

**Interpersonal and Structural Domination: Frederick Douglass and the Invisible Chains that Bind Us.**

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As he looked forward to the end of the Civil War, Frederick Douglass had a stark warning for America's slaves. Emancipation would not bring freedom. "The slave," he predicted, would still "be bound in the invisible chains of slavery long after his iron chains are broken and forever buried out of sight" (1976, vol. 3: 292). All that would happen would be that they would "exchange the relation of slavery to individuals, only to become the slaves of the community at large." This is certainly a powerful image and Douglass has, arguably, been vindicated in his prediction of enduring African American oppression. In more than a century and a half since he made his remarks, in a speech aptly entitled "The Work of the Future," his words have acquired a particular poignancy in light of the intense and systematic resistance that black Americans have experienced in seeking to realize an equal freedom as citizens through the Counter-Reconstruction, the implementation of Jim Crow, the denial of civil rights, up to our present time seen through the backlash towards the demand that Black Lives Matter.

It is not, however, with the accuracy of Douglass's predictions that I will be concerned in what follows, but with his philosophical analysis of the nature of subjection to alienating forms of controlling power, or in republican terms, of domination. In equating iron and invisible chains, classifying each as slavery, Douglass brings together two seemingly very different kinds of subjection — directly to a personal master and indirectly to a hostile, oppressive and alienating social, political and economic environment — within a single overall concept of servitude, an idea which he analyses in republican terms as domination. His approach, I argue, makes a valuable contribution to the growing republican literature on structural domination. Douglass highlights the significant role played by the social and cultural environment in which personal and collective freedom is exercised. A political revolution that abolishes slavery, he argues, even where there is also an accompanying institutional reform, will only be successful if there is a corresponding revolution in social attitudes, values and

practices — “nothing less,” he says, “than a radical revolution in all the modes of thought which have flourished under the blighting slave system” (1976, vol. 3: 292). The pace of social and conceptual transformations is typically much slower and more uneven than for political changes, and so there is a need for continual processes of building, recreating and maintaining a shared set of beliefs, values, understandings and commitments amongst the citizens. This will both foster mutual trust and enable republican institutions to operate effectively.

In what follows, I will concentrate on a particular theme which plays a prominent role in Douglass’s analysis, the destabilizing effects of what he terms racial prejudice. Prejudice here refers not to individual dispositions but to pervasive and entrenched beliefs, attitudes and norms, which not only shape social expectations and practices, but which also systematically undermines the quality of public deliberation and the functioning of the public sphere. This is fatal for any republic. Republican freedom relies on institutions that are governed by a form of public reason that is constrained to be responsive to the shared interests and inclusive common good of all the citizens (Pettit 2001: 156-60). Only where this condition is met, can republican freedom have its requisite resilient character rather than being contingent on whether one’s particular interests are favored by the local prejudices (Coffee 2015: 52-3). Where the operation of public reason breaks down or is undermined, such as through the presence of entrenched and pervasive social prejudices, whether arising from hostility or ignorance, this can result in the systematic alienation and domination of whole classes of citizens. Since this domination is rooted in distortions in the way that citizens think and argue publicly it is often hard to either detect or to demonstrate conclusively and so address, hence Douglass’s reference to invisible chains. Under such conditions, the burdens faced by disadvantaged or stigmatized citizens in attempting to make their voices heard can be insurmountable.

Critics have often considered this to be a weak spot in the republican model, sometimes arguing that the concept of domination is ill-suited to remedying the subjection that stems from social prejudices (e.g. Hayward 2011, Krause 2013). One way that republicans have responded, has been to analyze domination as, at least in part, a structurally-constituted threat to freedom (e.g. Gädeke 2020, Hasan 2021, Jugov 2017) in contrast to the interpersonal or intergenerational terms in which republican discourse is most often conducted. It is in this theoretical space that I position Douglass. The literature on structural domination is growing

and diverse, including for example a burgeoning subfield that considers the economic causes and implications (e.g. Gourevitch 2013, Vrousalis 2020, Bryan 2022). Though economic and cultural factors cannot be cleanly separated, my arguments shall be confined specifically to the dominating effects of social prejudice through its effects on undermining public reasoning.<sup>1</sup>

In what follows, I shall interpret Douglass in republican terms. For the purposes of my argument, the term ‘republican’ has a limited and philosophical, neo-republican sense based on Douglass’s use of an ideal of freedom understood as independence, or non-domination (see Gooding-Williams 2009, Coffee 2020, Hasan 2021, Rogers 2020). This said, there are good reasons to understand Douglass as writing within the broader, historical republican tradition. In part, this is based on his use of classical republican concepts such as freedom as a social status reflecting membership as a citizen in a self-governing political community that is constrained by the rule of law to operate in the inclusive and representative common interests, and the high value he places on civic virtue and equality (Coffee 2020). Biographically, Douglass cites the importance his early acquaintance with *The Columbian Orator*, a collection of republican speeches and texts, had on his thinking (2002: 116-7, 201). Douglass can also be seen as part of a much larger body of nineteenth-century African American political thought that drew heavily on the republican tradition of the American Revolution, including David Walker and Hosea Easton (Rogers 2020). Both Douglass’s particular contribution to republican philosophical thought and the innovations and insights developed by African American republican thinkers have been severely overlooked by

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<sup>1</sup> Though Douglass’s emphasis is on the role of prejudice, as I discuss in section IV he acknowledges the role that economic factors play in generating myths and prejudices. Douglass also sometimes uses the phrase ‘wage slavery’ with respect to poor white workers, at times conceding that a white laborer might be “almost as much a slave as the black slave himself” (2002: 226). One feature of Douglass’s analysis here is that slaveholders and capitalists are motivated to create an enmity between white workers and black slaves by fostering the belief that only by maintaining the institution of chattel slavery can the former avoid falling into the condition of the latter, and so encouraging white pride, hostility and indignation. Though aspects of Douglass’s economic arguments can usefully be read in light of Gourevitch’s analysis of the Knights of Labor (2013), space does not allow me to pursue this further here since my focus is on Douglass’s distinct argument from prejudice.

republican scholars until very recently, and so while my focus is squarely on Douglass's analysis of domination in structural terms, I hope it also helps redress this broader imbalance.

The structure of the paper is as follows. In the first section, I trace Douglass's understanding of domination as taking two conceptually distinct forms, which I refer to as interpersonal and structural domination respectively, across four stages of his life from chattel slavery to life as a black citizen under Jim Crow. In section II, I contrast Douglass's approach with Philip Pettit's model. I argue that, that while Pettit acknowledges the significant impact that social and cultural factors can have in enabling and reinforcing cases of domination, the way that his model is constructed places the focus on the interpersonal element of domination and makes the identification of the kinds of structural domination associated with widespread cultural prejudice much more difficult. I highlight two differences in particular: Pettit's understanding of domination as requiring an intentional capacity to interfere with others; and his analysis of public reason in terms of co-operatively admissible considerations. In section III, I recreate Douglass's analysis of the problem that prejudice poses republicans by undermining the operation of public reason, drawing on his article on "The Color Line," before concluding my argument in section IV.

## I

Over the course of his life, which spanned most of the nineteenth century (1817-95), Douglass frequently and consistently invoked the ideas of being a slave both to individuals and to the community (or society). He did so even as his own personal circumstances with respect to slavery, and those of black Americans in general, went through several marked changes. Although in practice, as Douglass acknowledges, these two conditions are often very closely connected, and not always easily separated — each being a function of asymmetrical power in social relationships — he treats them as two different kinds of instantiation of the same overall condition of slavery.

Whether or not either one of these conditions of subjection reduces to, or should be understood in terms of, the other is a question that I save for the next section. In this section, I set out and analyze the contexts in which Douglass refers to the two states, my purpose being to show how Douglass consistently uses the terms 'slaves of individuals' and 'slaves of the community' across a range of very different personal, social and political contexts. I

examine Douglass's condition as a slave across four stages of his life: (1) as a chattel slave, or bondsman, (2) as a fugitive slave, (3) as a freedman in a slave society, and (4) as a black citizen in a racist society. Although each successive stage might appear at first to be a form of liberation from the previous state of bondage, in each case Douglass emphasizes how very little has in fact actually changed in his overall condition. He remains dominated, or as he puts it, a slave, throughout. At each stage, Douglass describes himself as being both a slave of individuals and a slave of the community. However, the balance between the two, or at least the emphasis he gives, shifts over time in a way that reflects his changing political status. As Douglass's legal standing became more secure, so the element of individual or interpersonal subjection that he faced diminished and more systemic social barriers became more prominent.

I shall refer to the idea of being a 'slave to individuals' as an interpersonal form of domination and of being a 'slave to the community' as a structural form. In section II, I will analyze more precisely what is meant by 'interpersonal' and 'structural' domination. Briefly, however, interpersonal domination indicates that an agent (individual or collective) has the capacity to interfere on an arbitrary basis in the choices that another agent is able to make (Pettit 1997: 52). Structural domination, by contrast, lacks this intentional element, referring to the situation where the effects of dominating power are disseminated socially through systematic processes that cannot be traced back to the actions or attitudes of particular identifiable agents but are instead the result of cumulative collective actions across society. Understood this way, structural domination picks out the kinds of pervasive restrictions and obstacles that certain individuals face irrespective of any domination they experience from particular dominators (Gädeke 2020: 200).

(1) As a chattel slave, Douglass was dominated by his master in the straightforward interpersonal sense that often serves as the paradigm of domination in the republican tradition. The person and power of the master looms large in the life of a chattel slave, overshadowing almost everything else. Douglass gives us a sense of the overwhelming presence that the master had over his life in his autobiographies, articulating it in canonically republican terms. As a child, even before he understood what it was to be a slave, he recalls how he was aware of having "my entire dependence on the will of *somebody* I had never seen" (2002: 37, original italics). In emphasizing 'somebody', Douglass highlights the fact that

there was an identifiable agent in whose power he lay, albeit one mediated through a layer of overseers. He spells out the nature of this power in several early speeches. The slave, he says, cannot “decide on anything pertaining to his own actions” but instead, “the slaveholder decided for him when he should eat, when he should drink, when he should speak, and when he should be silent—what he should work at, and what he should work for, and by whom he should be punished. He had no voice whatever in his destiny. This was a slave” (1979, vol. 1: 93 [1845], 135 [1846]). “Having the physical power of a man,” he concludes, the slave “may not exercise it, — having an intellect, he may not use it, — having a soul, he may not call it his own” (135). Douglass also emphasizes the arbitrary nature of the slaveholder’s power. A slave, he says, is subject to the “will and caprice” of “an irresponsible owner, who can do with him what he pleases” (1979, vol. 1: 273, 400). Rather than being governed only in the common interest, as republican freedom requires, “the will and the wishes of the master are the law of the slave” (1979, vol. 1: 135).

Interpersonally dominating power of this kind does not, however, exist in isolation. As a slave, Douglass was well aware of the role that wider American society played in permitting and sustaining his continued subjection. “I am,” he reflected, “not only the slave of Thomas, but I am the slave of society at large. Society at large has bound itself, in form and in fact, to assist Master Thomas in robbing me of my rightful liberty” (2002: 140). Nevertheless, while Douglass’s master had a direct personal power over him, the effects of ‘society at large’ are indirect and diffuse. Though Douglass is affected, he is not picked out for domination as an individual but as a member of the slave class, the whole of which is subject to the same dominating power which is maintained by the collective actions of (free white) society. Douglass’s realization that there was a broad complicity in his enslavement, allowed him to shift the focus of his resistance to servitude, from retaliating only against his immediate master — such as by stealing food when hungry, or appropriating money as “just earnings” — to rebelling against the rest of society (139–40). “Since each slave belongs to all,” he reasoned, “all must, therefore, belong to each.” Everyone who participates in, and thereby supports, the society which accepts and sustains slavery is complicit in its wrongs and is, therefore, a legitimate object of resistance.

Douglass, then, understands himself to be subject to both interpersonal and structural forms of domination, each of which is analyzed as a form of slavery. Although in the case of

chattel slavery, these two conditions are clearly connected — the slaveholders' position of dominance, after all, derives from the institutional and cultural support of society — this does not of itself allow us to draw any conceptual conclusions about whether we should think in terms of two distinct kinds of domination, or whether either form has a theoretical priority over the other. Indeed, on this issue republicans are divided. As we shall see in the next section, on Pettit's account while social and institutional structures enable interpersonal forms of domination they do not constitute domination. Rafeeq Hasan, by contrast, argues that structures "partially constitute" and are necessary for domination (2021).<sup>2</sup>

Individually, Douglass's master had a specific power to determine the overall course Douglass's life, including deciding the precise forms of pain or humiliation that he would receive. Accordingly, it was this particular master (or his representatives) that Douglass had to learn to read, and then to placate, deceive, avoid, or confront. Douglass's resistance was directed, in the first instance at least, towards an identifiable figure. This brought a necessarily personal dimension to the master-slave relationship in his case that is not replicated in purely structural forms of domination, where the actions of agents in wider society are often unseen and have an indirect effect on Douglass, serving to uphold and reinforce the oppressive norms and structures in question.

(2) Douglass escaped from his master, Thomas Auld, in 1838 and fled north. However, he reports finding very little substantive change in his condition (2002: 249–63). Douglass may have been beyond the direct reach of Auld, but he was still legally Auld's property. In republican terms, having the good fortune to evade the clutches of one's master does not qualify as freedom since this condition is not held by right. Republican freedom must be resiliently rather than contingently held, so Douglass remained interpersonally dominated by Auld in this sense.

Even if we grant that Auld's immediate hold over him had diminished, Douglass now faced an indefinite set of new dominators in the form of anyone who might betray him and cause him to be returned to his master. To the fugitive slave, everyone is a dominator ("I must trust no man with my secret," 2002: 248). Without a secure legal status, there could be no

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<sup>2</sup> Hasan illustrates his own arguments by drawing on passages from Douglass that emphasize the role of structures. Hasan, however, does not formally analyze Douglass as a republican philosopher but, rather, uses aspects of Douglass's experience to build his own case.

relief from this uncertainty (the “painful liability to be returned again to slavery, which haunted me by day, and troubled my dreams by night” so that I was “tormented with the liability of losing my liberty,” 268–9). Pettit’s account treats explicitly allows for Douglass’s situation to be articulated in interpersonal terms. The fugitive, he argues, has no protection under the law, by which all protection against (interpersonal) domination is secured making him, in effect, a “*servus sine domino*, a slave without a master” (1997: 31). That almost every individual he meets represents a dominator does not itself make him a ‘slave of society’ in the structural sense. Rather, by lacking the basic legal protections necessary for republican freedom, Douglass is continually exposed to the intentional use of power by others around him on a dyadic basis.

This said, the same background structural conditions that supported chattel slavery remained in place. These systematically prevented Douglass from acquiring a secure foothold in society and integrating with it as a freeman. Pervasive, structural factors, including racist attitudes, both underpinned and exacerbated the interpersonal domination to which Douglass was subject. When, for example, Douglass applies for a position as a caulker — a well-paid profession at which he is skilled — he is told that if he were to be hired, “every white man would leave the ship,” leaving him to eke out a living doing unskilled casual laboring jobs (257). In this instance, then, Douglass is structurally dominated as I have defined it above. From Douglass’s account, any white foreman would have refused to hire any black applicant. The employers are acting legally and, perhaps, may not have any realistic choice to hire Douglass if they want to stay in business. While the outcome for Douglass, as for almost all aspiring black caulkers, remains the same — he cannot find work — his domination is not simply a vulnerability to repeated dyadic domination. Instead domination stems from the more dispersed interaction across society and the economy of white citizens who collectively create the conditions in which Douglass is shut out of the labor market. I say more about this in section II.

(3) In 1846, Douglass became legally free when his supporters brokered a financial settlement with his legal owner (2002: 276). However, though Douglass lived in the non-slaveholding states of New York and Massachusetts, the United States as a whole remained a slaveholding society. Indeed, the first thing Douglass records after recounting his purchase was the relief he would subsequently feel at being placed beyond the reach of the Fugitive

Slave bill of 1850 which required that escapees be tracked down and returned to their owners, even in supposedly 'free' states.

As it was, although as a freeman Douglass was now able to act more openly in society, he records little overall substantive change in his condition of being dominated, with the elements of exposure to both interpersonal and structural domination remaining in place. While the legal rights Douglass had gained were undoubtedly valuable, if incomplete, he regarded them as having been outweighed by the depth and implacability of the structural forms of domination to which he remained subject. His feelings on this intensified following his tour of Great Britain in 1845–7, where he reported having felt accepted as a human being and equal. On his return, he reflected that “the lash of proscription, to a man accustomed to equal social position, even for a time, as I was, has a sting for the soul hardly less severe than that which bites the flesh and draws the blood from the back of the plantation slave” (2002: 288).

(4) America ceased to be a slaveholding society in 1865 with the end of the Civil War. Although at this point Douglass formally became a full citizen in republican terms, once again he argues that, substantively, very little had changed in his position. Significantly, he analyses this as a continuation of slavery, building on his earlier prediction his earlier fear that the “invisible chains of slavery” would continue to bind black Americans long after their iron chains had been broken by emancipation. “The old master class,” he observed, “is triumphant and the newly enfranchised class in a condition but little above that in which they were found before” (2003: 368). As before, Douglass reports being subject to both interpersonal and structural forms of domination.

Interpersonally, Douglass highlights how former slaves would often remain (dyadically) “completely in the power of the old master,” giving a clear republican rationale: “he who can say to his fellow-man, ‘you shall serve me or starve’ is a master and his subject is a slave.... he is in a thralldom grievous and intolerable, compelled to work for whatever his employer is pleased to pay him” (2003: 274). That former bondsmen were no longer bought and sold did not change the fact of their subjection: “no man can be truly free whose liberty is dependent upon the thought, feeling, and action of others, and who has himself no means in his own hands for guarding, protecting, defending, and maintaining that liberty.” Structurally, on the other hand, Douglass now gives an account that makes explicit that it is

not necessary that particular agents be picked out as dominators for a condition to be considered dominating. The black man, “was free by law, but denied the chief advantages of freedom; he was indeed but nominally free; he was *not compelled to call any man his master, and no one could call him slave*, but he was *still in fact a slave, a slave to society*, and could only be a hewer of wood and a drawer of water” (1979, vol. 5: 619, emphasis added).

In contrast to the chattel slave, who was always dominated both interpersonally and structurally, as a formally free citizen of a racist society the two kinds of domination come apart. Chattel slaves are necessarily interpersonally dominated by their masters, a position which is encoded into the social and institutional structures of society and upheld by the wider population, making them both ‘slaves to individuals’ and ‘slaves to society’. In the case of notionally-emancipated former slaves, however, Douglass argues that it will not always be possible to pick out identifiable individuals as dominators. Freedmen were dominated as a class of people. Just as the Gibeonites were condemned to perpetual servitude as hewers and drawers in the Biblical story, so emancipated black citizens formed the subordinate class — or as Douglass often writes, caste — with no end in sight. Even where freedmen were not directly in the controlling power of particular others, then, they remained dominated indirectly in virtue of the prevailing social and institutional conditions. These were predominantly the legacy of the conditions that were in place during the long period of institutional slavery but continued to be held in place by the accumulated and combined interactions and attitudes of the dominant white population as a whole. It was, Douglass argues, as if black Americans had been “given the machinery of liberty, but there was denied to them the steam to put it in motion” (2003: 368). The former slave, Douglass argues, “had none of the conditions for self-preservation or self-protection. He was *free from the individual master, but the slave of society*” (274 emphasis added).

Douglass outlines several of the resources that freedmen lacked that were necessary for self-protection and which would help provide steam for the engine of freedom, often invoking the idea of freedmen being ‘slaves of society’, including money, property and friends (referring both to their own social support networks as well as goodwill from wider society), as well as political rights, education and employment opportunities (386; 1979, vol. 5: 619). Without political rights, for example, the black man’s “liberty is a mockery; without this, you might as well almost retain the old name of slavery for his condition; for in fact, if he is not

the slave of the individual master, he is the slave of society, and holds his liberty as a privilege, not as a right. He is at the mercy of the mob, and has no means of protecting himself” (1976, vol. 4: 158).

To reiterate, Douglass’s argument is not that simply because black Americans lacked these kinds of resources that this of itself constitutes a structural form of domination. The list of essential resources for freedom that Douglass gives will be accepted by almost all republicans, irrespective of whether they understand domination in interpersonal or structural terms. In the next two sections, I shall explain why it is that Douglass considers the conditions in the post-bellum period to be a specifically structural phenomenon, how he links the interpersonal and structural kinds of domination within a republican framework, and what advantages this approach might have. I do this by focusing on the particular role that Douglass identifies social prejudice as playing in creating, entrenching and perpetuating a class- or caste-based system of domination. My purpose above has only been to establish that Douglass does distinguish these two kinds of domination. Starting with a case of domination that is widely regarded by republicans as being paradigmatic of domination — chattel slavery — Douglass separately analyses the interpersonal and structural components treating each as a kind of domination in its own right. Then, through a series of stages each of might appear to be a form of liberation Douglass argues that the slave’s condition remains essentially unchanged. As the potential for interpersonal domination diminishes with each step, so the structural elements become more prominent leading Douglass to conclude that he remains a slave, notwithstanding formal abolition.

## II

Although few, if any, republicans would not acknowledge that both interpersonal and structural factors play an important part in creating situations of domination, the challenge they face is how to accommodate these within a republican framework. In order to show what is distinctive about Douglass’s approach, in this section I shall set out and analyze the most common republican approach, as exemplified by Philip Pettit, in which the emphasis is placed on the interpersonal element, with structural considerations being treated as part of the

background conditions which either enable or hinder republican non-domination.<sup>3</sup> My purpose here is only to draw out the implications, and perhaps limitations, of this orientation in order to show where Douglass's model can add value.

Pettit identifies as the essence of domination that a person's will is, in some sense, "subject to the will of others" (2012: 7). In starting from this position, Pettit aims to distinguish human restrictions on freedom from the effect of natural obstacles that may frustrate our actions, and so stipulates that domination always comes from agents rather than from some impersonal force such as a "system or network" (1997: 52). On Pettit's definition, "someone A, will be dominated by B in a certain choice by another agent or agency, to the extent that B has a power of interfering in the choice that is not controlled by A" (2012: 49). Dominating agents, here, may be either individual or collective, such as the government or the tyranny of the majority, "where the domination is never the function of a single individual's power" (1997: 52). What is important is that their interference is intentional or 'quasi-intentional'.<sup>4</sup> That domination derives from an agent's capacity to interfere intentionally does not mean that the agents themselves wish to dominate others. All that is required is that the agents have a choice about whether or not to interfere. This is because republican freedom is said to be resilient, meaning that it is not enough that others do not in fact interfere in one's choices. To be free, one must be protected against the possibility of such interference. A benign husband in a patriarchal society may be an unwilling dominator because the laws and

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<sup>3</sup> There are other republican models that would serve equally well as exemplars, such as Frank Lovett's influential and increasingly prominent position which shares a number of salient features with Pettit's (2010, 2022). I focus on Pettit in part because his framework often serves as a reference point for commentators on the issue of structural domination, and in part because Pettit specifically positions himself as continuing the broader historical neo-republican tradition in which I locate Douglass. Lovett's republicanism is also often very well historically informed, though in *A General Theory of Domination and Justice*, he remarks that his intention there, at least, was not to square his conclusions "with anything that one can find in the classical republican condition" (2010: 9). This said, I should note that in his latest book, Lovett does argue that "the classical and contemporary republicans together constitute a coherent political tradition" (2022: 3).

<sup>4</sup> Pettit gives the case of domination that results from an agent's negligence as an instance of quasi-intentional interference (2012: 39, 49)

prevailing customs given him a controlling power over his wife. Though he may not wish to be in that position, and may never exercise his power, he nevertheless dominates his wife.

The fact of unwilling dominators points to a structural element in domination since it is in virtue of the laws and customs that a dominator has this capacity, a point which Pettit acknowledges (2012: 63). This structural aspect, Pettit argues, is indirect in contrast to the direct manner in which agents dominate other agents. Here, he distinguishes between those factors which condition (or vitiate) freedom and those which reduce (or invade) freedom (37-43). Freedom that has been conditioned has not actually been reduced although its scope may have been curtailed, the reason being that while vitiating factors may deprive people of necessary or valuable resources for freedom, or may limit what people can do with their resources, these kinds of factors do not involve the imposition of the will of an agent over another, and so leave the subjected person's agency intact. Social structures, in the form of "the ways a society is organized, culturally, economically or legally," that enable some people to have a dominating power over others are said to "vitate, but not invade" choice (63). Structures of this kind, then, are not themselves understood to be dominating, although it is acknowledged that they may "indirectly facilitate the worst forms of invasion and domination in society." This much said, Pettit acknowledges a grey area. "The way things are organized in a society may not be the work of will in a relevant sense and may not invade people's choices as such — it may be the unintended, aggregate consequence of how people are independently motivated to act — but it can impact on free choice in a way that is closely connected to invasion" (44). The implication of this, he concludes is that patterns of organization may not only facilitate the invasion of freedom but "may amount to an indirect, structural form of invasion, we might even say, as distinct from the direct, personal form of invasion that it occasions."<sup>5</sup>

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<sup>5</sup> Pettit does not develop on the nature of any distinct form of structural invasion in *On the People's Terms*. In a later article, he restates his main argument that domination "can exist only between agents, individual or corporate. But to live under structures that facilitate domination by other agents... is to be subject to structural domination," referring back to *OPT* (2016: 52). Structural domination as he uses it here refers only to the facilitation of domination rather than as an invasion of freedom itself.

The fundamental question, then, on Pettit's approach is to ask not whether domination is interpersonal or structural but whether there is a credible sense in which there has been an imposition of an alien, or arbitrary, controlling will. This is a helpful perspective. Indeed, in *Just Freedom*, Pettit emphasizes the importance of paying attention to the effect of social structures: "the republican focus does not necessarily mean that in seeking to protect people against domination we should attend primarily to the particular relationships, whether at the hands of other individuals or of corporate agencies such as companies, churches and states. Such domination is often possible only because of the practices and institutions of the wider society and world: the culture, economy or constitution," adding that "it will often make sense in pursuing relief from domination to pay attention to these deeper sources of domination" (2014: 53). Nevertheless, I shall argue that Pettit's model is not well designed to identify and address the domination that results from certain kinds of these deeper sources, namely those that result from social prejudice. This is because of the way he understands the operation of public reason which is vulnerable to the distorting effects of prejudices.

The principle guiding the republican organization of social and political life is, as Pettit puts it, "that arrangements between citizens should be designed to promote people's equal enjoyment of freedom as non-domination" (2012: 123). This principle is embedded in the republican ideal of law, which must uphold a set of basic liberties designed to promote and enable equal non-domination, and should also be reflected in the prevailing social norms. Appropriate laws and norms are equally necessary and mutually supportive. "The laws," Pettit says, "must give support to the norms and the norms must give support to the laws" (1997: 242). Norms, here, are forms of behavior that support equal freedom from domination. In particular, he focuses on norms of civility (1997: 241–270) and procedural norms for public deliberation and decision-making (2012: 252–69). Norms of civility include recognizing others as legitimate citizens and dialogue partners, accepting and supporting the law and its institutions, and identifying with ones fellow citizens in the shared enterprise of maintaining a free society, while procedural norms should embody the principle that only considerations which can reasonably be expected to be acceptable to all citizens can be adopted as policy.

Though suitably supportive norms are a precondition for a viable republic, the precise set a society should have is not fixed in advance. Neither are the norms static since it is

acknowledged that cultures, values, circumstances and knowledge will both vary between peoples and evolve over time. The prevailing norms in a republican state, and the society it governs, must therefore be open to being contested by the citizens and potentially revised in light of their changing or developing understanding of what collective, equal freedom from domination requires. One illustration that Pettit gives is of the owners of apartments in a condominium debating the rules by which their communal life together should be conducted (2012: 258). Even if some of these rules are pre-established, he argues, as the members continue to work out their collective lives in finer detail so they will come to establish new rules, and perhaps discard earlier ones, always bearing in mind the overarching commitment to equality that grounds and constrains their debate.

However, while the analogy with a residents' management committee may be illuminating for certain kinds of public deliberative decision making, Pettit also gives some examples where fundamental social norms have been contested which raise far more complex issues. In one case, Pettit refers to the "revolution in attitudes which many societies have recently experienced on questions to do with the role of women or the place of ethnic minorities" (1997: 247). Another example concerns the rejection of the idea that races could be separate but equal as inconsistent with the demands of equal respect (2012: 263). The norms involved in these cases differ in kind from considerations of appropriate decision-making procedures or questions of civility.<sup>6</sup> Attitudes to gender, race and ethnicity can often reflect or involve people's deeply-held beliefs and values, including their religious commitments, and their sense of identity, belonging and tradition. They may also operate at an unreflective or subconscious level as implicit biases that individuals are either unaware of or reluctant to question. In addition, the accumulated effects over generations of patriarchal and racist norms have also come to pervade social practices and shape cultural norms in myriad forms that are hard to detect and unravel. These often systematically, if subtly, severely disadvantage the members of certain social groups in ways that can be both easily overlooked and highly contested by those who do not accept that there has been any such disadvantage. While attitudes towards women and minority races have clearly changed over time, the recent emergence of, and resistance to, popular movements such as Me Too and

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<sup>6</sup> I note in passing that Pettit's reference to the principle of 'separate but equal' is made in the context of decision-making norms.

Black Lives Matter, suggest that the ‘revolution in attitudes’ that Pettit refers to, while undoubtedly real, may also be very fragile.

Pettit is, of course, aware of the importance of constant vigilance by the citizens against emerging threats of domination, invoking the traditional maxim that the price of freedom is eternal vigilance (1997: 250). Indeed, he considers such preparedness itself to be a basic norm of civility. However, the sense in which he tends to discuss citizen vigilance is through processes of democratic contestation where the norms of civility and procedure are used to keep the government and other powerful groups in check through the process of rational public discourse (2012: 225–9). Very little is said about those cases in which fundamental social norms are themselves understood or applied in distorted ways because of widespread and systematic prejudices, such as often affect women and historically oppressed racial minorities. In the case of the shift in attitudes towards sex and race, Pettit refers to the tireless role played by social activists but he does not spell out how they achieved their results. However, since republican freedom must be robustly rather than contingently held, and since these prejudicial norms create patterns of domination, it must be possible to contest and overturn them reliably rather than contingently. In other words, it cannot be through mere fortune or the goodwill of the citizens that their biases are overturned. There must be, rather, a reliable means of contesting them. So, while norms supportive of freedom from domination must be internalized by individuals we cannot rely on the emotional persuasion of the citizens as the driver of change. The principal role in bringing about a change in social attitudes must come from public discourse, something that it is very difficult to achieve when the very objects of discussion are the longstanding and deeply-held prejudices that distort the terms of the discourse itself. I shall discuss this in greater depth in the next section.

### III

Douglas’s position is that individuals can be dominated indirectly in virtue of social structures in ways that cannot be traced back to the imposition of the intentional wills of dominating agents. My claim here, I should emphasize, is not that the structures themselves act as dominating forces in some metaphysically mysterious way. The involvement of agents is always required for there to be domination. In the interpersonal case, there is a bilateral

relationship whereby more powerful agents are in a position to exercise arbitrary power over weaker agents, should they choose to do so. In the structural case, we do not think only in bilateral terms but introduce a third category of agents, the broader citizenry. The citizens at large are not direct dominators — they do not themselves possess the power of arbitrary interference or alien control through their intentional choices (or at least if they do it is not relevant to the role under discussion) — but rather they play a supportive role in creating, maintaining and perpetuating the social, cultural and conceptual forms in virtue of which the instances and patterns of domination exist. Gädeke very helpfully introduces the idea of the citizens acting as “peripheral agents” in this context, drawing on the work of Thomas Wartenberg (2020: 207).<sup>7</sup>

Though social structures can give rise to domination in a variety of ways, Douglass places particular emphasis on a specific role played by widespread and entrenched social prejudices. The issue at hand in this context is not so much with the direct impact prejudice has on the actions and opportunities of black individuals (though this is significant) as with the effect that Douglass identifies prejudice as having on people’s capacity to reason clearly and impartially. Systematic patterns of prejudice, in this case racial, undermine the reliable operation of public reason according to which standards all republican institutions and civic discourse must be held accountable, including the operation of the law, the democratic process, the formulation of government policy, and the identification of the common good. The underlying principle here derives from the robust nature of republican freedom. Citizens must always be able, reliably, to contest cases of domination with a good chance of success or have an effective voice in civil society. This cannot be a matter of good fortune or contingent circumstances but must derive from a willingness by others to listen to the best

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<sup>7</sup> Gädeke’s important article makes the argument that all domination is structurally-constituted in this way since “no single agent may ever acquire such robust power over others without it being at least tacitly enabled by others not constraining such a power” (2020: 207). This may be right, although I do not go all the way with her on it. Nevertheless, I do not see sufficient license in Douglass’s analysis to attribute Gädeke’s strong view to Douglass and so it is beyond my scope to discuss whether domination must indeed always be structurally-constituted. While it may appear as though Douglass would be sympathetic to Gädeke’s view — since his primary case study is that of slavery which is socially-enshrined — he does not make such a claim and so I retain the distinction between interpersonal and structural domination.

arguments made in light of acknowledged shared standards, a condition that cannot be met under conditions in which there are systematic biases against certain social groups, including hostility, ignorance or conceptual barriers (Coffee 2015: 47–8). Ensuring that public discourse can be inclusive, representative and accessible to all is, therefore, fundamental to the republican project. This cannot be not merely a background condition to be fulfilled but must represent a central republican theoretical and practical concern.

In this section, I draw primarily on Douglass’s article “The Color Line” in which he gives a detailed analysis (1976, vol. 4: 342–52).<sup>8</sup> Rather than being the initial or ultimate cause of intergroup oppression and domination, Douglass argues that more often, racial prejudices arise to justify existing patterns of social, political or economic exploitation by one group by another, eventually becoming established within the national narratives. Giving the example of the Norman conquest of Saxon England, he argues that, “having seen the Saxon a menial, a hostler, and a common drudge, oppressed and dejected for centuries, it was easy to invest him with all sorts of odious peculiarities, and to deny him all manly predicates” (433). So powerful had this denigrating image become, that Douglass notes that even after 800 years, to have Norman heritage in England was still considered a sign of distinction. There was, therefore, nothing unique in the mere fact of American “prejudice of race.” All nations are said to have been afflicted in some degree by this phenomenon. What was exceptional about the United States, according to Douglass, was the nature and scale of exploitation involved in slavery. The economic rewards were so great, and the resulting inequalities so stark, that there was a correspondingly powerful motivation amongst the dominant white population to develop a resilient and oppressive set of rationalizing attitudes: “every man who had a thousand dollars so invested had a thousand reasons for painting the black man as fit only for slavery. Having made him the companion of horses and mules, he naturally sought to justify himself by assuming that the Negro was not much better than a mule” (348). The result, Douglass argues, was the emergence of a comprehensive system of beliefs, norms, values, and practices that denigrate, diminish, belittle, and vilify black Americans while justifying the dominant position of whites which came to be enshrined within, and to shape fundamentally,

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<sup>8</sup> In Coffee 2020, I give an extended analysis of Douglass’s republican arguments for the emergence of systems of racial prejudice based on social and economic inequality and the resulting breakdown in civic virtue.

the conceptual and symbolic background of society within which the thought, action and debate amongst citizens took place, affecting all aspects of American life.

Once established, a system of this kind — just as in the case of the Normans — is highly resistant to change and difficult to dislodge so that it persists even the original conditions that gave rise to it no longer apply. When “the money motive for assailing the negro which slavery represented” was diminished after abolition, the associated “love of power and dominion, strengthened by two centuries of irresponsible power” remained firmly intact. Though the negro, Douglass goes on, “may not now be bought and sold like a beast in the market... he is the trammelled victim of a prejudice, well calculated to repress his manly ambition, paralyze his energies, and make him a dejected and spiritless man, if not a sullen enemy to society” (344). The nature of this system of denigrating and justifying attitudes was to exclude black Americans from mainstream social, political and economic life. This led to what Douglass refers to as a rigid and persistent ‘color line’ — a concept later taken up by others such as Ida B. Wells and W. E. B. Du Bois — that divided society through a strict racial caste system that kept in place the substance, if not the precise form, of the old slave system. “This prejudice and this color line,” Douglass argues, has come out of the depths of slavery and “is broad enough and black enough to explain all the malign influences which assail the newly emancipated millions to-day” so that slavery’s “shadow still lingers over the country and poisons more or less the moral atmosphere of all sections of the republic” (348). For black citizens, there is no escaping the line’s firm boundary: “it fills the air. It meets them at the workshop and factory, when they apply for work. It meets them at the church, at the hotel, at the ballot-box, and worst of all, it meets them in the jury-box” (344).

Clearly, such an environment would lead to the interpersonal domination of black Americans. Devastating as this could be, however, it is not Douglass’s primary target here. If the color line is to hold fast, it is not enough that it influences how people act. Far more significant, he shows, are the implications of how a prejudiced social environment affects the way that people — both white and black — think. Widespread and entrenched prejudice undermines the very existence of a free society because it systematically disables the operation of public reason which, we have noted, is a constitutive feature of a free republic. In this respect, Douglass identifies three effects as being of particular importance. Pervasive prejudice (1) weakens the ability of citizens to employ their critical faculties; (2) evokes

powerful and hostile emotions in the dominant white population towards the marginalized black citizenry; (3) fosters enduring social myths that pass largely unnoticed by those who hold them. The combined effect is devastating for the quality of public discourse on which the effective functioning of republican institutions depends, inhibiting citizens' ability to conceptualize or express positions that run counter to the prejudices and diminishing black Americans' social standing and public voices. I take each of the Douglass's three effects in turn.

(1) First, Douglass discusses the way that holding prejudiced attitudes and beliefs disables people's ability to reason impartially. "Few evils," he argues, are "less accessible to the force of reason, or more tenacious of life and power, than a long-standing prejudice," referring to it as "a moral disorder, which creates the conditions necessary to its own existence, and fortifies itself by refusing all contradiction" (342).<sup>9</sup> What Douglass has in mind is the tendency for prejudiced beliefs to serve as fixed anchor points, commitments around which the holder's other beliefs are accommodated and arranged (what Jonathan Glover refers to as framework principles, 2001: 265–73). The prejudiced belief represents an important part of a person's overall view of the world, such as that white people are superior to black. These beliefs are not themselves grounded in sound evidence or reasoning but instead serve as an organizing principle for other beliefs. Inevitably, other beliefs — which may be supported by evidence about the world — will come into conflict with the prejudiced commitment. Where non-framework principles and beliefs are concerned, in cases of conflict either one could be revised to fit the best available evidence. Framework principles, however, are immune from challenge. All other ideas must be skewed, stretched or abandoned in an effort to maintain the framework, no matter how ludicrous this may end up being. Douglass gives the following example.

If one starts, for instance, with the idea that qualities such as intelligence or ambition belong properly only to white people, then to account for instances where these attributes cannot be denied in a particular person of color, it is only a short step to assume that he or she must have at a "drop of Teutonic blood" (1976, vol. 4: 344). The converse is also true,

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<sup>9</sup> Similarly, "prejudice sets all logic at defiance. It takes no account of reason or consistency" (2003: 441).

with vices found in white people being easily attributed to a “drop of Negro blood.” This belief is clearly absurd and at variance with scientific principles, and yet it has been remarkably persistent. Allen Buchanan, for example, reports hearing just these explanations as a child growing up in the American South in the 1960s and makes a similar claim to Douglass about the cognitive dissonance that arises between the substantively false belief (white superiority) and the conflicting evidence (an intelligent black person) (2004: 96). Douglass gives a structural analysis of the underlying logic of these pervasive prejudices that are held to apply to black people “as a race,” rather than to particular “individual representatives” (1976, vol. 4: 344). The result is a generalized system of domination of black Americans by white. “Everything against the person with the hated color,” Douglass tells us, “is promptly taken for granted; while everything in his favor is received with suspicion and doubt.” This creates a dangerous and uncertain world for all black citizens which is impossible to be sure of evading. Douglass makes an observation in this respect that, sadly, could have been written at any time in the intervening 140 years: “in presence of this spirit, if a crime is committed, and the criminal is not positively known, a suspicious-looking colored man is sure to have been seen in the neighborhood. If an unarmed colored man is shot down and dies in his tracks, a jury, under the influence of this spirit, does not hesitate to find the murdered man the real criminal, and the murderer innocent” (345).

(2) Secondly, Douglass highlights the role that prejudice has in stirring powerful emotions that reinforce false beliefs, further insulating them from argument or inspection. Skin color, he argues, becomes a signifier of undesirable and despised qualities through association. Though color itself has no moral significance, the degraded condition in which black slaves were placed became conflated in white people’s minds with who they were as people in themselves, so that the very idea of black skin came inevitably to invoke revulsion, causing a strong reflex emotion which reinforces the caste system. “Slavery ignorance, stupidity, servility, poverty, dependence, are undesirable conditions,” he argues, and “when these shall cease to be coupled with color, there will be no color line drawn” (350). The emotions stirred are powerful and visceral, immune from rational scrutiny and forming part of the framework principles around which people understand their social world. To defend the color line is equated with defending virtue and what is good. “Let any man now claim for the Negro,” Douglass observes, “or worse still, let the Negro now claim for himself, any right, privilege or

immunity which has hitherto been denied him by law or custom, and he will at once open a fountain of bitterness, and call forth overwhelming,” a reaction he attributes to the “mountain of prejudice to hold [the black man] down” (1979, vol. 5: 63). Even well-meaning white citizens can be influenced by this emotional association of color and degradation. Douglass recalls how an abolitionist magnanimously told him that he would not be ashamed to walk with him, “arm-in-arm, in open daylight,” without dreaming that there might be a reason why the converse could be true, and Douglass might be ashamed to be seen with him (1976, vol. 4: 351).

(3) Thirdly, Douglass points to the tendency for racial prejudices to become established as pervasive and enduring social myths that, unperceived by those under their sway, sustain the associated social beliefs and attitudes long into the future, proving themselves to be remarkably resistant to efforts at reform. These myths result from the first two effects described but, in turn, come to reinforce them. Douglass gives numerous examples. There are myths concerning what is said to be ‘natural’, such as the mutual hostility between the races (“there must be something in color of itself to kindle rage and inflame hate, and render the white man generally uncomfortable,” 349). There are myths that stoke fear (such as that a free black population would be violent or a drag on social resources, or that black workers would take white jobs) and there are myths that flatter the self-image of the white population (such as that black people are naturally less intelligent, lacking in virtue, lazy and that white people are more capable of the duties of citizenship and so deserve of its rewards). The invoking of fear and flattery is not surprising, since these are central to the classical republican analysis of the disastrous effects of slavery on both individual and collective civic virtue — slaveholders fear their slaves but are susceptible to their obsequious flattery (Skinner 2010). The arguments associated with each part may often be contradictory, as Douglass points out. “To-day,” he notes, the negro “is said to be originally and permanently inferior to the white race, and yet wild apprehensions are expressed lest six millions of this inferior race will somehow or other manage to rule over thirty-five millions of the superior race” (351). To those whose judgement has been clouded by emotion and prejudice, such contradictions need not be a concern.

#### IV

The accumulated effects of the kind of pervasive social prejudices that Douglass identifies are devastating for the possibility of freedom from domination. So much so, that more than two decades after their formal emancipation, Douglass denounced it as a “a stupendous fraud” that left the black American “nominally free” but “actually a slave” (1979, vol. 5: 363). What he found especially troubling was that their bondage was now no longer overt. Instead of physically by chains, black citizens were held down by the invisible force of attitudes, values and prejudices, making domination so much harder to prove by those who suffer from it. One example that Douglass often invokes is the response by white Americans to black demands for protective laws against discrimination that they have “done enough for the negro” already (1976 vol. 5: 623, also vol.4: 96 and 2003: 374). “We have given him his liberty,” the argument goes, “and we should now let him do for himself” and stand on his own just like any other responsible citizen.

The outcome is that even after abolition, slavery “has not neglected its own conservation” but has “steadily exerted an influence upon all around it favorable to its own continuance,” so that today it strong enough to persist “not only without law, but even against law. Custom, manners, morals, religion, are all on its side everywhere... [and so] you have the conditions, not out of which slavery will again grow, but under which it is impossible for the Federal government to wholly destroy it (1866: 764). On Douglass’s account, I have argued, at least one of the resulting kinds of domination is structural in nature. Black citizens are not just made persistently vulnerable to dyadic domination on an interpersonal basis, where the dominators have a choice about whether to interfere, but are also systematically subject to domination where no particular qualifying dominators can be picked out. If they are to be free, all citizens, from no matter which class or constituent social group, must be sure that they are equally protected by, and have their interests represented within, the law, republican institutions and public policy. This can only be achieved where there is a shared set of acknowledged standards by which arguments that concern public matters — especially where cases of domination are contested — can be put forward and judged. The implication is that attention to ensuring that the social, cultural and conceptual environment — in the form of shared and representative norms, values, traditions and practices — in which public reason is exercised must be as much of a priority for republicans as attention to the law and institutions.

If, as I have argued, the creation and subsequent ongoing maintenance of a suitable social and cultural environment is a fundamental requirement of republican theory is entailed by the resilience component of freedom as non-domination, then it is incumbent upon republicans both to understand the effects of culture on political freedom and to find ways to address its threats. The effects of prejudiced social environments is not simply one of many kinds of domination that republicans must address. By corrupting the most basic means by which republican institutions can offer and promote freedom from domination — the operation of public reason — the continued unchecked presence of widespread prejudices strikes at the core of the republican model. The quality of the political culture can shift markedly over time without being readily perceived by the citizens or their representatives. We cannot place too heavy a reliance on republican institutions to foster and maintain a representative and virtuous social culture by progressively rolling back any pockets of prejudices. Attitudes, norms, prejudices and biases are socially complex and may act very subtly, sometimes being deeply entrenched across a network of behaviors and practices while in other cases being in a state of flux, making them difficult to identify, or highly contested when they are alleged. Accordingly, republicans must take full account of the kinds of social and cultural factors that undermine public reason as threats to freedom.

The task of reforming social environments constructed around deeply-rooted prejudices is a daunting one — requiring as Douglass argued, a wholesale “revolution in all [its] modes of thought.” How this is to be brought about is beyond my present scope, though Douglass warns us to be prepared for the long haul: “there is no such thing as immediate Emancipation either for the master or for the slave. Time, experience and culture must gradually bring society back to the normal condition from which long years of slavery have carried all under its iron sway” (1976, vol. 3: 292).

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