negotiation through that democratic process (other policies that do not degrade democratic rights).

[12] 2017, p.2.
[13] *Ibid.*
[14] *Ibid.*
[15] *Ibid.*

He sums these up as the concern that "political philosophy should be essentially practical[16]". It should, as detachment realism argues, 'start' from an analysis of the world as it is, and it should provide practical guidance within that political world. At least the first three of Pettit's desiderata clearly express that desire for a clear-eyed, action-guiding role, one in which two basic virtues are an attention to issues of strategy, and critical purchase on imperfect arrangements.

In these more general terms, then, I want to *add* to Pettit's examples of methodological aspects of republican work that express these two basic realist virtues. First, take the idea that political philosophy should be able to give us critical purchase on the world as it is. The idea with this common detachment realist critique is that much liberal ideal theory *fails* to do just this. Ideal theory, the argument goes, is the process of determining what justice (or, in the general case, any political goal or virtue) requires given certain idealising assumptions about the world in which that justice is to take place. Charles Mills, the arch-critic of this kind of idealisation, targets several such assumptions: that people are generally equal to each other and do not stand in relations of oppression or subordination; that these people are rational and knowledgeable about their interests and their society; and that there is strict compliance, meaning that everyone or almost everyone acts justly (or in accordance with the relevant virtue)[17]. We should also include another Rawlsian assumption, that of favourable conditions - those "broad socioeconomic conditions[18]" which allow for a constitutional and well-ordered society. The justification of this idealisation is that only through accepting these self-consciously false assumptions can we derive the principles which, at a later date, can be used to *return* to our non-ideal,

[16] *Ibid,* pp.1-2.
[17] Mills 2005.
[18] Stemplowska & Swift 2012, p.375. This entry on ideal and non-ideal theory is a helpful overview of this debate, and also a useful guide to Rawls' position.

imperfect world and provide practical guidance[19]. Mills' chief criticism is that this justificatory link is flatly wrong: when we idealise too far from the actual, imperfect world "we are abstracting away from realities crucial to our comprehension of the actual workings of injustice in human interactions and social institutions, and thereby guaranteeing that the ideal-as-idealized model will never be achieved[20]". Raymond Geuss, although more usually placed in the camp of displacement realism, offers a similar critique. Attacking Rawlsian ideal theory specifically, he writes that "[a] theoretical approach with no place for a theory of power is not merely deeply deficient but actively pernicious, because mystifying[21]".

Republicanism certainly fares better than much ideal theory on these grounds, starting as it does from a picture of a world structured by relations of domination. Rather than abstracting away from actually existing domination in order to work out what justice would require, republicans (even if unconsciously) enthusiastically take up the task of developing what Mills would call an 'ideal-as-descriptive-model' rather than 'ideal-as-idealisation', an (obviously abstracted, to some degree) explanatory account of some social ill rather than an account of a normatively idealised social arrangement. In a sense, republicans paint a much bleaker picture of society than at least some liberal theorists, because they take the widespread existence of domination for granted, and for the basis upon which their political philosophy must proceed. Because it is structured around the identification and reduction of a normatively bad phenomenon, rather than just the conceptualisation and pursuit of, say, justice, republicanism is "is more directly attuned to

[19] It is worth keeping this justificatory step in mind - the caricatured ideal theorist is often presented as *unconcerned* with practical action: while this may or may not be true in practice, ideal theory is at least in principle justified on the basis that it is necessary to provide the grounds for political action.
[20] Mills 2005, p.170.
[21] 2008, p.94.

social critique than ideal-theory liberal constitutionalism[22]". And because domination can be a feature of *any* relationship between agents, "it is also a more openly comprehensive ideal than Rawlsian political liberalism, in that it concerns itself, as a matter of justice, not with only political institutions and laws, but also with social norms and private relationships insofar as they support practices of domination[23]". Domination as a basic complaint is widespread and deeply rooted, and the methodological choice of *starting* from an opposition to domination tends towards a critical approach to existing arrangements from the off. So this is one benefit of the republican focus on domination, if only in terms of encouraging us to direct our critical attention to existing institutions: it is harder to have rose-tinted glasses when we start by trying to theorise a social ill, rather than an ultimate good.

Frank Lovett seems to recognise the benefits of this kind of methodological negativism: "[W]e are on more solid ground when we begin with some concrete *summum malum* such as domination rather than some vague and hypothetical *summum bonum.* A less romantic path, perhaps, but also one less fraught with the dangers particular to political theory and philosophy[24]". And although it is rarely remarked upon, the tendency to keep cutting back to analysis of *real, existing examples of domination* is found throughout the modern republican literature. Woven into the typical analytical writing style inherited from Rawls and Nozick - far-fetched examples and counterexamples, convoluted difficult cases, and so on - all useful conceptual tools in their own right, is a constant presentation of real examples of domination, paradigm cases that structure the republican conceptualisation of domination. Slavery, ancient and modern, (at least certain kinds of) wage labour, and various forms of marriage, for instance, appear again and

[22] Laborde 2008, p.527.
[23] *Ibid.*
[24] 2010, introduction, p.10.

again as examples of intuitively dominating relationships that provide the everyday material from which to abstract a more formal conception of domination. And what's more, there is a distinctive concern with the way that this domination is *felt* and *experienced* by its victims - what we could call the phenomenology of domination. There is a sensitivity to the idea that domination tends to produce certain harmful psychological effects: a sense of walking on eggshells, an inability to plan or even attempt to plan one's life, a need to ingratiate oneself and fawn and flatter and self-censor and adapt to those in power, and the psychological toll this takes on those so forced. There is value here just in the concern to accurately describe the complexity of relationships of power and domination, which requires a willingness to look closely at actual examples of those relationships, historical and current.

This negativism is connected to the next broad methodological virtue, adequately summed up by Pettit's desire for political philosophy to be "essentially practical[25]", but worth elaborating upon with some aspects of republicanism I think he underplays. First of all, contemporary republicanism is indeed concerned with being able to guide political judgement. As Pettit says, it is concerned with being able to weigh imperfect arrangements against each other, and give tools with which to engage in practical debates about *what to do* about domination where we find it. It is intended to be the normative and institutional research programme described in the introduction to this chapter: open-ended with regard to particular strategies, but experimental and keen to discuss the implications, drawbacks, and attractions of various different approaches to promote non-domination. More interestingly, this commitment to practical philosophy results in issues of political strategy itself being given centre-stage. Sometimes this takes the form of focusing on the feasibility of political ideals. Geoffrey Brennan and Philip Pettit argue,

[25] 2017, pp.1-2.

for example, that political philosophers ought to be bound by the constraint that institutions and social structures must be "…capable of surviving in a world of motley human motivation[26]". This amounts to dropping the Rawlsian assumption of full compliance wholesale, and taking seriously the fact that any proposals to reduce domination will have to take into account the strong interests many people have in maintaining that domination - proposed institutional designs ought to be sustainable even in the face of conflict and human limitations.

Perhaps more distinctive, however, is the republican interest in the *rhetorical* success of their project. That is, republicans frequently (even if it is scattered, or confined to introductions or footnotes) display a concern for non-domination being a good candidate for a successful language of politics - a set of ideals and arguments that is attractive, open enough to admit productive debate, well-placed to contest what they see as particularly effective rival political languages, and so on. There is a recognition that political philosophy, if it is to be practical, must survive contact with the world outside academia and *persuade*. One way in which Pettit in particular can be seen as attending to this strategic side of republicanism is in privileging *simplicity* - ease of use, as it were. A helpful source of this kind of work can be found in *Just Freedom*[27], a self-consciously accessible book designed to appeal to an audience broader than just academics. Over the course of the book he rehearses the theoretical side of republicanism, but also attempts to boil down the pursuit of non-domination into various heuristics, expressions of non-domination as a "plausible, unifying yardstick for measuring the level of social and political progress of any society[28]", a tool very much to be *used.* Even the subtitle of the book, 'A Moral Compass in a Complex World' gives an idea of the kind of role he

[26] 2007, p.277.
[27] Pettit 2014
[28] *Ibid,* introduction, p.xvii.

intends republicanism to play. Without going too far into the details (as it is the shape and intended purpose of this work that illustrate these realist features), he promises the reader "three user-friendly tests[29]" in order to guide our thinking in answering practical questions of what non-domination requires in the social, political, and international arenas. This is theory that is intended to be practical in the most basic sense: it is explicitly designed with the intent that it be picked up and used by non-philosophers.

The idea that non-domination is an especially attractive ideal - one that could motivate people to struggle for it - can also be found fairly prominently in Pettit's work. "Republican philosophy", he writes, in a discussion of republicanism across different cultures, "identifies a complaint that is meant to be at once popularly motivating and politically implementable. It indicts the evil of subjection to another's will…as an ill that we all recognise and recoil from and at the same time as an ill that the state is well placed to deal with[30]". Pettit goes on, as he does many times elsewhere, to give examples intended to illustrate that there exists a universal and visceral response to being a victim of domination. This is not just window-dressing. The emotive and rhetorical appeal of an opposition to domination, rather than, say, a love of justice or equality, is intended to strengthen the republicanism's claim to be fit for purpose as practical philosophy. These other ideals do not, he argues, "mirror concerns displayed in the same everyday and universal manner as the concern with not being under the power of others[31]". I hope these few examples illustrate a genuinely distinctive and valuable - although by no means entirely unique - tendency within republicanism to show concern for issues of political action and political strategy, a concern that connects with currents within realism.

[29] *Ibid,* p.xxvi.
[30] 2015b, p.15.
[31] 2017, p.3.

6.2.1. *Conservative realism*

The same realist bent is also, however, the source of some problematic tendencies within modern republicanism. In several of the previous chapters, I have disagreed with mainstream republicans writing on the workplace, arguing that their proposals seem to insufficiently recognise the quite radical demands of promoting non-domination. Most obviously, this is found in their defence of what I called 'workplace constitutionalism'. Workplace constitutionalism, consisting of heavy regulation of the workplace (ruling out particularly egregious forms of employer power) and some partial forms of worker influence over managerial decision-making, has clear deficiencies in terms of reducing domination compared to alternative proposals like workplace democracy, as I argued in chapter four. Workplace democracy better directly promotes the non-domination of workers, can be recommended on the same grounds on which democracy is recommended by republicans in the case of the state, and *even if* it only directly promotes the non-domination of workers equally as well as workplace constitutionalism, workplace democracy can be expected to have *indirect* benefits that tip the balance in its favour. But workplace democracy itself is hardly even rejected in the mainstream literature - it is more often just ignored, or waved-off with a line about feasibility. I hope to have shown that even if there are feasibility concerns with workplace democracy relative to workplace constitutionalism, these are sometimes just misplaced (as with Hsieh's conflation of workplace democracy with non-hierarchical workplaces) and at other times oversold. If workplace democracy and other strategies - like the proposals for a reduction of work I argued for in the last chapter - were really *impossible*, then they would of course be ruled out of contention. I'm not sure anybody would argue that they were impossible. The implicit position appears to be that they would be difficult to win and maintain, and not

yield enough of a return in non-domination to be preferable to more achievable strategies. As a matter of substantive disagreement, I object to the second clause: I see workplace democracy as having very clear advantages in promoting non-domination over workplace constitutionalism. But the general, though implicit objection is one of feasibility and political possibility. To the extent that this kind of objection is at least partly responsible for the mainstream republican support for strategies like workplace constitutionalism - they seem more achievable than their alternatives - it is hard not to see it as an example of the kind of strategic realism expressed in the last section.

It is one thing to be concerned about the feasibility of one's proposals in general - it is a *good* thing, for instance, if we don't work under the assumption of full compliance when offering institutional designs. But it is another thing entirely to adopt what we could call an implicit conservative realism. The idea that realism can lead theorists in a conservative direction has been made before, with reference to the wider realist movement - both detachment and displacement - in political philosophy. The idea that the demands of political action should condition and shape our philosophy can lead, fairly naturally, to a focus on *constraints.* Realists, when they return from their engagement with the political world with a basket of constraints on action and little else, tend to "…preserve the areas where mainstream liberal theory affirms the *status quo* (e.g. its acceptance of the basic framework of liberal democracy) *whilst eliminating the points where liberal demands most visibly exceed what is actually realised within that framework* (e.g. by prescribing a significantly greater degree of material and social equality) [emphasis in original][32]", writes Lorna Finlayson. Because of this tendency, "realism is a de facto conservative force in political theory[33]". Finlayson is at pains to

[32] 2015, p.7.
[33] *Ibid.*

make clear that this isn't a natural consequence of a realist methodology, just one contingent (but popular) interpretation of that methodology.

I think it is fair to suggest that Pettit at least - the case is harder to make about other republicans who spend even less time dwelling on their methodology - exhibits a similar conservative realist streak, and that it embeds itself in his strategic thinking. A good illustration can be found in his self-consciously public-facing book, *Just Freedom,* discussed above in the previous section. Recall that it is intended not primarily for academics, but rather for everyone: people beyond the academy who he hopes to win over to the language of non-domination and republican freedom. In it he attempts to lay the groundwork for republicanism as a living political movement, rather than merely a sub-area of political philosophy[34]. There are various kinds of strategic thinking dotted around the book, but I want to focus on just one passage, since it is especially relevant to the subject of this thesis. On the reasonable grounds that any successful republican political change will involve *electoral* success, he gives an account of a plausible and attractive republican electoral platform, arguing that it stands a better chance of success than its rivals. His chief concern is to highlight the programme's simplicity, writing that it "makes a refreshing contrast to the jumbled, opportunistic shopping lists produced by social democratic and liberal democratic parties at the polls[35]", one that "scores in simplicity, memorability, and the capacity to orient planning over the potpourri of proposals that even the most stable party program represents[36]". The benefits of this simplicity are obvious and well taken - because republican policies flow from a relatively simple ideal,

[34] Including, of course, politicians: Pettit's article on political realism is a more developed version of a chapter in a book he co-authored with José Luis Martí (2010), on the influence of Pettit's work on the Zapatero government in Spain.
[35] 2014, p.102.
[36] *Ibid.*

freedom from domination, they can be truthfully and easily presented as a coherent and memorable plan of action.

The policies themselves are intended to highlight the demanding character of a republican electoral platform. At the risk of quoting unnecessary material, I reproduce the entire list here in shortened form[37].

1. Defend taxation as essential, "distinguishing it sharply from any sort of theft".
2. Acknowledge the connection between inequalities of wealth and status, and indict tax-avoiding elites.
3. Maintain a sustainable natural environment, as well as "a suitable urban and institutional environment".
4. Look for a "legal and economic order in which the exposure to possible abuse" is minimised.
5. Argue for a "public system of social, medical, and judicial security - and a form of financial security - for everyone".
6. Argue for rights and powers to help "vulnerable domestic partners" avoid living in "fear and deference".
7. Argue for constraints in the workplace that prevent employers from the right to fire without cause, "imposing something like a requirement to defend an appeal against dismissal in an agreed forum".
8. Somewhat constrain the ability of unions to resort to strike action, perhaps requiring prior arbitration with an employer.
9. Make it easier for individuals to pursue civil claims against large multinationals on a more even footing.

[37] All quoted portions of the following list are found in Pettit 2014, pp.104-105.

10. Support strong limits on the state's criminal justice system, including surveillance and sentencing.

11. Support restorative justice programmes for certain offenders.

12. Allow corporations and churches to be prosecuted in the criminal justice system, with the hope that the "ignominy attached to a criminal sentence" will rein in powerful corporate agents.

What can we make of this list? It seems fair to say that these demands are simple, in that they emerge from a theoretically compact focus on freedom from domination. They are of course *not* simple in another sense of the word - many of the proposals are very vague. Point 4, for instance, is little more than a restatement of the republican goal. But this list is not a finished party platform, nor is it intended to be dropped through voters' letterboxes, so the simplicity point stands as it is intended - it is coherent, and the link between theory and policy is relatively straightforward. But the claim that it is demanding is more mysterious. My point isn't just that some of the points on the list are relatively conservative, but that they are *much more conservative than other, similar demands Pettit makes elsewhere in his work.*

As an example of the former, take, for instance, items 7 and 8. Together they provide the sole illustrations of a republican policy platform's approach to work and the workplace. Point 7 is little more than a defence of the status quo in the UK - employers are already unable to fire at will and without cause, and already are required to justify their decision in a court of appeal (notably not just in 'an agreed forum', which could well describe forms of arbitration internal to the firm, and therefore less clearly independent). It would of course require reversing the recent hike in employment tribunal fees in order to give many workers access to that existing, formal right. And such a defence may well

be necessary, given the open support of several Conservative MPs for moving towards US-style employment law. Point 8 would require a further tightening of union law in the form of compulsory arbitration processes, restricting the already narrow scope of legal strike action[38]. Neither change is likely to radically reduce domination in the workplace. And to come away from this illustrative list with the impression that this is what republicans see as domination in the workplace - a form of fire-at-will which is all but eliminated in many countries, and the haste with which unions are able to call strikes - would certainly leave you unclear about why Pettit thinks that modern republicanism is particularly well-suited to voice the concerns of socialists[39].

To illustrate the second and perhaps more important comparative point, take a more ill-defined item on the list: item 5, the demand for a public system of social, medical, judicial, and financial security. The framing is vague, and calling for a public system of 'security' in any of these arenas is deeply ambiguous. Security in which sense? A sufficientarian floor below which nobody is allowed to fall? If so, at which level is this to be set? In other contexts (prior to the publication of *Just Freedom*), Pettit makes the case for a much more concrete version of this policy, a universal basic income that would unconditionally allow people to live independently of any employer, as discussed in chapter three. A UBI of this sort would be a solid example of a republican policy goal, and yet Pettit's illustrative list of a republican electoral package contains only this more general aspiration, one consistent with much more conservative interpretations - after all, the UK currently offers *some* form of judicial, social, medical and financial security. But this is nothing like the (quite demanding indeed, as I argued) republican UBI he argues

[38] Some highlights of the long list of anti-union legislation introduced in the UK since 1979: prohibition of secondary strike action; mandatory postal balloting for strike action; notice periods in advance of any strike; and serious penalties for non-compliant unions, including the abilities for employers to apply for injunctions and sue for damages (Pyper 2017).

[39] Pettit 1997, p.134.

for elsewhere: one that should, among other things, be practically removed from democratic contestation once introduced. If it is not, then recipients will be dependent on the good will of the majority, who could at any election withdraw that income as one might withdraw a gift[40]. This is no small proposal, and it is central to Pettit's republican policy developed elsewhere, yet it fails to appear in his case for an electorally appealing republicanism.

I suggest that when seen as expressing a strategic conservatism, it makes perfect sense that the more 'public-facing' and explicitly practical the setting, the less radical Pettit wants his proposals to appear. There are hints that this is precisely the idea. In the same book he writes that republican policy proposals can be seen as "challenging yet sensible[41]", comparing favourably to the purportedly implausible levels of material equality demanded by forms of luck egalitarianism and Rawlsian liberalism. Or, slightly earlier, he writes that if we ask too much in the name of non-domination, "the ideal might begin to look like an inherently unsatisfiable demand, something not appropriate for the guidance of real-world policy-making[42]". It is important to note that this is not because he thinks non-domination actually *is* inappropriate for practical guidance: as I showed above, he thinks that it is appropriately non-utopian, anti-transcendental, and so on, to be able to provide targets at which we can aim, and to allow us to judge between various proposals according to how well they meet those targets. Rather, he implies here a claim about political psychology. Demand too much and you will *appear* to be making implausible demands, which make your programme unappealing, electorally unsuccessful and, ultimately, politically impotent. The appearance of moderation is a virtue, on this account, in a political platform. And just as this makes sense of Pettit's different presentation of

[40] Pettit 2007, and chapter three of this thesis.
[41] 2014, p.108.
[42] *Ibid,* p.98.

the republican programme depending on the intended audience, it could too make sense of his more general reluctance (as I've argued throughout the thesis) to take the pursuit of a relatively radical notion of non-domination in the workplace to its natural conclusions. Frank Lovett also argues for the rhetorical appeal of the centre ground. One of the reasons for the current dampened fortunes of redistributive liberalism, he argues, is that it can no longer claim to be the sensible middle-point between the right-wing and socialism - the fall of the Soviet Union means that socialism is no longer on the political agenda, so redistribution ends up caricatured as an extreme, left fringe. Republicanism, by appealing to the value of freedom Lovett sees as closely associated with the right, can act as a new centre-ground in the political imagination, demanding the redistributive goals of liberalism but from a perspective more amenable to the moderate electorate[43]. This too takes the *appearance* of moderation to be an unalloyed good from a strategic point of view, and so, therefore, would presumably attach value to those proposals and priorities that can best maintain this appearance. On this picture, appearing "challenging yet sensible[44]" is a matter of striking a balance between the two - the more of a challenge a proposal poses to the status quo, the less sensible it appears. So the tendency, even if it is a defeasible and scattered tendency, will be to reduce the demands one makes of the status quo in pursuit of appearing sensible and, therefore, attractive.

One strange feature of this tactic of strategic moderation is that it remains almost entirely un-argued, in Pettit (I have cited the bulk of his writing on the topic) or elsewhere. It is presented as a natural consequence of being concerned with issues of feasibility, motivational and rhetorical appeal, rather than one particular and contingent articulation of that concern. So the first point to make, analogous with the wider critique

[43] 2010, introduction, p.xvii.
[44] Pettit 2014, p.108.

of realism, is that we should be careful not to confuse a commitment to realist methodologies with this particular, narrow and conservative strategic realism: the former can still be valuable even if it is sometimes incorrectly taken to require the latter. More substantively, I suggest that this conservative realism isn't clearly the correct approach. I can't do much *more* than suggest it, since it is, at least in principle, an empirical question - studies of voting patterns and political psychology would presumably form the starting point of actually testing the approach. There are two problems. The first is that it is by no means clear that the appearance of moderation has the kind of broad and motivating rhetorical appeal that the conservative approach requires it to have. Look around at currently popular political movements and it is hard to find one that bases its support in the relative preservation of the status quo, for better or for worse - if it was *ever* easy to find evidence of the mass appeal of self-consciously moderate political programmes, it isn't anymore. The second problem is more removed. Even if we accept the idea that appearing to preserve the status quo is a straightforward rhetorical virtue, then a thoroughgoing republican movement wouldn't be able to sustain that appearance for long. Assume it succeeds in presenting the promotion of non-domination as a moderate aim, and so attracts mass support. The promotion of non-domination would require, even on the most mainstream interpretations, some significant disruption of existing power structures. With regard to work, at any rate, even workplace constitutionalism would involve greatly increasing workers' power relative to employers, and the accompanying systems of 'economic security' that Pettit favours would be, as has already been discussed, a drastic change from the status quo. This is no surprise. Domination exists for a reason, and is defended by those whom it benefits. If support for a republican programme were conditional on its apparent moderation, then these supporters will get a surprise when the ultimately quite radical nature of its reforms becomes clear, and that

conditional support will disappear. And once the *victims* of those reforms - employers, the very rich, and so on - become aware of their widespread and increasing support, they will quite reasonably attempt to show that they are impractical, unrealistic, utopian, and unacceptably radical. In short, a republican programme cannot *be* radical and *appear* conservative for long, even if we think that would be rhetorically helpful: if it starts to look like it is working, it will be presented as radical and therefore unacceptable by those who have an interest in defending the status quo. The problem with this conservative realist streak, then, is that it encourages a strategy that only stands a chance of working if republicans *genuinely* lower their expectations, and really do demand much less of the status quo. Only then would the purported rhetorical appeal of moderation be sustainable.

6.2.2. *The state and rhetorical positioning*

This kind of strategic thinking throws up another problem in modern republicanism - or, at least, another methodological feature that I see as unhelpful and which may tell against the pursuit of non-domination within the republican frame. It concerns the relationship between the goal of non-domination and the state, and especially the rhetorical role of that relationship. The role of the state in contemporary republicanism has been somewhat sidelined in this thesis, certainly so in comparison to much work within the republican canon itself: the design, defence, reform, and use of state power is a quintessentially republican concern. I've focused on the elements of modern republicanism that instead turn to look at what is sometimes called 'social' or 'private' or 'horizontal' domination[45]:

[45] Counterposed with, respectively, 'political', 'public', and 'vertical' domination, each describing the domination of citizens by the state. Each pair of terms leaves something to be desired in terms of precision. 'Social' domination is, in many senses, political, as long as we mean something more than 'what goes on in parliaments'; 'private' domination uses a highly

domination of non-state agents by non-state agents. Of course, the state looms large in the discussion of these various kinds of 'social' domination, whether it is the state *enabling* the private domination of workers by their employers, or the state being the primary agent of *reducing* domination in the form of regulation, changing the organising principles of firms, and so on. But the state itself has not been centred in these discussions in the way that it is in the republican project more generally.

The republican attitude towards the state has two faces, negative and positive. On the one hand, the state is a grave risk to the non-domination of citizens: it wields enormous power, there are very high costs to exit, and it is very difficult to place under the control of those whom that power affects. To reverse the parallel-case argument advanced in chapter four, if we should be concerned about the plight of workers in even imperfectly democratic workplaces, we should *certainly* be concerned with the plight of citizens in modern states. Unless properly controlled by its citizens, the state represents a serious blow to freedom as non-domination and, given that all democratic control mechanisms are difficult to introduce and maintain, and perhaps impossible to securely and reliably sustain over the long-term, even relatively democratic states are a serious *risk* to their citizens' freedom as non-domination. If state power *can* be controlled, and freedom from state domination thereby achieved, then it will be a difficult and permanently ongoing task to maintain that freedom. On the other hand, modern republicanism stresses that state power *need not be* dominating. Even enormous concentrations of state power, reaching far into what might commonly be supposed to be the 'private sphere', need not be dominating. Furthermore, we need state power in order

specific sense of privacy, where the more normal connotation might be that this is a kind of domination carried out in private, or that it is not a public matter of concern, both of which are false; and since all domination involves power imbalances, and often explicit, formal hierarchies, it seems strange to describe, say, the power of an employer over a worker as 'horizontal'.

to combat domination from other sources. To shy away from an active, powerful, and interventionist state, on the grounds that it poses a risk to citizens' non-domination, would be to give up our best, and sometimes our only strategies for fighting domination from private sources - employers, dominant social groups, and so on. Formally, both of these attitudes coexist within the republican project, and in fact lend it that simplicity that was discussed in the previous section. The goal of non-domination leads us to both value state power as indispensable, and also to take seriously the threat of domination that state power represents. It gives us a goal and a set of constraints on strategies to achieve that goal, all in one.

In practice, however, contemporary republicanism is lopsided in its attitude towards the state. Rather less emphasis is placed on the *risks* of state power compared to the more positive aspects - the idea that state power, because it can be made non-dominating or less dominating, should be enthusiastically increased and expanded, all the better to fight other forms of domination. The overall picture is one of wholehearted defence of the state: its existence, its use, and the genuine possibility and ease with which it can be rendered non-dominating. There is a rhetorical goal here. Contemporary republicans aren't just interested in rhetorical success in seminar rooms, but in the existing world of political discourse. In that discourse, it is much more important (so the argument goes) to defend against what Frank Lovett calls "common-sense libertarianism[46]" than it is to defend against anyone who is *too* fond of an active state. Very few people vociferously argue for drastic increases in state power; many people, with a great deal of power and influence, want to restrict state involvement in purportedly 'private' spheres: the economy, the management of the firm, the family, and so on. These common-sense libertarians make the compelling argument that any state interference

[46] 2010, p.234.

represents unfreedom, and so should be resisted. There might be very good reasons to show that their arguments are contradictory or unconvincing, but this does little to dull their intuitive force: big government is bad for freedom. Pettit and Lovett, at least, see this kind of line as the primary opponent of progressive political projects the world over, and so a key rhetorical goal of republicanism is to act as a sort of state apologism, defending the idea of a freedom-*enhancing* 'big government'. What is formally only half of the story becomes the headline: the rhetorical task of justifying state power comes to the fore.

There are two problems with this kind of rhetorical lopsidedness. First, I suggest that it seems ineffective. This is not to say that the identification of freedom with something like non-domination as opposed to mere lack of state interference isn't rhetorically effective, even very effective, in some circumstances. For instance, mainstream republicans are right when they laud the value of having a freedom-based response to free market policies. When critiques of the free market - and the closely related defences of an almost unlimited right for employers to use their property without constraint - can claim a monopoly on freedom, important ground is lost. To take an example from the arguments developed in this thesis, I suggest that power and freedom from domination are not just good conceptual tools with which to look at modern workplaces: they are likely to be rhetorical correctives to the prevailing view that 'freedom' in workplaces is chiefly freedom of one's employer from the constraints of public and political concern, freedom to offer and enforce whichever employment contracts they wish. In short, this identification allows us to argue effectively that many non-state actors represent serious *threats* to one's freedom. But when the primary goal is disarming a critique of state power (rather than exposing other threats to one's freedom), the strategy seems a little optimistic. Do you think that the state is a sinister, power-hungry collection of elites, plotting to constrain your pre-political freedom? Worry no

more, political philosophers are here to tell you that you need to change what you mean by 'freedom'! Of course, this characterisation isn't particularly charitable. Lovett, at least, freely admits that while he is optimistic about the rhetorical power of non-domination in this regard, he has not set himself the task of creating the 'public face' of republicanism[47]. There is presumably some finessing to be done. Nevertheless, I suggest we have good reason to think that it is precisely where the rhetorical power of freedom as non-domination is *weakest* that contemporary republicans lean upon it the hardest. To my mind, the most effective use of the language of non-domination is as a language of critique, an *expansion* of the set of threats and harms posed by concentrations of power, rather than as a balm for those with an existing fear of state power. The fact that republicans are keen to stress the latter is liable to dull the force of the former.

Secondly, and closely related, is the choice of target. It is by no means clear that 'common-sense libertarianism' is the most important rhetorical opponent standing in the way of promoting non-domination. It is certainly true that the tendency to associate political freedom with *market* freedom - common to the libertarian right and the neoliberal centre - is a keen threat to any of the strategies for reducing domination in that domain that even a minimally thoroughgoing republicanism would require. But just as dangerous (although perhaps only particularly apparent in the last decade) is the more-or-less global resurgence of right nationalism *very* keen to use and increase state power for other goals[48]. Non-domination could provide a powerful language of critique of, for instance, the use of state power to target racial or religious minorities, but it does so less easily when it is used, as it is in much contemporary republicanism, to chiefly show how *easy* it is for state power to be rendered non-dominating. More substantively, Pettit's

[47] *Ibid.*
[48] Of which Trump, Orban, and Duterte are just three successful examples.

particular brand of republicanism is also ill-suited to rhetorically rivalling a powerful language of political critique - the language of control and self-direction. Pettit certainly argues for a state controlled by its citizens, but he has a marked coolness towards direct or non-state forms of democracy, preferring 'contestatory' state mechanisms to 'authorial' ones[49]. The people don't have to contribute to making policy in order to control the state, but rather must have the right to contest it once made by others - representatives, sometimes, but also technocrats and skilled elites.

To be clear, I am not arguing against this strategy here in principle: there is not the space, and it has not been my central concern throughout the thesis. But the *rhetorical* effect of this kind of approach means that mainstream, Pettit-style republicanism is ill-equipped to deal with the language of disengagement, faraway elites, and a loss of control over the circumstances of one's life, all of which are mobilised in the general pursuit of 'choice-based' market frameworks and more obviously sinister right populism. The language of non-domination is certainly capable of contesting these notions of control and self-direction. As I showed in my discussion of workplace democracy, direct and participatory democratic structures don't need to be definitionally connected to non-domination in order to be some of the *best,* most effective strategies to promote non-domination. Pursuing widespread, participatory democratisation both within and outside the state is a strategy that seems to me to be recommended on rhetorical grounds as well as philosophical ones, but it is a strategy that Pettit and other mainstream republicans typically shy away from.

[49] For discussion on this point, see, e.g., McMahon 2005.

6.3.1. *Non-domination outside republicanism: what is lost?*

The organising question of this final chapter is simple - 'if we want to pursue non-domination, should we be republicans?'. At face value, all of the arguments in this thesis could be construed as friendly additions to the "normative and institutional research program[50]" of republicanism that Lovett and Pettit encourage. And, because their particular brand of republicanism is less closely tied to a historical or existing tradition of political thought, the conceptual core of an opposition to domination is more or less *all* that is required to operate within its bounds: the answer to that organising question is, on this view, 'yes'. But this seems like far too elastic a definition of republicanism to be of very much use. In this chapter, I've looked at some of the ancillary planks in contemporary republicanism: the methodological and rhetorical tendencies, some shared assumptions which characterise what we could call 'the republican approach'. If we consider these to be tied to the republican project, then thinking that these tendencies limit the pursuit of non-domination means departing from that project. I suggest that this is the right way to go. Taking what is good from the modern republican project, the best way of thinking about strategies to reduce domination, especially in the world of work, is outside of republicanism itself. Below I will give another positive reason for doing so, which relates to what some theorists have called 'left-wing convergence'. But first, it is worth acknowledging what is lost if we decide that republicanism is not the best home for a contemporary politics of anti-domination.

Despite the willingness to depart from republicanism's historical roots on the part of many of the mainstream theorists I've discussed, there is certainly value in the fact that the language of republicanism is a language still spoken, more or less well and more or

[50] 2009.

less overlapping with other political languages, across the world. Cecile Laborde, in her survey of the contemporary republican project, writes that whatever the appeal of the language of non-domination in a philosophical setting, we should recognise "…the independent attractiveness of republican language in other contexts, notably non-academic and non-Anglophone, where republican ideals operate as powerful ideological rhetoric[51]". Precisely by engaging with an existing tradition of political thought, where it exists, "…the republican ideal of collective non-domination allows citizens and political activists to deploy a rich language of civic solidarity, pursuit of the common good of justice, and shared commitment to the republic, above and beyond the profound differences that otherwise divide them.[52]". That is, no matter how much Pettit and others want to let the contemporary normative significance of republican political philosophy float free from its roots in various political cultures, those roots mean that in appropriate contexts, using the language of republicanism can have rhetorical force in a way that the language of liberalism or socialism might not.

This is lost, at least to some degree, if instead we adopt an even *more* free-floating anti-domination politics. Not all of it is lost, as I will argue in section 3.2 of this chapter. But some of it certainly is. Where republicanism already functions as a sort of public philosophy, even in name only, then a reclaimed politics of republicanism might be expected to have some extra clout compared to a similar project without what we could, if we really wanted to, call that 'brand recognition'. This is what Michael Sandel - although not working within the same kind of contemporary republicanism that I focus on here - is attempting to do in the US, for instance[53]. And Laborde's identification of non-Anglophone settings is also important. In countries like France, whether or not one is a

[51] 2008, p.529.
[52] *Ibid,* p.531.
[53] Most influentially in Sandel 1996.

republican one will have to talk *about* republicanism in some sense, since it is a public philosophy with which one will have to engage. But because this is a question about strategic and rhetorical success, it is also relevant that *within* Anglophone countries, the language of republics and republicanism will not draw a blank, but instead connote some very specific or partial political projects. In the US, the prevailing non-academic connotation is with the right-wing political party, and its current mix of neoliberalism and, at best, social conservatism. In the UK, it connotes the movement to finally abandon our attenuated and largely symbolic monarchy, occasionally popping up in the news during royal weddings before largely submerging again until the next one (perhaps equally often, it connotes the US political party). In Australia and New Zealand it *also* connotes a movement to abandon the UK's monarch, and have an elected head of state. In the Republic and North of Ireland, republicanism is, of course, very much a living political language. But here, too, it connotes an ongoing struggle for independence from the UK, one more to do with colonial history, occupation, and sectarian conflict than it is to do with the more general ideal of non-domination. These competing remnants of republican political culture[54] present their own problems with trying to resurrect republicanism as a contemporary political language - they contour the rhetorical terrain on which that sort of project would have to work. In these contexts, where republican culture is neither really living nor dead, there is much less of an obvious rhetorical benefit to its historical roots.

[54] It is of course wrong to call republican culture a 'remnant' in the Irish context, but the point stands that Irish republicanism also presents a rhetorical stumbling block for projects like Pettit's.

6.3.2. *What is gained?*

I've already given some reasons for erring on the side of pursuing non-domination *outside* the contemporary republican project. Most of these have been negative. As above, I see some of the implicit strategic conservatism, and the particular attitude towards the state and state action, as limitations on mainstream, Pettit-style republicans' willingness to adopt what I see as sufficiently radical or democratic means by which to reduce domination. Instead they favour strategies like workplace constitutionalism, a skepticism towards (or lack of engagement with) the idea of workplace democracy, and a reliance instead on indirect and often technocratic methods of state regulation. And to the extent that these are what we could call load-bearing faults, this means that the purportedly open and exploratory normative and institutional research programme is in fact not as open as they might suspect.

But there are also some more positive reasons for retreating from republicanism. Doing so, and pursuing non-domination unhitched from any particular tradition of political thought, allows a freer and more magpie-like engagement with the many other contexts in which domination is (or could be) theorised in broadly the same sense, but which have received less academic attention. And the benefits of that engagement could be felt in the diversity of strategies and priorities those other contexts demand. This sort of project, in fact, is already underway in some quarters. Ruth Kinna and Alex Prichard stress the commonalities between the twin (but largely unconnected) revivals in republican and anarchist thought within academic political philosophy, "both coming to prominence espousing a normative political philosophy that equates freedom with non-domination[55]". This is no mere chance similarity of wording. Some modern anarchists use

[55] Forthcoming, p.2.

the term 'domination' in a superficially similar but ultimately much, much more expansive sense - Uri Gordon, for instance, uses domination as an umbrella concept into which falls the already capacious concept of oppression[56]. But others, Kinna and Prichard included, argue explicitly that anarchist conceptions of domination can be described in broadly similar terms as Pettit's, and that anarchists have suffered from a lack of "engagement with the comparable neo-Roman lexicon[57]". Both bodies of political thought, they argue, are different expressions of the same conceptual core of an opposition to domination as arbitrary power. The picture they paint is remarkably similar to Lovett and Pettit's model of a strategically open institutional research programme. There are differences between the two camps, obviously enough, but these are just importantly different answers to the same question: "which institutions do best by freedom?[58]". Anarchists are deeply wedded to the idea that the state and private property come out very badly on this calculus, and republicans like Pettit (Kinna and Prichard argue) too often treat the state and private property as "essential background conditions for freedom as non-domination[59]". By bringing some traditional anarchist insights to bear on the republican revival, they see themselves as reminding Pettit and his ilk of the dangers of private property as a structural constraint on freedom, and challenging this sanguine view of concentrated state power as basically emancipatory. And in turn, by acquainting anarchists with some of the more recent republican work on non-domination, they hope to use Pettit's ideas of constitutionalism to help explore anarchist possibilities of non-state, non-dominating political organisation.

[56] 2008.
[57] Forthcoming, p.3.
[58] *Ibid,* p.4, quoting Pettit 1992, p.100.
[59] *Ibid.*

On this way of conceptualising the modern republican project - as a particular set of answers to a broader question of which institutions do best by non-domination - my position is fairly clearly distinguished from the republicanism that has been the subject of this thesis. To caricature, republicanism (of that kind) opts for an approach that is very pro-state, pro-democracy at the level of that state, and fairly unconcerned with disrupting the basic relations of authority in the workplace, instead relying upon workplace constitutionalism. Anarchism gives an answer that is anti-statist and anti-capitalist. On this strategic picture, I have argued for a more or less libertarian socialist answer to that same question: anti-capitalist (at the very least, against the control of productive enterprises by their owners, when those owners are not their workers), not anti-statist in the anarchist sense, in favour of democracy at both state and non-state levels, and not content with state ownership in the classical state socialist sense. But, like republicanism, my approach is conceptually simple, because structured around the pursuit of non-domination.

"The richness of Republican political theory and its emancipatory force", write Kinna and Prichard, "is revealed through the recovery of anarchist analysis[60]". This is one-sided. The richness of *both* anarchist and Republican political theory is revealed through the interaction of both on the common ground of the pursuit of non-domination. Alex Prichard and Owen Worth make a wider argument: that vast swathes of broadly left-wing political theory can make common ground in this way, a process they naturally enough call "Left-wing convergence[61]". "Non-domination is open in a way that permits both an anarchist politics and a pragmatic left to mutually sustain a concerted critique[62]",

[60] *Ibid,* p.27.
[61] 2016.
[62] 2016, p.6.

they write, echoing Pettit's more proprietary statement that the complaints of many different political traditions - environmentalism, feminism, socialism, and multiculturalism - "can be cast as republican causes[63]". Prichard and Worth are not arguing that we should all be republicans, but rather that through the *language* of republicanism, various more or less radically left-wing challenges to the status quo can find a turf on which to engage and pool strategic resources. They focus on the ways in which the often-fractious relationship between Marxists and anarchists can find common ground through non-domination which, recalling Marx and Engels' own use of the language of domination and unfreedom in the workplace discussed in chapter two, seems to me to be fairly likely. There are potential stumbling blocks involved in making non-domination a common language, as all three authors recognise. For instance, were it the case - as theorists like Gourevitch sometimes seem to think - that mainstream republican conceptions of domination are too narrow to allow the sorts of structural critiques of capitalism that socialists and others are firmly (and rightly) wedded to making, then it would struggle to play that role. Kinna and Prichard underplay this worry, interpreting existing left-wing critiques of Pettit largely as disagreements about what to *do* to reduce domination, rather than disagreements about how we should think about domination itself. But I hope to have shown in chapter two that these worries, while they exist, are misplaced, and that republican accounts of non-domination are more expansive than sometimes thought. In this sense, there is one fewer barrier to the sort of strategic convergence that Prichard and Worth imagine.

With the strategic bent of this current chapter in mind, there is another benefit of seeing non-domination as a common language, rather than just the cornerstone of a particularly capacious kind of republicanism: we can incorporate the fruits of the various

[63] 1997, p.134.

strategic discussions found in political contexts with different practical priorities. We have already seen how the republican focus on statecraft leads to a particular interest in problems of constitutional design, sustainable institutions, and regulation. In chapter five I drew upon the tech-utopian literature of post-work theorists, whose own practical context involves drawing out the possibilities of emerging automation technology. Anarchists bring other practical concerns to the fore - the small-scale problems of political organising on the level of dozens or hundreds of people, rather than the level of the state, have led to some critical analysis of the problems of social domination even in the absence of any formal hierarchy[64], and careful consideration of the 'prefigurative' and counterproductive effects of various forms of vanguardism[65]. Some Black feminist theorists in the US, Patricia Hill Collins being perhaps the most relevant example[66], have also spoken in terms of domination (although often in a quite expansive sense). Their practical concerns involved not just identifying the social bases of domination, but also trying to make sense of the interactions between various 'systems of domination' - most centrally of race, class, and gender - and fighting the analytical invisibility of groups falling at the 'intersections' of those systems in existing liberation movements, which *de facto* focused primarily or solely on the dominant members of their respective interest groups[67]. Not only would republican work on non-domination benefit from engagement with these other practical contexts, but the promotion of non-domination *in general* would benefit from a dialogue between these various bodies of political thought.

Ultimately, I suspect that the arguments in this chapter will be amenable to lots of theorists who consider themselves firmly situated within republicanism. They may, if

[64] See Ehrlich 1977 for discussion.
[65] See, e.g., Gordon 2008, Raekstad 2018.
[66] See, e.g., Hill Collins 2009.
[67] Black men, White women, and so on.

they agree with me about the limitations of the (neo) republican project, argue that all of my goals can be pursued within republicanism. I have no quarrel with that: to that extent, this chapter really *is* just about a choice of words. But I hope that the arguments in this chapter persuade those republicans that there are benefits to un-mooring non-domination from the *specific kind* of republican project, centred around Philip Pettit and Frank Lovett, that has been the central object of analysis in this thesis. Indeed, that there are good reasons to think that some of the things that make that project attractive - its attention to simplicity, rhetorical and practical success, and strategy - can be better achieved outside that framework. The point can be made by analogy with something Pettit writes about libertarian ideas of property ownership. While defending a research programme that is experimental and open with regard to how to best reduce domination, he wants "to insist that that research program should not be inhibited by libertarian presumptions about the market that are implicit in much contemporary thinking[68]". I want to insist that that research programme should not be inhibited by the methodological presumptions and tendencies that are implicit in much contemporary mainstream republicanism. And, because I am ultimately most closely interested in the idea of non-domination, rather than the thicker and more expansive conceptual core of other traditions within republicanism, I see more hope of a genuinely strategically open research project outside of republicanism altogether.

[68] Pettit 2013, n.p.

Allen, A. (ed., 1998), *Debating Democracy's Discontent: Essays on American Politics, Law, and Public Philosophy,* Oxford University Press.

Anderson, E. (2015), "Equality and Freedom in the Workplace: Recovering Republican Insights", *Social Philosophy and Policy* 31(2), pp.48-69.

Anderson, E. (2017), *Private Government,* Princeton University Press, Oxford.

Arneson, R.J. (1995), "Democratic Rights at National and Workplace Levels", in Copp.D, Hampton, J. and Roemer, J. (ed.) *The Idea of Democracy,* Cambridge University Press, pp.118-149.

Baderin, A. (2014), "Two Forms of Realism in Political Theory", *Political Theory* 13(2), pp.132-153.

Basic Income Earth Network (n.d.), "What is Basic Income?". Retrieved September 28, 2018, from https://basicincome.org/basic-income/.

Beckman, L. and Rosenberg, J.H. (2018), "Freedom as Non-domination and Democratic Inclusion", *Res Publica* 24, pp.181-198.

Bekken, J. (2000), "Arguments for a Four-Hour Day", *IWW Historical Archive.* Received October 2, 2018, from https://www.iww.org/history/library/misc/Bekken2000.

Bertram, C., Gourevitch, A., and Robin, C. (2012), "Let it Bleed: Libertarianism and the Workplace", *Crooked Timber*. Retrieved August 27, 2017, from http://crookedtimber. org/2012/07/01/let-it-bleed-libertarianism-and-the-workplace/

Birnbaum, S. and Casassas, D. (2008), "Social Republicanism and Basic Income", in Leighton, D. and White, S. (ed.) *Building a Citizen Society,* Lawrence and Wishart Limited, London, pp.75-83.

Birnbaum, S. and De Wispelaere, J. (2016), "Basic Income in the Capitalist Economy", *Basic Income Studies* 11(1), pp.61-74.

Blunt, G.D. (2015), "On the Source, Site, and Modes of Domination", *Journal of Political Power* 8(1), pp.5-20.

Booth, R. (2016), "Maoist cult leader jailed for 23 Years as 'Slave' daughter goes public", *The Guardian*. Retrieved August 27, 2017, from https://www.theguardian.com/uk- news/2016/jan/29/maoist-cult-leader-jailed-for-23-years-as-slave-daughter-goes- public.

Bordieu, P. (1998), *Acts of Resistance,* Polity Press, London.

Breen, K. (2015), "Freedom, Republicanism, and Workplace Democracy", *Critical Review of International Social and Political Philosophy* 18(4), pp.470-485.

Breen, K. (2017), "Non-Domination, Workplace Republicanism, and the Justification of Worker Voice and Control", *International Journal of Comparative Labour Law and Industrial Relations* 33(3), pp. 419-439.

Brennan, G. and Pettit, P. (2007), "The Feasibility Issue", in Jackson, F. and Smith, M. (ed.) *The Oxford Handbook of Contemporary Philosophy,* Oxford University Press, pp.259-278.

Carter, N. (2006), "Political Participation and the Workplace: the Spillover Thesis Revisited", *The British Journal of Politics and International Relations* 8(3), pp.410-426.

Casassas, D. (2016), "Economic Sovereignty as the Democratisation of Work: The Role of Basic Income", *Basic Income Studies* 11(1), pp.1-15.

Casassas, D. and De Wispelaere, J. (2016), "Republicanism and the Political Economy of Democracy", *European Journal of Social Theory* 19(2), pp.283-300.

Chamberlain, J.A. (2015), "Bending Over Backwards: Flexibility, Freedom and Domination in Contemporary Work", *Constellations* 22(1), pp.91-104.

Cobain, I. (2018), "'Subversive' Civil Servants Secretly Blacklisted Under Thatcher", *The Guardian.* Retrieved September 29, 2018, from https://www.theguardian.com/uk-news/2018/jul/24/subversive-civil-servants-secretly-blacklisted-under-thatcher.

Coffee, A. (2013), "Mary Wollstonecraft, Freedom and the Enduring Power of Social Domination", *European Journal of Political Theory* 12(2), pp.116–135.

Cohen, J. (1989), "The Economic Basis of Deliberative Democracy", *Social Philosophy and Policy* 6(2), pp.25-50.

Cope, L. (2017), "Phones Confiscated For Weeks and Sick Buckets in the Classroom - Tough New Rules at Norfolk School", *Eastern Daily Press.* Retrieved September 29, 2018, from http://www.edp24.co.uk/news/education/phones-confiscated-for-weeks-and-sick-buckets-in-the-classroom-tough-new-rules-at-norfolk-school-1-5188326.

Dagger, R. (2006), "Neo-republicanism and the Civic Economy", *Politics, Philosophy & Economics* 5(2), pp.151-173.

Dahl, R. (1985), *A Preface to Economic Democracy,* Polity Press, Cambridge.

Daly, E. and Hickey, T. (2011), "Religious Freedom and the 'Right to Discriminate' in the Schools Admission Context: A Neo-Republican Critique", *Legal Studies* 31(4), pp.615-643.

Davis, K. (2008), "Intersectionality as Buzzword", *Feminist Theory* 9(1), pp.67-85.

De Wispelaere, J. and Morales, L. (2016), "The Stability of Basic Income: a Constitutional Solution For a Political Problem?", *Journal of Public Policy* 36(4), pp.521-545.

Dow, G. (2003), *Governing the Firm: Worker Control in Theory and Practice,* Cambridge University Press.

Ehrlich, C. (1977), "Socialism, Anarchism and Feminism", *The Anarchist Library.* Retrieved September 29, 2018, from https://theanarchistlibrary.org/library/carol-ehrlich-socialism-anarchism-and-feminism.

Engels, F. (2010), "Draft of a Communist Confession of Faith", in Cohen, J., Cornforth, M., Dobb, M. et al (ed.) *Marx and Engels Collected Works Vol.6,* Lawrence & Wishart/Electric Book.

Finlayson, L. (2015), "With Radicals Like These, Who Needs Conservatives? Doom, Gloom, and Realism in Political Theory", *European Journal of Political Theory* 16(3), pp.264-282.

Frase, P. (2016), *Four Futures: Life After Capitalism,* Verso, London.

Frayne, D. (2015), *The Refusal of Work,* Zed Books, London.

Frey, C.B. and Osborne, M.A (2017), "The Future of Employment: How Susceptible are Jobs to Computerisation?", *Technological Forecasting and Social Change* 114(C), pp.254-280.

Galston, W.A. (2010), "Realism in Political Theory", *Political Theory* 9(4), pp.385-411.

Garrau, M. and Laborde, C. (2015), "Relational Equality, Non-Domination, and Vulnerability", in Fourie, C., Schuppert, F., and Wallimann-Helmer, I. (ed.) *Social Equality: On What it Means to be Equals,* Oxford University Press, pp.45-64.

Gaus, G. (2003), "Backwards Into the Future: Neorepublicanism as a Postsocialist Critique of Market Society", *Social Philosophy and Policy* 20(1), pp.59-91.

Gebreselassie, T. and Golden, L. (2007), "Overemployment and Underemployment Mismatches in the US Work Force", *Monthly Labour Review,* April 2007.

Goffman, E. (1957), "Characteristics of Total Institutions", *Proceedings of the Symposium on Preventive and Social Psychiatry*. Washington, DC: Walter Reed Army Medical Centre. Retrieved August 27, 2017, from https://www.nap.edu/catalog/20228/symposium-on-preventive-and-social-psychiatry.

González-Ricoy, I. (2014a), "The Republican Case For Workplace Democracy", *Social Theory and Practice* 40(2), pp.232-254.

González-Ricoy, I. (2014b), "Firms, States, and Democracy: A Qualified Defence of the Parallel Case Argument", *Law, Ethics and Philosophy* 2, pp.32-57.

Gordon, U. (2007), "Anarchism Reloaded", *Journal of Political Ideologies* 12(1), pp.29-48.

Gordon, U. (2008), *Anarchy Alive!,* Pluto Press, London.

Gourevitch, A. (2013), "Labor Republicanism and the Transformation of Work", *Political Theory* 31(4), pp.591-617.

Gourevitch, A. (2015), *From Slavery to the Cooperative Commonwealth: Labor and Republican Liberty in the Nineteenth Century,* Cambridge University Press.

Gourevitch, A. (2016), "The Limits of a Basic Income: Means and Ends of Workplace Democracy", *Basic Income Studies* 11(1), pp.17-28.

Gourevitch, A. and Stanczyk, L. (2018), "The Basic Income Illusion", *Catalyst* 1(4), n.p.

Hall, E. (2015), "How to do Realistic Political Theory (And Why You Might Want to)", *European Journal of Political Theory* 16(3), pp.283-303.

Haney, C. (2002), "The psychological impact of incarceration: Implications for post-prison adjustment", *The proceedings of the ASPE Conference From Prison To Home: the Effect of Incarceration and Reentry on Children, Families, and Communities*, Washington, DC. Retrieved August 27, 2017, from https://aspe.hhs.gov/basic-report/psychological-impact-incarceration-implications-post-prison-adjustment.

Haslanger, S. (2000), "Gender and race: (What) are they? (What) do we want them to be?", *Noûs* 34(1), pp.31-55.

Haslanger, S. and Saul, J. (2006), "Philosophical Analysis and Social Kinds", *Proceedings of the Aristotelian Society* 106(1), pp.89-118.

Haugaard, M. and Pettit, P. (2017), "A Conversation on Power and Republicanism: an Exchange Between Mark Haugaard and Philip Pettit", *Journal of Political Power* 10(1), pp.25-39.

Helm, T. (2018), "McDonnell: Labour Will Give Power to Workers Through 'Ownership Funds'", *The Guardian.* Retrieved September 20, 2018, from https://www.theguardian.com/politics/2018/sep/08/john-mcdonnell-labour-proposal-workers-ownership-funds.

Hill Collins, P. (2009), *Black Feminist Thought,* Routledge, London.

Honohan, I. (2002), *Civic Republicanism,* Routledge, London.

Hsieh, N. (2005), "Rawlsian Justice and Workplace Republicanism", *Social Theory and Practice* 31(1), pp.115-142.

Hsieh, N. (2008a), "Freedom in the Workplace", in Leighton, D. and White, S. (ed.) *Building a Citizen Society,* Lawrence and Wishart Limited, London, pp.57-67.

Hsieh, N. (2008b), "Justice in Production", *Journal of Political Philosophy* 16(1), pp.72-100.

James, S. (2012), *Sex, Race, and Class - The Perspective of Winning: A Selection of Writings, 1952-2011,* PM Press, Oakland.

Kinna, R. and Prichard, A. (forthcoming), "Anarchism and Non-Domination", *Journal of Political Ideologies,* pp.1-38.

Laborde, C. (2006), "Female Autonomy, Education and the *Hijab*", *Critical Review of International Social and Political Philosophy* 9(3), pp. 351-377.

Laborde, C. (2008), *Critical Republicanism: The Hijab Controversy and Political Philosophy,* Oxford University Press.

Laborde, C. (2010), "Republicanism and Global Justice: A Sketch", *European Journal of Political Theory* 9(1), pp.48-59.

Laborde, C. (2013), "Republicanism", in Freeden, M. and Stears, M. (ed) *The Oxford Handbook of Political Ideologies,* Oxford University Press, pp.513-531.

Laborde, C. and Maynor, J. (2009), "The Republican Contribution to Contemporary Political Theory" in Laborde and Maynor (eds)*, Republicanism and Political Theory,* Blackwell, Oxford, pp.1-28.

Laborde and Maynor (ed., 2009), *Republicanism and Political Theory,* Blackwell, Oxford.

Labour Party (2017), *Alternative Models of Ownership,* report provided to the Shadow Chancellor of the exchequer and the Secretary of State for business, energy, and industrial strategy, retrieved September 26, 2018, from https://labour.org.uk/wp-content/uploads/2017/10/Alternative-Models-of-Ownership.pdf.

Leighton, D. and White, S. (ed., 2008), *Building a Citizen Society*, Lawrence and Wishart Limited, London

Leipold, B. (forthcoming), "Chains and Invisible Threads: Liberty and Domination in Marx's Account of Wage-Slavery", in de Dijn, A. and Dawson, H. (ed.) *Rethinking Liberty Before Liberalism,* Cambridge University Press.

List, C. and Pettit, P. (2011), *Group Agency: The Possibility, Design, and Status of Corporate Agents,* Oxford University Press.

Ling, F. (2018), "The Revolutionary Potential of Universal Basic Income Cannot Be Overstated", *LabourList.* Retrieved September 29th, 2018, from https://labourlist.org/2018/01/140223/.

Lovett, F. (2010), *A General Theory of Domination and Justice,* Oxford University Press.

Lovett, F. (2018), "Republicanism", Zalta, E.N. (ed.) *The Stanford Encyclopaedia of Philosophy* (Summer 2018 Edition)*,* https://plato.stanford.edu/archives/sum2018/entries/republicanism/.

Lovett, F. and Pettit, P. (2009), "Neorepublicanism: A Normative and Institutional Research Program", *Annual Review of Political Science* 12, pp.11-29.

Markell, P. (2008), "The Insufficiency of Non-Domination", *Political Theory* 36(1), pp.9-36.

Marquand, D. (2008), 'The Democratic Republican Tradition in Britain', in Leighton, D. and White, S. (ed.) *Building a Citizen Society,* Lawrence and Wishart Limited, London, pp.23-33.

Martí, J. and Pettit, P. (2010), *A Political Philosophy in Public Life,* Princeton University Press, Oxford.

Marx, K. (2000), Capital: A Critique of Political Economy, Volume 1, Electric Books, London.

McCormack, M., & Murray, D. (2015), "Foreword", *Time to rethink benefits sanctions*. Retrieved August 27, 2017, from http://www.jointpublicissues.org.uk/wp-content/uploads/ rethink-sanctions-report-0315.pdf

McIvor, M. (2009), "Republicanism, Socialism and the Renewal of the Left" in Callaghan, J., Fishman, N., Jackson, B. et al (ed.) *In Search of Social Democracy: Responses to Crisis and Modernisation,* Manchester University Press, pp.252-266.

McLoughlin, K. (2017), "Socially Useful Production in the Defence Industry: the Lucas Aerospace Combine Committee and the Labour Government, 1974-1979", *Contemporary British History* 31(4), pp.524-545.

McMahon, C. (2005), "The Indeterminacy of Republican Policy", *Philosophy & Public Affairs* 33(1), pp.67-93.

Merchant, B. (2015), "Fully Automated Luxury Communism", *The Guardian.* Retrieved October 2, 2018, from https://www.theguardian.com/sustainable-business/2015/mar/18/fully-automated-luxury-communism-robots-employment.

Mills, C. (2005), "'Ideal Theory' as Ideology", *Hypatia* 20(3), pp.165-183.

Nedelkoska, L. and Quintini, G. (2018), "Automation, Skills Use and Training", *OECD Social, Employment and Migration Working Papers,* No.202, OECD Publishing, Paris.

Neiderberger, A. and Schink, P. (ed., 2015), *Republican Democracy,* Edinburgh University Press.

Office For National Statistics (2018), *UK Labour Market, September 2018,* London.

Olsaretti, S. (2004), *Liberty, Desert and the Market,* Cambridge University Press.

O'Neill, M. (2008), "Three Rawlsian Routes Towards Economic Democracy", *Revue de Philosophie Économique* 1(9), pp.29-55.

O'Neill, M. (2012), "Free (and Fair) Markets Without Capitalism", in O'Neill, M and Williamson, T. (ed.), *Property-Owning Democracy,* Blackwell, Oxford, pp.75-100.

O'Neill, M. and Williamson, T. (ed., 2012), *Property-Owning Democracy,* Blackwell, Oxford.

O'Shea, T. (2017), "Civic Republican Medical Ethics", *Journal of Medical Ethics*, 43 (1). pp.
56-59.

Pangle, T. (1998), "The Retrieval of Civic Virtue: A Critical Appreciation of Sandel's Democracy's Discontent", in Allen, A. (ed.) *Debating Democracy's Discontent*, Oxford University Press, pp.17-31.

Pateman, C. (1970), *Participation and Democratic Theory,* Cambridge University Press.

Pettit, P. (1997), *Republicanism: A Theory of Freedom and Government,* Oxford University Press.

Pettit, P. (1998), "Reworking Sandel's Republicanism", in Allen, A. (ed) *Debating Democracy's Discontent,* Oxford University Press, pp.40-60.

Pettit, P. (2006a), "Freedom in the Market", *Politics, Philosophy & Economics* 5(2), pp.131-149.

Pettit, P. (2006b), "The Determinacy of Republican Policy: A Reply to McMahon", *Philosophy & Public Affairs* 34(3), pp.275-283.

Pettit, P. (2007), "A Republican Right to Basic Income?", *Basic Income Studies* 2(2), pp.1-8.

Pettit, P. (2012), *On The People's Terms,* Cambridge University Press

Pettit, P. (2013), "Taking Back the Economy: The Market as Res Publica", *Open Democracy.* Retrieved October 3, 2018, from https://www.opendemocracy.net/ourkingdom/philip-pettit/taking-back-economy-market-as-res-publica.

Pettit, P. (2014), *Just Freedom,* W.W. Norton and Company, London

Pettit, P. (2015a), "Two Republican Traditions", in Neiderberger, A. and Schink, P. (ed.) *Republican Democracy,* Edinburgh University Press, pp.169-205

Pettit, P. (2015b), "Republicanism Across Cultures", in Kwak, J. and Jenco, L. (ed.) *Republicanism in Northeast Asia,* Routledge, London, pp.15-38.

Pettit, P. (2016), "On the People's Terms: a Reply to Bellamy, Levy and Lovett", *Political Theory* 44(5), pp.697-706.

Pettit (2017), "Political Realism Meets Civic Republicanism", *Critical Review of International Social and Political Philosophy* 20(3), pp.331-347.

Phillips, A. (2000), "Feminism and Republicanism: Is This a Plausible Alliance?", *Journal of Political Philosophy* 8(2), pp.279–293.

Pocock, J.G.A. (2016), *The Machiavellian Moment,* Princeton University Press, New Haven.

Prichard, A. and Worth, O. (2016), "Left-Wing Convergence: An Introduction", *Capital & Class* 40(1), pp.3-17.

Pyper, D. (2017), *Trade Union Legislation, 1979-2010,* House of Commons Library Briefing Paper 7882, January 26.

Raekstad, P. (2018), "Revolutionary Practice and Prefigurative Politics: A Clarification and Defence", *Constellations* 25(3), pp.359-372.

Raventos, D. (2007), *Basic Income: The Material Conditions of Freedom*, Pluto Press, London.

Rossi, E. (2016), "Can Realism Move Beyond a *Methodenstreit?*", *Political Theory* 44(3), pp.410-420.

Rossi, E. and Sleat, M. (2014), "Realism in Normative Political Theory", *Philosophy Compass* 9(10), pp.689-701.

Roy, E.A. (2018), "Work Less, Get More: New Zealand Firm's Four Day Week an 'Unmitigated Success'", *The Guardian.* Retrieved September 29, 2018, from https://www.theguardian.com/world/2018/jul/19/work-less-get-more-new-zealand-firms-four-day-week-an-unmitigated-success.

Sabeel Rahman, K. (2017), "Democracy Against Domination: Contesting Economic Power in Progressive and Neorepublican Political Theory", *Contemporary Political Theory* 16(1), pp.41-64.

Sandel, M. (1996), *Democracy's Discontent,* Harvard University Press, London.

Sandel, M. (1998), "Reply to Critics", in Allen, A. (ed.) *Debating Democracy's Discontent,* Oxford University Press, pp.319-335.

Schuppert, F. (2015), "Non-Domination, Non-Alienation and Social Equality: Towards a Republican Understanding of Equality", *Critical Review of International Social and Political Philosophy* 18(4), pp.440-455.

Shane, S. and Wakabayashi, D. (2018), "The Business of War: Google Employees Protest Work for the Pentagon", *New York Times.* Retrieved September 29, 2018, from https://www.nytimes.com/2018/04/04/technology/google-letter-ceo-pentagon-project.html.

Shapiro, I. (2016), *Politics Against Domination,* Harvard University Press, Cambridge, MA.

Skinner, Q. (1998), *Liberty Before Liberalism*, Cambridge University Press.

Skinner, Q. (2016), "A Genealogy of Liberty", *Harry Camp Memorial Lecture,* Stanford, CA: Stanford Humanities Centre.

Skinner, Q. and Marshall, R. (2013), "Liberty, liberalism, and surveillance", OpenDemocracy. Retrieved August 27, 2017, from https://www.opendemocracy.net/ourkingdom/ quentin-skinner-richard-marshall/liberty-liberalism-and-surveillance-historic- overview.

Sleat, M. (2016), "Realism, Liberalism and Non-ideal Theory Or, Are There Two Ways to do Realistic Political Theory?", *Political Studies* 64(1), pp.27-41.

Srnicek, N. and Williams, A. (2016), *Inventing the Future: Postcapitalism and a World Without Work,* Verso, London.

Standing, G. (2011), *The Precariat: the New Dangerous Class,* Bloomsbury, London.

Standing, G. (2017), *Basic Income: and How We Can Make it Happen,* Pelican, London.

Sussman, H. (2009), *Victorian Technology: Invention, Innovation, and the Rise of the Machine,* Praeger, Oxford.

Swain, D. (2012), *Alienation: An Introduction to Marx's Theory,* Bookmarks, London.

Taylor, R.S. (2017), *Exit Left: Market and Mobility in Republican Thought,* Oxford University Press.

Taylor, R.S. (forthcoming), "Donation Without Domination: Private Charity and Republican Liberty", *The Journal of Political Philosophy.*

Thomas, A. (2012), "Property-Owning Democracy, Liberal Republicanism, and the Idea of an Egalitarian Ethos", in O'Neill, M. and Williamson, T. (ed.) *Property-Owning Democracy,* Blackwell, Oxford, pp.101-128.

Thomas, A. (2016), *Republic of Equals: Predistribution and Property-Owning Democracy,* Oxford University Press.

Thompson, M. (2013), "Reconstructing Republican Freedom", *Philosophy & Social Criticism* 39(3), pp.277-298.

Thompson, M. (2015), "The Two Faces of Domination in Republican Political Theory", *European Journal of Political Theory* 17(1), pp.44-64.

Trades Union Congress (2018), *A Future That Works For Working People*, London.

Victoria Costa, M. (2016), "Republican Liberty and Border Controls", *Critical Review of International Social and Political Philosophy*, 19(4), pp. 400-415.

Van Parijs, P. (1995), *Real Freedom For All: What (If Anything) Can Justify Capitalism?*, Clarendon Press, Oxford.

Waldron, J. (1998), "Virtue En Masse", in Allen, A. (ed.) *Debating Democracy's Discontent,* Oxford University Press, pp.32-39.

Watkins, D. (2015), "Republicanism at Work", *Spectra* 4(2), paper 52, pp.1-15

Weeks, K. (2011), *The Problem With Work,* Duke University Press, London.

Wendt, F. (2011), "Slaves, Prisoners, and Republican Freedom", *Res Publica* 17, pp.175–192.

White, S. (2007), "The Republican Case For Basic Income: A Plea For Difficulty", *Basic Income Studies* 2(2), article 12, pp.1-7.

White, S. (2008a), "The Emerging Politics of Republican Democracy", in Leighton, D. and White, S. (ed.) *Building a Citizen Society,* Lawrence and Wishart Limited, London, pp.7-23.

White, S. (2008b), "Markets, Time and Citizenship", in Leighton, D. and White, S. (ed.) *Building a Citizen Society,* Lawrence and Wishart Limited, London, pp.124-137.

White, S. (2011), "The Republican Critique of Capitalism", *Critical Review of International Social and Political Philosophy* 14(5), pp.561-579.

White, S. (2012), "Property-Owning Democracy and Republican Citizenship" in O'Neill, M and Williamson, T. (ed.) *Property-Owning Democracy*, Blackwell, Oxford, pp.129-146.

White, S. (2016), "Republicanism and Property-Owning Democracy: How Are They Connected?", *The Tocqueville Review* 37(2), pp.1-22.

Widerquist, K. (2013), *Independence, Propertylessness, and Basic Income: A Theory of Freedom as the Power to Say No,* Palgrave Macmillan, New York.

Williams, B. (2005), *In the Beginning was the Deed: Realism and Moralism in Political Argument*, Princeton University Press.

Wright, E.O. (2006), "Basic Income as a Socialist Project", *Basic Income Studies* 1(1), pp.1-11.

Young, I.M. (1990), *Justice and the Politics of Difference,* Princeton University Press.

Ypi, L. (2014), "Pettit's Republic", *Renewal* 22 (3/4), pp.149-154.