BOOK REVIEW

*A General Theory of Domination and Justice*, By FRANK LOVETT.


It is surprising that a phenomenon of such obvious political and ethical significance as domination has largely escaped comprehensive analysis in the modern debate. As the title of Frank Lovett’s book suggests, however, he aims to do something about this unfortunate fact. The result is a well-researched and well-argued book that deserves attention.

Lovett’s book is in two parts. Part one argues for a theory of domination as arbitrary power. Part two provides a theory of justice as the minimization of domination. I shall focus on part one. After having laid out the theory, I will argue that it suffers from a problem. Lovett is aware of the problem and bites a fairly large bullet in response to it. What he does not seem aware of is that the problem can be avoided by opting for an account of welfare that he unfortunately ignores.

According to Lovett, there are three necessary and jointly sufficient conditions on domination. The first is *dependency*: Since no one likes to be dominated, yet domination exists, there must be something that *keeps* people from escaping domination. That something, Lovett claims, is perceived exit costs. But dependency is not sufficient for domination, which also requires an *imbalance of power*, as in cases where it is the prerogative of the husband to determine his wife’s fate. However, following Philip Pettit (among others), Lovett does not take dependency and imbalance of power to be sufficient for domination. Consider the criminal law system in the U.S. and in that of Stalin’s Russia. In both cases, dependency is high on account of a significant cost of escaping state power. In addition, there is an imbalance of power since the state has a far greater power to do what it wants with the individual than *vice versa*. However, there is also a clear
difference between the two cases, and Lovett suggests that it should be accounted for in terms of how the power yielded by Stalin’s Russia was arbitrary, unlike that of the U.S. criminal system.

Power is arbitrary ‘to the extent that its potential exercise is not externally constrained by effective rules, procedures, or goals that are common knowledge to all persons or groups concerned’ (p. 96). In other words, arbitrariness is a purely procedural matter. What matters is whether or not the relevant power is externally and effectively constrained, not what the constraints are. But consider an instance of slavery much like that of the antebellum South, with one difference: the slave-masters are externally and effectively constrained by rules that are common knowledge. Rather than serving to protect the slaves, however, the relevant rules simply codify and prescribe the very forms of oppression that the slave-masters otherwise would have exercised at their discretion. Consequently, the slave-masters’ power over their slaves is not arbitrary, nor are the latter dominated, on Lovett’s account. That seems wrong.

Lovett is aware of this problem, but stresses that ‘not everything that is unfair must also constitute domination’ (p. 116). That is true, but the bullet bitten in the slave case remains. Is there a way to avoid it? Here, it is worth noting that Lovett’s main argument for a procedural understanding of arbitrariness is simply one against substantive conceptions of arbitrariness. The argument I want to focus on spells out arbitrariness in terms of not being externally constrained in a manner that protects the subjective well-being of those (otherwise) dominated. This is an easy target; after all, on such an account, ‘a person or group is not subject to domination whenever they happen to believe—rightly or wrongly—that their relevant interests are being taken into account by those wielding power over them’ (p. 115).

But consider instead the partially objective accounts of well-being defended by Fred Feldman, Shelly Kagan, and others. On those accounts, someone is well off, roughly, to the extent that they take pleasure in objective goods. While this is not the place to evaluate theories of well-being, it is worth noting that views of this sort avoid above problem of subjectivist theories, as well as several problems facing more traditional forms of objectivism. In addition, partially ob-
jective accounts could satisfy what Lovett refers to as ‘the separation thesis,’ according to which accounts of domination should be descriptive. To take pleasure in something is a psychological and, hence, descriptive state. Moreover, that in which pleasure is taken—such as friendship, accomplishment, and love—can be defined in non-normative terms. Love, for example, could be characterized (roughly) as a strong emotional attachment to another person, accompanied by a variety of dispositions (of attraction, care, protection, and so on). This is not to deny that what is, thereby, characterized corresponds to a good. It is merely to keep separate the question of what a particular good is from that of why it is a good.

Consider an analogy. In epistemology, it is commonly held that knowledge should be defined in descriptive terms (e.g., in terms of reliability, probability, or modal safety). This, however, is not to deny that knowledge is an epistemic good, but merely to take the question of what knowledge is to be separate from that of why knowledge is an epistemic good. It might be that a complete theory of knowledge needs to answer both questions, but that does not change the fact that they are separate—indeed, separate in exactly the way that Lovett holds in the case of domination. Moreover, given that such a separation seems possible with respect to partially objective accounts of well-being, such accounts would serve Lovett well. After all, on such accounts, he would not have to say that externally controlled slavery cannot constitute domination. He could say that external control as such does not eradicate domination; only external control that sees to the partially objective well-being of the dominated does.

Another way to press this point is by moving from the descriptive to the normative and consider the fact that philosophers are interested in having a theory of domination partly because of a desire to eradicate it wherever possible. Indeed, as noted above, Lovett wants to understand the very idea of justice as a matter of minimizing domination, and takes justice to be nothing short of ‘the chief political aim’ (p. 9). Consequently, considerations about what actually qualifies as domination are of no small consequence. By way of illustration, consider the fact that children are highly dependent on their parents, and that there typically is an asymmetry of power between
children and their parents. Moreover, in many places, exactly what parents can do to their children is not externally constrained. In those places, children are dominated, on Lovett’s account. Since dependency as such is not a bad thing, and some power asymmetry between parents and children probably is unavoidable, the way to reduce domination here is to reduce arbitrariness. But how? On Lovett’s theory, implementing a system of control that protects the well-being of the child would be no better from the point of view of domination-minimization—nor, consequently, from the point of view of the chief political aim, i.e., justice—than one that does not and that, to that extent, is analogous to the imagined slave system above. The substantive difference between the two systems makes no difference on Lovett’s account. That does not seem right.

As made clear above, however, there is an alternative: Drop the purely procedural commitment in favour of a substantive account of arbitrariness, spelled out in terms of partially objective well-being. Altered thus, Lovett’s theory would not only imply that both controlled slavery and controlled child abuse may constitute domination, since domination does not disappear just because there is external control; it would also account for the fact that, when it comes to evaluating different means for reducing domination, the kind of constraints on parental power that has been implemented by many modern countries in an effort to protect the well-being of children, clearly, are preferable to systems that have no ambition whatsoever of so doing.

Naturally, none of this takes away from the fact that Lovett has thrown much-needed light on a politically and morally consequential matter, and produced a work of impressive comprehensiveness in the process. Political philosophers and theorists will find much to engage with.

University of Copenhagen

KRISTOFFER AHLSTROM-VIJ