On domination: toward a status-centric view

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1. Introduction

When does power dominate? This discussion explores whether a version of James Bohman's status-centric view of domination (Bohman 2012) can provide a promising general answer to this question. Roughly, on this view, power dominates where it harmfully denies statuses that power should not deny. I shall suggest that, properly understood, the view meets various desiderata that a general view of the conditions of domination should meet. En route, I critically engage prominent arbitrary power views of (non)domination and explore the impact of domination in epistemic and discursive status in public justification. Before I say more on the aims of this discussion, I provide some needed context.

There is little agreement about the conditions of domination. E.g., according to a particularly influential family of views, i.e., arbitrary power views, domination instantiates as arbitrary, relevantly unconstrained "power over" (Allen 2015) others, where power agent(s) and subjects(s) are individual or group agents. Pettit seminally defines:

D1   α dominates β (in a choice) if and only if α "has a power of interfering in [β's] choice," and α's power "is not itself controlled by [β]" (Pettit 2012, 50),

where α's power over β is a power to interfere in β's choice, and where this power is arbitrary in that it is not controlled by β–which, for Pettit, means that α's power is exercised not "in a direction or according to a pattern that [β] has the influence to determine" (ibid). Of course, opponents of arbitrary power views reject that all domination is best seen as arbitrary power, or as interagentive in the above sense. But even proponents of such views disagree, e.g., as to what makes domination power relevantly unconstrained, what type of constraints entail non-domination, whether non-domination requires control by power subjects, or whether all domination power is best construed as a power of interference in choices.

Disagreements about the conditions of domination have many sources. One source is the nature of power itself. Domination instantiates, well, power, but power is polymorphous. And depending on what kinds, dimensions, or faces of power (Digeser 1992; Lukes 2021; Haugaard 2021) are put into focus, different views of domination can seem plausible. E.g., if the focus is on the kind of power on display where a master orders a slave to do things the slave would not otherwise do, it may be plausible to construe domination in terms of a power of interference that is not controlled by power subjects. But this is less plausible if the focus is on the kind of power on display where collectively upheld social structure socializes everyone under the structure into compliance with their roles even when this is counter to their better interests. Dominated status may here be readily identifiable, but it can be unclear what agents act as dominators–rather than as beneficiaries, or as agents who administer the power that instantiates, rather than also sourcing it. And it is unclear what kind of control by power subjects can entail non-domination where domination power operates on their minds, or distorts their views of what is right, good, or true.

Another important source of disagreement about the conditions of domination is its normative status. Authors who agree that domination is objectionable often disagree as to what makes it so. E.g., where domination power is construed as power that is, say, *unjust*, *illegitimate*, or violates salient *rights*, *duties*, or *responsibilities*, disagreements about what makes power just, legitimate, or accord with salient rights, duties, or responsibilities, can lead to disagreement about the conditions of domination. And not every normative idea that, in some contexts, plausibly captures what makes domination power objectionable might apply

to all relationships that can instantiate domination. E.g., if domination power is construed as power that is, say, unjust, the question must be what the scope of justice is, and whether power relationships outside that scope can instantiate domination–a matter that can implicate competing views of the nature of justice and of the kind of normative standards that apply, or should apply, to different kinds of relationships. Thus, agreement about the conditions of domination can be elusive where views of these conditions turn on deeper, reasonably contested moral or political views of how power should be exercised within a given domain.

Such disagreements suggest that the concept of domination (if there is only one such concept) behaves somewhat like an "essentially contested concept" (Gallie 1955, 172f): little can be said about how to use "domination" that is not reasonably contentious. It is hence unclear what a general account of the conditions of domination should look like, or how it should proceed. But it may still be useful to examine whether a given view is at least promising as a candidate for a general view of these conditions–given various desiderata that such a view should satisfy. And this marks the more limited kind of approach that I shall adopt here.

To start from somewhere, then, I suppose several things. The first two things concern the form and content of a general view of the conditions of domination, while three additional things concern desiderata that such a view should satisfy.

First, I suppose that domination is interagentive at least in a *formal* sense: domination can be construed as a two-place relation, xDy, with x for a (grammatical) power agent, y for a (grammatical) power subject, and D for a domination relationship. But it is contested what x and y may refer to. Some authors claim that all social power, thus all domination, is interagentive also in the *substantive* sense that it is a relationship between people, or groups of people (Lukes 2018; Forst 2018). Others deny this and argue that social structure can in its own right dominate (Azmanova 2018; Hayward 2018). I may set this dispute aside. But I assume that we can (sometimes) identify dominated status even if we do not know who or what dominates, or occupies the role of power agent.

Second, domination typically involves power imbalances that impact potentative space, or what people have capacity, authority, status, or power, to enjoy, be, do, or bring about, all widely conceived. E.g., by increasing β's option costs, α limits what choices β can afford; by indoctrinating β, α controls how the opinions of others will affect β; by stigmatizing β, α vitiates β's influence in debate, and so on. But of course not all power imbalances that impact potentative space will instantiate domination. Part of what an account of domination must do, then, is to specify when such power imbalances instantiate domination.

Third, to refer to φ as domination is to refer to φ as *objectionable*. There may be other standard uses of the notion, but this normative use is what matters here. Yet what makes domination objectionable is widely, and often reasonably, contested. I assume here that a general view of domination should abstract from, and leave room for, competing reasonable views of what makes domination objectionable. It must hence be neutral between the views it abstracts from[1]–albeit it may still favour moral or political views of a more broadly construed type or family. A concept/conception heuristic is helpful here. Roughly, when answers to the question "When does power dominate?" specify (putative) conditions of domination in ways that depend on reasonably contested views, including moral or political views of what makes domination objectionable, they provide *conceptions* of domination. But a general view of the conditions of domination is a hypothesis as to what might be the underlying structure–the "concept"–that competing conceptions of domination interpret or flesh out in their own,

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[1] This uses O'Neill's notion of abstraction (O'Neill 1996, 38-44; 1988a): if a claim S1 is abstracted from two (conflicting) claims, S2 and S3, then S2 and S3 each entail S1, but S1 commits neither to S2 nor to S3.

distinct terms. Accordingly, such conceptions may be "normatively dependent" (Forst 2017b, 133) in a way in which a general view of domination should *not* be. Call this the *neutrality desideratum*.

Fourth, one approach to an assessment of a general view of domination is to consider whether it entails false positives or false negatives–whether it counts (does not count) as instances of domination what it should not count (should count) as such. Yet what often is in dispute just is what should count as a false positive or a false negative. Past the point of some particularly clear-cut cases–e.g., consider the neo-republican paradigm of the master slave relationship–there seems to be little common ground on the basis of which to decide what a general view of domination must (must not) count as an instance of domination. However, even where we lack such common ground, there is something that can stand in as a second-best option. To assess whether a candidate view of domination is duly inclusive, one thing we can test is whether it can count as an instance of domination what relevant competitors (plausibly, reasonably) count as such. Of course, this is only part of what needs to be done when we consider whether a relevant candidate is adequate in applicative scope. Still, inclusiveness in this sense is one good-making feature of such a view. Call this the *inclusion desideratum*.

Accordingly, fifth, another good-making feature of a general view of domination is its ability to apply across a diverse range of (putative) domination phenomena. E.g., if there are social, political, moral, epistemic, and discursive kinds of domination, then a general view of the phenomenon should apply not only to, say, political kinds, or entail that non-political power relationships do not instantiate domination. Or if domination power can take the form not only of a power to interfere in other's choices, but also of a power to influence them doxastically, or to constrain what discursive influence they can have on others, then a general view of domination should be able to accommodate this. Call this the *diversity desideratum*.

A wish list emerges. A general view of the conditions of domination should construe domination as involving power imbalances that impact potentative space: but it should do so in abstract terms that leave room for competing conceptions of domination (neutrality); it should be able to accommodate a diverse range of domination phenomena (diversity); and it should be able to recognize as instances of domination what relevant competitors count as such (inclusion). Of course, a candidate view that ticks these boxes may not be good enough: these desiderata can be satisfied to a greater or lesser extent, more than one candidate might satisfy them, and there may be other desiderata that a general view of the conditions of domination should satisfy. Still, I submit, if a candidate view ticks these boxes, then it is a serious contender, other things being equal.

The overarching aim of this discussion, then, is to suggest that a Bohman-type status-centric view of domination–referred to here as "SC"–ticks these boxes. Roughly, SC claims that domination harmfully denies statuses that power should not deny. This leaves open whether all domination is substantively interagentive and it accords with the view that domination involves power imbalances that impact potentative space. I argue that SC meets the above desiderata. It meets neutrality in part because it leaves room for many different conceptions of domination. It also meets the (interrelated) desiderata of inclusion and diversity. To show that SC meets inclusion, I argue that SC can subsume what prominent arbitrary power views of domination count as instances of domination. To show that SC meets diversity, I identify ideas of "hegemonic" and "purchase" domination–roughly, the former impacts agents in their epistemic life, widely conceived, while the latter vitiates their influence in justification practice–and argue that they can be construed in SC's status-centric terms as involving denials of epistemic and discursive status, respectively. This suggests that SC is a serious contender, other things being equal.

En route, I pursue two additional aims–they feed into the first, they are intertwined, but each can stand on its own. The first aim is to critically engage prominent arbitrary power views of domination. Such views often take pride of place in discussions of domination. Understandably so: some arbitrary power views are analytically well-developed (seminal are Pettit 1997 and 2012) and the idea that domination involves arbitrary power has much appeal. Yet once we consider in more detail what, on such views, makes power arbitrary, it emerges not only that prominent arbitrary views deeply disagree about the nature of domination, but that they struggle in their own right to make good sense of the nature of (non)domination. There seems to be little common ground on the basis of which these views can resolve their disagreements. SC not only allows us to count as instances of domination what these views count as such, but it offers a basis to adjudicate between them–this, I submit, supports SC.

The second additional aim is to explore the impact of hegemonic and purchase domination in public justification–construed as forms of domination in epistemic and in discursive status, respectively. This ties in with the first additional aim: on some arbitrary power views (but not only such views), power does not dominate only if it is publicly justifiable. But it is also of independent interest. I suggest that the presence of these kinds of domination undercuts the (putative) normative role of public justification as a condition of non-domination, and as something that, well, *justifies*. In relation to the first additional aim, this suggests that SC allows us to account for domination at a deeper explanatory level than (some) arbitrary power views–this, too, strengthens SC. And it is of independent interest since it draws attention to the undercutter problem in public justification and the role of purchase domination–an important problem for ideas of public justification, and an under-theorized kind of domination.

As for a road map, my discussion is in two main parts. The first part (Sections 2-4) is roughly organized around the claim that SC meets the desiderata of neutrality and inclusion; the second part (Sections 5-8) is roughly organized around the claim that SC meets the diversity desideratum. The emphasis is on "roughly"–as the discussion pursues several aims, its conceptual and critical efforts often exceed what would be necessary to only establish that SC meets the relevant desiderata.

Section 2 reads Bohman to retrieve SC as a version of status-centric view that meets the neutrality desideratum. Sections 3 and 4 then foreground the inclusion desideratum. Section 3 identifies a common theme in arbitrary power views of domination and critically engages three prominent views of the kind: Lovett's external constraints view (Section 3.1), Pettit's control-centric view (3.2), and Forst's justification-centric view (3.3). En route, it emerges that these views deeply disagree about the nature of domination, and struggle to make coherent sense of (non)domination. Section 4 then argues that SC can subsume what these three views count as domination, and suggests that, as an added benefit, SC can provide a basis to adjudicate between them.

Section 5 puts into place tools needed in the second part of my discussion. I elaborate on public justification and the undercutter problem in public justification, and preview how hegemonic and purchase domination implicate that problem. Sections 6 and 7 then expand on hegemonic and purchase domination, respectively. Section 8 shows that we can construe these two things in SC's terms as involving domination in epistemic and in discursive status, respectively, and it teases out relevant implications. In conjunction, this substantiates that SC meets the diversity desideratum, it deepens the critical engagement of arbitrary power views of domination, and it draws attention to the undercutter problem in public justification and the role of purchase domination.

2. A status-centric view of domination?

To begin with, Bohman develops his status-centric view as an alternative to, or improvement on, Pettit's view. Bohman does not deny that domination can take the form of a subjection of people to a Pettit-type arbitrary power of interference. But he claims that domination should be construed in terms of *status denials*:

> Just what domination is and when it is exercised is a matter of dispute, but the core idea is that I am dominated to the extent that others are able to deny the standing and statuses of other groups that make it possible for them to live without coercion or threat. On this view, *contra* Pettit, we ought to see domination less as arbitrary interference and more in terms of the lack of statuses and powers that makes such injustices possible across many different domains. (Bohman 2012, 177.)

This suggests, roughly:

D2 β is dominated if and only if α has power to deny statuses of β that enable β "to live without coercion or threat."

Bohman takes this to mark a general view of domination. Much, then, will turn on what D2 counts as domination-relevant *statuses*. Unfortunately, Bohman obfuscates the point: his view oscillates between a narrow, *institutional* reading, a semi-wide, *accepted status* reading, and a wide, *normative* reading. I address each in turn.

On the narrow reading, domination-relevant statuses–Bohman also refers to statuses as normative powers (ibid, 180f)–are defined by given political and legal rights and duties: what β has domination-relevant status to enjoy, be, do, or bring about, is identified by what β has political or legal rights and duties to (not) enjoy, be, do, or bring about. Accordingly, where dominators deny domination-relevant statuses, they alter or impact the political or legal rights or duties of power subjects–e.g., by denying salient rights or imposing salient duties (ibid, 180)–and they thereby exercise their own normative powers, which "operate against [the] institutionalized background of [putatively] legitimate norms" (ibid), to alter or impact the normative powers of others.

This reading is narrow in that it indexes domination to statuses that are identified by the *legal or political* rights and duties of people in a *given* institutional context: domination-relevant status here is only actual civil status (ibid, 181, 185). Thus, this focuses on *political* domination–domination by political actors that use their institutionally underwritten powers to alter or impact the political or legal standing of citizens, or subjects. But this focus is too narrow for a general view of domination. On this reading, relationships that do not affect civil status, or that are outside the purview of given political or legal rights or duties, cannot involve domination–whatever levels of oppression or subjugation they involve. And people who lack political and legal rights or duties altogether–say, outlaws–could not be dominated. This is implausible, if not absurd, and, assuming there are non-political forms of domination, it does not meet the diversity desideratum.

On a semi-wide reading, statuses are defined more widely in terms of "the normative background of rights, duties, roles, and institutions that actors take for granted in their social action, including various legal and political rights" (ibid, 180). Domination hence denies statuses as these are defined by "rights, duties, roles, and institutions" that agents actually take for granted in their actions–statuses, then, that they already attribute to others. But this, too, is problematic. E.g., if the rights, duties, or roles, that α actually takes for granted in acting on β happen to license β's oppression or subjugation, the fact that α's exercises of power do not deny statuses that are defined by *these* rights, duties, or roles, should not be taken to entail that α does not dominate β. This might not follow if we suppose that power relationships that accord with *these* rights, duties, or roles, never involve domination. Yet, presumably, at the very least this would violate the neutrality desideratum.

This leaves the wide reading–which seems to sit best with Bohman's aspirations. Domination-relevant statuses here are identified as statuses, or normative powers, *that exercises of power should not deny*. They can be diverse, and they need not be limited to statuses that are identified by the rights, duties, roles, or institutions, that the other readings refer to. Bohman's own examples include the epistemic status as a knower, or as an agent with epistemic authority (ibid, 177), or the communicative status as an agent entitled to "address others and to be addressed in turn" (ibid, 178), or the status as agent entitled to "initiate and to participate in any form of decision-making that imposes duties" (ibid, 181), or as an agent with "normative powers … over the assignment of duties and obligations as well as over one's own political and legal status" (ibid). At any rate: what statuses matter here must turn on what statuses exercises of power should not deny (and, needless to highlight, "power" here is not indexed to *political* power). This leaves open a great deal: e.g., it leaves open which statuses matter, why they are relevant, or what kinds or dimensions of power they implicate. As far as this goes, then, the wide reading seems to accord with the neutrality desideratum and the diversity desideratum.

I will read D2 in wide terms. Here, then, are two observations that suggest that D2, even on the wide reading, is still not wide enough. First, D2 ties domination-relevant statuses to the harm of not being able to live without coercion or threat. But it is contested what harms are typical or cardinal domination harms. E.g., Thompson ties domination to exploitation harms (Thompson 2018); Lovett ties it to harms of insecurity, exploitation, and undermined self-respect (Lovett 2010, 130-134); Pettit ties it to the harm of not being able to enjoy equal status as a free citizen (Pettit 2012, 72, 82); Forst ties it to "noumenal alienation" (Forst 2017a), or violations of the status as an equal "justification authority" (Forst 2017b, 65, 84). The point: given the neutrality desideratum, a general view of domination should not from the outset index the phenomenon to what arguably is only a *sub*set of harms that can reasonably be claimed to be domination-relevant.

Second, at first pass, D2 suggests that salient harms must be consequences of, result from, or be in addition to, salient status denials. But this, too, is too restrictive if we grant, plausibly, that relevant harms can *consist in* status denials. E.g., it is not unreasonable to maintain that if α's denial of β's status takes the form of a violation of β's rights, then the rights-violation itself is a domination-relevant harm–even if no additional harm springs from it. The point: given the neutrality desideratum, a general view of domination should allow statuses to count as domination-relevant even if their denial does *not* involve harms other than the status denial itself.

A refined version of D2 emerges, namely, *Status Centric*:

SC   β is dominated if and only if β α exercises a power to subject β to a denial of status, *S*, where (i) α's power should not be exercised to deny *S*, and (ii) α's denial of *S* is harmful,

where "β" refers to individual or group agents in the role of power subject(s), but where it is open who or what "α" refers to. SC does not specify what statuses are domination-relevant: they can (but need not) include statuses that are defined by institutionally entrenched or otherwise socially accepted rights, duties, or roles. SC also leaves open how status denials implicate harm, or what harms they implicate. Below, I mostly set aside SC(ii) to focus on SC's core idea, namely, that domination in general is a matter of denying statuses that power should not deny. Thus, I assume that where power denies β a domination-relevant status, β is exposed to at least one harm, namely, the harm of being subjected to power that denies statuses it should not deny. Some comments are called for now.

First, SC by itself is of little help in distinguishing power that dominates from power that does not, or in identifying real-life instances of domination as such. To help with such tasks, SC must be crossed with normative views that specify what statuses power should not

deny–where the conjunct of SC and such views amounts to *conceptions* of domination (or, say, of SC-domination). Note that this is not a disadvantage: it secures that SC coheres with a wide range of conceptions of domination–which chimes with the neutrality desideratum. On the view at hand, then, when we identify φ as an instance of domination, we assume some normative view to the effect that φ denies statuses that power should not deny, and we thereby give expression to a conception of domination.

Second, one difference between D2 and SC is that D2 requires that α *has* power to deny salient statuses, while SC requires that α *exercises* that power. This relates to a matter of modalities that is often unclear in accounts of domination. If α's holding down of β entails that α dominates β, will α's known capacity to hold down β suffice for α's domination of β? Well, if β's knowledge of α's capacity comes with a prospect or suspicion that α will use that capacity against β in case β does not comply, it might suffice to keep β in line. It might seem, then, that a power to deny relevant statuses, rather than its exercise, suffices for domination. But this is not quite right. In the example, it is not β's knowledge of α's capacity that does the work, but rather β's prospect or suspicion that α will use this capacity against β in case of non-compliance. Here is what we might make of this: α's capacity must not only be known, but be expressed, in a suitably targeted fashion, as active and on stand-by for knowledge of its presence to ground an expectation of its use in case of non-compliance. I will assume here that expressing a capacity in such a manner is one way of "exercising" it–in a perhaps wide sense of the notion. The point: SC assumes that α's power to deny salient statuses is being exercised in this wide sense.

Third, in what sense does SC-domination involve power imbalances that impact potentative space? Assuming that α's power to deny β's status exceeds β's ability to resist or (re)direct its exercise, SC-domination entails imbalances of power. SC-domination impacts β's potentative space in that α's denial of β's status alters what β has status, or normative power, to enjoy, be, do, or bring about. And it impacts potentative space in a manner that counts toward, well, *domination*, because it (harmfully) denies statuses, or normative powers, that exercises of power should not deny. Not least, given the neutrality desideratum, I read SC as leaving open whether SC-domination is interagentive substantively, in the sense identified earlier (see Section 1). But it accords with this desideratum to at least assume that the power subjects of SC-domination are people, or groups of people–whatever kind of things or beings occupy the role of (grammatical) power agent.

A fourth comment concerns statuses. SC assumes that relevant statuses need not be identified by institutionally entrenched or socially accepted rights, duties, or roles, and that their denial impacts potentative space. But this largely leaves open what statuses are. We do not need to define "status" here, but the following might help to further fix ideas. In the sense relevant now, the attribution of a status, *S*, to an agent, β, will typically involve the attribution to β of an entitlement to make *S*-relevant claims on others, and give expression to the view that it is appropriate to stand in a *S*-relevant normative relationship to β. E.g., in attributing to β moral status, α attributes to β standing to demand not to be treated unjustly, and α thereby expresses the view that it is appropriate for others to treat β with moral respect. What claims and what kinds of normative relationships matter, and what facts about beings will call for an attribution of relevant statuses, will vary greatly depending on, e.g., what statuses are in question, or what political, moral, or other background beliefs status attributions draw on. At any rate, statuses in a sense relevant here are normative: they ground claims on others and they tie in with normative relationships (at least from the attributor's perspective).

Fifth, on the view suggested here, the often-assumed connection between domination and infringements on autonomy is only indirect, or mediated. Conceptually, all domination impacts potentative space, or what power subjects can (in a suitable sense of "can") enjoy, be, do, or bring about. In at least one sense, then, all domination impacts how agents can exercise

autonomy. But so do all actions that affect others, however insignificantly–and not all such actions *relevantly* impact, or *infringe on*, autonomy. At a minimum, to say that domination infringes on autonomy is to say that there are things that autonomous agents must not be unable to enjoy, be, do, or bring about (in a suitable sense of "unable"), and that domination negatively impacts the ability of power subjects to enjoy, be, do, or bring about, such things. But what things? Different conceptions of autonomy can provide different answers, and hence identify different things as domination. And why should we take it that power does not dominate unless it denies or diminishes someone's status as an autonomous agent? In an autonomy-centric moral or political outlook, this status may have special importance in identifying when power dominates. But the view that all domination denies or diminishes this status at best marks a (respectably contestable) conception of domination. In the interest of neutrality, then, SC does not define domination in terms of infringements on autonomy.

A sixth comment concerns a slippery interpretative point. Bohman's view sometimes seems closer to Pettit's than he is prepared to allow. How so? At stages, Bohman refers to domination power as *arbitrary* (Bohman 2012, 180). He does not specify what exactly he takes this to mean. But he also says that *non*-domination in *civil status* requires one to have powers "over the assignment of duties and obligations" and "one's own political and legal status," and rights "to initiate and to participate in any form of decision-making that imposes duties" (ibid, 181, 185)–or "access to influence" over the terms of cooperation to which one is subject (Bohman 2004, 341). Together, these things seem to align with Pettit's view that power over others does not dominate only if it is not arbitrary in the sense that it is under their control–or that it is exercised "in a direction or according to a pattern that [they have] the influence to determine" (Pettit 2012, 50). But then Bohman seems to endorse a Pettit-type view to the effect that α's power to deny β's civil status dominates β only if β cannot relevantly influence ("control") its exercise. We can push this further. For Bohman, the denial of civil status takes the form of a denial of legal or political rights or an imposition of legal or political duties. Yet these things are strategies to vitiate, and so to *interfere* with, choices. And then Bohman's view of domination in civil status seems to restate Pettit's view, rather than offering an alternative to, or improvement on, it.

It is not clear what to make of this. What holds for (non)domination in civil status may not hold for (non)domination in other statuses. And even when domination power is arbitrary, it might not be arbitrary in not being controlled by power subjects (e.g., consider how "arbitrary" is understood by Lovett or Forst, see below). At any rate, Bohman suggests we construe arbitrariness in status-centric terms: "any conception of non-domination," he writes, "must recast the important term 'arbitrary' in terms of the use of normative powers of the dominator to purport to impose duties and change the statuses of others" (Bohman 2012, 180). He does not show how this can be done. But the idea seems to be that arbitrariness does not define domination, but is *explained* by it. Say, for β to be in a position such that α can subject β to α's arbitrary power to deny β's civil status, β must already suffer a relevant status denial, e.g., a denial of the status to only be subjected to power one has influence to control. This has appeal. However, even if all relevant instances of arbitrariness can be explained in such terms, it remains unclear why this is reason to not define domination in terms of arbitrariness: defining power as domination power and explaining how people come to have domination power (so defined) over others are not the same tasks.

But I will now set this matter aside. For what matters here, my focus is on SC, or the idea that domination is a matter of (harmfully) denying statuses that power should not deny. I will now turn to arbitrary power views of domination. I begin with a common theme in such views, to then consider the views advanced by Lovett, Pettit, and Forst. Section 4 then brings things back to SC.

3. Arbitrary power domination

A common theme in arbitrary power views of domination is that domination instantiates wherever agents have, well, "arbitrary," relevantly unconstrained power over others, or a relevantly unconstrained capacity to realize social outcomes (such as making others think or do certain things) that accord with their intentions. Past this theme, such views often differ greatly. Before I turn to a key respect in which such views differ–namely, what constraints on power they take to entail *non*-domination–I address the relationship between domination and arbitrary power.

Arbitrary power views typically claim that subjection to arbitrary power is *at least necessary* for domination. Take Pettit's view. Recall: on D1, α dominates β (in a choice) if and only if α has a power to interfere in β's choice and α's power is not controlled by β.[2] This *defines* domination in terms of the common theme just indicated, or a version of it. But while it is plausible that domination occurs when some subject others to their arbitrary power, it is contested whether all domination takes this form. A more promising candidate hence is the weaker claim that while subjection to arbitrary power *suffices* for domination, it is necessary for only a *kind* of domination–say, arbitrary power domination (or AP-domination, for short).

Note that the weaker claim coheres with a dialectic strategy that proponents of arbitrary power views often pursue. They tend to conceptualize domination to provide a target for an account of *non*-domination: they identify (putative) necessary conditions of domination in a given domain in order to identify social arrangements that secure the non-fulfilment of these conditions, thus entailing non-domination in that domain. This strategy is undercut if these conditions are only sufficient for domination. But it can still go through, with more limited results, if they are necessary for a kind of domination: to show what arrangements entail the absence of AP-domination is to achieve something.

Again, Pettit is exemplary. D1 suggests two conditions as necessary for domination: a *power condition* (α has power to interfere with β) and a *no-control condition* (β does not control α's power). His view of "private" non-domination (Pettit 2012, 77), or non-domination in relationships between citizens, targets the first condition. Pettit argues that republican social justice, as it requires that citizens' fundamental choices be greatly protected, secures that citizens do not have a power to interfere in other citizens' fundamental choices (ibid, 47, 50, 71f, 83f, 86, 296ff). It hence entails private non-domination (for such choices). Pettit's view of "public" non-domination (ibid, 77), or non-domination in the relationship between the state and citizens, targets the no-control condition. He argues that political legitimacy, as it requires state power to be controlled by the citizens, secures the non-fulfilment of the no-control condition (ibid, 177, 239ff, 252ff, 302)–hence, it entails public non-domination. This two-pronged strategy can go through if these two conditions are necessary at least for a kind of (private or public) domination, i.e., AP-domination.

There is reason, then, to construe the common theme of arbitrary power views in terms of the weaker claim referred to earlier. Consider *Arbitrary Power*:

AP   α *AP-dominates* β (i.e., α dominates β *in the arbitrary power sense*) if and only if α has power over β and α's power over β is relevantly unconstrained;

where it remains open what constraints, or lack thereof, are under consideration, but where it is assumed that domination need not be AP-domination. AP leaves room, plausibly, for views that deny that all domination is AP-domination.

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[2] Note here that Pettit's definitional focus on domination *in a choice* is not a focus on a *species* of domination, but rather foregrounds that Pettit construes *all* domination as domination in some choice. Accordingly, he often drops the qualifier "in a choice" when he considers domination: e.g., see Pettit 2012, 46 or 28, where domination, *simpliciter*, is construed as exposure to another's power of uncontrolled interference.

I now sample arbitrary power views that self-identify as "republican": Lovett's external constraints view (3.1.), Pettit's control-centric view (3.2.), and Forst's justification-centric view (3.3.). My focus is on their criteria of *non*-domination and the demandingness of these criteria; in each case, I add a critical observation.

3.1. *Lovett*. Lovett writes that people are dominated "to the extent that they are dependent on a social relationship in which some other person or group wields arbitrary power over them" (Lovett 2010, 119). Arbitrary power is power that is not "externally constrained by effective rules, procedures, or goals that are common knowledge to all persons or groups concerned" (ibid, 101), e.g., public laws or other, sanction-backed norms. Hence: α dominates β if and only if ("to the extent that") α's power over β is not subject to known external constraints.[3] A criterion of *non*-domination is suggested:

> L1   α's power over β does not dominate β if and only if α's power over β is subject to known external constraints.

L1 distinguishes domination from non-domination power in *thin*, normatively undemanding terms. α's power over β can be non-domination power even if, e.g., (i) β cannot influence, let alone control, what constraints apply to α's power, or (ii) these constraints are not justifiable, let alone equally justifiable, to β, or (iii) these constrains do not direct α's power to protect or support, let alone justly protect or support, β's conception of the good or comprehensive doctrine. Thus, L1-non-domination can have little protective or emancipatory purchase for power subjects.

Alas, this makes L1 is too thin for Lovett's own purposes. He argues that domination is bad and its absence, non-domination, good (ibid, 130, 137, 141):

> Domination is bad because … it presents a serious obstacle to human flourishing. … [E]njoying some significant degree of non-domination is a crucial condition of human flourishing … [H]uman flourishing can roughly be understood as success in achieving autonomously formulated, reasonable life plans, through fellowship or community with others, over a complete life" (ibid, 130).

That is, domination is an serious obstacle to human flourishing because it puts people in positions of insecurity that restrict "their ability to autonomously formulate their own life plans" (ibid, 131); it is exploitative in involving the coercive extraction or pre-emptive surrendering of goods (ibid); and it involves "rituals of respect, deference, and debasement on the part of the subject, and rituals of disrespect, dishonouring, and contempt on the part of the agent" (ibid, 132f) that undermine the power subject's sense of self-respect. In summary: "the exploitation, insecurity, and undermined self-respect necessarily attending the experience of domination present serious obstacles to human flourishing" (ibid, 134).

Granted, domination often involves harms of insecurity, exploitation, and undermined self-respect. However, on L1, it will not *necessarily* involve these harms. According to L1, α's power over β does not dominate β if it is subject to known external constraints; it dominates β if it is not so constrained. But domination power so construed might not lead to such harms, but could instead be reliably supportive of power subjects (could be, that is, as a matter of conceptual possibility).

Lovett also asks what would change for people who are dominated by a powerful group if the power of that group was transformed into non-domination power. Once they are

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[3] Lovett has revised his position. In his recent book (Lovett 2022), he advocates a position that is closely aligned with Pettit's control-centric arbitrary power view: Lovett now argues that "A's choice whether to φ is dominated to the extent that some B has the uncontrolled ability to intentionally frustrate that choice" (ibid, 26). Thus, the criticism advanced in this sub-section applies only to Lovett's earlier view.

subject only to non-domination power, they "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" (ibid, 116). Yes, knowing where one stands is often preferable to not knowing. But it can also undermine the courage vulnerable groups need to bring about needed change. At any rate, such knowledge need not be conducive to the achievement of autonomously formulated, reasonable life plans.

Thus, L1 is too thin for Lovett's purposes. Power that is subject to L1-type constraints can be claimed to be conducive to be the achievement of autonomous reasonable life plans only if more is assumed about, e.g., how L1-constrained power is exercised, what constraints power is subject to, or what influence power subject have in defining these constraints, and so on. Note also that L1's thinness makes it an outlier here. Lovett requires non-domination power to be relevantly constrained; but unlike Pettit and Forst, he does not require it to be constrained *by power subjects*. While he places his view in the civic republican tradition (ibid, 9f), then, it is republican not also in a more Rousseauvian sense according to which state power must be co-authored or co-controlled by citizens to ensure that it accords with their will.

3.2. *Pettit*. I limit my attention to Pettit's view of public non-domination, which adapts the general criterion of non-domination entailed in D1, above, to the relationship between the state and citizens (for a caveat, see below). The general criterion is this:

P1   α's power to interfere in β's choice does not dominate β if and only if β controls α's power (Pettit 2012, 50; see Section 1, above).

On P1, non-domination power must be subject to constraints that ensure that power subjects *control* the power that is exercised over them. Pettit adapts P1 to the relationship between the state and citizens in the form of a view of legitimacy. Roughly, for Pettit, what makes state power non-domination power is what makes it legitimate:

P2   A government's power to interfere with citizens does not dominate them (or is legitimate) if and only if they have "individualized," "unconditioned" and "efficacious" popular control over that power (ibid, 302; 177, 239ff),

where popular control is

individualized if the people enjoy an equally accessible system of popular influence that imposes an equally acceptable direction on government. [It is] unconditioned if their directed influence materializes independently of any other party's goodwill: the threat of popular resistance is enough to fasten it in place. [It is] efficacious if their influence imposes that direction so unfailingly that when decisions go against particular citizens, they can take this to be just tough luck.... (ibid, 302.)

The key requirement is individualization. To meet it, state power must be under a system of control in which each citizen has *equal* influence–this is "bedrock" for Pettit (ibid, 25)–and which ensures that each can equally accept, or is "actually disposed to accept" (ibid, 170), the direction in which state power is exercised. Pettit conjectures that "dual-aspect" democracy (ibid, 252ff)–roughly, an improved form of representative democracy that combines majoritarian and deliberative elements–allows state power to meet P2.

How demanding is P2? Less than it seems. While P2 requires "individualized" collective control, public non-domination is only non-domination in the relationship between the state and citizens *collectively*, not individually–it is only, say, public *collective* non-domination. And Pettit qualifies P2's to make it compatible with much disagreement about a government's exercises of power.

Start by considering control. For Pettit, (i), below, entails (ii),

(i)   β controls α's power of interference,

(ii)   α's power does not dominate β,

if β's control involves enough influence to enable β to suitably bring to bear β's will on α's behaviour. How much influence? Pettit replies, roughly:

(iii)   β controls α's power only if β can determine the direction in which it is exercised or the pattern its exercise accords with (ibid, 50), where α's control output must correspond to β's control input "independently of the will of the controlled agent, or indeed of any third party" (ibid, 171).

Whatever level of individual influence is required for control, it must be *high enough* for the controller to be able to do the things (iii) refers to. If β's influence falls *below* this level–say, the cut-off level–then even if β retains influence, this will not constitute control.

But this would mean that state power inevitably dominates citizens. Let us grant that if citizens collectively control their government's power, it does not dominate them *collectively*. Yet it would still dominate them *individually* if they individually lack influence over it at or above the cut-off level. And this they inevitably do: no citizen can determine how a government's power is exercised *independently of the government's will or the will of any third party* (such as other citizens, or groups of citizens). Thus: even if citizens collectively control state power, it would still dominate them individually.

Can this cohere with Pettit's conjecture that dual-aspect democracy can meet P2? Well, his view of control may have a role in conceptualizing public collective non-domination, but non-domination in the relationship between the state and *individual* citizens–public *individual* non-domination–does *not* require individual influence at or above the cut-off level. Why? Recall: for Pettit, it is bedrock that citizens have *equal* influence in collective control. Thus, no more influence is needed than equality permits (ibid, 167f). But an equal share of control may involve little influence, well below the cut-off level, if the group that shares control is large enough. Accordingly, Pettit notes that equal influence only requires equal access to an equal vote in a system of majoritarian voting (ibid, 169), where voting is for electorally responsive deputies (ibid, 201f) and citizens have access to social tools, e.g., opportunities for political speech or resources for legal challenges, to contest majority decisions (ibid, 213f). And this aligns with the above conjecture.

But we must now wonder how this coheres with P1: after all, for public *individual* non-domination, Pettit is committed to *deny* that power does not dominate only if power subjects control it. This is puzzling. The view ties non-domination to individual control in part because it assumes that individual control reconciles subjection to power with individual freedom; but when it comes to public non-domination, the tether between non-domination, individual control, and individual freedom is lost. And, of course, just as much as collective control does not guarantee individual control, the freedom of the citizens as a collective agent does not guarantee the freedom of citizens as individuals.

Consider next P2's equal acceptability requirement. Pettit qualifies it: not *all* citizens must be able to equally accept the direction in which state power is exercised, but only those "who accept that the state should treat citizens as equals" (ibid, 170). And P2 does not require equal acceptability of *all* exercises of state power–which is an impossibly high bar to meet in real-life mass democracy–but only of the purpose a *system* of government serves or promotes (ibid, 240, 252, 274). It is hard to pin down what this entails in relation to the acceptability status of token exercises of state power. Yet the purpose that a system of government serves can be widely acceptable, while policies that a government enacts, or the actions it takes, are subject to deep disagreement. Hence: P2's equal acceptability requirement aligns with the conjecture that dual-aspect democracy allows to meet P2.

Thus, public non-domination here is less demanding than it at first seems. It requires no more individual influence than equal influence in mass democracy permits–as this will be

influence below the cut-off level, questions arise here about the overall coherence of the view–and it does not require exercises of state power to be equally acceptable by all citizens.

3.3. *Forst*. For Forst, domination is subjection to arbitrary power, or "arbitrary rule" (Forst 2017a, 154). What is arbitrary power? Sometimes, he suggests that it is power that is unjust, or that it is power that is not legitimate; but for the most part, he claims that it is power that lacks "adequate justification" (Forst 2013, 155). What makes justification adequate? To be adequate, justification must accord with a requirement of reciprocal and general acceptability (RGA). And to justify φ in accordance with RGA is to justify φ by reasons that are *equally* acceptable (reciprocity) by *all* relevantly affected people (generality) (Forst 2012, 214; 2010, 711–40; 2014). At stages, Forst instead insists that these reasons are reasons that people cannot "reasonably" reject, on grounds that in their own right meet RGA (Forst 2017a, 28f; 2012, 21, n. 38, 272). At any rate, RGA-compliant justification accords all relevant people an equal normative say, or respects them as "equal participants and normative authorities" of justification (Forst 2017b, 42, 134; 2015a, 825; 2015b, 112). To this end, it accords each of them a "qualified veto-right" that they can put to protective use by rejecting what they regard as unacceptable impositions (Forst 2001, 168f; 2010, 719).

A criterion of *non*-domination emerges:

F1   α's power over β does not dominate β if and only if α's power, or its exercise, is RGA-justifiable to β, by reasons that β cannot reasonably reject,

where the assumption is that such reasons are also equally acceptable (or, perhaps, non-rejectable) by every relevant person. F1 ranges over all social power: RGA-justifiability is to distinguish domination from non-domination social power in political and other contexts. Whatever constraints on social power entail non-domination, then, they must ensure its RGA-justifiability to each power subject. Two things are worth noting.

First, Forst takes RGA-justifications to have a protective function–which assumes that agents can use their veto-rights as effective injunctions. Roughly, the idea seems to be that if β reasonably rejects α's reasons, this places α under a duty not to act on them, other things being equal. Accordingly, the non-domination benefit of requiring α's power to be RGA-justifiable to β will in large part turn on the *influence* β can exert on α's behaviour by way of reasonably rejecting α's reasons. Thus, Forst, like Pettit, requires for non-domination that power subjects can influence the power that is exercised over them–though Forst foregrounds reason-giving as the site or vehicle of that influence.

Next, Forst takes it that state power can be identified as non-domination power only if there are "institutionalized justification procedures" (Forst 2017b, 155, 160) in which the RGA-justifiability of that power can be examined. He is confident that a form of democracy can provide such justification procedures and allows for exercises of non-domination state power (ibid, 135ff, 157, 162f)–though he never elaborates in detail what these procedures might look like, how they arrive at results, or how they operate to constrain state power. But a core idea is that they must include, or fully enfranchise, *each* citizen as an *equal* authority of justification, where *each* exercise of state power stands to be scrutinized.

How demanding is this view? At first pass, it is very demanding–in fact, so much so that it is doubtful, *contra* Forst, that mass democracy can instantiate non-domination rule. But much here turns on RGA, and especially on whether we can know when reasons are "reasonably" non-rejectable in RGA's sense–which, it seems, we cannot. I address each of these two points in turn.

On F1, a government's exercises of state power does not dominate citizens only if *each* exercise of state power can be justified to *each* citizen by reasons that *no* citizen can reject reasonably; and where candidate reasons are reasonably rejected by at least *one* citizen, the government falls under a duty not to act on them, other things being equal. It is hard to see

how this requirement can ever be fully met in mass society–that is, assuming it is not first watered down, e.g., by defining the "reasonable" in terms that from the outset make many substantive reasons "reasonably" non-rejectable, or by redefining RGA-justification as a non-justificatory form of deliberation that needs, say, majoritarian decision procedures to reach results, or by requiring that governments must justify things only to a small group of representatives of citizens, or some such. By itself, this is no objection–it is open whether any political order in mass society can avoid public individual domination. But it is doubtful that mass democracy can do so on F1's terms.

Next, the requirement that state power be RGA-justifiable is intelligible only if we can know when rejections are "reasonable" in RGA's sense. Can we? For Forst, justifications that accord with RGA justify by reasons that are "reasonably" non-rejectable. But he also stresses that reasons are "reasonably" non-rejectable just in case they are "not reciprocally and generally" rejectable (Forst 2017b, 28f; 2012, 21, 272)–which means these reasons must be such that their rejection would not be RGA-justifiable, on "reasonably" non-rejectable grounds. As Besch shows (2020b), this makes RGA viciously regressive, and it leave us unable in principle to know whether any candidate reason is "reasonably" (non)rejectable in RGA's sense. By implication, we can never know whether exercises of political power instantiate domination in F1's sense.

Thus, Forst's view, which at first seems highly demanding, builds on an incoherent view of justification. One lesson: a justification-centric view of (non)domination that builds on a conception of public, interpersonal and acceptability-based justification should not be premised RGA and its idea of reasonableness.

4. SC, again

To sum up: prominent arbitrary power views of (non)domination agree that arbitrary power over others dominates. But they disagree about, e.g., what makes power arbitrary, what constraints on power entail non-domination, how demanding these constraints must be, or what influence, if any, they must accord power subjects individually. And while these views advance competing criteria of non-domination, there does not seem to be much shared ground on the basis of which we could decide, in some suitably impartial or non-dogmatic fashion, which criterion to adopt. Moreover, the demandingness, or lack thereof, of these criteria does not seem to sit well even with the views that advance them: the views just examined struggle to make coherent sense of their own views on (non)domination. These things make it difficult to pin down what the stakes are in the disagreement between these views, or what it would take to resolve it.

To bring things back to SC, there are two things on the itinerary of this section. I will suggest, first, that SC can recognize as domination what the above three arbitrary power views count as such (that is, SC meets the inclusion desideratum in relation to these views), and second, that SC offers a basis to adjudicate between them.

To start with, recall that SC leaves much open. It construes domination as involving harmful denials of statuses. But SC leaves open what statuses are domination relevant, what harms matter, or how status denials implicate harms. Accordingly, to distinguish power that dominates from power that does not, or to identify instances of domination as such, we need *conceptions* of SC-domination that conjoin SC with normative views of what statuses (or harms) are domination-relevant.

A first point, then, is this. Unless we adopt some conception of SC-domination that relevantly limits what statuses are domination-relevant, all instances of AP-domination can be construed as involving (harmful) status denials–and near-trivially so. Let us grant, non-controversially here, that all subjection to arbitrary power involves harm of sorts. Now, however AP-domination is construed, β's subjection to α's arbitrary power somehow limits,

obstructs, or constrains–and hence, in some sense at least, denies–what β has status to enjoy, be, do, or bring about, widely conceived. E.g., L1-domiantion denies β's status as an agent not to be subjected to externally unconstrained power that obstructs human flourishing; P2-domination denies β's equal status as a free citizen, or as someone not to be subjected to state power she has no equal influence in controlling; F1-domination denies β's equal status as a justification authority, or as someone not to be subjected to power that is not equally justifiable to her; and all AP-domination denies β's standing as someone not to be subjected to the arbitrary power of another. The point: near-trivially, we can construe episodes of AP-domination as involving (harmful) status denials.

Of course, that we can does not mean we *should*. And maybe we should not when this does not add to our understanding of relevant power episodes. But note that neither AP-type nor SC-type descriptors mark a default deviating from which needs special reason: when both apply, we are free to choose, other things being equal, and so the adoption of one type of descriptor at the expense of the other need not add, say, explanatory depth (as it might not in the above examples). But there will often be good reason to account for power phenomena in SC-type terms–e.g., to foreground politically, morally, or otherwise important status denials that enable some people to have arbitrary power over others. Still, whether SC-type construals are useful depends on *what* statuses they foreground, and hence on what reasons there are to assume that power should *not* deny, but respect or protect, these statuses.

Not least, as we already saw, to be of practical use, SC must be crossed with views of what status denials power should count as domination-relevant. By implication, the inference from (i) to (ii), below, turns on (iii):

(i)   α's exercise of power denies β's status *S* (and this is harmful);

(ii)   α's exercise of power dominates β;

(iii)   α's exercise of power should not deny *S*.

Even assuming SC, (i) will not commit to (ii) if we reject (iii): we can agree about relevant facts but disagree whether domination occurs if our views of how power should be exercised relevantly differ. This has implications for the relative position of (ii) and (iii) in the order of justification. True, if we ask "How should power be exercised?," one good answer is "In ways that do not dominate." But in order to know when power dominates (in SC's sense), we need to know important things about how it should be exercised: at the very least, we need to know what statuses power should not deny, or should give priority to not denying. Hence, at least some type-(iii)-views are more fundamental in the order of justification than type-(ii)-views: the latter depend on the former, and not *vice versa*.

One upshot: it is now self-suggesting to interpret the disagreement between the above three arbitrary power views as turning on different views of what statuses power should not deny, or should give priority to not denying. If social power should not deny β's status as an equal justification authority, it will not suffice to subject political power to a system of control in which β has equal influence (in Pettit's sense); and if political power should not deny β's equal status as a free citizen, it will not do to subject it to Lovett-type external constraints. Yet what statuses should power not deny in a given domain? And, depending on this, what constraints must power be under ensure that it does not deny these statuses? One way to adjudicate between these competing views is to do so on the basis of these questions. Thus, SC can bring these views into the same normative horizon, which suggests to account for their disagreement as one that, at bottom, turns on the normative question of what statuses power in a given domain should not deny–a question that must be answered in the form of a *conception* of domination. What constraints power must be under in a given domain can then fall into place. This, I submit, is an added benefit of the way in which SC accords with the desiderata of neutrality and inclusion.

5. Public justification, the undercutter problem, and domination

I now turn to the second part of this discussion. It is roughly organized around the claim that SC meets the diversity desideratum, i.e., the desideratum that a general view of the conditions of domination be able to apply across a diverse range of (putative) domination phenomena. Thus, Sections 6 and 7 develop ideas of hegemonic domination and purchase domination, while Section 8 argues that these kinds of domination can be construed as involving harmful denials of statuses that power should not deny.

But recall, as well, the two additional aims pursued here. A first aim is to deepen the engagement of arbitrary power views, and specifically views that assume that power does not dominate only if it is publicly justifiable. A second aim is to explore the impact of hegemonic and purchase domination in public justification. I will suggest that the presence of these two things in public justification undercuts its (putative) normative role as a condition of non-domination, or indeed as something that *justifies*. I use the present section to put into place tools needed to pursue these aims; specifically, the focus is on public justification and the undercutter problem just referred to.

Consider, then, public justification, or the kind of public justification familiar from political liberalism and various other, broadly constructivist views of moral or political justice or justification (O'Neill 1988b, 1996; Scanlon 1982, 1998; Rawls 2005; Rawls and Kelly 2001; Larmore 2015, Macedo 1991, Nagel 1991; Forst 2012; Gaus 2011; Brännmark and Brannstedt 2019; Besch 2020a; Vallier and Muldoon 2021). "Public" justification here is an interpersonal form of justification that enfranchises *actual* people–thus, it is not just public, but also "actualist."[4] Roughly, to publicly justify φ is to justify φ on grounds that are authoritatively (e.g., "reasonably," "rationally," "coherently," and so on) acceptable, or non-rejectable, by relevant people. It is disputed what it means for φ to be publicly justifiable in this sense. But on broadly constructivist views, it relevantly contributes to some morally, politically or otherwise important merit, M: e.g., the idea might be that φ's validity, justness, legitimacy, or reasonableness, is a function of, is constituted by, or depends on, φ's publicly justifiability. What matters here is public justification only in this actualist and broadly constructivist sense.

Public justification so construed is vulnerable to corrupting factors, including, amongst other things, hegemonic and purchase domination. What are these? To preview Sections 6 and 7: the former subjects people to objectionable doxastically invasive social influence–e.g., consider (coercive) manipulation or indoctrination–while the latter objectionably denies or diminishes their influence in justification or reason-giving–e.g., think of a reason-giving practice that counts only "reasonable" discursive input toward justification, but defines "reasonable" in partisan terms that unduly deny some people a meaningful justificatory say. These two kinds of domination undercut public justification, or the normative role it (allegedly) has. How so?

Note first that there are different ways to relate public justification to whatever merit it (allegedly) confers or supports–which corresponds to different ways in which corrupting factors can impact the normative role of public justification. It suffices now to consider just two possibilities. On a *strong* constructivist view of its role, the public justifiability of moral or political things, φ (e.g., claims, principles, policies, institutions, or exercises of social power), is both necessary and sufficient for φ's being M (with M for a salient merit, see

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[4] Some construe public justification in *ideal* terms as fully enfranchising only non-existent, hypothetical or ideal people: see Quong 2011 or Wall 2016. I set such views aside here. On the difference between actualist and ideal public justification in political liberalism, see Besch 2020a.

above). On a *weak* constructivist view of its role, φ's public justifiability is necessary for φ's being *M*. Thus, when hegemonic or purchase domination are present, we should not infer from (i), below, either (ii) or (iii), other things being equal:

(i)   φ is publicly justifiable (i.e., φ is justifiable on grounds that are authoritatively acceptable, or non-rejectable, by relevant people);

(ii)   φ is *M*;

(iii)   φ satisfies a necessary condition for being *M*.

E.g., that φ is justifiable on grounds relevant people cannot "reasonably" reject *may or may not* be reason to conclude that φ is valid if "reasonable" is defined in terms that objectionably deny people who cannot coherently accept these grounds an equal say, or if relevant people are manipulated into not seriously considering any reasons to reject φ in the first place. Call the problem that hegemonic and purchase domination undercut the normative role of public justification the *undercutter problem*.

As I hasten to add, some housekeeping is needed here. The undercutter problem can be understood in weak or in strong terms. Construed in weak terms, the presence of salient corrupting factors, such as hegemonic or purchase domination, calls into question whether we may infer (ii) or (iii) from (i): the inference becomes *doubtful*. Construed in strong terms, the presence of such factors makes the inference *impermissible*. I will construe the undercutter problem in weak terms: the presence of salient corrupting factors undercuts public justification in that it makes it doubtful that φ's public justifiability relevantly contributes to φ's merit–but there might still be extenuating considerations that license that inference, all things considered. I assume, as well, that the undercutter problem is salient wherever (actualist, broadly constructivist) public justification plays an important normative role.[5]

Now, public justification can play such a role in relation to (non)domination in more than one way. First, it can be a *first-order* condition of non-domination. For instance, it might be claimed, directly, that state power does not dominate the citizens only if it is publicly justifiable to them, or, indirectly, that state power is legitimate only if it is publicly justifiable, but that legitimate power does not dominate. Second, it can be a *higher-order* condition of non-domination, or a constraint on the justifiability, or reasonableness, of *conceptions* of non-domination. E.g., it might be claimed that claims like "State power does not dominate the citizens only if it is publicly justifiable to them" or "State power does not dominate the citizens only if it under their control" are reasonable only if they are publicly justifiable.

We already met one view that accords public justification the first role. Recall: on Forst's justification-centric arbitrary power view, power, to not dominate, must be justifiable to people on grounds they cannot "reasonably" reject. This employs RGA, Forst's version of a requirement of public justification, to define a first-order condition of non-domination. It is not clear exactly what, for Forst, ties non-domination to RGA, but much turns on the claims

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[5] One response to the undercutter problem is to *idealize* the authoritativeness of a normative say in justification. But this, too, has domination-related problems. Arguably, the more a normative say is idealized, the less discursive influence will it allow people to exert in justification (see Besch 2019a; Vallier 2020). E.g., if what counts toward φ's justification is only an ideally rational say, what actual β actually says may not positively or negatively count toward φ's justification at all. Thus, from β's perspective, a highly idealized justificatory say can be indistinguishable from no justificatory say at all. If that is so, then even if high idealization can help with the undercutter problem–which it may or may not, see Section 6–it will in its own right call into question the ability of (relevantly idealized) public justification to count toward non-domination (this is a familiar worry: see Eberle 2002, 230, or Wolterstorff 2012, 53-75). It is a hard question how much discursive influence an agent must minimally be able to have in a practice of public justification for this practice to not entail domination of the agent–I track one dimension of the issue later, when I consider objectionable substantive purchase inequality (Section 7), but the issue is more complex than this and goes beyond what I can appropriately deal with here.

that just (or, as he often puts it, legitimate) power is not arbitrary, and that power, to be just (legitimate), must be justifiable to relevant people on grounds they cannot reasonably reject. Relevant is only the schema this illustrates: any view that requires for non-domination that power (of a given kind, in a given domain) instantiates a relevant merit that it can instantiate only if it is publicly justifiable make the undercutter problem salient.

Rawls's political liberalism might be another example. Rawls does not openly espouse a view of non-domination, and so the point at hand is somewhat speculative. However, when he refers to domination, this often suggests that domination denies the equality of reasonable citizens, or their status as free and equal (Rawls 2005, 446; Rawls and Kelly 2001, 131, 87, 202). This chimes with the aims of public justification. Rawls and other political liberals take it that political power must respect reasonable citizens as free and equal people, and to this end must be publicly justifiable to them. That is: political power must be publicly justifiable *because* it must respect their status as free and equal. The upshot: for Rawls, the status denied by domination just is the status that is to be secured by the public justifiability of power. It is a small step from here to attribute to Rawls the view that political power, to not dominate reasonable citizens, must be publicly justifiable to them.

What of public justification as a higher-order condition of non-domination? Recall: we cannot know when power dominates (in SC's sense) unless we know what statuses power should not deny. But what statuses are these? Many answers are possible. And one approach would be to require any reasonable answer to this question to be justifiable on grounds that are authoritatively acceptable, or non-rejectable, by relevant people–perhaps not unlike Rawls's political liberalism requires reasonable conceptions of political justice to be suitably acceptable by all reasonable citizens. This would make the undercutter problem salient for *all* (putatively) reasonable conceptions of non-domination, including conceptions that do not construe public justification as a first-order condition of non-domination.

6. Hegemonic domination

With this I turn to hegemonic domination. This kind of domination is often under consideration where domination is construed as a function of ideological power, or as part of the operation of the third face of power (Digeser 1992; Lukes 2021; Haugaard 2021; see also Celikantes 2017; Haslanger 2017; Allen 2010, 2012; Allen et. al. 2014). Consider *Hegemonic Domination*:

> HD   β is dominated if α subjects β to objectionable doxastically invasive social influence,

where "β" refers to individuals or groups in the position of power subject(s), but where it remains open who or what "α," the (grammatical) power agent, refers to–e.g., individuals, groups, practices, or social structure, widely conceived. I shall assume here that (coercive) manipulation or indoctrination are paradigm examples of HD-domination. To further fix ideas, I first consider a view of domination that puts center stage a form of HD-domination, to then return to HD and the undercutter problem.

Consider Thompson's view of "constitutive" domination (Thompson 2018). In constitutive domination, "the norms, institutions, and values of the community shape the rationality of subjects to accept forms of power and social relations and collective goals as legitimate forms of authority" (ibid, 44). Constitutive domination involves subjection to constitutive power. This is a power "over the consciousness of subjects" (ibid, 50); it "socialise[s] individuals in order to make them compliant to authority structures" (ibid); it makes people live, think, or act "within the norms, values, ideas, and practices that legitimise hierarchical relations and structures" (ibid); and it "*shape[s] the conventions by which individuals manage and navigate their lives*, legitimate[s] their relations with others, and … create[s] a worldview giving shape and structure to the dimensions of social power" (ibid,

51). And subjection to such power dominates because it shapes the "very consciousness" of people to reconcile them "to projects, purposes, and ends that are in the interests of some hierarchically organised elite" (ibid, 52), thereby orienting "capacities and resources that belong to individuals and the community as a whole toward elite interests and benefits" (ibid, p. 57). Thus: constitutive domination involves subjection to an exploitative (hence, objectionable) form of doxastically formative (hence, invasive) social influence.

Here is one way to read this. On a standard view of socialization, agency is shaped by norms, values, meanings, scripts, and so on, that undergird the practices agents are socialized into, and this disposes agents to reproduce the power configurations present in these practices (Haslanger 2018, 2017, and 2015). Thompson in effect suggests we construe the underlying socialization processes as involving a doxastically formative kind of power that objectionably orients "capacities and resources that belong to individuals and the community as a whole toward elite interests and benefits."

However, Thompson-type constitutive domination and HD-domination are not quite the same thing. Not all HD-domination will be doxastically formative, or be part of socialization, or benefit given social elites. If we consider again (coercive) manipulation or indoctrination, HD-domination can be doxastically localized to a narrow domain of thought, choices, or activity; social elites, too, can be subject to it; and its beneficiaries can be groups that cut across social strata, e.g., cultural, racial, civic, or religious groups, or perhaps only a few individuals, e.g., media moguls or autocrats. At any rate, we can distinguish *open* from *closed* domination. Domination is open if it is identifiable and avoidable, or remediable (but maybe not by the dominatees themselves). Otherwise, it is closed. It is not clear whether Thompson-type constitutive domination, if it exists, is open or closed. But it makes good sense to claim that domination is objectionable, or something that is to be avoided or remedied, only insofar as it is of the open kind. Thus, HD refers to open domination.

Next, one challenge for views of HD-domination is distinguish influence that HD-dominates from other influence. Fortunately, only two features of such influence matter now. First, it non-superficially impacts β's epistemic life, widely conceived. If we go by the examples of (coercive) manipulation or indoctrination, it can impact β's views of what is right, good, true, or reasonable, including β's views of what makes reasons good, or views doubtful; with this, it can impact how agents reason, think, feel, choose, act, and so on. And this influence can be both first-personally sneaky and sticky. It is first-personally sneaky when it operates behind β's back, in ways not readily accessible for β as far as the ordinary course of β's epistemic life goes. And it is sticky to the extent that its effects are difficult to undo, or correct for.

What makes hegemonic domination objectionable? Answers can vary greatly. E.g., it might be construed as violating people's rights, or to be disrespectful, or to deny or diminish their autonomy, or their (equal) moral, political, or epistemic status. But one familiar view is that the influence that comes with HD-domination is objectionable, or counts toward domination, insofar as (i) it operates to extract β's compliance with power configurations that β should not suffer, accord with, or otherwise be implicated in, or would otherwise see reason not to suffer, accord with, or be implicated in, and (ii) it accomplishes this by using β's mind against β, in a way that mislead, deceive, or that can render β's views, valuations, or choices, non-autonomous, or exposes β to "alienation" (Enoch 2021, 144).

What, then, of the undercutter problem? Suppose we take it that legitimate state power does not dominate, and that it is legitimate just in case it is justifiable to citizens on grounds they can actually accept coherently. But assume also that what citizens can actually accept coherently is a product of HD-domination. Will social arrangements that force state power to be publicly justifiable to citizens thereby ensure that state power does not dominate them?

Hardly: the presence of HD-domination will make it doubtful that the public justifiability of state power entails its legitimacy, or non-domination status.

Of course, the emphasis here is on *doubt*. HD-domination undercuts public justification in the *weak* sense identified earlier: extenuating considerations might still license an inference from φ's public justifiability to φ's having the relevant merit, all things considered. However, it is unclear what considerations can extenuate. Here are two familiar candidates. One is the interpersonal invariance of justification across different doxastic positions. At least on a constructivist or interpersonal view of objectivity (Hare 1981, chap. 12; Rawls 2005, 110-112, 114-118), a key concern will be whether φ is justifiable to people who are *not* under the influence that inspires the relevant doubt. If φ is equally justifiable to them, too, the influence may not have corrupted our judgment. A second candidate is the personal invariance of justification across different doxastic positions. We might idealize our own doxastic perspective to ask whether φ would be equally justifiable to us if we were not under the problem influence. If φ remains suitably justifiable in this thought experiment, this, too, might alleviate doubt. But these candidates are burdened: they presume that we understand the relevant influence well enough to know who is not under it, or what it would be like for ourselves not to be. And this is often the crux: the more sneaky and sticky HD-domination is, the less assurance we can have that such considerations extenuate.

In Section 8, I shall suggest that hegemonic domination can be subsumed under SC. For now, let me attend to the second (putative) kind of domination that matters here, namely, purchase domination.

7. Purchase domination

Purchase domination is a form of discursive (or communicative) domination. All discursive domination, I assume here, involves undue vitiations of the discursive influence that agents can have in discursive practice. In purchase domination, vitiations of such influence are based on a denial or diminishment of the "discursive purchase" (Besch 2019a, 602) of an agent's normative say. Consider *Purchase Domination*:

PD   β is dominated if α subjects β to an objectionable denial or diminishment of discursive purchase in salient justification practice,

where it is open who or what "α" refers to–e.g., individuals, groups, or social structure–and where "justification practice" refers to practices of moral or political public justification. To unpack, I first comment on two kinds of vitiations of discursive influence, and then turn to discursive standing and purchase.

Vitiations of influence in discursive practice can be based on many things, including the attitudes of people in following, or not following, the rules of the practice, and the rules themselves. Accordingly, one main theme in the literature on epistemic injustice is that undue hearer attitudes, such as identity prejudices about speakers, can lead to testimonial and hermeneutic forms of injustice that wrongfully vitiate the discursive influence of speakers–which can contribute to the political or social denigration of individuals or groups (Fricker 2007, 2013; Bohman 2012; Dotson 2014; Catala 2015; Dieleman 2015; McKinnon 2016; Congdon 2017; Liveriero 2019). We can think of standards that specify what, in a given discursive practice, counts as due hearers' attitudes toward speakers as part of its *executive* rules. Discussions of epistemic injustice, then, often focus on undue vitiations of discursive influence that result from non-compliance with discursive executive rules.

However, undue vitiations of discursive influence can also result from *compliance* with discursive *ground* rules. How justification distinguishes between justificatory, authoritative uses of a normative say and other uses is part of its ground rules, or so I assume. E.g., if it only counts "reasonable" discursive input toward justification, it is part of its ground rules to only accord such input such weight. Yet how "reasonable" is then defined can vitiate the

influence people can have in justification (see below). And if undue vitiations of that influence result from how that notion is defined, then they can persist even when participants of the practice, in following its ground rules, display due hearer attitudes toward speakers. Relevant here are only vitiations of discursive influence that are based on such ground rules.

Consider, then, discursive standing. Public justification in sense identified in Section 5, above, accords people a strong, justificatory normative say, or "constitutive discursive standing" (Besch 2019a, 605ff). If JP, a justification practice, allocates β constitutive discursive standing in relation to φ, JP takes φ to depend for a relevant merit (e.g., validity, legitimacy) on φ's authoritative acceptability by β. Yet what level of influence can come with such a say–what discursive purchase β's discursive standing in JP can have for β–will turn on how JP distinguishes authoritative from non-authoritative uses of a normative say.

What, then, of discursive purchase? I follow the account provided in Besch (2014), (2018), and (2019a, b). Consider three justification practices, JP1, JP2, and JP3, that adopt *S* as a standard of justification, but premise *S* on different authoritativeness constraints:

S   φ is valid only if φ is justifiable by reasons that relevant people cannot authoritatively reject.

JP1   β's rejection of φ is authoritative if β cannot actually accept φ coherently.

JP2   β's rejection of φ is authoritative only if β would still reject φ if ideally rational.

JP3   β's rejection of φ is authoritative if it accords with liberal values, *L* (or if β would still reject φ if β accepts *L*-values).

These practice attaches justificatory weight to authoritative rejections: each counts them as evidence against φ's validity. But they attach this weight to different rejection-types.

Compare JP1 and JP2. JP1's authoritativeness constraint is one that average adults readily meet: it is accessible. By contrast, JP2's constraint is one that average adults never meet: it is not accessible. Assume, then, that average Betty rejects φ because she cannot actually accept φ coherently. What weight will this have? In JP1, her *actual* rejection reason qualifies her rejection as authoritative. Hence, what JP1 counts as her authoritative say–as what she would say if she met salient authoritativeness constraints–can track her *actual* voice, or what she *actually* is committed to say, given her actual perspective and resources. Not so in JP2. What matters here is only what ideally rational Betty (Betty*) rejects. And should what Betty* says and what Betty says converge, then the latter will count only insofar as it is aligned with the former. At any rate, Betty's rejection reason does not qualify her rejection as authoritative, and her authoritative say may not track her actual voice at all.

We can put this in terms of the *meaningfulness* of a normative say and the *effectiveness* of a person's actual voice. Betty's say in JP1 is meaningful in a way in which it is not in JP2: JP1 allows her to bring to bear her actual voice in justification as contributing to justification in a way in which JP2 does not. Meaningfulness turns on the accessibility and the authenticity of an authoritative say. JP1's authoritativeness constraint is accessible in a way in which JP2's is not: Betty's authoritative say in JP1 hence can track her actual voice, or be authentic, in a way in which it does not in JP2. The meaningfulness of a normative say determines the effectiveness of an agent's actual voice. Betty's actual voice has influence in JP1 in a way in which it does not in JP2. She may not have the last word, (justificatory) "sovereignty" (Enoch 2021, 144), or a (qualified) veto (Forst 2001, 168f; 2010, 719), in assessing φ's validity. But JP1 allows her actual voice to be effective in justification, which in turn can make her discursive standing useful for her.

The discursive purchase of a normative say depends on its meaningfulness. The more meaningful such a say is, the higher in purchase it can be–in the way in which Betty's normative say in JP1 is more meaningful than in JP2, thereby allowing her actual voice to

have influence, or be effective, in JP1 in a way in which it is not in JP2. Accordingly, the idea of discursive purchase tracks the participation value of an agent's discursive inclusion, or the use or value that her normative say can have for her.

Not least, allocations of purchase can be objectionable–e.g., a normative say can be insufficient in purchase, or objectionably unequal in purchase. Let me foreground purchase inequality. Recall JP3: it counts rejections as authoritative only if they accord with liberal values, *L*. Suppose that JP3 accords everyone discursive standing of the same kind, i.e., constitutive discursive standing: in this sense, JP3 meets "formal discursive equality" (Besch 2019a, 473f). But assume also that JP3's constituency involves two groups: the dominant group (DG) only includes people who can coherently accept *L*-values, and the non-dominant group (NG) only includes people who cannot coherently accept *L*-values. JP3 accords DG-members a normative say that is *high* in purchase, like Betty's say in JP1: their normative say is meaningful and their actual voices can be effective. But JP3 allocates NG-members a say that is *low* in purchase, rather like Betty's say in JP2. Their normative say is less meaningful, and their actual voices are less effective. Thus: JP3 does not meet "substantive discursive equality" (ibid) since the formally equal standing it allocates is not equal substantively, in terms of its discursive purchase.

Now, allocations of discursive standing that are equal formally, but not substantively, are not always objectionable (Besch 2019b, 476-485), but in cases like JP3, they appear to be, other things being equal. JP3's ground rules greatly limit the ability of NG-members to effectively reject or contest *L*-values, or to defend their own, *L*-incompatible commitments; with this, JP3 will reproduce the social or political influence of *L*-values. What justifies the difference? Defining *L*-values into the ground rules of justification makes justification practice itself partisan (which, presumably, it should not be), and it denies NG-members equal discursive status (which, presumably, should not be denied)–*despite* the fact that JP3 satisfies formal discursive equality. Other things being equal, then, JP3 seems to masquerade as justification what really is a form of discursive containment. And it is plain that the social entrenchment of a justification practice like JP3 can contribute to the social or political denigration of the people in the position of JP3's NG-members.

Return, then, to the undercutter problem. Suppose the government justifies φ's legitimacy on reasonably non-rejectable grounds, but assume that "reasonable" is defined in terms that objectionably diminish the capacity of a minority to effectively reject or contest φ. Will φ's "reasonable" non-rejectability count toward φ's legitimacy? If these terms *objectionably* vitiate the influence of relevant people, there is reason to doubt that "reasonable" may be defined accordingly: hence, there is reason to doubt that reasonable non-rejectability in *this* sense counts toward legitimacy. And here, too, it is not clear what extenuating considerations might license the inference to φ's legitimacy. Revert to JP3: perhaps NG-members benefit from JP3-justifiable policies; or perhaps JP3 gives weight to their interests by considering what they would say if they did not reject *L*-values; or perhaps NG-members might come around to seeing reasons to not oppose JP3-justifiable policies. But each of these candidates is burdened. From the perspective of NG-members, they might merely whitewash discursive containment, rather than providing justification as to why it is permissible to deny them equal discursive influence.

8. SC, once more (and then some)
Recall: one aim pursued here was to argue that SC meets the diversity desideratum–that it can apply across a diverse range of (putative) domination phenomena. Thus: can hegemonic and purchase domination be construed as involving (harmful) denials of statuses that power should not deny? The answer: *yes*, and near-trivially so.

Recall again how much SC leaves open. It defines domination as harmful denials of statuses that power should not deny. But it leaves open what statuses power should not deny, or on what grounds we should determine which statuses these are; and it does not require statuses to be defined by rights, duties, or roles, that actually have an institutional or social life. It also leaves open what harms matter, or how undue status denials implicate them, and it allows status denials to count as harmful simply insofar as they are undue. Accordingly, there is nothing in SC itself that would rule out construing hegemonic and purchase domination in status-centric terms, and–prior to the adoption of some *conception* of SC-domination that relevantly ties our hands–there should be many different ways to do so.

Let me substantiate the point. To start with purchase domination, consider discursive domination more generally. It involves undue (thus, harmful) vitiations of discursive influence. Plainly, we can express this in SC's status-centric terms. To unduly vitiate β's discursive influence in a given discursive practice is to deny β's status to exercise whatever measure of influence on others within that practice β would or could otherwise have had, or should have had. Similarly, purchase domination unduly (thus, harmfully) denies β's status to exercise whatever measure of influence in public justification β could or would otherwise have had–that is, had β's justificatory say been more meaningful.

What specifically this involves can vary. E.g., in extreme cases, purchase domination can deny more elementary discursive statuses, such as the "basic communicative status" as someone "to address others and to be addressed in turn" (Bohman 2012, 178), or the discursive-*cum*-moral status "as a voice that cannot properly be ignored," or "as someone worth listening to" (Pettit 1997, 91). And where it denies such statuses, it can simultaneously deny other statuses: e.g., by denying β's (equal) status as someone worth listening to, α also denies β's status as a free and equal citizen, or as an equal co-author of justification. At any rate, it can involve status denials that are sticky: insofar as it is based on the ground rules of public justification, or their definition, these status denials can persist even where people, in adhering to these rules, show due hearer attitudes toward speakers.

Next, it already surfaced that hegemonic domination can impact a diverse range of statuses. E.g., by (coercively) manipulating or indoctrinating β in moral or political matters, α might deny β's status as an equal citizen, as a free and equal person, as an autonomous agent, or as someone worthy of making make up their own mind. At any rate, insofar as hegemonic domination always operates to make agents believe things that there is reason for them not to believe (or not on the basis of undue doxastically invasive social influence), it objectionably instrumentalizes epistemic agency, widely conceived. Perhaps we may say, then, that whatever other statuses it impacts, hegemonic domination unduly denies or diminishes epistemic status.

Against this background, it is plain that the statuses that these (putative) kinds of domination deny or diminish can be construed as statuses that power should not deny–can, that is, whether or not we *should*. It is useful here to recall that hegemonic and purchase domination may or may not be substantively interagentive. Thus, to say that hegemonic and purchase domination deny statuses that power should not deny is not to assume that there are people in the role of power agents who individually or collectively exercise power in ways that are objectionable. Rather, it assumes that there are power subjects on whom power operates objectionably, other things being equal–where we may not know who, if anyone, occupies the role of power agent. And this much is already entailed in the characterisation of hegemonic and purchase domination: the former subjects people to objectionable doxastic influence, and the latter objectionably vitiates their discursive influence.

I conclude that hegemonic and purchase domination can be construed as involving (harmful) denials of statuses that power should not deny–say, other things being equal. This substantiates that SC meets the diversity desideratum. (By implication, it supports SC also in

relation to the inclusion desideratum: e.g., SC can count phenomena of Thompson-type constitutive domination as genuine domination phenomena.) The support here is bi-directional. That SC accommodates these two kinds of domination supports its candidacy as a general view of the conditions of domination; yet it also supports to the view that these kinds of domination indeed are forms of domination. If we add that SC also meets the desiderata of neutrality and inclusion, SC is a serious candidate for a general view of the conditions of domination, other things being equal.

Recall, as well, the two additional aims pursued in this part of this discussion: the first was to deepen the engagement of arbitrary power views, and the second was to explore the impact of hegemonic and purchase domination in public justification. Both aims were served by bringing out that hegemonic and purchase domination undercut the normative role of public justification as a condition of non-domination. As we have seen, when these kinds of domination are present, we should not infer from (i), below, either (ii) or (iii), other things being equal:

(i) φ is publicly justifiable (i.e., φ is justifiable on grounds that are authoritatively acceptable, or non-rejectable, by relevant people);

(ii) φ is *M*;

(iii) φ satisfies a necessary condition for being *M*.

This will undercut the role of public justification as a *first-order* condition of non-domination where non-domination power must have a merit that, like *M*, depends on its public justifiability. E.g., if φ does not dominate only if φ is legitimate, but its legitimacy depends on its public justifiability, then hegemonic or purchase domination in public justification make it doubtful that φ's public justifiability counts toward φ's legitimacy. And it will undercut its role as a *higher-order* condition of domination insofar as it undercuts its ability to *justify*. If a conception of non-domination must be publicly justifiable in order to be reasonable, then the presence of the forms of domination in public justification makes it doubtful that its public justifiability counts toward its reasonableness. Either way, extenuating circumstances might still license an inference from salient type-(i) claims, above, to type-(ii) or type-(iii) claims–but it may not be clear what circumstance can extenuate.

This complicates matters for arbitrary power views that construe public justification as a condition of non-domination. It will often be difficult to determine whether hegemonic and purchase domination are absent, or whether salient extenuating considerations are available. But without proper reassurances in these matters, it must be open what kind of contribution even successful public justification can make to non-domination practice. And the problem is not limited to the claims of arbitrary powers views of domination: the presence of hegemonic and purchase domination undercuts the normative role of public justification as a condition of non-domination because it undercuts its role as something that justifies.

What does this mean for SC? We have seen earlier that SC offers a basis to adjudicate between competing arbitrary power views of (non)domination: it brings them into the same horizon, and suggests we reconstruct their disagreement as one that, at bottom, is about the normative question of what statuses power should not deny. What we have seen in the second part of this discussion suggests that, in addition, SC helps us to conceptualize domination at a deeper explanatory level than (some) arbitrary power views. That is, it allows us to specify conditions of (status-centric) non-domination that enable public justification to play its alleged normative role: for public justification to be an important condition of non-domination (or to justify, for that matter), it must not involve undue denials of epistemic or discursive status. This seems plausible, and this further supports SC.

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