

# The Injustice of Domination

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In *Exploitation as Domination: The Injustice of Capitalism*, Nicholas Vrousalis (2023) builds on the voluminous literature criticizing capitalism, giving us his novel and insightful argument for the injustice of capitalism: not only does capitalism necessarily involve exploitation, as many have previously argued, but this exploitation necessarily constitutes domination. As Vrousalis explains, capitalist exploitation “is a dividend of servitude: the dividend the powerful extract from the servitude of the vulnerable” (1). Because domination is unjust, capitalist exploitation must also be unjust.

*Exploitation as Domination*, while modest in length, is ambitious in its scope. As a consequence, the portion articulating the injustice of domination is brief.<sup>1</sup> Vrousalis articulates three possible justifications for holding that domination is unjust:

Kantian, broadly based on the idea of a moral right to independence; republican, broadly based on a conception of arbitrary power; and recognitional, broadly based on a conception of interpersonal recognition. (43)

Here, I argue that of these three views only the Kantian view can justify Vrousalis’ argument for the injustice of exploitation, and I give a more detailed account of the injustice of domination within the Kantian framework.

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<sup>1</sup> Vrousalis makes it clear that his aim “is not to provide a complete justification” for the injustice of capitalist exploitation; instead, his aim is instead “to steer the conversation about the injustice of exploitation in the direction of domination theory”, an aim he certainly achieves (43).

## I. VROUSALIS ON EXPLOITATION AS DOMINATION

Again, the central claim of *Exploitation as Domination* is that capitalist exploitation constitutes domination and is therefore unjust. In this section, I will lay out the essentials of this central argument.

Vrousalis gives a novel and exciting argument that exploitation, contrary to previous accounts, is best understood as domination. Domination is defined as the “subjection of purposiveness to the choices of others” (6). On this “*domination view*, *A* exploits *B* if *A* benefits from a transaction in which *A* dominates *B*: exploitation is the dividend *A* extracts from *B*’s servitude” (30). In other words, in a situation where *A* has power or control over *B* such that *B* is in *A*’s service, the benefit *A* draws from this servitude is exploitation.

Vrousalis applies this domination view of exploitation to work and labor, generating the “Non-Servitude Proviso”:

For any agents or groups engaged in mandatory mutually affecting cooperation under a division of labour, and barring any special justification that exempts them, none should possess unilateral control over the labour capacity of any other. (40)

Capitalism is defined as a system of “unequal private ownership of scarce productive assets, along with a labour or credit market conferring access to those means” (101). As Vrousalis argues, by its very nature, the “abstract capitalist relation” violates the Non-Servitude Proviso: the capitalist state’s regulation of private ownership grants those who control capital, i.e., those who control scarce productive resources, “unilateral control over alien labour capacity” (105).

According to Vrousalis, all domination, including capitalist domination, is a violation of “a fundamental commitment to freedom,” where each has a right to “nonsubjection to the choices of others” (40). Vrousalis posits three alternative accounts for justifying this fundamental commitment to freedom: Kantian, republican, and recognitional. In what follows, I will explore the suitability of each account as a justification for the injustice of exploitation as domination.

## II. THE NEO-REPUBLICAN VIEW

While Vrousalis does not focus on a particular republican view, I focus here on the hugely influential neo-republicanism of Philip Pettit (1997),

who, along with Quentin Skinner (2002), is largely responsible for bringing domination to the forefront of contemporary political philosophy. Neo-republicanism is characterized by a focus on the importance of freedom as non-domination: on this view, “one agent dominates another if and only if they have a certain power over that other, in particular a power to interfere on an arbitrary basis” (Pettit 1997, 52). To prevent misinterpretation, Pettit (2008, 102) has more recently articulated the power that constitutes domination in terms of control rather than arbitrariness, defining “liberty as the absence of alien or alienating control on the part of other persons”. External interference is non-alienating, and so consistent with freedom, when it is “subject to your control” (Pettit 2012, 57).

At first glance, neo-republicanism might seem like a fine ground for the arguments Vrousalis offers. Neo-republicanism offers a robust and detailed explanation of what constitutes domination, which can be drawn on to supplement the account of exploitation as domination. Further, it seems plausible that the capitalist labor relations Vrousalis criticizes would constitute domination of the neo-republican sort, as the terms of employment that govern workers are arguably not subject to their control.<sup>2</sup>

Despite these clear affinities, this neo-republican view does not support Vrousalis’ conclusions. Again, Vrousalis argues that because capitalism necessarily involves domination, it is unjust. Within this neo-republican framework, demonstrating that something constitutes domination is insufficient to establish its injustice. To begin, the core of neo-republicanism is a merely descriptive account of freedom as non-domination (Pettit 2008, 117). A descriptive view of this sort may resonate more with those who see morality, as Marx did, as mere ideology supporting the interests of the ruling class<sup>3</sup> or with moral skeptics more generally. But this descriptive account, which is the main focus of standard neo-republicanism, does not generate claims concerning injustice.

Pettit’s broader view, though, does incorporate this descriptive account into a consequentialist moral framework where “non-domination is a goal which [political] institutions should seek to promote” (Pettit 1997, 81). But even this broader consequentialist view will not support Vrousalis’ essential premise that domination per se constitutes injustice. Within this framework, there is no deontological right to non-domination.

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<sup>2</sup> Those arguing for workplace democracy often rely on neo-republicanism to ground their arguments in just this way. See, for example, Anderson (2017).

<sup>3</sup> Recently, there has been renewed interest in the republican aspects of Marx’s thought. See, for example, Roberts (2016).

It is always a contingent and empirical question whether prohibiting any particular form of domination will minimize overall domination, and not all forms of domination should be prohibited on this view.<sup>4</sup> One could argue within this framework that capitalist domination will lead to a minimum of overall domination, thereby meriting its prohibition. However, not only would establishing this require considerably more empirical argument than Vrousalis provides, but also within this framework capitalist domination could only ever be contingently (and never in principle) unjust.

Furthermore, within this consequentialist framework, the reasoning given for prioritizing freedom as non-domination over all other values is thin: Pettit asserts that if non-domination is given this priority, “then most other desiderata will look after themselves” (1997, 7). In the case of capitalism in particular, popular arguments in favor of capitalism indicate that proponents of capitalism would dispute whether eliminating capitalist domination would best serve our other values, such as prosperity and welfare.

So, while one can argue that capitalist labor relations constitute domination in the neo-republican sense, successfully establishing this does not suffice to show that capitalist labor relations are unjust. For one who would argue that permitting capitalist domination would be unjust even if it led to a minimum of overall domination, a consequentialist framework will not suffice. This framework also does not establish a right to freedom that *in principle* overrides any other interest we may have. As I will argue, the Kantian framework I develop below offers just the sort of deontological view that can justify a fundamental right to freedom, thus offering a much more compelling foundation for Vrousalis’ arguments.

### III. THE RECOGNITION VIEW

Vrousalis offers up his own recognitional explanation of the injustice of domination. This account is premised on an understanding of human beings as agents who are capable of acting for reasons. On this view, one acts freely when one “recognizes and appropriately reacts to a normative reason” (266). When it comes to interacting with other people, in order to

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<sup>4</sup> According to Pettit, a free person “will avoid alien control in relevant choices,” where these “relevant choices... correspond to the important liberties, however they are understood” (2008, 103). On Pettit’s own view, the list of “basic liberties” includes freedom of thought, expression, and association (2014, 72).

act freely one must take as reasons others' "rational intentions—intentions whose contents are independently justified" (44). Free agency more broadly requires that we be generally disposed to take one another's rational intentions as reasons in this way (Vrousalis 2020, 283). Since domination involves directing the behavior of another person for one's own reasons, whatever they may be, domination consists in "misrecognized or alienated agency", where one person has "power over" another, "power that does not facilitate action for reasons" (275). Capitalist domination in particular involves misrecognition in this way, as within this system, as a worker "my productive agency, and therefore my power to produce for reasons, is alienated to the capitalist owner and subordinated to her will" (278–289).

This recognitional view is a valuable supplement to Vrousalis' account of exploitation as domination. It offers a plausible and interesting view of something that goes wrong within relationships of domination, and within a capitalist productive system in particular. When capitalists employ workers in order to maximize profits, whatever intentions the workers may have in engaging in this process of production are irrelevant to the process. This failure to recognize the worker as a source of reasons thus resonates with Marx's account of alienation, where the worker's lack of agency in the production process results in a disconnect between the worker and her work, the product of her work, those who she engages with, and her own essence as a freely choosing being.<sup>5</sup>

However, this recognitive view cannot easily support Vrousalis' conclusion that capitalism is unjust. To start, this recognitive view, while perhaps plausible as an ethical view, is not a plausible theory of justice, as it cannot distinguish between mere violations of ethical duties and injustices. A view that cannot make this distinction will give rise to a grossly over-demanding conception of justice, as it will condemn as injustice a great many actions that are not intuitively within the domain of justice. Misrecognition happens not only when someone acts in a way that is inconsistent with others' desires, it also happens when someone does not act *for the right reason*—even when someone acts in conformity with others' demands, they still misrecognize them if their action is not motivated by the fact that others have demanded it (275).<sup>6</sup> Typically, identifying something as an injustice involves calling for its prohibition. Prohibiting

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<sup>5</sup> For an overview of Marx's account of alienation, see Wood (2004, 3–15).

<sup>6</sup> It also seems consistent with this view that you could misrecognize someone merely by failing to regard them appropriately as sources of reasons, even in the absence of any external actions.

misrecognition would then entail prohibiting not only actions but mental states, which would be deeply problematic.<sup>7</sup>

Furthermore, the requirement that we recognize others' rational reasons as reason-giving for ourselves is not in itself opposed to capitalist domination. Workers might rationally prefer capitalist domination to its alternatives, if, for example, capitalism best fostered economic prosperity or welfare. It seems that capitalists would not misrecognize workers, then, in playing their part in the capitalist system. In order to condemn domination outright, regardless of whether one might prefer to be dominated, a separate account of inalienable individual rights would be necessary. While the recognitive account seems to presuppose that each person has "standing", i.e., ultimate authority, over themselves and their bodies, it does not itself offer such an account of individual rights (270).

As I will argue, the Kantian account developed below does offer an account of fundamental individual rights that also distinguishes merely ethical duties from injustice, thus offering a more compelling ground for Vrousalis' arguments.

#### **IV. THE KANTIAN VIEW**

Here, I argue that the Kantian framework can ground Vrousalis' arguments. In what follows, I will first briefly articulate the framework of a Kantian theory of right. I will then give a brief account of domination within the Kantian framework, explaining when and why it is unjust. I will conclude by highlighting the consequences of relying on this Kantian framework for Vrousalis' account of exploitation as domination.

##### ***IV.1. Kant's Theory of Right***

In contrast with republican and recognitional theories, this Kantian account draws a distinction between our ethical duties and our duties of right. As embodied beings who live in the world together, our external actions affect one another. While it is not possible to compel anyone to act for any particular reason or other, we can evaluate how each person's external actions relate to others.

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<sup>7</sup> While any attempt to compel particular mental states would be troubling, to put it mildly, Kant also explains why compelling ethical duties (compelling doing the right thing for the right reason) is impossible. To put the point simply, acting for the right reasons, acting from duty, is something that I can only do for myself. External compulsion cannot make someone act from duty; it can only make them act from external compulsion (Kant [1797] 1996, 6:220, 6:239).

The foundation of the Kantian theory of right is the one innate right to freedom:

*Freedom* (independence from being constrained by another's choice), insofar as it can coexist with the freedom of every other in accordance with a universal law, is the only original right belonging to every man by virtue of his humanity. (Kant [1797] 1996, 6:237)

On this view, people deserve to be respected as the rational beings that they are. As rational beings, we set ends for ourselves and pursue them at will. Since we are embodied beings that live in the world together, the choices we make in the world can affect others. Treating others as the rational beings they are means respecting their setting and pursuing their own ends. The right to freedom is thus a right to direct your own will in the world *consistently with the rights of others to do the same*. This right is not a right to do whatever you want: each person has the right to direct only their own will in the world, and this right does not include the right to direct the wills of others.<sup>8</sup> Instead, this right is universalizable: since each has the right to direct only their own will and not the wills of others, each person's right to freedom is consistent with the right to freedom of all others.

This one innate right is the foundation for all other rights within this Kantian framework. Since all rights are derived from this one innate right, there is no conflict between the different rights that flow from it. While innate rights, such as bodily rights, are determinate in virtue of the right to freedom alone, some rights are indeterminate. We must make these rights determinate together, since they structure all of our rights.<sup>9</sup> And once we make these rights determinate, they are binding—once we pick a side of the road to drive on, for example, we have a duty to drive on that side of the road.

Rather than taking the role of government to be making trade-offs between conflicting rights, within this framework the role of government is simply to secure and make determinate the right to freedom and all the

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<sup>8</sup> In this way, the Kantian right to freedom is fundamentally distinct from a conception of freedom as negative liberty, where I am unfree to the extent that “I am prevented by others from doing what I could otherwise do” (Berlin 2002, 169).

<sup>9</sup> Though Kant did think such rights needed to be made through an omnilateral will, he did not think this required democratic procedures. Many Kant scholars, including myself, assert that Kantian principles do entail a right to procedural democracy. See, for example, Hanisch (2016).

rights that flow from it. Unlike a conception of freedom where any interference with persons' activity constitutes unfreedom, on this Kantian account, not all interference with the choices of others violates their right to freedom (Kant [1797] 1996, 6:231). A prohibition on assault, for example, does not violate the right to freedom: since no one has a right to assault anyone else, prohibiting engaging in this activity instead secures and is consistent with the right to freedom. So, unlike these other freedom-based views, this view carries with it no presumption that all government activity reduces freedom and so should be kept to a minimum. Instead, on this view, the state should take all and only that action that is required to secure each person's right to freedom.

#### ***IV.II. Domination in the Kantian Framework***

At a fundamental level, having the right to freedom means having the right to “innate *equality*, that is, independence from being bound by others to more than one can in turn bind them” (Kant [1797] 1996, 6:238). This right to innate equality is not a right separate from the right to freedom; instead, it is part of what it is to have the right to freedom. If each of us has the right to direct our own wills in the world, then no one has the right to direct the will of anyone else. We must all be equal under law; if the law does not treat us equally in like circumstances, then some receive better treatment under the law in contradiction with our innate equality.<sup>10</sup> Having the right to freedom also means that each of us has the innate right to be our own masters, as each person having the right to direct only their own will in the world means that no one has the right to be the master of anyone else (6:239).

Equality and self-mastery can both be undermined by domination, in violation of the right to freedom. Let us define domination as an ongoing relationship between people where one person is under the control of another (or others). In order for this dominating relationship to violate the right to freedom, one must not only have control over another; this domination must be externally enforced. The right to freedom is only violated when one's capacity for choice is externally restricted. Dominating relationships where one is fully externally free to walk away from the relationship do not violate the right to freedom. Within a society where the state has a monopoly on force, dominating relationships will violate the

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<sup>10</sup> This does not entail that we must all have exactly the same rights; instead, equality under law entails that different people in the same circumstances will have the same rights. This right would be violated, for example, if some were granted fair trials while others were not or if some classes were subject to invidious discrimination.

right to freedom when they have the force of law, whether *de jure* or *de facto*.<sup>11</sup>

If one person is externally bound to another more than that other is in turn bound to her, the person who is disproportionately bound is to that extent subjugated to the other's will. This makes the person to which they are bound to that extent their master, a condition that is inconsistent with their right to freedom. This rights-violating domination can be complete, as in the case of slavery, or partial, as in any case where some have disproportionate legal authority over others.

Domination that does not have the force of law within a state, however, will not violate the right to freedom, even if it is ethically wrong. Imagine two friends, one a kind friend who cares very deeply about the other's opinion, and the second a mean friend who is manipulative and denigrates the other. This is a dominating relationship, as the mean friend manipulates the other into comporting herself as the mean friend desires. This situation is certainly ethically wrong, but the dominating relationship has no legal authority, as the mean friend can only dominate the kind friend so long as the kind friend chooses to stay in the relationship.<sup>12</sup> Since the dominated person is not externally subordinated to the other and can exit the relationship at will, her right to direct her own will in the world has not been violated.<sup>13</sup> Domination of this sort thus does not constitute injustice within this Kantian framework.

So, within this framework, demonstrating that a particular relationship is a relationship of domination does not suffice to establish that this relationship is unjust. To establish the injustice of domination within a state, the domination must be shown to have legal force, whether *de jure* or *de facto*.

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<sup>11</sup> By '*de facto*' here, I simply mean that even when law does not explicitly permit domination, it may in fact permit domination through less explicit laws and policies.

<sup>12</sup> Imagine a case where the mean friend physically detained the kind friend, thus forcing their continued interaction. As I see it, the kind friend's rights would be violated here, but not by the relationship itself; instead, the kind friend's rights would be violated by the act of incarceration. On this Kantian view, the right to freedom can be violated by acts that are not best understood as cases of domination. This view thus resonates with Quentin Skinner's early republican views, where he took domination to be a form, but not the only form, of political unfreedom. See Pettit (2002).

<sup>13</sup> Note that personal relationships, such as romantic or familial relationships, can involve *de facto* legal subordination even if the laws of a given state do not formalize this subjection; this can happen when, for example, law enforcement does not adequately enforce the law in particular situations, such as domestic violence. When the family is considered by the state to be a 'private' domain in which the state should not interfere, this implicitly licenses patriarchal domination. On this point, see Okin (1998).

#### ***IV.III. Exploitation as Domination Within the Kantian Framework***

Vrousalis' aim is to demonstrate the injustice of capitalist exploitation by showing that this exploitation necessarily constitutes domination. As we have seen, within the Kantian framework, demonstrating the presence of domination is insufficient to establish injustice. To demonstrate the injustice of domination, we must establish that it has the force of law.

In the case of capitalist domination, this is a task that Vrousalis has already accomplished. In *Exploitation as Domination*, Vrousalis demonstrates in detail that the capital relation, encompassing the classic case of capitalist labor relations and alternative forms of capitalist exploitation, is a relationship of domination that is structured by law (2023, 138-140). Vrousalis defines structural domination as involving “a triadic relationship between powerful agent(s) *P*, disempowered agent(s) *Q*, and regulator(s) *R*, such that (i) *P* dominates *Q* and (ii) *R* regulates that domination” (98-99). It is thus a distinctive feature of structural domination that it is regulated (99). As Vrousalis insightfully explains, capitalist domination in particular exists through regulation and is thus a form of structural domination: in claiming “exclusive title to interpret, apply, and enforce private property on the part of all of its subjects”, the capitalist state establishes and enforces through law the capitalist's domination of the worker (104). Within the Kantian framework, this legally enforced subordination of some to others violates the right to innate equality and self-mastery of each person who is subordinated and is therefore unjust.<sup>14</sup>

However, not all instances of domination referenced by Vrousalis have been shown to be externally enforced in this way. Vrousalis' schoolyard bully, for example, who manipulates others into giving up their toys, may be a case where an ethical duty has been violated but a duty of right has not (143). More importantly, more would need to be shown in order to establish the injustice of liberal domination, which was meant to be loosely analogous to the manipulative schoolyard bully. According to Vrousalis, liberal imperialism, which involves liberal domination, is characterized by “unilateral control without direct political control or (threats of) force” (149). By definition, one aspect of domination through law is absent with liberal domination, as the dominating country does not assume direct political control of the dominated country. Despite this lack of force and direct political control, it is still possible to show that liberal imperialism has the force of law: it requires no stretch of the imagination

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<sup>14</sup> For more on the injustice of dominating economic relationships within the Kantian framework, see Love (2020, 150).

to think (and many have argued) that global financial systems that are “the instruments of liberal imperialism”, “such as the WTO, the IMF, the World Bank, and so on”, have the force of law globally (142).

So, while incorporating Vrousalis’ arguments into the Kantian framework requires some additional argument, the Kantian framework can support the key conclusions of *Exploitation as Domination*. And this framework strengthens the case against capitalist domination, as it marks out capitalist domination as a form of domination that violates the rights of others.

## V. CONCLUSION

In *Exploitation as Domination: What Makes Capitalism Unjust*, Vrousalis (2023) gives a compelling account of the dominating nature of capitalist exploitation. However, due to its ambitious scope, the book does no more than outline three theories of justice that could explain why this domination is unjust. Here, I have supplemented his account by investigating whether each of these three accounts can provide an adequate foundation for Vrousalis’ arguments. I have argued that the neo-republican and recognitional accounts cannot. I have also argued that the Kantian framework can support Vrousalis’ arguments, as it yields a principled account of why and when domination is unjust.

*Exploitation as Domination* is an important contribution to a broader leftist and (loosely) republican movement arguing that capitalism is unjust because it necessarily involves domination.<sup>15</sup> These accounts have focused largely on arguing that capitalism necessarily involves domination. At the same time, they have focused comparatively less on arguing that domination constitutes injustice. This may be a consequence of the nature of the broader, hugely influential contemporary neo-republican project: since on this view domination is by design a nonmoral concept, the emphasis within this framework is on making nonmoral claims that certain relationships constitute domination of this sort. It is often little more than a background assumption of the view that we care about this form of unfreedom for separate moral reasons. As I have taken steps to show here, the leftist republican critique of capitalist domination can find a better foundation in a Kantian account of the injustice of domination.

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<sup>15</sup> For an overview of this movement, see Losoncz and Tóth (2021).

Capitalist domination is not merely unfreedom—it is injustice, and the Kantian account can explain why.

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