# Hierarchy and Anarchy

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2025

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# Abstract

A recent book by Niko Kolodny, *The Pecking Order*, makes the case that societal hierarchies deserve more attention than they have been given in political philosophy hitherto, and explores the descriptive and moral implications of societal hierarchies. Though a pathbreaking work, Kolodny's elaboration is nevertheless flawed in several key respects. First, Kolodny's descriptive approach to societal hierarchies lacks an account of 'structure'. In response, I theorize several levels of 'structurality', and argue for the existence of 'interactional hierarchies', 'meso-structural hierarchies', and 'macro-structural hierarchies.' Second, Kolodny neglects the moral notion of a "collective inferiority complaint". To address this, I tie together several unconnected strands of thought in Kolodny's text that imply that natural individuals have a collective moral claim against finding themselves in macro-structural relations of inferiority. Third, Kolodny attempts to justify the State and the capitalist firm through a series of "tempering factors" that allegedly mollify the societal hierarchies that these phenomena involve. I demonstrate that Kolodny's "secondary" tempering factors are aimed at addressing meso-structural offices, only, and that they are insufficient to render even these morally un-objectionable. Further, I show they are not robust enough to meet our collective moral complaint against macro-structural relations of inferiority. Fourth and finally, I argue that anarchism offers a better alternative to a Kolodnian account of societal hierarchies. Anarchist philosophy provides additional tempering factors that render meso-structural hierarchies morally un-objectionable, and that transform macro-structural hierarchies into something else entirely. I theorize the contrast class to societal hierarchies: 'interactional *horizontalities*, 'meso-structural *horizontalities*, and 'macro-structural *horizontalities*.' I conclude that anarchism is best understood as an ideology that is: skeptical of all societal hierarchies, opposed only to macro-structural hierarchies, open to all societal horizontalities, and dedicated to macro-structural horizontalities. I suggest that this understanding of anarchism not only helps to complete Kolodny's project, but also to resolve ongoing disputes in anarchist studies.

# Dedication

*To my comrades and* ‘compagnons’*:*
May even the errors of this text be of use to you — especially those.
*To Iris and Mae:*
May you live your way, one day, into a better world than this one.

# Acknowledgments

I owe a great deal to a large number.

Paramount credit must go to my advisor, Professor John Hacker-Wright, who served as a friendly harbor for the ship of this project, when I had few places to turn. Far more than a mere port in the storm, he has proven to be widely read, sharply insightful, reassuringly good-humored, and — his chief virtue — deeply patient.

I must thank the other members of my committee: Professors Monique Deveaux and Ruth Kinna. Each of these scholars has brought not only a singular perspective, but a breadth and a depth of knowledge in areas in which I am only beginning to dip my toes.

Professor Deveaux's deep grasp of political philosophy, and her simultaneous insistence on grounded, engaged, practical theory, has been both inspiring, and a little intimidating!

Professor Ruth Kinna, as the sole scholar of Anarchist Studies on my committee, was perhaps better able than anyone quickly to see what was valuable and what was not, what was a contribution and what was fluff, what was solid and what was nonsense. She has been the rudder of this project.

I would be remiss if I did not thank Professors James Ingram and John Russon, for agreeing to help in the early stages of this project, and for understanding when it took a different direction.

I would like to thank other figures in the philosophy department at the University of Guelph: Professor Andrew Wayne, who helped me transition into the department and who secured me greater funding than I otherwise would have had. Professor Don Dedrick, who served as the Graduate Coordinator and later Department Chair during my time at Guelph, and who assisted me in many issues, both technical and general. Professors Samantha Brennan and Mark McCullagh, for serving on my Oral Qualifying Examination Committee. Professor McCullagh, in fact, has served double duty, serving on my Final Oral Examination Committee too. Of course, the coordinators of the department — Janet Thackray, Pam Armitage, Audra Bolton, Vanessa Joy, and Priyanka Jhanjee — who keep the entire place afloat. So many projects from so many scholars simply would not exist without their tireless assistance.

I thank Professor Jesse S. Cohn, for serving as the External Reader on my Final Oral Examination Committee.

I am grateful to The Anarchist Library and to its members, who contribute volumes of work and discussion, both on the independent website and on other online platforms, such as Facebook.

I also thank members of the Anarchist Studies Network, who generously responded to my inquiries over the years: Benjamin Franks, Alex Prichard, Leonard Williams, Jesse S. Cohn, Mark Losoncz, Iain McKay, Mark Evans, Uri Gordan, Matt Wilson, Dave Bell, Markus Lundström, Lilian Matricon, Laurence Davis, and Jana Canavan.

I would like to thank Joshua Smart, for organizing international, virtual dissertation groups, in which students from around the world are able to read, critique, and support one another's work. I thank, too, the members of my virtual dissertation groups: Gabrièlle Escoffier and Vivek Yadav (2021) and Gopika Gurudas (2022).

I thank a fellow Guelph philosophy student, and now alumnus, Dr. Marie-Pier Lemay, for alerting me to a very useful workshop on hierarchies, held by the University of Montréal's Centre de recherche en éthique in January of 2021. It was at this workshop that I encountered the work of Niko Kolodny. I would like to thank the participants of that workshop as well, for their fascinating ideas.

I must call attention to the invaluable assistance of all of the other MA and PhD students in the philosophy department at Guelph, for reading my chapters over the years — here, there are simply too many colleagues to name.

I feel I must acknowledge the labor that past teachers, from kindergarten right up to the present, have done to empower me over the years. I wish to thank, especially, Anita Gerein, whom I knew when I was a small boy. She taught me how to read when I did not know how, and when I showed no strong desire ever to learn. She is the silent *sine qua non* of all my scholarly achievements.

I thank Chiara Bottici and Todd May, for their help in my Masters work at the New School for Social Research.

I thank Donald Hall, for all his help over the years writing recommendation after recommendation, and for immersing me in the thought of Michel Foucault while I studied at Lehigh University.

I thank my friends from the New School's Black Rose Reading Group — though we are scattered all over the world now, the memory of the vibrancy of our discussions and arguments keeps me going.

I thank all of my friends *outside* of academia, who remind me that life does exist beyond the ivory tower, and that it is often quite pleasant.

I especially thank Rohan Gholkar and Rekha Gholkar, for dropping into my life quite unexpectedly. I am not sure what I did to deserve such a blessing, but I am endlessly grateful for it.

And of course, I thank my family: Mom, Dad, Margaret, Jamie, Iris, and Mae. In addition to the love and support they have always given me, it was in a warm and comforting home life that I first learned relentlessly to question, and to think. I sometimes wonder if they knew what they were getting themselves into!

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# Opening Quotations

*"But the essential thing so far as I'm concerned, as I reflect upon on all of this now, is that I had gone through a period of Marxism which is almost unknown today to many American radicals: a period when Marxism was a workers' movement, to a very great extent, and when it was a movement in the streets, in which hundreds of thousands of people at times could be brought out in massive demonstrations, throughout the country, under red flags, whether it be communist or socialist. And by the end of the Second World War, and particularly by the end of the 1940s, I literally saw this movement disappear — and disappear from history — at least as far as the United States is concerned.*

*"And I have no belief whatever that it will come back again.*

*"Namely, what I'm saying is, I saw the end of the classical workers' movement.*

*"And I had to ask myself, 'Why had this come about? What did this mean?'*

*"And the conclusion I came to was this: that, the workers' movement never really had a revolutionary potential. […] That this workers' movement had never really had the revolutionary potentialities that Marx attributed to it. That, in point of fact, the factory, which is supposed to organize the workers — in Marx's language, 'mobilize' them, and instill in them the class consciousness that is to stem out of a conflict between wage labor and capital — in fact had created habits of mind in the worker that served to regiment the worker, that served in fact to assimilate the worker to the work ethic, to the industrial routine, to hierarchical forms of organization. And that, no matter how compellingly Marx had argued that such a movement could have revolutionary consequences, in fact, such a movement could have nothing but a purely adaptive function: an adjunct to the capitalist system itself.*

*"And I began to try to explore what were movements and ideologies, if you like, that really were liberatory — that really freed people of this hierarchical sensibility and mentality, of this authoritarian outlook, of this complete assimilation by the work ethic.*

*"And I now began to turn, very consciously, toward anarchist views. Because anarchism posed the question, not simply of a struggle between classes, based upon economic exploitation — anarchism really was posing a much broader historical question that even goes beyond our industrial civilization. Not just classes, but hierarchy. Hierarchy as it exists in the family. Hierarchy as it exists in the school. Hierarchy as it exists in sexual relationships. Hierarchy as it exists between ethnic groups. Not only class divisions, based upon economic exploitation.*

*"And it was concerned not only with economic exploitation — it was concerned with domination. Domination which may not have any economic meaning at all. The domination of women by men, in which women are not economically exploited. The domination of ordinary people by bureaucrats, in which you may even have a welfare, so-called 'socialist' type of state. Domination as it exists today in China, even when you're supposed to have a classless society. Domination even as it exists in Russia, where you are supposed to have a classless society.*

*"So these are the things that I noted in anarchism, and increasingly I came to the conclusion that if we were to avoid — or if we* are *to avoid — the mistakes that were made over one hundred years of proletarian socialism — if we are to really achieve a liberatory movement, not simply in terms of economic questions, but in terms of every aspect of life — we would have to turn to anarchism,*

*because it alone posed the problem not merely of class domination, but hierarchical domination. And it alone posed the question, not simply of economic exploitation, but exploitation in every sphere of life. And it was that growing awareness, that we had to go beyond classism to hierarchy, and beyond exploitation into domination, that lead me into anarchism, and to a commitment to an anarchist outlook."*

— Murray Bookchin, *Anarchism in America*, directed by Steven Fischler & Joel Sucher (1983; New York, NY: Pacific Street Films)

*"I think it only makes sense to seek out and identify structures of authority, hierarchy, and domination in every aspect of life, and to challenge them; unless a justification for them can be given, they are illegitimate, and should be dismantled, to increase the scope of human freedom."*

— Noam Chomsky, "Marxism, Anarchism, and Alternative Futures", an interview with Kevin Doyle in 1995, in *Language and Politics* (Oakland, CA: AK Press, 1988), p. 775

*"Organization is the mobilization of bias."*

— E.E. Schattschneider, *The Semisovereign People, A Realist's View of Democracy in America* (New York: Holt Rinehart and Winston, 1961), p. 71

# Introduction to the Dissertation — The Question of Hierarchy

## I.1 A Lacuna in Political Philosophy

In his 2023 book, *The Pecking Order*, the philosopher Niko Kolodny makes the case that 'societal hierarchy' is a topic that has been neglected by political philosophy, and that it deserves more theoretical attention. Kolodny's seminal text explores, in considerable detail, the descriptive and moral implications of societal hierarchies, while also using this concept to respond to, and to critique, other traditions within political philosophy.

In his text, Kolodny acknowledges that political philosophers, as well as everyday people, have many "commonplace" political and moral complaints. However, he believes that when these routine complaints are clarified in the correct way, there is something more basic at the root of most of them. The core of these objections is, in fact, a moral complaint against *relations of inferiority*. If this is true, then 'societal hierarchy' is among the central descriptive and moral issues of political theorizing, though it is widely unrecognized as such.

Given the lack of scholarly work on hierarchy, specifically, Kolodny's work is unprecedented.[1] *The Pecking Order* is likely to be a landmark entry in the political theory of this

century.[2] Nonetheless, Kolodny's account of societal hierarchies is flawed in many minor respects, and in a single, key, overarching one. The errors of this text carry potentially significant ramifications.

In this dissertation, I contribute to the still-nascent 'hierarchy debates' by correcting for Kolodny's errors. I argue that Kolodny lacks an account of *structure*, and that he therefore does not theorize societal hierarchies as structural. Because of this conceptual misstep, Kolodny does not differentiate between societal hierarchies that are "meso-structural" (such as institutions and their offices), and those that are "macro-structural" (such as capitalism, Statism[3], patriarchy, white supremacy, and others). However, our moral claims, I argue, are (or ought to be) sensitive to the level of 'structurality' that different societal hierarchies exhibit. We have moral claims

[1] The dearth of texts dealing with hierarchy, specifically, is noticeable. Though sociologists and anthropologists have written a great deal about 'stratification', and though political philosophers have extensively debated 'equality' and 'inequality', very little explicit, analytical work has been devoted to the topic of 'societal hierarchy'. There are, however, scattered resources. Most likely, we owe the term 'hierarchy' to a Neoplatonic Christian theologian who lived in the 6th century C.E. This author, who called himself 'Dionysius the Areopagite', after the Athenian converted by St. Paul in the 1st century C.E., alleged himself to be that same convert, and under this name wrote what is now known as the Areopagitic Corpus. Included in this Corpus are two works explicitly dealing with the notion of hierarchy: the *Celestial Hierarchy* and the *Ecclesiastical Hierarchy*. In contemporary times, the best-known text on hierarchy is the 1966 book by anthropologist Louis Dumont, *Homo Hierarchicus: The Caste System and Its Implications*. For an alternative anthropological account David Graeber presents his own initial approach to hierarchies in his 2007 "Manners, Deference, and Private Property: Elements for a General Theory of Hierarchy", then some years later distances himself from the term, and critiques Dumont's outlook, in his 2018 piece "The Rise of Hierarchy". Within philosophy, one the most useful resources on hierarchy is Aurel Kolnai's 1971 article "The Concept of Hierarchy". Within the sciences, Timothy F.H. Allen has been a proponent of hierarchical models for understanding biological and ecological systems. He has co-authored two books on the subject, *Hierarchy: Perspectives for Ecological Complexity*, in 1982, and *Hierarchy Theory: A Vision, Vocabulary, and Epistemology*, in 1996. And of course, there are the many anarchist texts. As I will argue, anarchists have been writing on hierarchy for a long time, though not always as explicitly or as analytically as they could have done. The most famous of the anarchist works dealing with hierarchy is Murray Bookchin's 1982 book, *The Ecology of Freedom: The Emergence and Dissolution of Hierarchy*. For these many anarchist and non-anarchist texts, see: Dionysius the Areopagite, *Pseudo-Dionysius: The Complete Works*, translated by Colm Luibheid (New York: Paulist Press, 1987); Louis Dumont, *Homo Hierarchicus: The Caste System and Its Implications*(Chicago: University of Chicago Press, 1970); David Graeber, "Manners, Deference, and Private Property: Elements for a General Theory of Hierarchy", in David Graeber, *Possibilities: Essays on Hierarchy, Rebellion, and Desire* (Oakland CA: AK Press, 2007), 13–56; David Graeber, "The Rise of Hierarchy" in *Hierarchy and Value. Comparative Perspectives on Moral Order*, ed. Jason Hickel and Naomi Haynes (New York: Berghahn Books, 2018), 135–150; T. F. H. Allen & Thomas B. Starr, *Hierarchy: Perspectives for Ecological Complexity*, Second Edition (Chicago: University of Chicago Press, 2017); Valerie Ahl & T.F.H. Allen, *Hierarchy Theory: A Vision, Vocabulary, and Epistemology* (New York: Columbia University Press, 1996); Murray Bookchin, *The Ecology of Freedom: The Emergence and Dissolution of Hierarchy*, (Palo Alto, CA: Cheshire Books, 1982). For other texts on hierarchy, consult the Bibliography to the dissertation.

[2] In a review at the *Notre Dame Philosophical Reviews*, James Wilson of the University of Chicago writes "[…] I will hazard that *The Pecking Order* is one of the best and most important works of Anglophone political philosophy of the century so far." See James Wilson, review of *The Pecking Order: Social Hierarchy as a Philosophical Problem*, by Niko Kolodny, *Notre Dame Philosophical Reviews* (December 4th, 2024). Accessed online on March 17th, 2025. < https://ndpr.nd.edu/reviews/the-pecking-order-social-hierarchy-as-a-philosophical-problem/>.

[3] Following common anarchist practice, I capitalize "State" and "Statism", in order to indicate large-scale hierarchical political-power formations, in general, rather than any particular nation-state. While "capitalism" is a unique, and relatively recent, form of (hierarchical) economic organization, Statism is not. *Westphalian* nation-states, indeed, are a recent form of (hierarchical) political organization. Yet the tendency of human societies to organize into a *system* of interacting, hierarchical political organizations is not new. "Statism" names this general tendency and these systems.

that are, themselves, structural, or oriented toward structures. These are "collective" complaints — moral complaints that we have alongside many others, when we find ourselves in similar circumstances.

It is just such collective moral complaints that Kolodny neglects. As such, when it comes time for Kolodny to suggest how we can "temper" (or render morally un-objectionable) societal hierarchies, Kolodny's proposed fixes are mis-targeted. Kolodny attempts to render what I call "meso-structural" offices morally un-objectionable. Yet because he does not take *collective inferiority complaints* as seriously as he ought to, his suggestions are incapable of fully mollifying meso-structural hierarchies. Moreover, Kolodny's proposed solutions do not touch macro-structural hierarchies at all.

Therefore, I argue that we must bear in mind our collective complaints against inferiority, and their macro-structural causes, when we attempt to temper societal hierarchies. When we do so, we find that several additional "tempering factors" are necessary to meet such structural moral claims. Yet were such additional factors to be employed, the result would be the transformation of "macro-structural hierarchies" into something altogether different: macro-structural *horizontalities*. And the political ideology which most closely matches this new descriptive and moral outlook is not the liberal political theory of Kolodny. It is, instead, the ideology of anarchism. Anarchist political theory, I argue, advocates for the *fully* adequate tempering of macro-structural hierarchies, and has been doing so for nearly two centuries.

Thus, in the following text I investigate the claims Kolodny makes about societal hierarchies, and about how to render them morally un-objectionable. I argue that many of the ideas and implications of Kolodny's text do not sit well within his own synoptic framework (to the extent that he has one). Kolodny, in short, cannot make much use of his own insights. In fact, he rather lacks a descriptive or moral *Weltanshauung*. He has precise tools, but no wider descriptive or moral vision. Indeed, Kolodny often misses 'the big picture' toward which many of *his own ideas* seem to point.

It is instead anarchism, I argue, which can best incorporate Kolodny's insights. Only the

social anarchist tradition has the intersectional, non-reductive, and structural viewpoint necessary to grapple with hierarchies at their various levels, and in their various moral shades. Only anarchism, I contend, has the theoretical perspective and practical experience to meet our moral claims against structural relations of inferiority, through its different forms of organization and empowerment.

Bringing a marginalized body of work to bear on analytic political philosophy — and especially in an area of political philosophy that will see greater interest in the coming years — constitutes a significant intervention into both mainstream political philosophy and anarchist studies. The social anarchist tradition is rich with insights to offer a mainstream political philosophy that has neglected it. Yet so too does the anarchist tradition stand to gain from the slow and thoroughgoing conceptual work of Kolodny's descriptive and moral distinctions. Thus, while the dissertation is focused on the best possible elaboration of the concept of 'societal hierarchy', the benefits of this pursuit will be felt in two literatures.

## I.2 Situating Kolodny

Kolodny writes from a largely liberal perspective about largely mainstream, political-philosophical problems. However, he takes novel positions with respect to these issues. In his text, Kolodny carves a space for his own thought by contrasting the notion of *inferiority* to other common concerns. In what follows, I explain Kolodny's stances — without necessarily endorsing them.

To begin, Kolodny is less concerned with *improvement claims* than much of the liberal tradition of political theorizing. An improvement claim is a moral claim that we direct to some agent (often a collective agent, like a government or State): if that agent could improve our "choice situation", without unfairness to others, and without undue burden to that agent, then they are

morally obligated to do so. Additionally, we have improvement claims that other agents do not leave our "choice situations" worse than we have a right to expect from those agents.[4]

In Kolodny's view, John Rawls was seemingly focused on devising principles of justice that would serve as a foundation for meeting "the public interest" — that is, the improvement claims that each individual holds in common with every other individual. Yet, in truth, when we look underneath the issues of concern for Rawls, such as his preoccupation with equal basic liberties and with equal opportunities, it is plain that these issues only make sense if they are understood actually to be *claims against inferiority*.[5] Thus, Kolodny re-reads the canonical positions of liberal political theory, and alleges that there is, in fact, an additional moral issue, underneath more mainstream moral concerns.

Nonetheless, Kolodny does not seek to unseat these other moral issues. In fact, he rejects what he regards as monist elaborations of justice and injustice. Thus, both relational egalitarians (such as Elizabeth Anderson and Samuel Scheffler) and republican theorists (such as the Neo-Romans Philip Pettit and Quentin Skinner, and the Kantian Arthur Ripstein), come under scrutiny for their attempts to identify one paramount issue in political theory. While relational egalitarians are singularly focused on 'equality', and republicans on 'non-domination' or 'non-dependence', Kolodny believes it is mistaken to search for "a kind of master value that could shoulder the whole weight of a political philosophy".[6] Even his own 'claims against inferiority', he says, are "part of a pluralist view."[7] He writes that the moral claims we have against un-tempered relations of inferiority

are, alongside our claims against invasion and our claims to improvement, "simply distinct and irreducible concerns".[8] Though societal hierarchies deserve more attention than they have received hitherto, they are not the absolute foundation of political thought.[9]

[4] See Niko Kolodny, *The Pecking Order: Social Hierarchy as a Philosophical Problem* (Cambridge, MA: Harvard University Press, 2023), pp. 15–28.

[5] In Kolodny's view, our claims to what Rawls called "equal basic liberties" are really claims to what Kolodny calls Equal Treatment by the State. Claims to Equal Treatment by the State, meanwhile, are really claims to Equal Consideration from the State. And a claim to Equal Consideration from the State is a claim to a *tempered relation of inferiority* — or, rather, a claim that there not be any "horizontal" inferiority, to any other citizen, at all. See Kolodny, *The Pecking Order*, pp. 209–210.

[6] ibid., 88.

[7] Kolodny, *The Pecking Order*, 88.

[8] ibid., 89.

[9] For example, with regard to his Rawlsianism, Kolodny is a "prioritarian" when it comes to 'inequality-increasing weak-Pareto improvements'. As he writes, "Other things equal, Benny has stronger reason to give Indy an improvement than to give Altra the same improvement when Indy is worse off than Altra. But it is not an unfair

Kolodny's critique of both relational egalitarians and republicans brings into clear view not only his opposition to a ranking of human values, but his commitment to analytical distinction. He points out that both relational egalitarians and republicans struggle even to clarify the rights and wrongs that are their ostensible focus. Anderson, for example, lacks a "stable, explicit analysis of what social inequality (or whatever it is that relational egalitarians by definition oppose) comes to."[10] Relational egalitarians do not distinguish social inequality from other moral wrongs, such as exploitation, marginalization, and the infliction of violence upon others.[11] Neither do republican theorists "clearly distinguish objections to social hierarchy from objections of other kinds."[12] This imprecision makes it difficult for theorists to keep their focus "on what is distinctive of social hierarchy and what it distinctively contributes to our moral thinking".[13]

Moreover, even were these myriad wrongs to be defined, some analysis of societal hierarchy would still be necessary. For neither exploitation, nor marginalization, nor domination, nor dependence, nor even violence, is *necessary* for a relation of inferiority. That is, we can imagine

relations of inferiority that do not involve any of these ills. And crucially, we still might have some separate moral complaint about a relation of inferiority, even were it not to exploit us, marginalize us, dominate us, render us dependent, or inflict violence upon us.

In fact, Kolodny's isolation of 'inferiority' is apt because of how central it is to these other wrongs. While it might be tempting to say that, at the very least, exploitation, marginalization, domination, dependence, and violence are each *sufficient* to mark a relation of inferiority, this is not the case. These qualities often do alert us to the *presence* of a societal hierarchy. Yet each concept is, on closer inspection, parasitic on the notion of a relation of inferiority. 'Inferiority' is the most basic component of these problems. It is hard to imagine cases of exploitation, marginalization, domination, dependence, or violence that do not involve relations of inferiority. We should of course clarify what each of these terms means, for the benefit of our own political theorizing. Yet as Kolodny points out, we ought to make a relation of inferiority the prime target of our investigations.

It is possible for a political orientation not only to be monist, in its focus on a singular human value, but also to over-emphasize the wrong basic moral claim. This is the problem faced by Lockean libertarians, whether right-wing (Robert Nozick) or left-wing (Peter Vallentyne, Michael Otsuka). Kolodny critiques the various libertarian objections to the existence and actions of the State, as these are typically founded on the singular value of individual freedom. Moreover, Lockean libertarians usually rely on our basic moral claim against *invasion* — that is, our claim against the use, damage, or destruction of our bodies or property, without our consent or without an impersonal justification — to make their case for individual freedom. Yet as with the liberals' over-insistence on *improvement* claims, Lockean libertarians' commonplace invasion complaints against, say, the State's use of force, or against its use of threats, are also mistaken. Certainly, we

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trade-off to improve things for Altra when one can't improve things for Indy, even if that increases inequality," (259). In other words, Kolodny endorses an elaboration of Rawls's 'difference principle' that does not require relative equality. Kolodny is not a philosophical egalitarian, and does not believe 'equality' is as useful a term as 'non-inferiority'. For Kolodny's views on prioritarianism and inequality-increasing weak-Pareto improvements, see Kolodny, *The Pecking Order*, pp. 17–18, 195, 227, 259, 261, 265–267, 302, 426 note 2 (Chapter 16), and 430 note 2 (chapter 21).

[10] ibid., 415, note 2 (Chapter 5).

[11] ibid.

[12] ibid., 4.

[13] ibid.

have such a basic moral claim against invasion. Yet it does not override all other considerations. As a moral pluralist, Kolodny holds that

it is sometimes morally permissible to use force, or to threaten. Moreover, the real germ of moral complaint, in many of these issues, is not the *invasion* at all, but rather one's being subjected to relations of inferiority.

Therefore, at the conclusion of his work, Kolodny writes,

My train of thought in the book thus amounts to a kind of slow-motion, anti-libertarian judo—where "libertarian" is now meant to cover not only enthusiasts for rights against invasion but also enthusiasts for any conception of individual liberty. If you press hard enough on worries about the state's encroachment on the individual, I have argued, you end up in a posture not so much of defense of personal liberty as opposition to social hierarchy.[14]

For Kolodny, it is not so important that people be free. Nor even, as we will see, is it so important that persons escape relations of inferiority to one another. What matters for Kolodny is that persons are not subjected to *un-constrained*relations of inferiority.

Thus, Kolodny defends the existence of the State, and its threats, and its use of force, against the libertarians, just as he denies the centrality of equality, or of non-domination, or of non-dependence, or even of our moral improvement claims. Tellingly, despite his arguments, Kolodny is nevertheless incapable of disqualifying the idea of what an anarchist might call 'democratic statelessness'. However, despite his inability to discount such a possibility, Kolodny makes his opinions clear: in his mind, the rule of some over others is inevitable, and statehood is inescapable.[15]

## I.3 The Argument

Kolodny's moral pluralism is compelling, and his arguments that societal hierarchies — that is, relations of inferiority — have been an under-theorized under-current in political philosophy are revealing. Nonetheless, there are significant errors in Kolodny's own thought. Once properly analyzed, these mistakes point to larger problems in the way contemporary human beings organize themselves, and in the ways that they justify this organization. Centralized, hierarchical forms of organization are neither inevitable nor desirable. Neither the rule of some over others, nor the existence of States, is inevitable or inescapable. In fact, it is necessary that we avoid, escape, and un-make these ills, as well as other immoral systems that share the same overarching form, such as capitalism, patriarchy, white supremacy, and more. I explain why, in four chapters.

In Chapter 1, I show that Kolodny's descriptive approach to societal hierarchies lacks an account of 'structure', and that a structural element is necessary to explain how societal hierarchies are constituted by myriad norms, values, justifications, and power-relations. In response to Kolodny's lacuna, I theorize several levels of 'structurality', and argue for the existence of 'interactional hierarchies', 'meso-structural hierarchies', and finally, 'macro-structural hierarchies.'

[14] ibid., 403.

[15] ibid., 419, note 2 (Chapter 8). Kolodny thus reverses his own earlier position on societal hierarchy and relations of inferiority, that they could secure a situation in which none ruled over others, articulated in a series of articles published before his book with the title "Rule Over None." See Niko Kolodny, "Rule Over None I: What Justifies Democracy?", *Philosophy & Public Affairs* 42, no. 3 (2014): 195–229, and "Rule Over None II: Social Equality and the Justification of Democracy", *Philosophy & Public Affairs* 42, no. 4 (2014): 287–336.

In Chapter 2, I demonstrate how and why Kolodny mentions, yet leaves unexplored, the moral notion of a "collective inferiority complaint". This moral idea is only fully intelligible if one has an explicitly structural approach to societal hierarchies. However, I then tie together several unconnected strands of thought in *The Pecking Order* itself, which when combined imply that, in fact, natural individuals do indeed have a collective moral claim against finding themselves in macro-structural relations of inferiority.

In Chapter 3, I explain how Kolodny attempts to justify the State and the capitalist firm through a series of "tempering factors". These tempering factors allegedly mollify the societal hierarchies that the State and the capitalist firm involve. I then argue that Kolodny's "secondary"

tempering factors are aimed at addressing *meso*-structural offices, only, and that they are insufficient to render even these morally un-objectionable. Further, I show that they are not robust enough to meet our collective inferiority complaint against *macro*-structural hierarchies. In short, the State and the capitalist firm — indeed, *Statism and capitalism themselves* — are not capable of being justified from the standpoint of our moral claims against inferiority.

Finally, in Chapter 4, I argue that anarchism offers a better alternative to a Kolodnian account of societal hierarchies. Although anarchist theory has often confronted the problems of contemporary society implicitly (rather than explicitly), and evocatively (rather than analytically), it has nonetheless always taken a structural approach to the question of societal hierarchies. In fact, anarchist theory, I argue, provides the material for additional tempering factors. When employed, these supplemental tempering factors render meso-structural hierarchies morally unobjectionable. Moreover, in the process, these extra tempering factors un-make macro-structural hierarchies, and replace them with something else entirely. I then theorize the contrast class to societal hierarchies: 'interactional *horizontalities*, 'meso-structural *horizontalities*, and finally, 'macro-structural *horizontalities*.' I conclude by demonstrating that, insofar as anarchist tempering factors and macro-structural horizontalities together meet our collective moral claim against structural relations of inferiority, they complete Kolodny's project, while nonetheless taking us outside the remit of liberal political theory and into anarchist ways of theorizing justice.

In the Conclusion to the Dissertation, I argue that this text makes contributions to two literatures and to several conversations. On the one hand, this dissertation is an intervention into mainstream political philosophy. It subjects a new and noteworthy text in political philosophy to sustained interrogation. It highlights not only this text's shortcomings and lacunae, but also the text's

promising ideas. And most importantly, it attempts to "think what remains unthought" in that text.[16] Additionally, my dissertation participates in conversations on the proper definition of societal hierarchy, on structure and 'structurality', and on structural oppression.

On the other hand, the dissertation also contributes to less mainstream, more radical political theory. By bringing Kolodny's insights to bear on anarchist theory, the dissertation provides an explicit definition of societal hierarchies, and thus, a clearer view of one of anarchism's core concepts. By doing so, the dissertation thereby sheds light on the underlying conceptual and moral coherence of anarchism, taken as an ideology. Moreover, this explicit focus on '(anti-

[16] I owe this phrase to Simon Critchley, who writes of Jacques Derrida's concept of 'deconstruction' that it should be approached "uncontroversially" and thought of as "an attempted critical dismantling of the tradition in terms of what has been unthought within it and what remains to be thought by it." "In this sense", he adds, "one can speak of a *radical* experience of tradition." See Simon Critchley, *Continental Philosophy: A Very Short Introduction*, (Oxford: Oxford University Press, 2001), p. 69.

)hierarchy' as a conceptual and moral binding agent for anarchism allows for interventions into contemporary anarchist studies. In particular, conversations around "boundary disputes" and the "continuity debate" in anarchist circles are rendered much less intractable. In a larger sense, by using techniques from the analytic approach to political theory — techniques whose absence, in anarchist philosophy, has kept anarchism out of contention in contemporary political theory more broadly — the dissertation is able to "think anarchy" in a different register: to present an analytical anarchism, without reducing the ideology to what is sometimes called "philosophic anarchism"[17], or else to a mere variant of liberal political theory.

## I.4 Situating Myself: The Received Materials

At the beginning of Kolodny's book, he explains to readers his "received materials": the inherited concepts and viewpoints of mainstream political philosophy from which he constructs his argument. In what remains of this Introduction, I do the same.

My general positions, and my conceptual toolkit, are derived primarily from what is called the 'social anarchist' (as opposed to 'individualist anarchist') tradition.[18] However, I also take many notions and stances from scholarly conversations that have nothing (on the surface, at least) to do with anarchist theory. Of course, some of these ideas do show up independently in anarchist thought and practice. Others do not.

Limitations of space mean that I can give but a brief précis of each topic. I ask the reader to keep these general points in mind, however, and I recommend to those curious the cited texts.[19]

### *I.3.1 Power*

Power is an indispensable notion for political philosophy and sociological theory; one ought to be skeptical of any textual foray into these fields that does not at least address the topic. Power is also paramount for this dissertation. It is not only an outward sign, or measure, of societal hierarchies, but also one of the constitutive micro-components of societal hierarchy.

Michel Foucault's work is an obvious place to begin and, indeed, his thought suffuses the dissertation as a kind of background radiation. However, although Foucault was the thinker who made me wish to become a philosopher, he does not make many explicit appearances here. Instead, I lean mostly on the work of Amy Allen, who, indeed, is herself deeply influenced by Foucault. In

her 1998 paper "Rethinking Power", Allen defines power as "the ability or capacity of an actor or set of actors to act."[20] Allen divides power into six sub-types: 'power-to', 'power-with',

[17] "Philosophical anarchism" is a term for theoretical reflection on questions of power, hierarchy, authority, and the State that, nonetheless, does not engage with mainstream anarchist theory or with the various practical anarchist movements and traditions. While "philosophically anarchist" ruminations upon the State will often conclude it to be unjust or immoral, these typically will not call for a revolution, or propose any radically different kinds of human organization. Thus, many anarchist thinkers dismiss "philosophical anarchism" as simply navel-gazing. For more, see Nathan J. Jun, "On Philosophical Anarchism", in *Radical Philosophy Review*, Volume 19, Number 3 (2016): 551–567.

[18] For more on this conceptual toolkit, see *Anarchism: A Conceptual Approach*, edited by Benjamin Franks, Nathan Jun, and Leonard Williams(New York, NY: Routledge, 2018).

[19] For the full list of texts I have consulted, and from which I have crafted my own approach, see the Bibliography.

[20] Amy Allen, "Rethinking Power" *Hypatia* 13, no. 1 (1998): 36.

'power-over', 'domination', 'resistance', and 'solidarity'. Of these, only 'power-to', 'power-with', and 'power-over' play prominent roles in the dissertation.

Allen defines 'power-to' as "the ability of an individual actor to attain an end or series of ends."[21] 'Power-with' is defined as "the ability of a collectivity to act together for the attainment of a common or shared end or series of ends."[22] Finally, 'power-over' is defined as "the ability of an actor or set of actors to constrain the choices available to another actor or set of actors in a nontrivial way."[23]

### *I.3.2 Practice theory*

I take a practice theoretical approach to societal phenomena, and therefore I hold societal hierarchies to be a matter of dynamic practices, rather than to be merely static states of affair. Societal hierarchies are generated, sustained, and undone by our practices.[24] I derive my practice theoretical stance primarily from the work of Todd May[25], Joseph Rouse[26], and Theodore Schatzki.[27]

Following Schatzki[28], I define a practice as a series of thinkings, sayings, and doings, connected in a particular way.[29] Practices can be connected by any of three kinds of linkage: by

[21] Allen, "Rethinking Power", 34–35.

[22] ibid.

[23] ibid., 33. Many anarchists, feminists, and theorists interested in power (possibly Allen herself, in fact) were influenced by the pioneering work of the anarchist theorist Starhawk (Miriam Simos), who gives a very similar account of power in her 1987 text *Truth or Dare*. See Starhawk, *Truth or Dare: Encounters with Power, Authority, and Mystery* (San Francisco, CA: HarperCollins, 1990).

[24] For an anarchist view of practices, see Laura Portwood-Stacer, "Micropolitics" in *Anarchism: A Conceptual Approach*, edited by Benjamin Franks, Nathan Jun, and Leonard Williams (New York, NY: Routledge, 2018), pp. 129–141.

[25] Todd May, *The Political Philosophy of Poststructuralist Anarchism* (University Park, PA: Pennsylvania State University Press, 1994), and Todd May, *Our Practices, Our Selves: Or, What It Means to Be Human* (University Park, PA: Penn State University Press, 2001).

[26] See Joseph Rouse, "Practice Theory", in Stephen P. Turner and Mark W. Risjord, *Philosophy of Anthropology and Sociology*, (Amsterdam: Elsevier, 2007), pp. 639–682.

[27] Theodore R. Schatzki, *Social Practices: A Wittgensteinian Approach to Human Activity and the Social* (Cambridge: Cambridge University Press, 1996), and Theodore R. Schatzki, *The Site of the Social: A Philosophical Account of the Constitution of Social Life and Chang*e (University Park, PA: Penn State University Press, 2002).

[28] My précis of Schatzki's ideas is greatly simplified. For reasons of space, I omit, for instance, Schatzki's division of practices into two kinds: dispersed practices and integrative practices. These differ in their complexity, ubiquity, and in the way that their actions are linked. The simpler kind of practice are dispersed practices, which are quotidian, fundamental, and in some sense 'empty' practices, such as questioning, describing, imagining. They are found nested in larger, more complex integrative practices, from which they derive part of their character. Dispersed practices, however, do not simply reduce to the integrative practices (nor vice versa). Dispersed practices are dispersed in the sense that they are general enough, or transposable enough, that they can be found all over society, unlike integrative practices, which have more particularized locations. Integrative practices are perhaps the more 'standard' understanding of practices: the particular activities that make up our lives. Playing a sport, cooking a meal, engaging in a trade, cleaning a room — these more specified activities are integrative practices. See Schatzki, *Social Practices*, pp. 91–110.

[29] Schatzki does not take "thinkings" to be a constituent action-component of practices, but I do. Schatzki's reason for their omission is perhaps a twin fear: that including thinkings might tempt readers to see practices and their organization as springing from the human mind (Schatzki, being influenced by phenomenology, does not take the logic of practice or the instantiation of practice to amount to merely shared mental states); and that including thinkings might tempt readers to view the linkages that form the schema of practices to be causal, in a mentalistic sense. I think if we name these positions as ones Schatzki rejects, we can incorporate thinkings into the account. Therefore, I add "thinkings" to the above description of practices.

(mostly explicit) *rules*, by (often implicit) *teleoaffective orders*[30], and by (almost always implicit) *understandings*.[31]

Practice theory is a sociological orientation that emphasizes these practices, either ontologically or methodologically (or both).[32] Ontologically, some theorists take practices to *constitute* that which is societal: that is, they take practices to be the most fundamental building-block of society. Methodological practice theorists, meanwhile, hold that practices are simply the best place to start to understand things like power, or institutions, for example. Though I sympathize with the

ontological position, I do not rely upon it in this dissertation, and instead merely stress the methodological advantages of a practice theoretical approach.

Practice theory allows us to sidestep a knotty theoretical problem: the agent-structure debate.[33] It might seem odd that I should wish to sidestep this problem, as I appear to wade right into it. After all, in what follows I argue, on the one hand, that individual agents have moral rights, and that they bear responsibility for what they do or fail to do. On the other hand, the entire dissertation hinges on a structural thesis: that hierarchies are structural, that certain hierarchies are macro-structural, that they produce structural wrongs, and that we have a right to structures that prevent inferiority, that even secure a robust *non-inferiority* that amounts, basically, to egalitarianism. Why then should I care about practices?

Perhaps it is better not to say that practice theory allows us to *sidestep* the agent-structure debate, but rather that it allows us to enter into it in the right way. Practices help to explain who agents, as subjects, are, and what they can (and contextually should) do. Our (always multiple) subjectivities, after all, are developed by the practices we engage in, or cannot engage in. The practices of others, on or toward us, also shape us into who we are.

Meanwhile, practices allow us to understand larger, more complex organizations too. Phenomena such as institutions, systems, and even structures can be understood as complexes of practices and habits. An institution, for example — especially a formal, brick-and-mortar institution — is a series of routinized, proceduralized, organized practices. We can follow this process upward[34],

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[30] "Teleoaffective orderings" consist of rational or reasonable hierarchies of ends, tasks, and projects, as well as more affective beliefs, emotions, and moods. Schatzki refers to these as "teleoaffective structures." So as not to overuse the term, I drop "structures" for "orders" or "orderings". See Schatzki, *Social Practices*, 99.

[31] "Understandings" include the ability to *engage* in the thinkings, sayings, and doings that make up the activity in question; the ability to *recognize* the thinkings, sayings, and doings that make up this activity; the ability to *attribute* (not necessarily discursively, conceptually, or consciously) this activity-bundle to oneself and others; ability to *prompt* this activity-bundle in others; and the ability to *respond* to others' prompting of this activity-bundle. See Schatzki, *Social Practices*, 91.

[32] See also the practice-related discussions in Brian Epstein, "Social Ontology," at *The Stanford Encyclopedia of Philosophy* (Fall 2024 Edition), edited by Edward N. Zalta & Uri Nodelman. https://plato.stanford.edu/archives/fall2024/entries/social-ontology.

[33] For other benefits to this approach, see Joseph Rouse, "Practice Theory", in *Philosophy of Anthropology and Sociology*, pp. 644–651.

[34] For a very useful guide to "organizational subsystems", "organizations", "organizational populations", "organizational fields", and "world systems", see W. Richard Scott, *Institutions and Organizations: Ideas, Interests, and Identities*, Fourth Edition (Thousand Oaks, CA: Sage Publications, 2014). Scott also has very helpful discussion on the "carriers" of organizations ("symbolic systems", "relational systems", "artifacts", and "activities", i.e. practices), and on the dimensions of organizations (the "regulatory" dimension, the "normative" dimension, and the "cultural-cognitive" dimension).

or outward: institutions contribute to larger institutional *populations*, then institutional *fields*, all the way up to *world systems*.[35]

Practices are the most important constitutive element, then, of agents' subjectivities and of structures: they affect both, and of course, they are affected by both. Thus, they serve as an anchor in these conversations: a place to ground the discussion, and a place to begin.

### *I.3.3 Functionalism*

Functionalism is a sociological approach that queries what purpose, or function, a phenomenon serves in an overarching context. There are at least two kinds of functionalism. What I call "weak" functionalism is the belief that societal phenomena exist, and they *happen* to fulfill a function. "Strong" functionalism, on the other hand, is the belief that societal phenomena exist *in order to*, or *because* they fulfill a particular function.[36] I take a middling functionalist position, but one that is closer to strong functionalism than to weak. In short, feedback loops ensure that phenomena are capable of continuation, because of both the benefits they provide and the power they furnish to agents who (re)enact them.

Functionalism is apt to be criticized by both sociologist and anthropologists, on the one hand, and by philosophers, on the other. Sociologists and anthropologists have taken the functionalist orientation to task for opening the door to holist, teleological, even organicist images of society. As

none of these is a necessary orientation, and as each is arguably mistaken, I too reject holist, teleological, and organicist images of society.

From a philosophical point of view, meanwhile, one can trace a line of skepticism toward something like functionalist analysis, throughout 20th century French philosophy and all the way back to Nietzsche, who wrote in *The Genealogy of Morals* that

the cause of the origin of a thing and its eventual utility, its actual employment and place in a system of purposes, lie worlds apart; whatever exists, having somehow come into being, is again and again reinterpreted to new ends, taken over, transformed, and redirected by some power superior to it; all events in the organic world are a subduing, a *becoming master*, and all subduing and becoming master involves a fresh interpretation, an adaptation through which any previous "meaning" and "purpose" are necessarily obscured or even obliterated.[37]

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[35] For conversations surrounding 'world' or 'global' systems, see Michael Mann, *The Sources of Social Power, Volume 1: A History of Power from the Beginning to AD 1760*, (Cambridge: Cambridge University Press, 2012); Immanuel Wallerstein, "The Rise and Future Demise of the World Capitalist System: Concepts for Comparative Analysis," in *Comparative Studies in Society and History* 16, no. 4 (1974); Immanuel Wallerstein, "World-Systems Analysis", in *World System History*, in *Encyclopedia of Life Support Systems* (EOLSS), UNESCO, G. Modeski, ed. (Oxford: Eolss Publishers, 2004); John W. Meyer, John Boli, George M. Thomas and Francisco O. Ramirez, "World Society and the Nation-State," in *American Journal of Sociology* 103, no. 1 (1997): pp. 144–181.

[36] For more on the difference between weak and strong functionalism, see Harold Kincaid, "Functional Explanation and Evolutionary Social Science" in *Philosophy of Anthropology and Sociology*, Stephen P. Turner & Mark W. Risjord, eds. (Amsterdam: Elsevier, 2007), pp. 213–245. Kincaid refers to weak functionalism as "selectional explanations" and dubs strong functionalism "functional role analysis."

[37] This notion of transposability is important, too, for Merleau-Ponty (physiologically, with the 'habit body'), for Foucault (discursively, with the 'tactical polyvalence of discourses'), for Derrida (semiotically, with resignification, differance, 'the trace', iteration), for Deleuze (metaphysically, with the notion of 'virtuality'). See Friedrich Nietzsche "Second Essay: 'Guilt,' 'Bad Conscience,' and the Like" in *On the Genealogy of Morals: A Polemic*, in *Basic Writings of Nietzsche*, Walter Kauffman, trans & ed. (New York: The Modern Library, 2000), pp. 513–518.

Nietzsche makes the basic point with regard to the function of *punishment*: whatever method of punishment that exists can be re-used, re-interpreted, re-purposed endlessly, often for purposes *other* than punishment.

Nonetheless, the Nietzschean, genealogical aversion need not be read as a disavowal that certain phenomena serve functions, nor even that they continue to exist *because* they serve a function. It seems to me to be, instead, an insistence that nothing is ever entirely fixed as it is, forever, or destined for a single purpose.

While this is an important point, it must not lead us to ignore the fact of "recursion", or feedback loops.[38] Certain forms of societal organization lead to asymmetries and disparities in power, esteem, resources, and wealth. Those asymmetries and disparities are then used by agents to stabilize

and perpetuate the very same asymmetries and disparities. I argue that many of the more 'thickly structural' societal hierarchies have precisely this quality. Thus, we can claim that such hierarchies not only serve some function (they aggregate power, esteem, wealth, and resources to some and not others), but that they (continue to) exist *because* they serve this function.

On the positive side, though, we might imagine horizontal structures that empower persons more or less equally, and which continue to exist for *that* reason. This would be an example of a liberatory feedback loop.

### *I.3.4 Society and its Spheres*

I refer to organized human life together as "society", and my chief focus in this dissertation is hierarchical relations among human beings living together. I am aware of the risks involved in using the term "society", chief among them being a reification of something that is much less bounded and coherent than the word might imply. As Todd May writes,

It is important to understand that the political picture of networks of power relationships is not a theoretical holism, if by that is meant that everything is connected to everything else in a single realm of relationships called "society." First, the connections are not to be presumed; they are to be discovered in the course of political analysis. Just as there can be no assumption that there is a founding cause for all relationships of power, there is no reason to assume that all those relationships are fundamentally related to one another. Moreover, it is misleading to think of them as functioning within a single medium. This is why even the term "social space" is not completely accurate. There is no empty space that gets filled in by political relationships; there are only the relationships themselves. "Social space" is the set of those relationships, not a space within which they arise.[39]

"Society" then, is a contentious idea. Nonetheless, some word is necessary as a catch-all designator for the networked cacophony of human interactions.

[38] For the sociologist Anthony Giddens, a key element in the constitution of society is the "recursive nature of social life." This is the fact that societal activities are recreated out of the very resources that, in turn, constitute them. The repetitiveness, or routine-ness, and thus the stretching of an activity, is the basic grounding of this recursion. See Anthony Giddens, *The Constitution of Society*, (Cambridge: Polity Press, 1984), pp. xxiii-xxiv.

[39] Todd May, *The Political Philosophy of Poststructuralist Anarchism* (University Park, PA: Pennsylvania State University Press, 1994), 53.

In addition to the term 'society', I draw on three ideal-type "spheres" of human activity: the political, the economic, and the social.[40]

I define "politics" as decision-making about individual and collective rights and responsibilities. I define the "political sphere" as all those practices and habits, and all those sites, institutions, systems, and structures, dealing with politics and the political. I consider that multiple natural individuals can find themselves occupying similar, general positions and roles, depending on their ability to make decisions about individual and collective rights and responsibilities. I call such a political stratum an "estate".

To give some context, I consider that, in contemporary societies, national or federal politicians form an "estate", bureaucrats form another, and the masses form a third. Yet an "estate" need not apply only to such large strata. The children in a family (and the adults too, for that matter) occupy differing "estates", insofar as they occupy different positions vis-à-vis the making of decisions regarding individual and collective rights and responsibilities in the family. "Politics", then, is not limited to parliaments. Indeed, we often use terms such as "family politics" or "office politics", and, on my definition of estates and the political sphere, such terms make sense.

I define "economics" as the production, distribution, and consumption of goods and services. I define the "economic sphere" as all those practices and habits, and all those sites, institutions, systems, and structures, dealing with economics and the economic. I consider that multiple natural

individuals can find themselves occupying similar, general positions and roles, depending on their relation to the production, distribution, and consumption of goods and services. I call such an economic stratum a "class". Bear in mind that, while I take on board the idea that there are world-spanning economic classes such as the "capitalist class", the "coordinator class", and the "working class", I also allow for more localized classes, in the same manner as I allow for small-scale, local "estates."

I define "sociality" as the esteeming and dis-esteeming, the regarding and dis-regarding, the respecting and dis-respecting, and the recognition and mis-recognition, of other persons. I define the "social sphere" as all those practices and habits, and all those sites, institutions, systems, and structures, dealing with sociality and the social. Multiple natural individuals can find themselves occupying similar, general positions and roles, depending on the ways they are regarded, esteemed, respected, recognized, or, not. I call such a social stratum a "group". As in the case of estates and classes, I acknowledge large-scale social groups, such as women, men, heterosexuals, homosexuals, Black persons, Muslims, etc. Yet I also intend the term to cover groups as small as school cliques, for example.

Why engage in "sphere-talk", at all? Descriptively, isolating societal phenomena into different zones better allows us to understand the functions these phenomena might be fulfilling, and for whom. The ability to say that capitalism is primarily (but not solely) an economic system, that Statism is primarily (but not solely) a political system, and that white supremacy, patriarchy,

[40] Though I derive my own understanding of these terms from Nancy Fraser, whom I discuss below, the three spheres and their strata that I mention have analogues in earlier sociological literature. See especially Max Weber, "The distribution of power within the community: Classes, *Stände*, Parties", translated by Dagmar Waters, Tony Waters, Elisabeth Hahnke, Maren Lippke, Eva Ludwig-Glück, Daniel Mai, Nina Ritzi-Messner, Christina Veldhoen and Lucas Fassnacht, *Journal of Classical Sociology* 10, no. 2 (2010): 137–152; See also Rudolf Steiner, *The Threefold Social Order*. Accessed at *The Rudolf Steiner Archive*. Accessed online on April 24th, 2025. https://rsarchive.org/Books/GA023/English/AP1972/GA023_index.html

and others are primarily (but not solely) social systems, allows us to direct our attention to what benefits are being generated from each system, to whom they are accruing, and how. Morally, this way of conceiving society allows us to ask about whether there are different kinds of injustice, depending

on zone of activity, or whether there is, underneath apparent differences, something all injustices have in common.

Why these three spheres, and not some others?[41] My account of these three ideal-typical spheres draws from the work of Nancy Fraser, who conceptualizes not only the three spheres I have described, but also three forms of moral wrong, each corresponding to a sphere.[42] In the economic sphere, there is 'maldistribution'. In the social sphere, there is 'misrecognition'. In the political sphere, there is 'misrepresentation'. I agree with Fraser that these three spheres capture the most basic arenas of human activity. Thus, the practices of most other proposed spheres can usually be encompassed in one (or several) of the three upon which I rely. Similarly, most instances of moral wrongdoing can be categorized as species of Fraser's sphere-based variants — though I take it that Kolodny's moral picture, of improvement, invasion, and inferiority complaints, is more general and, in this sense, more useful.

Given my commitment to non-reductivism, I reject the notion that all human activities must fit into one of these three spheres. These are ideal-types only, and intended mostly to ease the reader *out of*, say, a "class-reductionist" or "social-group-reductionist" viewpoint: the idea that all struggles can be reduced to the struggle between, for example, economic classes, or the idea that patriarchy,

for instance, is "the original" form of oppression from which all others spring. I discuss this reductivism below.

I remain open to the possibility that there are other spheres, but my dissertation does not engage with this question. Moreover, I prefer to frame the basic political wrong as "allodetermination". This latter term signifies the experience of having decisions about oneself and one's life *made by other persons*, without one's own active involvement in the decision-making process, and without the other tempering factors I explore in this dissertation. In other words,

[41] For example, the authors of *Liberating Theory* identify a political sphere, an economic sphere, a kinship sphere, and a community sphere. John Clark, in *The Impossible Community*, analyzes four social spheres as domains of action and of (in)justice: the social institutional structure, social ideology, the social imaginary, and the social ethos. Max Weber, meanwhile, in the "Zwischenbetrachtung" or "Intermediate Reflection on the Economic Ethics of the World Religions" from his 1920 *Sociology of Religion* considers the various "orders of life" (*Lebensordnungen*) and the "value-spheres" (*Wertsphären*) particular to each order; these "orders," for Weber, are the kinship group, the political, the economic, culture, the erotic, and the intellectual. See Michael Albert, Leslie Cagan, Noam Chomsky, Robin Hahnel, Mel King, Lydia Sargent, and Holly Sklar, *Liberating Theory* (Boston, MA: South End Press, 1986); John P. Clark, *The Impossible Community: Realizing Communitarian Anarchism* (New York: Bloomsbury, 2013); Max Weber, "Intermediate Reflection on the Economic Ethics of the World Religions" in *The Essential Weber: A Reader*, edited by Sam Whimster, (New York: Routledge, 2004), pp. 215–244.

[42] See Nancy Fraser and Axel Honneth, *Redistribution or Recognition? A Political-Philosophical Exchange* (New York: Verso, 2003), 48–49.; See also Nancy Fraser, "Abnormal Justice," *Critical Inquiry* 34, no. 3 (Spring 2008): 410–412; "Identity, Exclusion, and Critique: A Response to Four Critics", *European Journal of Political Theory Volume* 6, Number 3 (2008): 316; "For a Three-Dimensional Theory of Justice: On the Specificity of the Political" in *Reframing Justice: Spinoza Lectures* (Amsterdam: Konniklikje Van Gorcum, 2005).

"allo-determination" is the experience of having decisions about oneself made without Equal Influence, or Escapability, etc.[43]

Two last points are necessary, before turning to intersectionality and non-reductivism. The first is that these three spheres are not meant to compete, conceptually, with the "public sphere" or the "private sphere". Rather, I take both of these latter terms to encompass the others, but to vary in scope and meaning, according to time and place. Thus, there are some political, economic, and social practices that one does *in public*, and some that one does *in private*.

Secondly, I use the terms "political" "economic" and "social" in ways that might seem iconoclastic, but which I regard as stricter than their use by other theorists. While I begrudgingly retain the designators "political philosophy" and "social science" for ease of reference, I refer to hierarchies as "societal hierarchies," rather than the much more common term "*social* hierarchies." I use my preferred term because, as I have argued, not all hierarchies are matters of sociality — that is, of regard. Thus, I likewise avoid using the term "social class". While class, as an intersectional phenomenon, naturally has recognitive elements — viz. "classism" — as well as political elements (the

members of the working class cannot make their own decisions about the means of production that they are expected to use for the benefit of others), I take it that 'class' is best theorized as *primarily* (though not exclusively) an *economic* category. What is descriptively at issue, with class, is one's place in the production, distribution, and consumption of goods and services, and what is morally at issue is whether the distribution of the work, and of the quality and quantity of goods and services, is fair. Thus, I reserve the term "social" for matters of regard, and prefer the term "society" as the umbrella category. Applying the terms "political," "economic", and "social" too freely risks papering over differences of descriptive and moral importance, which I wish the reader to consider slowly and carefully.

### *I.3.5 Intersectionality and Non-Reductivism*

I take an intersectional and non-reductive approach to societal phenomena. Intersectionality and non-reductivism correct for any imbalances that spring from the 'separationism' that sphere-talk risks. It can be tempting, when carving up the spheres of society, to believe them to be separate, or separable. It is also common to assume that one sphere, or one category of practice, fundamentally grounds the others, such that it causes the others. These are both mistaken ways of investigating societal phenomena. Spheres, and their contents, are conceptually *isolable*, but not ontologically *separable*. They are formally *comparable* to one another, but they are not causally *reducible* to one another.

While intersectional or "interlocking" theory owes its origins to the work of Black feminists, especially to the work of Kimberlé Crenshaw[44], Patricia Hill Collins[45], and the members of the

[43] Though I borrow from Fraser, my own orientation cannot be precisely identified with hers. I am an anarchist, while Fraser is a Marxist. She takes the moral wrong of the political sphere to be mis-representation, whereas I see the problem as *political representation, simpliciter*.

[44] See Kimberlé W. Crenshaw, "Mapping the Margins: Intersectionality, Identity Politics, and Violence

[45] See Patricia Hill Collins, *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment,* Second Edition (New York: Routledge, 2000).

Combahee River Collective[46], I derive much of my intersectional approach from the book *Liberating Theory*, by Michael Albert, Leslie Cagan, Noam Chomsky, Robin Hahnel, Mel King, Lydia Sargent, and Holly Sklar. In that text, the authors describe the various spheres of society as "accommodating, co-defining, and co-reproducing" one another.[47]

The authors do not much elaborate on these terms. However, I take "accommodation" to be any process by which one agent, practice, habit, institution, system, structure, or sphere 'opens up space' for another to function, or any process by which one such phenomenon facilitates the functioning of another, or any process by which one such phenomenon assists in the fulfillment of another phenomenon's function. 'Accommodation', as a general sociological phenomenon, is not necessarily a reciprocal process ("co-accommodation"), though in the case of intersectionality, I do mean it to name a *reciprocal* mechanism.

As an example, consider the interplay between capitalism and Statism. How does capitalism facilitate the function of Statism? That is, how does it facilitate the exploitation, by asymmetrically powerful political estates, of practices of obedience by less powerful estates? The organization of persons into disadvantaged classes, the members of which must work more, for less, keeps these

Against Women", *Stanford Law Review* 43(6) 1991: 1241–1299; and Kimberlé W. Crenshaw, "Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics", *University of Chicago Legal Forum* (1989): 139–167.

laboring masses exhausted and distracted. Such persons are unable to afford the mental and physical expenditures necessary to govern their own communities, themselves, in a democratic, participatory, decentralized, and horizontalist fashion. Thus, political representatives are positioned as useful, natural, or even inevitable.

How does Statism facilitate the function of capitalism? That is, how does it facilitate the exploitation, by asymmetrically powerful economic classes, of practices of labor by less powerful classes? Laws written by the most powerful political estate enshrine the private ownership, by the most powerful economic class, of the means of production. Those private property rights are backed by violence, and the threat of violence, from police and military institutions. Moreover, States use their military forces to seize land and resources from those who were occupying and using them. States also forcibly establish, or else open up (pre-existing) markets. All of these actions can be used by the most powerful economic class for the benefit of that class.

I define "co-definition" as the opposite process to accommodation, though I do not imagine this to be an antagonistic relation. Co-definition is any process by which one agent, practice, habit, institution, system, structure, or sphere bounds the space of another's functioning, *while the second does the same to the first.* Alternatively, we can define it as a process by which one such phenomenon de-limits the functioning of another, *while the second does the same to the first.* It is a process by which one such phenomenon constrains how another phenomenon's function is fulfilled, *while the second does the same to the first.*

[46] See the Combahee River Collective, "The Combahee River Collective Statement", (1977), Accessed online at https://www.blackpast.org/african-american-history/combahee-river-collective-statement-1977/. Accessed on January 19th, 2022.

[47] See Michael Albert, Leslie Cagan, Noam Chomsky, Robin Hahnel, Mel King, Lydia Sargent, and Holly Sklar, *Liberating Theory* (Boston, MA: South End Press, 1986), pp. 76–79.

As examples, consider again the case of capitalism and Statism. How does capitalism limit what the State is, or can be? Individual capitalists can contribute funds to preferred politicians, who will write laws that pursue a neoliberal agenda. Such an agenda usually includes measures aimed at: privatizing public enterprises, deregulating the economy, liberalizing trade and industry,

implementing massive tax cuts on corporations and wealthy individuals, relying on monetarist policies to curtail inflation (even at the risk of increasing unemployment), strictly controlling organized labor, reducing public expenditures (in particular, social spending), down-sizing (some parts of) the government, expanding international markets, and removing controls on global financial flows.[48] Moreover, non-regulated capitalist markets, themselves, can encourage capital flight, ensuring that politicians need not even suggest policies that are economically, socially, or politically horizontal. All of these activities shape what a State looks like.

How does the Statist system limit what capitalism is, or can be? Individual politicians can set legal limits to what employers can do to their employees, or what they can demand of them. They can also pursue redistributive tax policies. States themselves can intervene, or neglect to intervene, in markets, bailing out big banks and businesses when necessary, or choosing not to. They can ban some industries outright, and endorse others. They can also shoulder the responsibility for preventing, or responding to, environmental damage and destruction that is caused by industry pollution and resource consumption, thereby molding the policies of industries vis-à-vis the environment. All of these policies shape what economic activities and relations look like.

Finally, I take "co-reproduction" to be the *combined* effects of accommodation and co-definition. If two or more phenomena accommodate and co-define one another, they co-reproduce one another. That is, they thereby secure the continued existence of one another.[49]

There are no singular examples of co-reproduction: this term names the recursive, iterative co-unfolding of phenomena. However, if we combine the examples I have given above, regarding the way that capitalism and Statism accommodate and co-define one another, we begin to see how each system both constrains, yet incites, the other. I ask the reader merely to consider why it is that a system like capitalism, and a system like Statism, as well as systems like patriarchy, white supremacy, and others, appear to work so well together. Why do they "fit" together easily, to make a coherent, if deeply morally troubling, form of human organization? To ask such questions is to take up the line of inquiry that motivated this dissertation.

[48] Manfred B. Steger, *Globalization: A Very Short Introduction*, 4th Edition (Oxford: Oxford University Press, 2017), p. 42.

[49] Of course, I have an ulterior motive for my embrace of intersectionality and non-reductivism. At the risk of putting the cart before the horse, I must here assert that it is a rigorous commitment to intersectionality and to non-reductivism that lead — almost inevitably, I feel — to anarchist ways of thinking and organizing. It might be apparent already how these views contribute to an anarchist ethos. If certain large-scale, hierarchical systems are immoral, they must be dismantled. If these large-scale, hierarchical systems cannot be reduced to a singular culprit (such as "capitalism", say), then each must be understood, and opposed, as a separate beast. Yet if each of these large-scale, hierarchical systems accommodates, co-defines, and co-reproduces the others, then we cannot take each on separately, one at a time, in a piecemeal, reformist fashion. Only a revolution, against *the very form* that these large-scale, hierarchical systems have in common, will do. It is anarchism that best describes the opposition to these macro-structural hierarchies.

### *I.3.6 Two Approaches to Justice*

Following the work of Critical Theorists Nancy Fraser and Rainer Forst, I differentiate between two normative domains, and two broad views of justice.[50] One normative domain is "ethics". I define ethics as the evaluation of what makes for a good, or otherwise praiseworthy, human life. The other normative domain is "morality". I define morality to be concerned with the search for standards of action and organization that those subjected to those standards can agree upon. Ethics, then, is concerned with "the good", while morality is concerned with "the right".

Each normative domain gives rise to a differing view of justice. The ethical, substantialist view envisions justice as 'the good'. This sort of account isolates whatever is good, or best, for human beings, and then stipulates that 'justice' is the societal provision of this good to each person.

The other moral view of justice is formal and proceduralist. On this view, justice is a matter of 'the right'. This latter sort of account does not take a stance on what is best for human beings, but rather insists that 'justice' is the name for those institutional arrangements that allow each person to develop and pursue their own understanding of the good, freely and equally. Justice, on this approach, is a fair set of basic institutional systems.

I believe justice as 'the right' is a more fruitful avenue to take when considering societal hierarchies — at least provisionally, for the purposes of this dissertation. Why justice as 'the right', and not justice as 'the good'? Simply put, achieving something like justice requires that very many people, with very many different worldviews, work together. The diversity of the world's peoples means that, most likely, these persons simply will not agree on, or commit to, anything more than a bare, basic framework for society, and for justice. Thus, for a theory to pursue more than that, by shoehorning in a detailed vision of the good life, or the good society, would be inefficient at best, and disastrous at worst. If our aim is general agreement, or overlapping consensus[51], on those things that *can* realistically be agreed upon, our best bet is to chip away at forms of organization that leave us unequal — or, as Kolodny prefers to put it, inferior to one another.[52]

The question that I ask, then, is whether societal hierarchies on the one hand, or societal horizontalities on the other, best allow persons to stand in relations to one another that are as free as possible and, if not strictly equal, then not inferior, either. Which form of societal organization best provides the sort of standing that allows for individual and group pursuit of 'the good' (however

that is defined) on not only a level (that is, non-inferior) footing, but also a non-restricted (that is, free and autonomous) one? This is the issue I pursue.

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[50] For more on Forst's views, see Rainer Forst, "Democratic Faith. A Philosophical Profile of Richard J. Bernstein," *Constellations* 30, (2023): 20–22; Rainer Forst, "Noumenal Power," *The Journal of Political Philosophy* 23, no. 2, (2015): 111–127; Amy Allen, Rainer Forst, and Mark Haugaard "Power and Reason, Justice and Domination: A Conversation," *Journal of Political Power* 7, no. 1 (2014): 7–33; Rainer Forst, "First Things First: Redistribution, Recognition and Justification" in *Axel Honneth: Critical Essays: With a Reply by Axel Honneth*, edited by Danielle Petherbridge (Boston, MA: Brill Publishers, 2011), 303–319. For more on the Fraser-Forst debate, see Nancy Fraser, "Identity, Exclusion, and Critique: A Response to Four Critics", *European Journal of Political Theory Volume* 6, Number 3 (2008): 305–338.

[51] See John Rawls, *Justice as Fairness: A Restatement*, edited by Erin Kelly (Cambridge, MA: Belknap Press, 2001), passim., yet especially pp. 32–38.

[52] See Nancy Fraser and Axel Honneth, *Redistribution or Recognition?*, pp. 29–30; Nancy Fraser, "For a Three-Dimensional Theory of Justice: On the Specificity of the Political" from *Reframing Justice: The Spinoza Lectures* (Assen, Netherlands: Koninklijke Van Gorcum, 2005), pp. 42–48; Nancy Fraser, "Abnormal Justice", *Critical Inquiry* Vol. 34, No. 3 (Spring 2008), *passim.*

Nonetheless, some view to the good is probably necessary for a complete account of justice.[53] Yet, I do not take it that this account requires a *substantial* vision of the good life, nor do I take it that justice itself can proscribe a single type of life that accommodates our "inner truths".[54] Rather, justice, and the proper account of it, likely requires those forms and patterns of social recognition, of economic distribution, and of political inclusion that secure what Nancy Fraser refers to as 'parity of participation', or what Rainer Forst calls 'justificatory status' and what Dorothea Gädeke calls 'justificatory agency'.

Methods for achieving this kind of justice can be either 'affirmative' (tending to change outcomes, after the fact, rather than underlying structures) or 'transformative' (changing outcomes by changing underlying structures themselves).[55] As will become clear throughout the dissertation, I take it that only transformative methods will do.

## I.5 Conclusion to the Introduction

Kolodny's thought, and his text, occupy a unique position in mainstream political theorizing — a position he has worked hard to excavate for himself, with his novel approach to a significant yet under-theorized concept. I, too, have now cleared a starting point for our discussions. Bearing in mind the nature of power and of practice, how they are arranged in, and constitute, spheres of activity,

how their organizations serve functions, how they intersect, yet are irreducible to each other, let us now begin to ask: which is best for a right, fair, and just society — hierarchy, or anarchy?[56]

[53] For a "capability"-centered approach to justice that incorporates a neo-Aristotelian view of 'the good', see Martha Nussbaum, *Frontiers of Justice: Disability, Nationality, Species Membership* (Cambridge, MA: Belknap Press, 2006).

[54] For a more agnostic capabilities-centered approach to justice, one that does not take a stance on 'the good' human life, but which nonetheless attempts, (as Kolodny does, with his 'improvement claims') to allow for an *approach* to it, see Amartya Sen, *The Idea of Justice* (Cambridge, MA: Harvard University Press, 2011).

[55] Nancy Fraser, "Social Justice in the Age of Identity Politics: Redistribution, Recognition, and Participation", endnotes 8 and 9, in Nancy Fraser and Axel Honneth, *Redistribution or Recognition? A Political-Philosophical Exchange* (New York: Verso, 2003), pp. 95–96.

[56] Despite the title of this dissertation, I do not address "anarchy" at great length in this text. While some take "anarchy" to be an ontological starting place — a condition of possibility for the worst, as well as the best, forms of human organization — I take a more mundane approach. "Anarchy", in my view, is merely the achievement of a world marked by what I call, in Chapter 4, macro-structural horizontalities. "Anarchy" names the condition of society reached through the application of the various ideas and techniques of "anarchism".

# Chapter 1 — Societal Hierarchies and Structurality

## 1.1 Chapter Introduction

In this chapter, I make an intervention into the current mainstream literature on societal hierarchies by arguing that paradigmatic examples of this literature erroneously neglect the concept of 'structure'. This neglect carries descriptive consequences — namely, an incomplete view of societal organization. Yet it also carries moral consequences. Without a developed account of 'structurality', even those thinkers who do gesture toward structural (in)justice fail fully to theorize structural wrongs. They therefore face difficulties in proposing a structural response to such wrongs.

Han van Wietmarschen feels that the notion of 'structure' needlessly complicates the concept of 'societal hierarchy'. While I agree that presenting 'hierarchy' structurally does indeed complicate matters, it does not do so needlessly. I hold that an understanding of large-scale moral wrongs necessitates an account of the large-scale societal phenomena that cause them. And large-scale societal phenomena cannot be understood without a notion of what 'size' and 'scale' mean, societally. 'Structure' provides this notion.

Niko Kolodny, meanwhile, believes that his own descriptive and moral theory can still incorporate an orientation to 'structural justice'. Yet this makes it even more perplexing why, if such concepts are in accordance with his own theory, Kolodny offers no account of 'structural justice' or 'structural injustice.' The task of this dissertation is to address this lacuna, using elements drawn from Kolodny's own theory, as well as from the anarchist theoretical tradition.

In this chapter, I compensate for the neglect of 'structure' in the literature by explaining the differing levels of 'structurality' that societal hierarchies can display. I also add to this literature by presenting the notion of the 'macro-structural hierarchy', whose existence marks contemporary human organization on the planetary scale.

Within the dissertation as a whole, this chapter cements the descriptive importance of 'structurality', as well as the concept of the 'macro-structural hierarchy'. These ideas are especially relevant for the overarching argument, because throughout this text I argue that the grand moral problems of contemporary human organization can only be grasped if they are first understood to be products of particular massive hierarchies. And it is anarchist political theory, I hold, that has always been particularly sensitive to the structural quality of both these massive hierarchies and their moral consequences.

This chapter has eight sections. In Section 1.2, I present two recent accounts of societal hierarchy, courtesy of Han van Wietmarschen and Niko Kolodny. I then argue, in Section 1.3, that each theory possesses indispensable strengths which must be combined. However, I maintain that this can only adequately be done via the addition of a concept both theorists neglect: 'structure'. An integrated approach to societal hierarchy, qua structural, allows us to see the various shades of

hierarchy that exist in our societies: everything from personal yet transient hierarchal *interactions*, to larger, impersonal, and ongoing hierarchical *relations*. As these variations differ morally, it is crucial that our descriptive accounts be fine-grained enough to allow for moral nuance.

In Section 1.4, I give a description of 'structure' that highlights its two main components: *schemas* and *resources*. In Section 1.5, I then detail why theorists often employ 'structure' in their explanations of societal phenomena. Following that, in Section 1.6 I highlight some general features of structures and, specifically, *structural hierarchies*. I then present an addition to the literature on hierarchies: the concept of the 'macro-structural hierarchy'. In Section 1.7, I present the idea of 'justificatory orders', which allows us more fully to theorize 'hierarchy' as structural. A view of hierarchies as structural, and as buttressed by justificatory orders, better allows us to integrate the standpoints of van Wietmarschen and Kolodny into a more developed outlook. In Section 1.8, I conclude the chapter.

## 1.2 The State of the Literature

The explicit, analytic debate on societal hierarchy is surprisingly recent. In this section, I explain two prominent approaches in that nascent debate: those of Han van Wietmarschen and of Niko Kolodny. My integration of their views into a new approach serves as the descriptive foundation for the rest of the dissertation. From van Wietmarschen, I take a theoretical foundation based on norms and values. From Kolodny, I take a series of stipulations about how these norms and values are expressed in asymmetries of power and authority, and in disparities of regard. Finally, I use structure, and the notion of 'orders of justification', to explain how power and regard, on the one hand, and norms and values, on the other, can recursively generate and stabilize one another.

In his 2021 article, "What is Social Hierarchy?", Han van Wietmarschen argues that there are three basic elements that underly all societal hierarchies.[1] The first is what he calls *valence*. Positions in a societal hierarchy are not merely different; their occupants are taken to be situated 'above' and 'below' one another.[2] The second is that the different positions in societal hierarchies come with *normative* expectations. Van Wietmarschen writes that people not only *in fact* display different patterns of attitude and behaviour towards others, depending on their positions: they also feel that they *should* do so.[3] The third fact about societal hierarchies is that people are *motivated* by considerations of them. Van Wietmarschen believes that a bedrock approach to societal hierarchies need only account for valence, normativity, and motivation.[4]

Van Wietmarschen starts his account by saying that societal hierarchies are constituted by sets of norms. A 'norm' is a *rule of behaviour* such that individuals prefer to conform to it because they believe that: (a) most people in their reference network *do* conform to it, and, (b) most people in their reference network also believe they *ought* to conform to it.[5] Norms demand not only that individuals act in certain ways, but also that they "display certain dispositions, emotions, feelings,

[1] Van Wietmarschen believes his account has merely two components (norms and valence), but he discusses motivation at length as something that must be accounted for. He holds that norms and valence account for motivation. Given his emphasis on motivation, I consider it the third component of his theory.

[2] Han van Wietmarschen, "What is Social Hierarchy?" *Noûs* 56, no. 4 (2022): 922.

[3] ibid.

[4] ibid., 923.

[5] ibid.

or other attitudes."[6] Norms affect not only how we behave, externally, but also affect the internal events of a human psyche.

A norm, then, is both a rule for oneself and an expectation of others. Norms partially explain why societal hierarchies are able to motivate us: we have expectations about how others will and should behave.[7]

With regard to valence, van Wietmarschen says that,

[a] social position A is 'higher than' or 'above' social position B if for the participants in the relevant social network, when they display the norm-required complexes of attitude and behaviour they thereby value the occupants of A more than the occupants of B.[8]

Valence is clearly tied to norms. Yet it is also tied to *valuation*, or the *valuing* of something. Van Wietmarschen explains 'valuation' by writing that, when something is valuable in one way or another, "we have reasons to hold certain attitudes towards it and to act in certain ways" towards it.[9] A value, then, prompts not only external behaviors, but internal attitudes.

We value not only objects or principles, but persons as well. Each way that a person is valuable entails that we have *reasons* to hold certain attitudes towards them, and to act in certain ways towards them. These reasons, in turn, render appropriate those attitudes and behaviors, for those persons.[10] Valence, in the context of societal hierarchies, then, is a matter of valuing some persons more or less. It is also a matter of the attitudes and behaviors that display this valuation.

Combining his stance on norms, values, and valence, van Wietmarschen gives his definition of societal hierarchy. He writes:

In sum, my proposal is that a social position A is hierarchically ordered above social position B just when it is true for the participants in the relevant social context that if they display the socially expected complexes of attitude and behaviour, they thereby and to that extent value the occupants of position A more than the occupants of position B.[11]

Van Wietmarschen thinks that societal hierarchies can be built on *any* area in which persons can be (or be taken to be) more valuable than others. In this way, we can use his theory to explain the enormous variety of hierarchical formations in the political, economic, and social realms.

In political hierarchies, for example — leaving aside, for the moment, cases that involve coercion or threats of violence to achieve their ends — we are often encouraged, or else just expected, to value those who *make and carry* out decisions more than those who *receive* these decisions.

Because of this difference in valuation, those who receive decisions are expected to (and often simply do) obey the decision-makers and the decision-enforcers. These makers and enforcers can be politicians, bureaucrats, even parents or teachers. In economic hierarchies, we value those who

[6] ibid., 923–924.

[7] ibid.

[8] ibid., 925.

[9] ibid., 926. For a useful debate on whether values must be tied to reasons, see Amy Allen, Rainer Forst, and Mark Haugaard "Power and Reason, Justice and Domination: A Conversation," *Journal of Political Power* 7, no. 1 (2014): 7–33.

[10] There is circularity here, but it is probably unavoidable. Notice that in both the case of norms, and in the case of values, there are *reasons*that render certain dispositions and actions appropriate. In the case of norms, that reason is an expectation that others will behave a certain way, and that they believe they ought to. In the case of values, anything (whether descriptively apt or erroneous, normatively good or normatively unjustifiable) can be a reason. Yet in the case of norms, the reason *why* I expect that others will behave a certain way, and *why* I think they believe that they ought to, is because *they have a particular value.* And in the case of values, the reason *why* I hold certain attitudes towards something and act in certain ways toward it is *because that is normal.* Thus, it is not clear which comes first, norms or values, as they are sometimes the same thing.

[11] Han van Wietmarschen, "What is Social Hierarchy?", 926.

own, or can command, goods and services of greater quantity and of greater quality. In other words, we value the wealthy. And in social hierarchies, we value those who most closely match unspoken, perhaps untheorized ideals of whiteness, maleness, ableness, neurotypicality, youth, maturity, heterosexuality, cisgenderness, and so on. In all of these cases — political, economic, and social — when we "value" some persons over others, we *display* the socially expected complexes of attitude and behaviour. In fact, we often do this displaying, even when we do not really mean it.

This leaves only the remainder of motivation unaccounted for. Simply put, people "aim to occupy social positions in which they are valued by others more rather than less."[12] Norms, together with valence in value, explain why societal hierarchy so often motivates our practices.[13] We aim to meet our own, and others', expectations of us, lest their attitudes and behavior toward us change for the worse.

I turn now to the second and more complicated account of societal hierarchy. This is Niko Kolodny's theory, presented most comprehensively in his 2023 book *The Pecking Order: Social Hierarchy as a Philosophical Problem*. Kolodny ties societal hierarchy to the notion of *inferiority*, which carries both descriptive and moral connotations. For Kolodny, a hierarchy is simply a **relation of inferiority**. In Kolodny's account, societal hierarchies are characterized by three prerequisites, five constituents, and three caveats.

We begin with the prerequisites. First, relations of inferiority involve "genuine" relations. While they need not be face-to-face encounters, they must involve either direct *interactions* between people from different societies, or else general *relations* (with or without any direct encounter) between members of a common society. Thus, genuine relations cannot be between people who are alive and those who are dead, or those not yet born. They cannot be between people from separate times, or vastly separate places. Additionally, genuine relations of inferiority are not the same as mere inequality. If someone simply has more skills than I do, or better goods than I do, this, alone, is not enough to mark them as superior, or me as inferior.[14] This is mere difference, and perhaps luck.

As a second prerequisite, Kolodny notes that relations of inferiority involve an unequal ranking. There is one party that can be identified as higher in the hierarchy, and the other can be identified as lower.[15] This is the theme of 'valence' that van Wietmarschen, too, picks out.[16]

Finally, Kolodny writes that relations of inferiority involve relations between individual, natural persons. That is, he denies that an individual, natural person can be in a relation of inferiority, superiority, or equality to an 'artificial' agent, or to a 'collective' agent, or to a force of nature.[17]

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[12] ibid.

[13] ibid., 927.

[14] Niko Kolodny, *The Pecking Order: Social Hierarchy as a Philosophical Problem* (Cambridge, MA: Harvard University Press, 2023), 89. Kolodny admits that we might have some 'improvement complaints' against those from far away or from different times (just as the distant, and the not yet born, might presumably have improvement complaints against us). Yet improvement complaints are not the same as 'complaints against inferiority'. I discuss these and other moral complains further in Chapter 2.

[15] Kolodny, *The Pecking Order*, 89. See also Aurel Kolnai, "The Concept of Hierarchy," *Philosophy* 46, no. 177 (Jul., 1971): 203–221.

[16] Though he does not say so himself, presumably Kolodny would agree there can be more than two parties in a hierarchy.

[17] It is unclear whether, by "force of nature", Kolodny means to include animals or other life forms.

This is because 'inferiority,' 'superiority,' and 'equality,' as Kolodny uses them, are not merely descriptive terms, but moral ones as well.

Kolodny holds that artificial agents, collective agents, and forces of nature are of a different moral category (or categories) than are natural, individual persons. An artificial agent, a collective agent, or a force of nature can certainly have greater force on, or over, an individual natural person. Yet, a mere difference in force is a descriptive fact, not a moral one. Short of further characterization, this is mere inequality. Kolodny takes it to be a 'category error' to hold individual, natural persons to be of the same moral category as 'collectives', say. Normative problems arise if we imply that these things are of the same moral category.

Kolodny believes that individual, natural persons are of a moral category such that they have 'interest's and 'rights', can make 'moral claims', and can launch 'moral complaints'. He believes, further, that entities that are of the *same* moral category must be similar, in this regard. Thus, if an artificial agent, a collective agent, or force of nature were of the same moral category as an individual natural person, then the State, say, could have a *moral complaint* against being inferior in power, in some instances, to a person.[18] Insofar as we find that an odd, mistaken, or unhelpful conclusion, we ought to avoid constructions that allow for that possibility. In an endnote, Kolodny clarifies that a person may stand in a relation of inferiority to *each* of the several natural, individual members of a collective, or to those who control or guide an artificial agent. Yet the collective *itself*, or the artificial agent itself, *qua entity*, is not morally superior, equal, or inferior.[19]

So, the candidates for 'relations of inferiority' are those genuine, more-than-merely-unequal relations between co-temporal, natural, individual persons in which some have a lower rank than others. Kolodny might have stopped there, but to do so would be to provide only the general conditions, and not the specific components, of a societal hierarchy. As such, Kolodny details five

constituents for a societal hierarchy. While the presence of any one of them is enough to constitute a relation of inferiority, many cases feature more than one.

First, there are asymmetries of power-over another. If one person has greater power-over another person, then there is a societal hierarchy.[20] Second, there are asymmetries of authority. If one person has greater de facto authority over another, then there is a societal hierarchy.[21] Third, there are asymmetries of *comparative* power-over others. If one person has greater power-over some others than *another* person has over those other people, in a group in which they all belong, then there is a societal hierarchy.[22] Fourth, there are asymmetries of *comparative* authority over others. If one person has greater authority-over some others than *another* person has over those others, in a group in which they all belong, then there is a societal hierarchy.[23]

[18] Kolodny, *The Pecking Order*, 89–90.

[19] ibid., 416, note 4.

[20] ibid., 91.

[21] ibid., 91–92.

[22] ibid., 93.

[23] ibid. While Kolodny writes that authority is constitutive of a societal hierarchy, when we attempt to define 'authority', it appears that it the ability to command involves a separation and ranking, and a relation of inferiority, baked right into its very meaning. In other words, while we might be able to understand power, and then 'power-over', at something of a remove from 'hierarchy', it becomes difficult to conceive of authority without some notion of a separation and a ranking into relations of superiority and inferiority. Societal hierarchy seems to precede authority. For this reason, I suggest that we bracket Kolodny's second and fourth constituents of societal hierarchy — those

The final constituent of a societal hierarchy has to do with recognition. A societal hierarchy can exist when there is a 'disparity of regard.' There are three types of such disparity, only two of which need concern us here.[24] First, there are 'disparities in esteem' for qualities and achievements.

These involve the consideration of a single characteristic or event. If someone is a faster runner, and another person is slower, we might esteem the former person's speed over the latter's. Or we might esteem the winning of a gold medal more than the winning of a silver. In contrast, and second, there are 'disparities in consideration' for persons. These disparities take persons overall, as moral agents, and rank some higher and some lower. For reasons of space, I do not detail each kind of disparity of consideration here, though I can give a sense of them: they involve treating some people with less courtesy than others, treating some people not as individuals but according to stereotypes, and even simply noticing the physical presence, or the needs, of some people less often than others.[25]

According to Kolodny, even the three prerequisites, and the five constituents, are not enough fully to characterize a societal hierarchy. In fact, he writes that his first four constituents — those dealing with power and authority — come with three caveats. An asymmetry of power or authority, alone, does not make one person inferior to another. If so, Kolodny's theory of societal hierarchies would be 'possibilist' — that is, it would render all *possible* societal hierarchies as *actual*ones. If all possible hierarchies were actual ones, then I would thereby be thrown into a relation of inferiority to anyone walking down the street who happens to have greater physical power than I do, and who could conceivably use it to overpower me. There would be societal hierarchies everywhere, such that the concept would no longer be descriptively or normatively useful.

Kolodny therefore provides three caveats that specify when a relation of inferiority actually obtains. The presence of only one caveat is necessary, though there are cases when all three apply.

As a first caveat, Kolodny holds that one person must perhaps actually *exercise* greater power or authority over another person. This is simple enough, and is one of the most straightforward ways to recognize a societal hierarchy.

As a second caveat, one person must perhaps *endorse* their own greater power or authority over another (even if they never exercise it). There are various forms of endorsement: one can *welcome* the greater power or authority, or*deliberately exploit* it, or *desire that another submit* to

dealing with authority — and regard these as *signs* or *examples* of societal hierarchy, rather than constituents. The full import of this conceptual separation will not be apparent until the Conclusion of the Dissertation. There, I argue against definitions of anarchism that hold it to be the opposition to (or skepticism of) authority. Instead, I argue that anarchism is, among other things, the skepticism of societal hierarchies and the opposition to the biggest and worst of these. Proponents of the "anti-authority" view of anarchism might counter that, since authority is *one of the constituent features* of societal hierarchy, it is more basic than societal hierarchy, and therefore a reasonable locus for the definition of anarchism. In order to prevent such an objection, I here note that *authority is derivative of societal hierarchy*. Societal hierarchies — relations of inferiority — are more basic than, and prior to, authority, understood as the ability to issue commands that are both binding and context-independent.

[24] The third form of disparity of regard involves "merely expressive disparities". These are disparities, the force and significance of which are tied to disparities in esteem or disparities in consideration. That is, they merely express a pre-existing disparity in our regard for other persons' qualities and achievements, or else a pre-existing disparity in our regard for other persons' personhood. See Kolodny, *The Pecking Order*, 114–116.

[25] Kolodny, *The Pecking Order*, 93. I consider disparities of regard in greater detail later in the dissertation.

it, or even *desire that others take it as the basis for regarding oneself more highly than some other person.*[26]

As a third caveat, in order for a relation of inferiority to obtain, one person must perhaps *submit* to what they believe (even mistakenly) to be another person's greater power or authority over them. As with endorsement, there are various kinds of submission. One submits when one *experiences fear, anxiety, or concern* about harmful uses of the power or authority in question; or when one *feels grateful, or indebted*, to the superordinate for their benign use of that power or authority; or even when one *acts in ways that sincerely (or even insincerely) display these emotions.*[27]

It is important to note that, even when we have identified an actual societal hierarchy — even when the relation in question meets the three prerequisites, at least one of the five constituents, and at least one of the three caveats — this relation of inferiority *is not necessarily morally objectionable*. Kolodny writes that a societal hierarchy is objectionable when it is 'un-tempered'. That is, if there are some modifying or 'tempering' characteristics present, these can make a relation of inferiority less, or even not at all, objectionable. I explore these tempering factors at greater length in Chapter 3 of this dissertation.

In this section I explained the approaches to societal hierarchy of Han van Wietmarschen and Niko Kolodny. Van Wietmarschen endorses a *normative* approach to hierarchies, in which the valence and motivation of a hierarchy are secured through norms of valuation. Kolodny puts forth a

*power*- and *regard*-based view, in which persons are rendered inferior by asymmetries in power and disparities in regard. In the next section, I consider the strengths and weaknesses of each approach.

## 1.3 Critique and Impasse

In this section, I assess the theories of van Wietmarschen and Kolodny. First, I present each theorist's opinion on the competing theory. After that, I argue that both philosophers successfully identify flaws in the other's approach, while each also presents criticisms that are less successful. Ultimately, I hold that each theory possesses indispensable strengths, and that, therefore, they must be integrated into a new approach that preserves the force of each. However, this combination must resolve two lingering issues regarding the concepts of *standing* and of *structure*, as well as their relation to societal hierarchy. I hold that a clearer understanding of 'structure,' especially, allows us to present a third view of societal hierarchy. This third view, I argue, reveals different levels of societal hierarchy, and enables us not only to see an expanded moral terrain, but to ask deeper moral questions about human organization, and to theorize responses to moral problems that lie outside the remit of mainstream political philosophy.

Van Wietmarschen maintains that there are three general, competing approaches to societal hierarchy, besides his own normative account. These are the 'power' approach, the 'advantage' approach, and the 'dimensional' approach. These take societal hierarchies to be a matter of inequalities in power, inequalities in advantage (however that is defined) or, inequalities along a

[26] ibid., 93–94.

[27] Though Kolodny implies that these caveats apply only to asymmetries of power and authority, and not to disparities of regard, it is not clear why this is the case. Indeed, it would make more sense for these caveats to apply to those disparities as well.

number of differing dimensions, respectively. Van Wietmarschen holds that each of these approaches is insufficient to explain what a societal hierarchy is, and therefore suggests his own normative approach.

According to van Wietmarschen, Kolodny's is a 'dimensional' approach to hierarchies. Referencing earlier articles by Kolodny (but not his book), van Wietmarschen remarks, "Kolodny writes that social hierarchy 'has to do with' relative power, *de facto* authority, and consideration",[28] but van Wietmarschen states that "a list of common features of social hierarchy does not constitute a general account of the conditions under which social positions are hierarchically ordered".[29] Van Wietmarschen writes,

Relatedly, *just* providing a list of dimensions, elements, or aspects produces an intellectually disappointing account of social hierarchy. Even if it is true that social hierarchy is often, perhaps even always, associated with asymmetries in dominance, authority, prestige, and honour, the view would say nothing about what unifies these phenomena. *Why* are these, and only these, asymmetries associated with social hierarchy?[30]

While van Wietmarschen admits that we could take societal hierarchy to be nothing more than its disparate dimensions, he is hesitant to do so. For one thing, he notes that "there is a large literature with a long history spanning multiple disciplines that takes itself to be concerned with social hierarchies," as a *distinct phenomenon*, and not merely as an amalgamation of other, more basic components.[31] Insisting that what we call 'societal hierarchy' is a mere *assemblage*requires that we make bold assertions against not only everyday language, but also academic literature.

Yet, more deeply, societal hierarchies, "whether they revolve around considerations of dominance, authority, prestige, or honour, occasion similar patterns of emotional response".[32] We are proud when we rise, humiliated when we fall, and enraged when we are not treated as equals by equals. "If social hierarchy is nothing more than a label for a set of fundamentally distinct social

phenomena", van Wietmarschen writes, "it is unclear why they should lead to a similar emotional involvement in their participants".[33] According to him, his own normative theory can account for this emotional component, insofar at his theory ties

the ordering of positions to the idea of valuing some persons more than others. On this picture, it is no surprise that we use the same language to talk about the many varieties of social hierarchy, because social hierarchy is a unified social phenomenon. It is also unsurprising that we find a certain consistency in the volitional and emotional relationships people have to different kinds of social hierarchy, because it is no surprise that people would be similarly concerned with different ways in which they are (socially expected to be) valued by others.[34]

Therefore, although Kolodny's dimensions are perhaps genuine features of many societal hierarchies, according to van Wietmarschen, they are not what societal hierarchy most basically is.

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[28] Van Wietmarschen, "What is Social Hierarchy?", 929.

[29] ibid.

[30] ibid., 930.

[31] ibid. Here I disagree. There is no long history of explicit, analytic treatment of societal hierarchies, though 'hierarchy' has been approached, implicitly and obliquely, by many texts. While literatures devoted to 'equality/inequality' and 'stratification' certainly exist, texts on 'hierarchy', specifically, are few and far between, and certainly do not constitute a "literature".

[32] ibid.

[33] ibid., 931.

[34] ibid.

For his part, Kolodny is unimpressed by van Wietmarschen's allegedly unified approach. In responding to potential criticism, Kolodny admits that some readers might prefer that his list of constituents be reduced to one: disparities of regard. Only disparities of regard, they might claim, really constitute a relation of inferiority, insofar as all other kinds of inferiority reduce, ultimately, to some persons mis-recognizing others. In an endnote, Kolodny remarks that he senses just such a tendency in a number of contemporary theorists, including van Wietmarschen. He writes,

In particular, Van Wietmarschen [sic] suggests that social hierarchy is a matter, if not of regard, then of valuing persons. However, I worry that this leaves out hierarchies constituted by asymmetries of power and manages to count hierarchies constituted by asymmetries of authority only by stretching the meaning of "valuing a person" in a way that makes the claim to unity and simplicity superficial.[35]

Kolodny's worry is that van Wietmarschen's theory is overly-recognitive. Even if van Wietmarschen's theory does not require that societal hierarchies be a matter of direct regard, or face-to-face interaction, it does appear to require that societal hierarchies be a matter of persons in some way evaluating other persons, socially. Thus, those whom we value more highly, those whom we see as

equal to us, and those whom we disvalue, all "occupy our minds", at least in some remote way. We must directly think *of* them, or else have general, unexamined, subconscious thoughts *about* them, in order to value them, and in order to motivate our attitudes and behaviors. Yet Kolodny wishes to challenge the intuition that societal hierarchies depend on such appraisal.

Kolodny attempts to clarify what theorists like van Wietmarschen must believe about societal hierarchy. For theorists such as van Wietmarschen, power and authority cannot be the crux of societal hierarchy, because *mere*asymmetries of power or authority, even when *exercised*, need not bring people under a description as equal, inferior, or superior. And this "bringing under a description" is what *normative valuation* — the core of van Wietmarschen's theory — amounts to.

Yet, Kolodny argues, for this stance to hold — for it really to be true that it is the *normative valuation* that matters, and not the "mere asymmetries" of power or authority, even when exercised — then there could be, *ex hypothesi*, cases in which one person wielded power and authority over another, without anyone, including the power-*holder*, knowing it. We might imagine a person exercising political, economic, or social power in such a way that there are real consequences for other human beings and yet, *no one at all* can trace the causal relation.

Kolodny admits that this is an "exotic possibility", one that he cannot discount. Yet, Kolodny denies that, even in such cases, simply because no one *knows* about real relations of inferiority, this then means that those relations are not potentially objectionable. For if these relations of inferiority were to be discovered, we imagine that, in some instances at least, the subordinates would *still* complain about the inferiority that had occurred, *prior* to discovery. And if that were so, what they would be complaining about is the inequality of power and authority, and *not regard or disregard*, which, after all, did not exist, because the inferiority was unrecognized.[36] This means that societal

[35] Kolodny, *The Pecking Order*, 417, endnote 11.

[36] Kolodny, *The Pecking Order*, 96–97.

hierarchy must be about something *more* than just intentional norms of valuation, alone. Asymmetries of power and authority, even if unacknowledged or unrecognized, not only constitute societal hierarchies but are also a moral issue.

I now argue that both van Wietmarschen and Kolodny catch something important in their assessments of the other's account. First, I sympathize with van Wietmarschen's philosophical intuition that societal hierarchies require as simple and as unified an explanation as we can give them. Further, I believe he is correct to insist that norms and values play a central role in how valent societal relations, and the motivations to attain, avoid, maintain, or escape them, play in our lives. Yet, his criticism of Kolodny's view is strange. It is odd to consider Kolodny's approach a 'dimensional' analysis, rather than a 'power' or an 'advantage' approach, for Kolodny's account is plainly a matter of power, and can also be extended to cover the resources and assets that mark at least one kind of 'advantage' approach to societal hierarchies. Van Wietmarschen might claim that Kolodny's account is 'dimensional' because it is not *solely* a matter of power — it includes authority, and forms of regard. Yet this would be a thin response, as 'authority' is, after all, a particular *kind* of power-over others, and 'regard' often serves as gateway to, or a resource for, forms of power-over others.

Van Wietmarschen also implies that Kolodny has nothing underlying his dimensional approach, and that he cannot explain the motivational factor of societal hierarchies. In truth, Kolodny does have such an underlying (albeit thin) motivational factor — one that he includes in his book, but not in the articles on which van Wietmarschen's critiques are based. For Kolodny, it is the basic human *interest* in avoiding relations of inferiority, and the *moral claim* and *moral complaint*

against un-tempered relations of inferiority, that serve as binding agents and as motivating factors in societal hierarchies.[37] I explore these at greater length in the next chapter of the dissertation.

Van Wietmarschen's broader, stranger position is not one he takes in response to critiquing Kolodny, but is, rather, a stance of his own, one that frames his entire approach to societal hierarchies. This is his implication that norms and values are separable from power and resources, or that the latter at least need not be *central components* of an analysis of societal hierarchy. He is mistaken. On the contrary, an account of societal hierarchies must include power and resources, and not merely as additional or peripheral elements. Power and resources are not simply downstream consequences of normative or valuative causes, but rather can affect, and even cause, norms and values themselves.

For instance, in his book *Our Practices, Ourselves*, the philosopher Todd May ties power to norms and to reasons, yet without reducing any factor to the others. Advancing a practice-based view of epistemology, May argues that the propositional knowledge ('knowledge-that') contained in our evaluative judgments (whether descriptive or normative) rests on *practical* knowledge ('knowledge-*how*'). Our knowledge-that something is the case depends on our knowing-how to justify what we claim to know. Propositional knowledge, then, depends on the *practice of justification*.

[37] Van Wietmarschen, however, could reasonably ask about what the motivational core of these 'interests against inferiority' is. Kolodny is careful precisely *not* to explore the origin or substance of our basic interests. If he did, it is likely that he would need to rely on the same 'reason-value-norm' trifecta upon which Van Wietmarschen elaborates.

Justification involves the same 'reasons' that generate and constitute both 'values' and 'norms' on van Wietmarschen's account. And, importantly, justification is always related to power. What we take to be a justification for this or that belief is always the product of power arrangements in our political, economic, and social institutions. Yet, justifications cannot merely be reduced to power. Indeed, some power arrangements are justified, and some are not.

There might seem to be a circularity here. Yet May maintains that, when we hold a particular power arrangement to be justified, or unjustified, it is always possible to do so based on still *other* justifications — justifications that the power relations in question, themselves, did *not* help to create (but that some *other* power arrangements did). In that way, we avoid circularity, but we cannot avoid the spiral: it is an infinite dance, between power and justification, 'all the way down.' Yet neither side 'wins', or is reducible to the other.[38]

Resources, and the 'advantage' approach to societal hierarchies more generally, are *also* closely tied to the idea of reasons, values, and norms, despite van Wietmarschen's attempt to separate them. The sociologist William Sewell writes that a 'resource' is *anything*, whether human or nonhuman, that can be used to enhance or maintain power. Thus, this includes "objects, animate or inanimate, naturally occurring or manufactured", as well as "physical strength, dexterity, knowledge, and emotional commitments". It even includes "knowledge of the means of gaining, retaining, controlling, and propagating either human or nonhuman resources".[39] If resources are tied to power, and if power, as we have just seen, is tied to norms and values (through justificatory practices), then, *resources are tied to norms and values.* Therefore, van Wietmarschen's attempt to address norms, alone, apart from 'power' and 'resources', is unsustainable. There are no norms that are unconnected to 'power' and 'resources'.

Kolodny is not off the hook, either, however. Kolodny is partially correct that van Wietmarschen's theory appears to depend on regard, in a way that makes larger, impersonal

relations, and the mechanisms which produce and reproduce them, difficult to explain. Van Wietmarschen's argument might seem to suggest that, say, global capitalist markets, are driven primarily by normative valuation. This is a mistake.[40] Yet what Kolodny neglects to consider is that large, impersonal relations, and the mechanisms which produce and reproduce them, nonetheless *do* bear *some* relation to norms and values. It is unnecessary, and mistaken, to imagine that norms and values operate only at the level of *direct* regard. Kolodny misreads what van Wietmarschen's argument could be taken to cover. It is possible for norms and values to accumulate into patterns and mechanisms that do not feature, or at any rate do not solely depend upon, *direct* practices of *regard.* 'Direct practices of recognition' are not the only vector for norms or values.[41]

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[38] Todd May, *Our Practices, Our Selves: Or, What It Means to Be Human* (University Park, Pennsylvania: Pennsylvania State University, 2001), 188–190. The knot May is trying to untie is what Foucault called "power/knowledge." May locates this knot in our practices, and he identifies 'power' with constraining (that is, 'productive' or 'generative') effects, and 'knowledge' (mostly) with practices of justification. For more on Foucault's "power/knowledge" distinction, see Michel Foucault, *Power/Knowledge: Selected Interviews and Other Writings, 1972–1977*, (New York: Pantheon Books, 1980).

[39] William H. Sewell Jr., "A Theory of Structure: Duality, Agency, and Transformation," *American Journal of Sociology* 98, no. 1 (Jul., 1992): 9.

[40] For an extended discussion about why, see Nancy Fraser's replies to Axel Honneth in Nancy Fraser and Axel Honneth, *Redistribution or Recognition? A Political-Philosophical Exchange* (New York: Verso, 2003).

[41] Though practices themselves, of some kind, are the primary (if not only) such vector. For more on practice theory, see Theodore R. Schatzki, *Social Practices: A Wittgensteinian Approach to Human Activity and the Social* (Cam-

I have just argued that both van Wietmarschen and Kolodny correctly identify flaws in the other's arguments. I also held that each has quibbles that are mistaken or unfounded. I supplemented their criticisms with critical observations of my own. Yet I did not choose which view of societal hierarchy was the stronger. This is because the theories of van Wietmarschen and Kolodny are both powerful explanations. Each has elements — norms and values on the one side, power and regard on the other — that we should wish to retain in any account of societal hierarchies. It is possible that the strengths of each can be retained in a new approach that is descriptively and morally more insightful than either. The potential integration of these two accounts is an opportunity, moreover, to resolve two outstanding issues, in both theories, regarding 'status' and 'structure'. In the remainder of this section, I consider these outstanding issues.

The first issue pertains to 'status.' On one view — closer to van Wietmarschen's position — 'status' is solely a matter of how (and if) one is *seen*, and how one is treated because of one's being seen (or not). That is, status is solely *recognitive*. On another view — closer to Kolodny's position — 'status' indeed includes this recognitive element, yet it also refers to forms of subordination that do not feature direct, interpersonal interactions of regard at all. Rather than interactions or relationships, this view of 'status' also speaks to large-scale power *relations*. These relations can be political, economic, or social. They include social disparities in regard, at the level of entire groups, as well as political and economic asymmetries. These latter obtain in the distribution of goods and services, and in the resources necessary to make decisions about individual and group rights and responsibilities.

I hold that societal hierarchy is a matter of status in the second sense. That is, 'status' must be understood as a kind of '*standing*', whether consciously grasped or not. My standing in multiple economic, political, and social arenas affects not only how others recognize or misrecognize me, but also the extent to which I am able (or unable) to make decisions about the life I am to lead with others, and my relation to goods and services: how many I must make or provide, and of what quantity or quality, and when, and where, and how, and the quantity and quality of goods and services I receive in return.

Contra van Wietmarschen's recognitive approach, *standing* affords us a view, then, of the broader oppressions that subordinates face, but it also helps us to frame what is called the "privilege" that belongs to superordinated parties: both the absence of conditions of domination, and the presence of "perks" that are unjustified and immoral.[42] A theory of societal hierarchy as *unequal*

Wellesley, MA, 1988. For sympathetic critiques of privilege, see Lawrence Blum, "White Privilege: A Mild Critique", *Theory and Research in Education* 6, no. 3 (2008): 309–321. See also Michael J. Monahan, "The Concept of Privilege: A Critical Appraisal", *South African Journal of Philosophy* 33, no. 1 (2014): 73–83.

*standing* should be able to address disparities of regard, but also non-recognitive asymmetries of power, authority, and overall *choice situation*. Here, I side with Kolodny.[43]

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bridge: Cambridge University Press, 1996), and Todd May,*Our Practices, Our Selves: Or, What It Means to Be Human* (University Park, Pennsylvania: Pennsylvania State University, 2001).

[42] For the concept of privilege, see Peggy McIntosh, "White Privilege and Male Privilege: A Personal Account of Coming to See Correspondences through Work in Women's Studies", Working Paper 189, Wellesley Centers for Women,

[43] And also with Fraser. Again, see Nancy Fraser and Axel Honneth, *Redistribution or Recognition? A Political-Philosophical Exchange* (New York: Verso, 2003).

This brings us to the second outstanding issue. If we want to appreciate how societal standing is produced and maintained, then we need more than a simple stipulation that societal hierarchy is an asymmetry in power, or a disparity in regard, between two agents, at one point in time. We need a theory of how norms and values contribute to the 'scaffolding' of society: how they affect *dynamic* practices, roles, institutions, and systems, such that economic classes, political estates, and social groups are *produced and reproduced* through large, impersonal mechanisms.[44] What we need, then, is a theory of *structure*.

Neither van Wietmarschen nor Kolodny is averse to 'structure'. Van Wietmarschen holds that societal hierarchies help to construct our 'social positions', by which he means "structurally similar locations in social networks".[45] Nonetheless, he largely avoids the language of societal structure, as, he writes, "the concept of structure is one of the most contested concepts in the social sciences — employment of the concept of structure is bound to generate confusion unless an explicit account of what is meant by it is provided."[46] I sympathizes with this assessment — it is true. Yet there is no getting around structure. The only way out of this conceptual problem is through it.

Kolodny, on the other hand, makes frequent use of the terms 'structure' and 'structural'. For example, he writes often of the "hierarchal structure of the state". Moreover, his entire analysis, like

van Wietmarschen's, can be said to be 'structural'. As we observe in the next section, one common meaning of 'structure' is 'formal' — insofar as a theorist identifies elements of a phenomenon that contribute to its *form*, they can be said, in a certain sense, to have identified its *structure*. Kolodny, in identifying its form-al elements, can also be said to have provided a structural analysis of societal hierarchy.

Yet in Kolodny's work there is no 'second-order' or 'meta' consideration of 'structure, as such', nor of 'societal structure', specifically. He considers 'structure' explicitly only once, and only in relation to moral philosophy. Kolodny's point, there, is merely to maintain that his moral theory, centered on 'interests', 'claims', and 'complaints', can still incorporate an orientation to 'structural justice'. Nonetheless, Kolodny does not pursue this avenue, to the detriment of his overall aim to spell out the moral implication of societal hierarchies. This dissertation is, partly at least, an attempt to correct that missed opportunity.

In this section, I explained the criticisms van Wietmarschen and Kolodny reserve for each other's theory of societal hierarchy. I found that each made some salient points about the other, while each had criticisms that were also unwarranted. I argued that van Wietmarschen is correct to identify a haphazard quality to Kolodny's various dimensions of hierarchy; further, I found that he is right to focus on norms and values in his own theory. Yet I argued that van Wietmarschen himself neglects the importance of *power* in the construction and maintenance of normativity and of valuation. I held that Kolodny, meanwhile, is correct to assert that van Wietmarschen's theory has a recognitive bias — it makes societal hierarchy too much a matter of direct regard, neglecting impersonal forces and mechanisms that affect persons' standing in society. Yet I pointed out that he is wrong to imply that norms and values are therefore a matter of direct regard only. On the

[44] The insistence that values and norms can be "baked into" the structure of society might seem to take me back in the direction of Honneth, but here I am actually closer to Rainer Forst. See "First Things First," in *Axel Honneth: Critical Essays: With a Reply by Axel Honneth* (Leiden, Netherlands: Brill Academic, 2011).

[45] Van Wietmarschen, "What is Social Hierarchy?", 921.

[46] ibid., endnote 2, pp. 935–936.

contrary, normativity and valuation are closely related to large, systemic processes. I suggested that a stronger

account of societal hierarchy would not sacrifice norms, values, regard, or power. Nonetheless, a new account of hierarchy requires us to resolve two outstanding issues, about the meaning of 'standing', and about the notion of 'structure'. It is 'structure', I hold, that allows us to clarify the meaning of societal standing.

## 1.4 Societal Structures: Schemas and Resources

In this section, I give an account of societal 'structure' that helps to unify the pictures of van Wietmarschen and Kolodny. I use the work of William H. Sewell to argue that a societal structure is a composite of 'resources' that are arranged and used in practices according to 'schemas'. This view of societal structures can be applied to societal phenomena, including societal hierarchies, to explain how things such as norms, values, reasons, justifications, and power are generated, organized, stabilized, and reproduced.

The sociologist William H. Sewell has written that, "if social scientists find it impossible to do without the term 'structure,' we also find it nearly impossible to define it adequately".[47] In addition to social scientists, even philosophers find the notion of 'structure' to be incapable to define and yet impossible to jettison. Part of the magic of 'structure', as a conceptual tool, is that term "empowers what it designates".[48] That is, "[w]hatever aspect of social life we designate as structure is posited as 'structuring' some other aspect of social existence [...]"[49]. In short, structures *do things*. They are causal. It is not enough to describe structures as the mere aggregate of other societal phenomena which simply constitute them, such as persons, practices, or institutions. Structures have an effect

that is all their own. Sewell notes that this notion "is a word to conjure with in the social sciences". It is, in fact, "less a precise concept than a kind of founding or epistemic metaphor of social scientific — and scientific — discourse".[50] The very notion gets theoretical analyses off the ground and moving.

Typically, a 'structure' is the set of formalizable aspects of a system, when viewed through a theoretical lens. Something is 'structural' insofar as it has regular, generalizable features, the exact content or substance of which can vary across instantiations. For example, 'communication' is a formal system, insofar as there are abstract positions (a sender and a receiver) and abstract elements (information). Together, this can be described as the 'structure' of communication.

While 'structure' can apply to physical or biological systems, it is frequently applied to *societal* settings. Accounts vary, however, in where they put their emphasis. Some approaches see the most 'structural' elements of a formal societal system to be its patterns or basic operating principles — its rules. On this sort of account, 'structures' are really the mechanisms without which the system would not be what it is. They help to define such a system. Other approaches see the *content* of the formal system — the matter, the 'stuff' — to be the real structural element, insofar as these disparate elements are the 'carriers' for the rules or patterns. Finding neither

[47] William H. Sewell Jr., "A Theory of Structure: Duality, Agency, and Transformation," *American Journal of Sociology* 98, no. 1 (Jul., 1992): 1.

[48] Sewell, "A Theory of Structure," 2.

[49] ibid.

[50] ibid.

approach sufficient, Sewell argues that we must understand a structure to be comprised of both 'resources' and 'schemas'.

Sewell views a 'resource' as a *carrier* of a schema. He writes,

Nonhuman resources are objects, animate or inanimate, naturally occurring or manufactured, that can be used to enhance or maintain power; human resources are physical strength, dexterity, knowledge, and emotional commitments that can be used to enhance or maintain power, including knowledge of the means of gaining, retaining, controlling, and propagating either human or nonhuman resources.[51]

On this view, resources are whatever is "actual" in the world around us, though resources are not necessarily only tangible things.

'Schemas', on the other hand, can be thought of as the 'rules' of a formal system, though that term is misleading. For Sewell, the 'schemas' of a system refer to

various conventions, recipes, scenarios, principles of action, and habits of speech and gesture built up with these fundamental tools [the resources]. Indeed, the term 'rules' is probably not quite the right word, since it tends to imply something like formally stated prescriptions — the sorts of things spelled out in statutes, proverbs, liturgies, constitutions, or contracts. What I mean to get at is not formally stated prescriptions but the informal and not always conscious schemas [sic], metaphors, or assumptions presupposed by such formal statements. I would in fact argue that publicly fixed codifications of rules are actual rather than virtual and should be regarded as resources rather than as rules [...][52]

Schemas then are 'virtual', in that they are always capable of being summoned up and leaned upon, but they do not have the same existence as do resources. It is harder to locate, isolate, and describe a schema than it is to locate, isolate, and describe a resource.

Societal structures have a duality about them. They can neither be reduced to their actual components, nor to their virtual codes. In fact, these two basic elements of structure not only depend on one another, but also *reproduce* one another. Writes Sewell,

If resources are effects of schemas, it is also true that schemas are effects of resources. If schemas are to be sustained or reproduced over time — and without sustained reproduction they could hardly be counted as structural — they must be validated by the accumulation of resources that their enactment engenders. Schemas not empowered or regenerated by resources would eventually be abandoned and forgotten, just as resources without cultural schemas to direct their use would eventually dissipate and decay. Sets of schemas and resources may properly be said to constitute structures only when they mutually imply and sustain each other over time.[53]

It is the interplay between the codes and their carriers that contributes to the 'structurality' of a system. An emphasis on one element tends to obscure how the other is partially responsible for the genesis of the first.

Ultimately, structures are closely related to the agency of human beings in their societies. Far from being totally determined by monolithic societal laws, agents come to their agency by

[51] ibid., 9.
[52] ibid., 8.
[53] ibid., 13.

and through structures, and are capable of changing those structures.[54] In his conclusion, Sewell notes that,

Structures [...] are constituted by mutually sustaining cultural schemas and sets of resources that empower and constrain social action and tend to be reproduced by that action. Agents are empowered by structures, both by the knowledge of cultural schemas that enables them to mobilize resources and by the access to resources that enables them to enact schemas [...] Structure is dynamic, not static; it is the continually evolving outcome and matrix of a process of social interaction. Even the more or less perfect reproduction of structures is a profoundly temporal process that requires resourceful and innovative human conduct. But the same resourceful agency that sustains the reproduction of structures also makes possible their transformation — by means of transpositions of schemas and remobilizations of resources that make the new structures recognizable as transformations of the old.[55]

In each case, the schemas specifying positions and procedures, as well as the suite of resources employed through those schemas, will be slightly different. This contributes to an "iterative" quality to societal structures: they change, while nonetheless retaining the same overall identity.

In this section, I presented a view of societal structures as composites of resources and schemas. In following sections, I apply this account of structures to societal hierarchies. In the next section, however, I consider why we ought to appeal to structures in explaining societal phenomena. Do not such structures muddy the water, rather than clarify things? Borrowing from the approach of Sally Haslanger, I suggest that in fact 'structure' helps to explain how the norms, values, reasons,

justifications, and forms of power that constitute societal hierarchies are generated, organized, stabilized, and reproduced.

## 1.5 Why Structural Explanations?

In this section, I explain why philosophers and social scientists often rely upon the notion of structure in order to clarify societal phenomena. Using the work of Sally Haslanger, I argue that a societal structure is able to help explain the interrelation of the parts of a system, and it also allows theorists to ask different kinds of questions about not only those parts but also the larger phenomenon they constitute. In particular, I note that 'structure' serves as a means for opening up normative, or moral, discussions of societal phenomena. This is especially relevant for the dissertation as a whole, because throughout this work I argue that the moral problems of contemporary human organization can only be grasped if they are first understood to be products of particular large-scale hierarchies.

[54] Sewell holds that structures are constantly changing. Sometimes they are changed through the conscious decisions of agents; other times they have a kind of 'iterative' quality: every performance of every practice at every level introduces slight variations, while nonetheless maintaining a homeostasis throughout the short- and medium-term. Structures can also undergo radical changes, of both an endogenous and exogenous nature. And of course, structures can be dismantled or destroyed intentionally. Sewell believes that a theory of structures must show not only how societal changes relate to structures, but crucially, how these changes arise within, and are caused by factors internal to, structures and the agents who perform them. He proposes five such conceptions, which he calls "axioms" about how structures are capable of change: (1) the multiplicity of structures, (2) the transposability of schemas, (3) the unpredictability of resource accumulation, (4) the polysemy of resources, and (5) the intersection of structures. For more on these axioms, see Sewell, Sewell, "A Theory of Structure," 16–19.

[55] Sewell, "A Theory of Structure," 27.

Why do theorists turn to structure as often as they do? Structures provide explanations of societal phenomena that are often more relevant and useful than are other kinds of account, such as biologistic or individualistic descriptions. As philosopher Sally Haslanger notes, "sometimes it is good and useful to explain the behavior of a thing by explaining the behavior of something of which it is a part, if it is a part whose behavior is constrained by other parts of the whole".[56]She continues,

if there are conditions that structure the contrast space [of an entity] […] so that only some possibilities are available [for this entity], then an adequate explanation must be sensitive to this structure: the conditions define the set of competing cases that the explanans must rule out in order be adequate.[57]

On Haslanger's account, structures are compounds, with parts; the behavior of these parts is constrained by the organization of their interrelation as a larger complex.[58] Parts are positioned vis-à-vis other parts. The *positions* of these parts then, themselves, form 'nodes' that can potentially be filled by a wide range of phenomena. When this happens, the object of explanation "becomes the node rather than the occupier of the node", because the "space of possibilities for the occupier of the node, qua occupier, is limited by relations internal to the structure".[59] Though we might be interested, chiefly, in the *occupant* of such a position (whether that occupant be a person, an activity, an object, a setting, etc.), the best answers to questions we have about this occupant may be in terms of the occupant's systemic *position*, and not in terms of, say, their biology, their individual nature, or their internal organization.

One benefit of moving to a structural point of view is that, insofar as we can generalize from individual phenomena to the types they typify, or to the nodes they occupy, in a larger web, the answers to the questions we have about them are not only broader, but more stable.[60] Another benefit is that with a structural outlook we can often ask new questions — about the individual occupants of these nodes ("Why is the individual within this structure?"[61]), about the relationships between nodes ("Why does this structure/set of relations exist, rather than that?"[62]), and even about the structures, themselves.

Haslanger notes that structural explanations of societal phenomena illuminate not only causal forces, but also the "normative dimensions of the circumstances" in which persons often find themselves. People caught in structures face conditions that are morally fair, or morally unfair, ethically good for them, or bad for them. These moral and ethical dimensions would "otherwise be missed" if we were simply to take biologistic or individualistic approaches to the explanation of agential behavior.[63] Because persons occupy nodal positions in potentially many structures, the overlapping constraints of these systems can limit their space for possibilities — or, as Haslanger

[56] Sally Haslanger, "What is A (Social) Structural Explanation?", *Philosophical Studies* 173 (2016): 113.

[57] Haslanger, "What Is A (Social) Structural Explanation?", *Philosophical Studies* 173 (2016): 117.

[58] Haslanger's account is, unfortunately, largely 'power-negative', in that parts of wholes are imagined only to be *constrained*, and not enabled, by their participation in a whole and by their relations to other parts of that whole. For an account of power that sees it as productive or generative, see Michel Foucault, *Discipline and Punish: The Birth of the Prison* (New York: Vintage, 1995).

[59] Haslanger, "What Is A (Social) Structural Explanation?", *Philosophical Studies* 173 (2016): 119.

[60] ibid. Haslanger later notes, on pp. 123–124, "recognizing that [persons] function at a node in a structure enables us to provide an explanation that applies to anyone occupying that position."

[61] ibid., 119–120.

[62] ibid.

[63] ibid., 124.

writes, their "choice architecture".[64] Given that the choice architecture of marginalized persons is limited precisely because of the inferior positions these persons occupy, by virtue of their being caught in (sometimes several) unjust societal structures, we can say with Haslanger, "[w]ithout the structural explanation, injustice is obscured".[65] Women, people of color, queer and trans folks, disabled and neuro-diverse persons, the old, the young, immigrants, animals, differently religious (or a-religious) people, the poor, the exploited, and those whose estate means that they must obey, rather than decide for themselves their rights and obligations: the moral wrongs to which they are all exposed are difficult to explain through biology, or even (aggregated) individual choices. Rather, it is because these agents occupy nodes in particular structures that they experience what they do.

So then, structures are formalized systems of resources and schemas. Certain 'nodes' are specified by schemas as positions in a system of interrelation. The overall 'action architecture' of those nodes — that is, their repertoire of possible actions — is also determined, in part, by the schema and by the surrounding nodes. Meanwhile the *occupants* of these nodes are schematic 'carriers': in other words, they and their 'nodal equipment' serve primarily as 'resources', to be used in the

enactment of whatever the schemas call forth. In societal systems, the nodes themselves are often political, social, or economic offices, or roles. The occupants of those nodes are (typically) human beings.

A note of warning, however: there is a good deal of overlap. All carriers (whether they be persons, or whether they be other kinds, such as 'symbolic systems', 'relational systems', 'practices', and 'artifacts'[66]) always have at least some of the qualities of *both* schemas *and* resources, and these carriers can reproduce both. Human beings, in particular, create, alter, and destroy both resources and schemas. Societally-positioned persons are placed in a wide number of intersecting structures. They have access to a variety of schemas that can be altered, warped, or even transposed from one scenario to a completely different one. They also have access to a multitude of resources whose meanings are "polysemous"—open to change and (re)interpretation.[67]

In this section, I explained why 'structure' is a sensible concept to employ in our explanations of societal phenomena. I argued that theorists employ structural explanations because they are broader, more stable, sensitive to normative dimensions, and more descriptively apt than other avenues of explanation.

## 1.6 Structural Qualities and Structural Hierarchies

In this section, I highlight some general features of structures that are especially salient for our understanding of societal phenomena. I ask readers to keep these qualities in mind as the dissertation

proceeds. I then present an addition to the literature on structures: the concept of the 'macro-structural hierarchy'. This notion is the conceptual keystone of the dissertation.

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[64] ibid. Note again that Haslanger misses how structures can also empower agents.

[65] ibid.

[66] For a useful account of institutional carriers, see W. Richard Scott, *Institutions and Organizations: Ideas, Interests, and Identities, Fourth Edition* (Thousand Oaks, CA: Sage Publications, 2014), 95–104.

[67] On transposable schemas and polysemous resources, see William H. Sewell Jr., "A Theory of Structure: Duality, Agency, and Transformation," *American Journal of Sociology* 98, no. 1 (Jul., 1992)

Regardless of the exact account or theory, societal structures have some basic features. Something societal that is also 'structural' is:

1. Impersonal: Not a matter of personality, individual agential choice, or even, necessarily, awareness, but rather a matter of 'nodal position'.

2. Constitutive: Setting up, at least locally, who we are, the kind of practices or habits we can engage in, the kind of beliefs and dispositions we hold, and the kind of relations we can have, by virtue of our place in certain 'nodes'.

Let us call these first two qualities of structure the 'thin' qualities. *All societal structures*, whether horizontal or hierarchical, have these qualities.

Societal systems can also grow thicker, structurally. That is, their schemas and their resources can grow broader and deeper, and also more stable, through greater recursion, or feedback loops. When that happens, we have 'meso-structures.' These middling structures are:

1. Pluralistic: Affecting more than two persons within a system or set of systems.

2. Extensive: Occurring regularly in time, at multiple locations in space, and at a few levels of organization.

Some structures, whether horizontal or hierarchical, are merely 'thin', but most are probably 'meso-structures.' That is, most societal structures are impersonal, pluralistic, extensive, and constitutive. As paradigmatic meso-structures, think of "institutions" (in the broadest and loosest sense of that term), but also (more formalized) offices.

Finally, it is sensible to speak of 'macro-structures.' Macro-structures do not have any additional qualities. Rather, what separates a macro-structure from a meso-structure is its *intensity*: qualities 3 and 4 are quite developed. That is, a macro-structure is *quite* pluralistic — it affects many persons

within a system or set of systems. It is also *quite* extensive — it occurs quite often in time, at very many locations in space, and is present at many levels of organization.

I now suggest that it is possible for societal *hierarchies* — that is, relations of inferiority — to be *structural* in nature. In a certain sense, this is obvious. All hierarchies, whether purely conceptual or else realized in societal relations, have generalizable elements. Hierarchies always have superordinate elements and subordinate elements. Some parts of a hierarchy are valued more, some less; some are seen as 'greater' or 'more than' other parts. Let us say that all hierarchies, of whatever kind, are 'thinly-structural hierarchies', in this sense.

Yet a *societal* structure (as opposed to, say, a conceptual one) is also matter of *societal positions*. Thus, in addition merely to featuring formal elements, such as "superordination" and "subordination", a societal *hierarchy* features *agents*who actively rely upon 'resources', and 'schemas', no matter how small-scale or local.

I want to call attention, now, to a kind of thinly-structural societal hierarchy that I call the 'interactional hierarchy'. These are societal hierarchies that are 'one-offs': the kind of relations of inferiority between agents that are brief and not necessarily malign (though they certainly

can be malign)[68]. Qua relations of inferiority, interactional hierarchies have not only *descriptive* qualities, but *moral* ones, too.

I take it that small, brief, "interactional" hierarchies are:

1. Inter-personal: A matter of individual agential choice and awareness.

1.

1. Dyadic: Affecting only two, or else very few, beings.
2. Limited: Occurring infrequently, in few locations in space, and at few levels of organization; momentary, narrow, and shallow.
3. Non-constitutive: Not having a deep effect on the kind of practices or habits we can engage in, the kind of beliefs and dispositions we hold, or the kind of relations we can have; Not forming a subjectivity for us.
4. Non-stratifying: Not creating strata, but rather setting up momentary positions or roles, and for a few persons only.
5. Self-terminating: Tending to bring about conditions in which the nodes or positions cease to exist, or in which their occupants switch positions, or in which their occupants exit the hierarchy.

In addition, an interactional hierarchy has moral characteristics. It can be either:

7. Exploitative: Inciting particular practices, the benefits of which are extracted and funneled to local superordinates, such that they are not shared, or not shared equally, with subordinates.

**or**,

7. Empowering: Inciting particular practices, the benefits of which accrue to, or are experienced by, subordinate parties.

As we see in later chapters, some of the interactional hierarchy's qualities render this sort of relation 'tempered', and thereby morally un-objectionable. I suggest that there are many interactional hierarchies in our societies whose moral stakes are low in this way. That is, they are more likely to be 'empowering', or at least, not exploitative. Thus, I take it that 'interactional hierarchies' are more like to be morally un-objectionable, precisely because they are by their nature 'tempered'.

Consider, as a paradigmatic example of an empowering interactional hierarchy, two children skateboarding. If one child appeals to the other to teach a particular trick, and the other obliges,

[68] See Dorothea Gädeke, "Does a Mugger Dominate? Episodic Power and the Structural Dimension of Domination", *The Journal of Political Philosophy* 28, no. 2 (2020): 199–221. Gädeke concludes that whether a mugger dominates or not depends on whether they participate in larger structures, such as patriarchy, by robbing other agents, such as women, whom they know will not be helped or believed. If a mugger does not participate in such structures, they are merely violent. "Domination", she holds, is always structural phenomenon. In my view, muggings of any kind are technically "structural". Moreover, they are morally-objectional relations of inferiority, a quality which Gädeke misses. This dissertation is an attempt to describe immoral structures like patriarchy, but also the State and Statism (to which Gädeke is committed) as macro-structural hierarchies, against whose inevitable and un-tempered relations of inferiority we have a collective moral claim.

there is a limited relation of inferiority: one becomes teacher, the other pupil. One regards the other

as having superior qualities and achievements that make their advice worthy of being heeded. The other is acknowledged by both, if only implicitly, to be inferior in those same qualities and achievements, and if this less-skilled child wishes to rise to a position of parity in skateboarding ability, they had better listen to the other. Here, the moral (and even the descriptive) qualities of this relation are mild and brief.

Societal hierarchies can also grow more 'thickly' structural. In this dissertation, when I write that some societal hierarchies are *structural*, I typically mean that some of these hierarchies have the qualities of *meso*-structures. Let us call these "meso-structural hierarchies." Meso-structural hierarchies are:

1. Impersonal: Not a matter of personality, individual agential choice, or even, necessarily, awareness, but rather a matter of 'nodes'.

2. Constitutive: Setting up, at least locally, who we are, the kind of practices or habits we can engage in, the kind of beliefs and dispositions we hold, and the kind of relations we can have, by virtue of our place in certain 'nodes'.

3. Pluralistic: Affecting more than two persons within a system or set of systems.

4. Extensive: Occurring regularly in time, at multiple locations in space, and at a few levels of organization

Like thinly-structural interactional hierarchies, meso-structural hierarchies also have a number of moral characteristics. However, meso-structural hierarchies are less likely to be morally benign, and more likely to be dangerous. That is, they can be *either*:

1. Stratifying: Tending to create lasting political, economic, and social positions which are arranged in normative and valent relations to other tiers or strata.

**or**,

5. Non-stratifying: Not creating strata, but rather setting up momentary positions or roles, and for a few persons only.

They can be *either*:

6. Exploitative: Inciting particular practices, the benefits of which are extracted and funneled to local superordinates, such that they are not shared, or not shared equally, with subordinates.

**or**,

1. Empowering: Inciting particular practices, the benefits of which accrue to, or are experienced by, subordinate parties.

And they can be *either*:

1. Replicative: Self-reproducing, through recursive feedback loops.

**or**,

7. Self-terminating: Tending to bring about conditions in which the nodes or positions cease to exist, or in which their occupants switch positions, or in which their occupants exit the hierarchy.

Whether a meso-structural hierarchy is benign and non-objectionable, on the one hand, or pernicious and morally wrong, on the other, depends on the wider systems and structures to which it belongs. For meso-structural hierarchies *are almost always 'nested' within something larger than themselves.*[69]

Thus, we must theorize another, higher, level of societal hierarchy. It is among the central contentions of this dissertation that *some hierarchies are in fact macro-structural.* Although macro-*structures*, themselves, do not feature additional qualities other than the descriptive and moral characteristics listed above, everything about them is magnified, in both extensity and intensity.[70] Moreover, I contend here, and argue throughout the rest of the dissertation, that *macro-structural hierarchies are always morally objectionable.*

A ***macro-structural hierarchy*** is:

1. Impersonal: Not a matter of personality, individual agential choice, or even, necessarily, awareness, but rather a matter of 'nodes'.

1. Constitutive: Setting up, in the broadest sense, who we are, the kind of practices or habits we can engage in, the kind of beliefs and dispositions we hold, and the kind of relations we can have, by virtue of our place in certain 'nodes'.

2. Pluralistic: Affecting many persons within a system or set of systems.

3. Extensive: Occurring repeatedly in time, at many locations in space, and at many levels of organization

4. Stratifying: Tending to create entire classes, estates, and groups, each identifiable with a certain economic, political, or social position in society, which are arranged in normative and valent relations to other tiers or strata.

[69] As for interactional hierarchies, these can sometimes be nested, and sometimes not. Again, the answer to Dorothea Gädeke's question in the title of her 2019 article "Does a Mugger Dominate?" depends on whether this interactional hierarchy is nested in the context of a larger macro-structural hierarchy, such as patriarchy. See Dorothea Gädeke, "Does a Mugger Dominate? Episodic Power and the Structural Dimension of Domination", *Journal of Political Philosophy*, Vol. 28, No. 2 (2019): 199–221.

[70] The qualities listed below have been modified to reflect this inflation.

5. Exploitative[71]: Inciting particular practices, the benefits of which are extracted and funneled to superordinated strata, such that they are not shared, or not shared equally, with subordinated strata.

6. Replicative: Not only self-reproducing but expanding throughout time, throughout space, throughout the levels of the society of origin, and out into other societies.

These last three additional qualities, I repeat, are *not* features of *all* hierarchies. Nor are they features of all *structures*. Yet, when a hierarchy becomes macro-structural (or when a macro-structure becomes hierarchical), these features are, invariably, present.

In this section, I applied the concept of 'structure' to societal hierarchies. I described three different kinds of societal hierarchy: thinly-structural hierarchies (such as interactional hierarchies), meso-structural hierarchies, and macro-structural hierarchies.

## 1.7 Orders of Justification

In this section, I rely on the thought of the philosopher Rainer Forst to give greater specificity to the idea of a macro-structural hierarchy. In particular, I argue that Forst's oblique approach to macro-structural hierarchies allows us to wed van Wietmarschen's normative account of societal hierarchies to Kolodny's power- and regard-centered theory, and thereby to generate a third and better explanation.

Rainer Forst provides insight into an underemphasized dimension of structures: their *justificatory* architecture. Forst builds a conception of structures on top of his unique notion of power, which he calls 'noumenal power'. For Forst, power is the normatively neutral "*capacity of A to motivate B to think or do something that B would otherwise not have thought or done*".[72] He writes that power is "the word for what is going on when someone acts for certain reasons for which others are responsible — that is, reasons that he or she would not otherwise have had […]". Thus, to be a subject of power is to be "moved by reasons that others have given me and that motivate me to think or act in a certain way intended by the reason-giver".[73] Noumenal power is the

[71] Why simply 'exploitation', and not, additionally, 'deprivation', 'coercion', 'exclusion', 'marginalization', 'cultural appropriation', 'cultural imperialism', 'forced dependency', and 'violence'? Or, why not 'domination', as a catch-all designator? As I argue in both the Introduction to the Dissertation, these terms deserve explicit elaboration. As I argue in the Conclusion to the Dissertation, throwing the term 'domination' does not do the job, and in fact encourages sloppy thinking. As for these terms themselves, while macro-structural hierarchies do indeed often include 'coercion', 'exclusion', 'marginalization', 'cultural appropriation', 'cultural imperialism', 'forced dependency', and 'violence', they do not do so in every instance, all the time: the presence of any one of these is contingent on many factors. 'Exploitation', however, which I have rendered a more general, societal, practice-theoretical phenomenon and not simply an economic condition, is always present in macro-structural hierarchies like capitalism, Statism, patriarchy, white supremacy, and others. In any case, what is important to remember is that whether we are speaking of 'coercion', 'exclusion', 'marginalization', 'cultural appropriation', 'cultural imperialism', 'forced dependency', 'violence', 'exploitation' or 'domination', what all of these wrongs have in common is that they are un-tempered relations of inferiority. They are all, in short, hierarchical.

[72] Rainer Forst, "Noumenal Power," *The Journal of Political Philosophy* 23, no. 2, (2015): 115. Italics in original.

[73] Forst "Noumenal Power," 112. This is a particularly mental or rationalist approach to power, in contrast to approaches like Amy Allen's that stress power's ability to produce, and be produced by, our "embodied dispositions, affective investments, and unconscious desires" ("Power and Reason, Justice and Domination", p. 16). Yet Forst maintains that such subconscious phenomena are indirect effects of what happens in the 'space of reasons'. He writes, "*to have and to exercise power means to be able — in different degrees — to influence, use, determine, occupy, or even seal*

power related to reasons, and to the way that we give (or do not give), ask (or do not ask) for such reasons.

Forst introduces two important notions for his view of structures: 'orders of justification' and 'narratives of justification'. He writes that the influence of power

can occur in the context of a single event, such as a powerful speech or an act of deceit, or of a sequence of events or in a general [societal] situation or structure in which certain [societal] relations are regarded as justified, reflexively or not, so that a [societal] order comes to be accepted as an *order of justification*.[74]

Such 'orders' are the backbone of actual institutions, systems, and structures. These orders, meanwhile, are composed of smaller 'justificatory narratives', which function in much the same way that the 'schemas' of structures do. Forst writes that,

[r]elations and orders of power are relations and orders of justification; and power arises and persists where justifications or [societal] relations arise and persist, where they are integrated into certain *narratives of justification*. In the light of such narratives, [societal] relations and institutions and certain ways of thinking and acting appear as justified and legitimate [...][75]

It is our reasons and justifications that underpin our arguments; it is then the sets of related arguments that make for justificatory narratives, and it is finally complexes of justificatory narratives that form an overarching justificatory order. Just as reasons underly (often sub-consciously) our actions, and arguments underly (again often sub-consciously) our practices, so too do justificatory narratives underly our institutions and systems, while justificatory orders support our macro-structures. Even if these reasons, arguments, and narratives are not *directly* responsible for what we do, they can be inserted into, or summoned up on behalf of, our forms of life when these are under investigation.

Forst does not mean his terms negatively. Like 'power' and 'justifications' themselves, "justificatory narratives" and "justificatory orders" are meant to be neutral terms. Power, justifications, arguments, narratives, and orders subtend the more 'material' practices, institutions, systems, and structures, but these can involve "relations of subordination or of equality, whether political or personal [...]".[76] Similarly, the justifications that support such societal relations can be "well-founded and collectively shared with good reasons, or they can be merely 'overlapping,' or they can be distorted and ideological [...]".[77] A justification need not be good, liberatory, or reasonable to "count" as a reason for some belief or action.

For now, we can note again that living within a justificatory order means living with, and through, a series of interrelated norms and values. Forst writes that our ability to function in these systems,

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*off the space of reasons for others*" ("Noumenal Power," 116–117, italics in original). Thus, the condition of our bodily dispositions or psyches is often a downstream consequence of relations of power in which both are caught up. For more on Allen and Forst's disagreement, see Allen, Forst, and Haugaard "Power and Reason, Justice and Domination: A Conversation," *Journal of Political Power*, Vol. 7, No. 1 (2014), pp. 7–33.

[74] ibid.

[75] ibid., 117.

[76] ibid.

[77] ibid. Here, Forst uses 'ideology' in a way that I do not: by 'ideological', Forst means justifications that "justify a social situation of asymmetry and subordination with bad reasons that could not be shared among free and equal justificatory agents in a practice of justification free from such asymmetry and distortion" (117). I carry no such negative connotation when I use the term 'ideology'. When I use the term, it is merely to describe a coherent way of understanding society or one of its spheres, a way that calls forth certain beliefs, affective states, and practices.

presupposes acceptance of the rules of these structures, as well as of certain justifications offered for them, such as ideas about property, cooperation, or efficiency, but also notions of fairness, desert, and the like (and again, it must be added that such acceptance need not be based on critical reflection but can also be of an ideological nature). Thus, such structures are not 'norm-free'; rather, the norms and justifications they rest on allow for certain forms of strategic action that disregard traditional and ethical norms, potentially 'colonizing' the lifeworld [...][78]

Forst's notion of justificatory orders helps to explain how van Wietmarschen's norms and values can be at the root of Kolodny's asymmetries of power and disparities of regard, without these norms and values being merely a result of *direct*interactions or *conscious* acts of valuing. Importantly, too, Forst's account places power itself at the center of the story.

Forst writes that four aspects of 'noumenal power' must be kept in mind when we consider societal structures. First, "[e]very [societal] order in general, and every [societal] subsystem in particular, is based on a certain understanding of its purpose, aims, and rules — in short, it is a normative order as an *order of justification* [...]".[79] In other words, whether participants recognize it

or not, the systems and structures in which they participate either have justifications (good or bad), or, can be given justifications (good or bad) after the fact. Though certain orders of justification make it very difficult for agents to see or think about them, none is in principle incapable of being brought into the space of reasons to be judged.

Second, "[s]tructures that are accepted on the basis of such narratives and justifications often find their main support in the idea that, despite tensions in their justificatory basis and despite perceived shortcomings, no alternative to them is available."[80] Not surprisingly, justificatory narratives and orders of justification affect what we believe, how we think, and whether we think at all. As Forst writes, they "limit what can be imagined as possible [...]".[81] Insofar as power is related to our ideas and reasons, justificatory narratives and orders produce noumenal power, while also being reproduced by networks and constellations of that power.

Third, the structures that are supported by such noumenal power "have a certain *influence* over persons that appears to be a form of power [...]", though this influence is not, technically, a form of noumenal power. In reality, "the noumenal power structure that supports [societal] power relations is still in place, with the result that a certain order of action is upheld".[82] It can appear as if it is "capitalism" or "the State" that makes us do things, though these are hardly intentional agents. Instead, the natural, individual agents of capitalism or the State — human beings — make us act. More likely, the mechanisms that these agents enact and reproduce constrain our choices and behavior, such that we behave unthinkingly.

The final aspect of justificatory orders, their relation to societal structures, and their dependence on noumenal power, is that these combined power structures

enable persons with sufficient *noumenal capital* in the appropriate sphere — such as a priest, an officer, or an entrepreneur, for example — to use their [societal] recognition and standing within the structure as a *resource* to exercise power over others who duly follow an admonition, obey an order, or accept an employment contract and its implications. In this way, structures

[78] ibid., 119.
[79] ibid., 119–120.
[80] ibid., 120.
[81] ibid.
[82] ibid.

serve as important background resources for the exercise of power, because within them persons have a power status that is perceived as implying the justifications that lead others to do certain things.[83]

We see here the blurring between Sewell's structural 'schemas' and 'resources': reasons, arguments, narratives, and entire orders are, on the one hand, schematic. The are the rules of the game. Yet, insofar as they are often merely *assumed* to be justified, or in any case justifiable, certain agents can use the uninformed beliefs and the uninquisitive attitudes that other people have about these schemas *as resources*.[84] They are tools to be used in that "game".

Thus, Forst is close to the notion of Haslanger's "nodes" when he asserts that,

[n]ormative roles, offices, and functions are noumenal power statuses that facilitate the exercise of certain forms of power over others by 'unburdening' [societal] action within such institutional spheres from the explicit requirement of justification, so that justification can be taken as a given.[85]

In a Foucauldian vein, the power that individuals have in their societal positions often need not be 'exercised' at all in order to *function*, or to be *effective* in constraining lower-level nodes and their occupants. The point to be emphasized here it that the 'space of reasons' is capable of organizing that which is outside of it: the irrational and unreasonable, bodily dispositions, and the sub-conscious.

We see with Forst, then, a clearer view of the justificatory side of structures. We can extend his insights to what I have called macro-structures. Macro-structures involve not just practices, positions, roles, institutions, and systems. And they are more than merely resources, carriers, or artifacts. I argue that they are also, at least partly, a matter of reasons, justifications, arguments, narratives, and entire justificatory orders that stretch across the various dimensions of any organization. They involve the reasons we *know* that we have for doing (or not doing) certain things, yet they also influence whether we have reasons *at all* for engaging, or refraining, in action. Structures, especially macro-structures, affect whether or not we *ever ask* for reasons, as well as what we consider good or bad reasons to be. They can affect whether we realize our forms of life are without good justification — or without justification at all. While their effect on our embodied dispositions, affective investments, and unconscious desires might be less direct, given that these lie outside the space of reasons and justifications, nonetheless macro-structures

[83] ibid., 120–121.

[84] In other words, some forms of acceptance do not entail the holding in one's mind of all the relevant points, or going through all of the motions of thought. Murray Bookchin attributes this to the "objectification of subjectivity," and writes that it is the *sine qua non* of mass production. He cites Horkheimer, that in this case, "thought or word becomes a tool [and] one can dispense with actually 'thinking' it, that is, with going through the logical acts involved in verbal formulation of it", (Horkheimer, cited by Bookchin in *The Ecology of Freedom*, p. 222). Horkheimer also wrote, "As has been pointed out, often and correctly, the advantage of mathematics — the model of all neo-positivistic thinking — lies in just this 'intellectual economy.' Complicated logical operations are carried out without actual performance of all the intellectual acts upon which the mathematical and logical symbols are based. Such mechanization is indeed essential to the expansion of industry; but if it becomes the characteristic feature of mind, if reason itself is instrumentalized, it takes on a kind of materiality and blindness, becomes a fetish, a magic entity that is accepted rather than intellectually experienced." (Horkheimer, cited by Bookchin in *The Ecology of Freedom*, p. 223). For Bookchin's use of Horkheimer, see Murray Bookchin, *The Ecology of Freedom: The Emergence and Dissolution of Hierarchy* (Palo Alto, CA: Cheshire Books, 1982), 222–223. For the original Horkheimer quotes, see Max Horkheimer, *Eclipse of Reason* (London: Continuum, 2004), 16.

[85] Forst, "Noumenal Power," 120–121.

and their justificatory orders can affect the borders and boundaries of the unconscious, of the affective, and of the dispositional.

Of course, macro-structures and their justificatory orders can be — though need not necessarily be — hierarchical. A macro-structural hierarchy with a robust justificatory order underpinning it might obfuscate the very way in which it isimpersonal, pluralistic, extensive, and constitutive. Members might not be capable of grasping, clearly, how their form of life is stratifying, exploitative, and replicative. If they can sense these facts, they may take them to be normal, natural, or inevitable. Such hierarchical justificatory orders can reinforce superordinate and subordinate positions in the political, economic, and social spheres of life, with all the attendant asymmetries of power, authority, wealth, and resources, and all the attendant disparities of recognition. They can construct our values and norms such that it becomes normal to behave in particular ways towards others, and to value others in particular, valent ways.

Yet it can also become normal to behave in particular ways *around* or *amongst* others, without ever *directly*interacting with them. Consider corporate executives or city officials who, in following the rules and procedures of their respective institutions, enact policies that result in low-income families being priced out of their neighborhoods because they cannot afford rent, or taxes, or even the groceries in their neighborhood. These corporate executives and city officials do not consult with those whom their policies affect. They never meet the members of the "precariat" or the nouveau-homeless. In fact, it is normal for these corporate executives or city officials to act within the same society as their victims, without ever meeting them.[86]

Thus, it can become normal to behave in particular ways vis-à-vis the 'nodes', themselves, that similar-seeming persons occupy. Such justificatory orders make it normal to behave and value in ways that have significant, if cumulative and downstream, effects on other persons subject to the same structural hierarchies. This, then, is how we defend van Wietmarschen against Kolodny's recognitivist critique: not all norms and values are transmitted through instances of direct regard.

In this section, I presented the ideas of philosopher Rainer Forst. Forst provides an implicit account of structural, even *macro*-structural, hierarchies. I argued that Forstian insights allow us more fully to theorize structural hierarchy in a new way, without sacrificing any insights about norms, values, regard, or power.

## 1.8 Conclusion to the Chapter: An Integrated Approach to Societal Hierarchies

In this chapter, I made an intervention into the current literature on societal hierarchies by arguing that paradigmatic examples of this literature from Han van Wietmarschen and Niko Kolodny neglect the concept of 'structure'. I compensated for this lacuna by emphasizing the differing levels of 'structurality' that societal hierarchies can possess. I added to the literature by presenting the notion of the 'macro-structural hierarchy'. I used the ideas of Rainer Forst to

[86] Professor Monique Deveaux offers, as an alternative example, the case of women in traditional religious communities. Women are often taught to be "deferent" to men by averting their gaze and by avoiding interactions with men who are not family members. Here, too, we see agents behaving *around* or *amongst* others, without ever directly interacting with them, though in this case it is the subordinate persons in the societal hierarchy whose attitudes and behaviors are shaped so that they no longer need even to be thought about — they are a force of habit. (Spring 2025, personal communication.)

substantialize the notion of macro-structural hierarchies, and to integrate the approaches of van Wietmarschen and Kolodny. Throughout, I have pursued a descriptive account of hierarchies in society, the results of which I now integrate and summarize.

A societal hierarchy exists when the participants in the relevant societal context display the societally expected complexes of attitude and behavior toward the occupants of position A, or toward the position A itself (the node)[87], or toward positions like A (similar nodes), such that the occupants of position B, or the position B itself, or positions like B, are 'valuated'[88] less, and thereby accorded less power, authority, or regard.

A 'complex of attitudes and behaviors' is a set of *norms*. Norms are both models, and expectations, about how to think, feel, and act. Norms are always based on values and reasons. In any society, values and reasons are generated and shaped by institutionalized economic mechanisms, institutionalized patterns of social/cultural value, and an institutionalized architecture of political

space. In other words, multiple class, status, and estate frameworks shape values, reasons, and norms. These frameworks *constitute*, and are themselves *buttressed by*, arrangements of *power*. Some persons or positions are afforded more power or regard, and others less. These power arrangements influence what people believe, what they disbelieve, and what they fail to think about at all. They are a matter of justifications, arguments, justificatory narratives, and entire *orders of justification*.

Societal hierarchies are born of institutions and narratives that are *impersonal*, *pluralistic*, *extensive*, and *constitutive*. For this reason, societal hierarchies often share these characteristics. Further, societal hierarchies are often born of institutions and narratives that are *stratifying*, *exploitative*, and *replicative*. Not surprisingly, then, societal hierarchies are often stratifying, exploitative, and replicative.

The result is an organization of resources, nodes, and schemas that always shares a certain form. Even without any insight into norms, values, or reasons, and even in the absence of a grander sociological theory of political, economic, and social frameworks, a societal hierarchy can always be recognized through *asymmetries* of authority, power, and resources, as well as *disparities* in regard. Ultimately, Kolodny is correct in his assessment of the dimensions of societal hierarchies, just as van Wietmarschen is correct in his normative definition. Yet, it is a *structural* element, such as that found in the work of Sewell, Haslanger, and Forst, that helps us to see how norms are shaped by impersonal assemblages of power and value.

[87] By including 'nodes' in the definition of a societal hierarchy, I might appear to run afoul of Kolodny's stipulation that hierarchies exist only between natural individuals, on pain of category error. However, I have in mind here the idea that a node, as a societal position, might belong to many persons, and that affording the node lesser power, authority, and regard is, in effect, to render all persons in that position inferior with regard to power, authority, and regard. Consider the societal position 'woman' or 'Black person' or 'queer person'. To cast these nodes as inferior is to cast all persons occupying these nodes as inferior. Kolodny himself comes close to this idea in his analysis of discrimination, though by 'discrimination' he means only disparities of regard, and not asymmetries of power and authority. I discuss my expanded notion of 'discrimination' in the next chapter.

[88] I mean 'valuation' to mean a process by which phenomena are accorded a societal value, or status, or standing. Valuation is a more-than-merely-mental phenomenon: one does not need consciously to appraise some phenomenon in order to display the societally expected complexes of attitude and behavior toward that phenomenon that render this phenomenon less powerful, less authoritative, or less highly regarded (by others, say). In other words, one need not 'value' to 'valuate'.

# Chapter 2 — Moral Claims Against Societal Hierarchies

## 2.1 Chapter Introduction

In the last chapter, I incorporated a notion of *structure* into the definition of 'societal hierarchy'. In doing so, I presented a more analytically complete, and more compelling, account of societal hierarchy than that of either Han van Wietmarschen or Niko Kolodny. With a structural account, we can better theorize large-scale societal phenomena, such as capitalism, Statism, white supremacy, patriarchy, and more. It is by accurately theorizing such macro-structural hierarchies, I argue, that we can then illuminate, explain, and provide normative guidance around the large-scale *moral wrongs* that these macro-structures produce.

Equipped with a description of the kinds and levels of hierarchy, we may now begin to address societal hierarchies normatively. Indeed, an analytic account of societal hierarchies is incomplete without normativity. Therefore, in this chapter, I provide a normative approach to societal hierarchies. In particular, I use neglected implications from Kolodny's theoretical approach to argue that we have a moral claim against the very macro-structural hierarchies he neglects to theorize.

This chapter has seven sections. In section 2.2, I explain the simplest elements of normative theory: interests, values, rights, duties, claims, and complaints. I also consider which moral claims are the most basic, and stress that we have a moral claim against un-tempered relations of inferiority.

In Section 2.3, I return to societal hierarchies, and present Niko Kolodny's theory for "tempering" societal hierarchies. Though Kolodny finds all societal hierarchies to be of moral interest, he does not believe that all societal hierarchies are morally troubling. Rather, he insists that there are a number of "tempering factors" that, when present, can remove or prevent any morally pernicious qualities of relations of inferiority, and remove our moral complaint against such relations.

The first list of such tempering factors he gives is called, unsurprisingly, the "primary tempering factors".

In Section 2.4, I explain a feature of societal hierarchies that might yet appear mysterious: regard and disregard. Though it is easier to see how an asymmetry of power and authority might contribute to a troubling relation of inferiority, it is less transparent how a disparity of regard might. Indeed, some disparities of regard might not appear to constitute relations of inferiority, at all, while others that do might not appear morally objectionable. Again leaning on the work of Kolodny, I discuss two broad forms of disparities of regard: 'disparities in esteem for qualities and achievements', and 'disparities in concern for persons'. These are each of differing moral importance.

In Section 2.5, I assess the primary tempering factors. I agree, broadly, that the 'tempering factors' Kolodny suggests do often render un-objectionable what I called, in Chapter 1, 'interactional hierarchies'. When these tempering factors are present, they remove the morally troubling

qualities of relations of inferiority. Nonetheless, certain aspects of Kolodny's theory strike me as strange, and I present the errors in Kolodny's reasoning about these tempering factors.

In Section 2.6, I build a case for a *collective moral complaint against macro-structural relations of inferiority*. In particular, I hold that Kolodny's work neglects this specific kind of moral complaint. However, and crucially, I argue that we can derive our case against macro-structural hierarchies from Kolodny's theory itself. Throughout *The Pecking Order*, Kolodny includes disconnected discussions about "structural injustice", about the "structure of claims against inferiority," about "collective inferiority complaints", about the phenomenon of stratification, which he calls "caste", and about the phenomenon of "discrimination". Using this 'spare lumber' from Kolodny's work, which he leaves unconnected, I construct the case for a collective moral claim against macro-structural relations of inferiority.

In Section 2.7, I conclude the chapter.

## 2.2 Moral Claims

In this section, I explain the simplest elements of moral theory, drawing mainly from the work of Jürgen Habermas and Niko Kolodny. I offer a précis of the atomic elements of normative theory: interests, values, norms, rights, duties, claims, and complaints. The moral approach of this dissertation depends upon these atomic elements, and, in particular, the notion of a *moral claim against un-tempered relations of inferiority*.

Natural, individual persons have *interests*. These interests might derive from a 'nature' or 'essence', or, they might be 'societally constructed', or both. They might refer to things we simply desire, or else, more narrowly, to things that are 'good' for us to have or obtain, however we define 'goodness'. They might even be things we need to survive. Whatever their origin, they are diverse, and they motivate us to action.

We use some of our interests to evaluate other interests. These evaluative interests we call *values*. We use our values for varying purposes. Sometimes we have an interest in practical qualities, such as efficiency. 'Efficiency' then becomes a practical value: a way of evaluating other things of interest to us. Other times, we have an interest in aesthetic qualities, such as beauty. 'Beauty', too, becomes an evaluative criterion — in this case, an aesthetic value. Finally, we sometimes use values to evaluate human life, itself, overall. For instance, there are some interests that we feel must be obtained for a human life to be called "good". We use these values to evaluate entire 'life plans' and 'life courses'. We call these special values *ethical values*. These can include any number of interests, including 'freedom', 'equality', 'kindness', 'achievement', 'education' 'safety', and more. They can even encompass practical and aesthetic values.

When enough persons within a territory, time, or culture share the same values, of whatever sort — pragmatic, aesthetic, or ethical — they then begin to develop and to reproduce *norms*. As noted above, norms are both models about how one ought to think, feel, and act, as well as expectations about how others will, or ought to, think, feel, and act. There are pragmatic norms, and aesthetic norms. There are even *local*, ethical norms — norms about what constitutes a good life that are particular to a small group of persons. Yet there is a fourth category of norms: moral norms.

It is likely that all humans share at least some ethical values: some basic interests by which we evaluate human life. In any case, some suitably abstract ethical values we can at least imagine

that anyone would or could have, in certain circumstances. These general ethical values are, in principle, achievable through human action and organization. Given their generality (or generalizability), and given their achievable character, some ethical values are, and ought to be, given priority over other values, of whatever type (pragmatic values, aesthetic values, and ethical values of a non-generalizable or non-achievable sort). We take it that these general, achievable ethical values really *ought* to be achieved. As we engage in the always-ongoing, always fallible, and always re-visitable practice of moral discourse, we come to bestow on some values the status of what we might call 'universal ethical norms'.[1] We call these special ethical norms: *moral norms*.[2]

A moral norm can be bifurcated into a *moral right* and a corresponding *moral duty*. A moral right is the justified or legitimate expectation that others will regard you, and behave toward you, in keeping with the interests and values you share with all others. Similarly, a moral duty is the justified or legitimate expectation that others have of you: that you will regard and behave toward them, or toward others, in keeping with the interests and values all persons share. Additionally, a moral duty is a special impetus *actually to behave* as expected. Moral norms, as either rights or duties, form the core of our *moral claims*. We make *claims* about our rights, and about the rights of others. We make claims of others that they fulfill their moral duties, and they make the same claims of us.

So then, at base, it is our interests that are the foundation for our moral claims. However, not all interests are capable of grounding a moral claim. A moral claim is a defensible interest, because it is general and achievable. Thus, the violation of a moral claim is cause for *moral complaint*. When we interact with others, we make our interests public; others do the same. Those interests that are capable of being satisfied without unfairness to other natural individual agents, and without undue burden to other agents, of whatever kind (including artificial and collective ones), have the status of moral claims. I might have an interest in being "Emperor of the World," and having every situation correspond positively with my beliefs and my judgements. You might have this interest too. In fact, everyone might. Yet we cannot *all* satisfy this interest and still live together. Arguably, not even one of us can have this interest satisfied, if we hope to live with oth-

[1] I take these ideas from the work of Jürgen Habermas, though he might not approve of my running the moral realm, with its norms that point toward justice as 'the right', so closely together with the ethical realm, with its values that point toward justice as 'the good'. Nonetheless, even he admits that, although moral claims are universally valid, morality is ultimately connected to, and embedded in, ethical life. As such, I regard my view — that the kind of moral norms upon which different persons can agree, in moral discourse, must be based on shared ethical values, values that are themselves the result of similar forms of socialization — as Habermasian. For more on Habermas's views, see Jürgen Habermas, "Discourse Ethics: Notes on a Program of Philosophical Justification" in *The Communicative Ethics Controversy*, eds. Seyla Benhabib & Fred R. Dallyayr (Boston, Massachusetts: The MIT Press, 1990), pp. 60–110; see also Jürgen Habermas, "Remarks on Discourse Ethics" in *Justification and Application: Remarks on Discourse Ethics*, trans. Ciaran Cronin (Cambridge, Massachusetts: MIT Press, 2001), pp. 19–112.

[2] The notion of discursive agreement as a normative foundation is apt to be criticized by those who would point out, rightly, that "what could be agreed upon" is likely to vary dramatically across cultures, times, and places. Actual agreement, even on moral matters, is unlikely, and even to imagine it as *possible* requires fanciful thought-experiments, such as Rawls's "veil of ignorance". Yet, what strikes me, nonetheless, is the inescapability of the discursive component. Those who would prefer normativity to be grounded in something non-discursive — human nature, core virtues, etc. — must strive to make their interlocutors *agree* with them, and they must make their case discursively, using concepts and representations. Any gesture toward an external moral ground must be a representational gesture, made *within the context* of discussions and conversations that aim for consensus. Perhaps normativity does, indeed, have a non-discursive foundation. Yet my point is that *we have no access to this ground*, except through discourse and representation.

ers. Thus, this interest, real or not, is not the ground for a *moral claim* to planetary emperorship. It is not generalizable or achievable. Thus, no one has a moral right to such a position.

Moral claims are directed toward other agents, whether natural, artificial, or collective. The demand of a moral claim is that some agent follow a norm: that they act in certain ways, or refrain from acting in certain ways. If an individual person has a claim on another agent, that claim counts as a unique reason, with its own unique priority, for the agent to act in the corresponding way.[3] If the agent does not act in the corresponding way, and does not meet the claim, then the claimant has a justified complaint against the agent: but, only if the agent has a lack of *due concern* in the interests that ground the claim. Lack of due concern is attributable to malice, or to negligence, or to ignorance about things one ought not to be ignorant about.[4] Whatever the case may be, moral complaints demand restitution and, if possible, prevention in possible future cases.

We have all manner of interests, and all manner of moral claims. Unfortunately, life in society also furnishes us with opportunities for all manner of moral complaints. Yet, beneath many of our most commonplace claims and most commonplace complaints, there are actually only a few, basic, *bedrock moral claims*. The two bedrock moral claims that are most often remarked upon, in political and moral philosophy, are what Kolodny calls our moral "claim against invasion" and our moral "claim to improvement".[5]

A *claim against invasion* is the claim we make to agents of whatever kind that they not use, damage, or destroy our bodies or our property without our consent or without an

impersonal justification. An *invasion complaint,* meanwhile, is a complaint against the fact that our bodies or our property are being, or soon will be, used, damaged, or destroyed without our consent or without an impersonal justification.[6] Kolodny believes that these claims are at the root of much political theorizing that is what we might call 'right of center,' including the political theory of Robert Nozick.[7]

The other bedrock moral claim is the claim to improvement. An *improvement claim* is the claim we make to agents (of whatever kind) that, if these agents are capable of improving our 'choice situations', without unfairness to others and without undue burden to themselves, they do so. To improve our 'choice situations', an agent need not provide us with anything tangible, necessarily. Rather, to improve a 'choice situation' is merely to make it possible for persons, themselves, to attain what they seek. Thus, an *improvement complaint* is a complaint against the fact that some person, group, or institution could improve our 'choice situation' without being unfair to others or over-burdening themselves, and yet, is not doing so.[8] As a correlate, improvement claims imply the demand that other agents not *diminish* or negatively impact our 'choice situations' more than we are entitled to, from those agents.[9] Kolodny believes that these

[3] Niko Kolodny, *The Pecking Order: Social Hierarchy as a Philosophical Problem* (Cambridge, MA: Harvard University Press, 2023), pp. 13.

[4] Kolodny, *The Pecking Order*, pp. 13–14.

[5] Kolodny takes the basic elements of his moral approach, including what I call the bedrock moral claims, from mainstream analytic political thinkers: John Rawls, Robert Nozick, Ronald Dworkin, Joseph Raz, etc. He refers to these basic elements as the "received materials" of his argument. See Kolodny, *The Pecking Order*, Chapter 1, "The Received Materials: Improvement and Invasion", pp. 13–32.

[6] ibid., 28–29.

[7] ibid., 33.

[8] ibid., 15–17.

[9] ibid., 71–72.

claims are at the root of much political theorizing that is what we might call 'left of center,' including the political theory of John Rawls.[10]

Despite the widespread presence of these two bedrock moral claims, there is yet a third category, which has gone largely un-remarked upon in political theory: a third kind of basic interest, basic moral claim, and basic moral complaint. This is the *interest against inferiority*, which gives rise to the moral claim and moral complaint *against un-tempered relations of inferiority*. Kolodny holds, furthermore, that *most* of our commonplace moral complaints are, at heart, actually complaints against being put into un-tempered relations of inferiority: that is, they are complaints against being placed into a societal hierarchy or hierarchies that are not mitigated in the right way. In other words,

although 'improvement complaints' and 'invasion complaints' are, of course, crucial elements for a theory of justice, they are not the only, or even the primary, *basis* for such a theory. Rather, we ought to base such a theory largely on our moral claim against un-tempered societal hierarchies.

Through a series of complicated and sometimes fanciful hypothetical examples, Kolodny shows that our commonplace complaints *against*, for example, 'the State', 'corruption', and 'discrimination', and our claims *to* 'equal treatment', 'the rule of law', 'equal liberty', and 'equal opportunity', are all incapable of being explained through an appeal to the bedrock moral claims to improvement and against invasion, alone. Kolodny invents colorful and abstract situations to show that, at least *ideal-theoretically*, in every case, when our claims to improvement and against invasion are hypothetically redeemed, there would *still* be a residuum of complaint against *something*, and that something amounts to un-tempered relations of inferiority. That is, even if we could imagine a State that never used, damaged, or destroyed our bodies or property without our consent or without an impersonal justification, and, that simultaneously improved our choice situations to the greatest extent possible without unfairness to others and without diminishing those choice situations more than we are entitled to by it, *we might still have reason to complain about this State's* ***very existence***. The same is true of the other cases: our moral problem with discrimination, say, or inequalities in liberty, might very well have shades of complaint against invasion and on behalf of improvement. Yet, the *core* problem is that in every instance we are being subjected to relations of inferiority that are not tempered. These things are wrong because they render some of us inferior in ways that are not sufficiently mollified.

On this view, the claim against (un-tempered) relations of inferiority simply is a claim against finding oneself in a societal hierarchy, of a particular kind. The claims against invasion, and to improvement, can also be read as at least tangentially related to societal hierarchies. After all, societal

hierarchies often lead to our property and our bodies being used, damaged, and destroyed, without our consent and without any impersonal justification. Moreover, even when a societal hierarchy does not violate any moral claim of ours, if it is in the power of some agent to improve our choice situation such that we no longer find ourselves in that societal hierarchy, and this improvement is not unfair to others or burdensome on the agent, then we have a claim on that agent to improve our choice situations in precisely this way.[11]

[10] ibid., 33.

[11] One of Kolodny's secondary tempering factors is Impersonal Justification: asymmetries of power and authority are morally acceptable, even when not tempered by the primary tempering factors, if they are attached to offices that are justified by *impersonal reasons*. In fact, Kolodny holds that an asymmetrical office's being "impersonally

The problem, though, is that societal hierarchies are quite diverse. We are subjected to a societal hierarchy anytime someone else is esteemed for their greater qualities and achievements in, say, playing the flute, or in painting, or in running. Anytime any other person has greater physical strength than we do (an asymmetry of power that they exercise on us, or that they endorse, or that we submit to), we are involved in a relation of inferiority. Yet, we may ask, is it really the case that we *morally object* to our lovers picking us up in their arms, or to our competitors beating us in an arm-wrestling match? No — for we understand that it is impossible for the terrain of human affairs to be so smooth as to allow for complete and total equality. Not all relations of inferiority seem wrong. And in any case, these sorts of societal hierarchy seem impossible to eliminate. We might not even wish to eliminate them.

It is possible that we have an *interest* against being placed in *any* relations of inferiority. Yet we do not have a *moral claim* against *all* such relations. "Ought" implies "can", and we cannot live

our lives totally free of societal hierarchies, as hitherto defined.[12] Our moral claims, taken individually, or altogether as an "arsenal", cannot be interpreted as a mandate to eliminate all relations of inferiority.

What do we have a claim to, then? If we cannot eliminate all societal hierarchies, then it makes sense to take our moral claims as pointing to rights against finding ourselves in relations of inferiority that have not been *watered-down*, in some transparent and predictable way. We have a claim against finding ourselves in relations of inferiority that are *unconstrained*, in quality or quantity. This, then, is why Kolodny's third moral claim, which he in fact renders, throughout his book, as the "claim against relations of inferiority," must in fact be considered a claim against *un-tempered* relations of inferiority. What would such constraints involve? To this question we turn in the next section.

In this section I explained the simplest elements of moral theory, drawing mainly from the work of Jürgen Habermas and Niko Kolodny. I offered an account of the elements of normative theory: interests, values, norms, rights, duties, claims, and complaints. I also considered which moral claims are the most basic: claims against invasion, claims to improvement, and claims against un-tempered relations of inferiority. It is only with these building-blocks in place that we can begin to appraise societal hierarchies: which ones are wrong, when, why, and how. Ultimately, and in the spirit of anarchist theory, I will use these basic tools to construct a much more rigorous standard of moral evaluation than does Kolodny.

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justified" means that its existence and its function not only serve impersonal reasons, but do so ***at least as well as any alternative, and in fact better than any alternative not marked by a similar asymmetry*** (*The Pecking Order*, 131)**.** This is perhaps the single thread on which anarchists would most avidly tug, in Kolodny's work, to make it unravel: the anarchist argument is that, simply, macro-structural hierarchies do not serve impersonal reasons better, or even as well, as macro-structural horizontalities such as anarchist federalism, communism, and the like. Thus, we in addition to having a moral claim against macro-structural hierarchies (which I argue in this chapter, below), we have a whale of an *improvement complaint*, too.

[12] This outlook finds expression, as well, in an online essay by Stephen C. Angle, Kwame Anthony Appiah, Julian Baggini, Daniel Bell, Nicolas Berggruen, Mark Bevir, Joseph Chan, Carlos Fraenkel, Sphen Macedo, Michael Puett, Jiang Qian, Mathias Risse, Carlin Romano, Justin Tiwald, and Robin Wang. See Angle, Appiah, et. al., "In Defense of Hierarchy," *Aeon*, 2017, edited by Brigid Hains. Accessed online on April 21st, 2025. https://aeon.co/essays/hierarchies-have-a-place-even-in-societies-built-on-equality/

## 2.3 Tempering Societal Hierarchies

In this section, I consider the morality of societal hierarchies by examining how they can be made morally un-objectionable. Here I present, and endorse, Kolodny's list of "primary tempering factors".

There are six initial 'tempering factors' that render a morally objectionable relation of inferiority into a morally acceptable one. These tempering factors can be enacted through many means: while Kolodny has in mind legal protections, nothing prevents them from being realized, and realized effectively, through customs, habits, and other routinized practices, such as social sanctions.[13]

The first tempering factor is Episodic Character. When relations of inferiority arise randomly, accidentally, or in isolated instances, instead of being "entrenched in an established, ongoing social structure," they are less likely to be morally objectionable — if objectionable at all.[14] Kolodny is quick to note that this tempering factor is not necessarily sufficient, by itself: if an asymmetry of power/authority, or a disparity of regard, is *extreme*, even in otherwise isolated incidents (as in life or death situations, or in violent interactions marked by discrimination), then the ephemeral nature of the encounter is not enough to render the inferiority morally unobjectionable.[15]

The second tempering factor is Context Limitation. If asymmetries or disparities are limited to certain contexts, then they may be less objectionable, or not objectionable at all.[16] Some hierarchies exist only at certain times, or in certain places, or only in certain societal roles, with many,

or perhaps most, other times, places, and roles unmarked by these relations of inferiority. The fact that these relations of inferiority are limited in space and, frequently in time, gives us greater reason to accept them as benign.

The third tempering factor is Content Limitation. Sometimes asymmetrically greater power or authority is limited in what it can make happen, or what it can command. In particular (for Kolodny, at least) if power or authority do not set *goals* or *ends* for people to pursue, but merely stipulate the *means* they must use in the pursuit of their individual ends, this is enough to render a relation of inferiority acceptable.[17]

Tempering factor number four is Escapability. If asymmetries or disparities are escapable, at will, with little cost or difficulty, then they are less likely to be objectionable. Of course, Kolodny

[13] On the importance of sanctions and sanctioning to anarchist theory and practice, see Uri Gordon, *Anarchy Alive! Anti-Authoritarian Politics from Practice to Theory* (Anne Arbor, Michigan: Pluto Press, 2008), especially Chapter 3, "Power and Anarchy: In/equality + In/visibility in Autonomous Politics", pp. 47–77.

[14] Kolodny, *The Pecking Order*, 98–99. One of my largest criticisms of Kolodny's account, detailed in this chapter and the next, is that there is little sense in his work of 'structure' and so, little sense of macro-systemic or macro-structural hierarchies. Note that though Kolodny largely avoids discussions of 'structure', here (and elsewhere in the text) he in fact relies upon the concept.

[15] ibid., 99.

[16] ibid.

[17] ibid. Kolodny does not mention 'disparity in regard' here, but I see no reason not to. Relatedly, anarchists, Foucauldians and perhaps other post-structuralists, too, will simply reject the idea that because the *ends* are open, one can thereby regulate the *means* however one likes, without any consequences of note. Kolodny's own definition of an 'asymmetry of power' includes the ability to *control an environment* — yet setting means of an environment can very well be a way to setting the ends of that environment: and that, surely, is control. Anarchists embrace the 'principle of prefiguration,' and hold *means* and *ends* to be one. Therefore, anarchists argue that one must be an active, free participant in the 'means' of one's environment, and not just in the 'ends'.

is cognizant of the fact that *presence* in a societal hierarchy does not always imply *responsibility* for that presence, such that those who find themselves in relations of inferiority simply have "no one to blame but themselves". One can be ruthlessly exploited and subordinated without it being one's fault, at all. Yet, Kolodny does say that the freer one is to *exit* an objectionable relation of inferiority, the less objectionable (because the less a matter of coercion or force) that relation of inferiority actually seems to be. He adds that what we are looking for in this tempering factor is a kind of "equality of opportunity". Here, he does not mean the opportunity to end up in the *superordinate* position of the hierarchy, but rather the opportunity to *exit the relation of inferiority* ***entirely***. Kolodny also adds that, for this factor to obtain, one must really be able to exit the *whole* relation, and one must not fall

into other relations of inferiority that are equivalent to it: societal positions that are *like* societal position B. He cites Marx here, who noted that in a capitalist economic system, one can leave a particular work contract at will, but one cannot escape oppression by the bourgeois class, overall.[18]

The fifth tempering factor is Downward Equalization. This tempering factor has two connected clauses. First, a societal hierarchy is less, or not at all, objectionable if asymmetries or disparities are not final, but are themselves regulated by some higher-order conditions (such as the decisions of a court of appeal, or those of the 'higher-ups' in a chain of command). Second, a societal hierarchy is less, or not at all, objectionable if higher-order conditions are not themselves marked by these same asymmetries or disparities that prompted the complaint. Overall then, a societal hierarchy is morally acceptable if inequality at a lower level is balanced by equality at a higher one.[19]

The sixth and final tempering factor is Egalitarian Relationship. A relation of inferiority can be morally acceptable if the persons involved stand as equals in some other, recognized relation. For Kolodny, the paradigmatic "other relation" is citizenship in a State. He cites airline passengers and air stewards as an example: passengers are subordinates to stewards on a plane, yet they are equal, private citizens upon disembarkation.

What would a completely un-tempered relation of inferiority look like? Kolodny presents two of the most extreme, and objectionable, forms of inferiority, in order to serve as contrast classes. These extreme societal hierarchies are as little tempered as it is possible for societal relations to be. They are the societal hierarchies of "bondage" and of "caste". "*Bondage*" is epitomized by the relation between a slave and a master. The other paradigmatic form of objectionable inferiority is what Kolodny calls "*caste*". The classic examples of "caste" are, for Kolodny, the relation between

[18] ibid., 100. This point is an important one for this dissertation. Taking this factor very seriously, along with the intersectional and non-reductive nature of hierarchical macro-systems, has radical implications. If a macro-structural hierarchy is, by definition, inescapable, and if all macro-structural hierarchies accommodate, co-define, and co-reproduce one another (also by definition), then the only way to get rid of one of them is to get rid of all of them. And if our conclusion is, and must be, that *all* macro-structural hierarchies must be tackled *together*, qua macro-structural hierarchies — without separating one such macro-structural hierarchy out as the most important, or reducing some macro-structural hierarchies to some singular other as mere "superstructure" to a "base" — then our ideological stance is not liberalism, nor republicanism, nor Marxism. It is anarchism.

[19] Again, Allen, Appiah, et. al. have precisely this view of hierarchies: in their opinion, the "proportional equality" offered by hierarchies is to be preferred to *strict* equality. See Angle, Appiah, et. al., "In Defense of Hierarchy," *Aeon*, 2017, edited by Brigid Hains. Accessed online on April 21st, 2025. https://aeon.co/essays/hierarchies-have-a-place-even-in-societies-built-on-equality/. For an explanation of proportional equality, see Richard Arneson, "Egalitarianism", *The Stanford Encyclopedia of Philosophy (Summer 2013 Edition)*, edited by Edward N. Zalta. Accessed online on April 21st, 2025. https://plato.stanford.edu/archives/sum2013/entries/egalitarianism.

Brahmins and Dalits in India, as well as the relations between whites and Blacks in the American South during and after the Reconstruction era. For Kolodny, "caste" refers to the stratification of large, separate populations across society: what I prefer to call 'political estates', 'economic classes', and 'social groups'.[20] Of course, in reality, "bondage" and "caste" are often combined. That said, they are not necessarily mixed, *definitionally*. Kolodny believes that "bondage", at least, is theoretically or definitionally capable of isolated or purely dyadic (two-person) instances, in a way that "caste" is not.[21]

We can see why we have a moral complaint against inferiority in cases of "bondage" and of "caste", for these are completely un-tempered. By definition, "bondage" features no Content Limitation — masters can make slaves do whatever they wish — though "bondage" often lacks the

other tempering factors as well. "Caste" is not tempered by an Episodic Character, by Context Limitation, by Escapability, or by another Egalitarian Relationship.[22] Members of lower strata carry their status all the time, everywhere, and they are neither able to escape nor able to relate to their superiors equally in any other kind of relation.

The point to keep in mind is that, when tempering factors are present, a societal hierarchy moves away from the paradigms of "bondage" and "caste". Kolodny notes, moreover, that tempering factors can accumulate and have a compounding effect, such that, eventually, a threshold is crossed and there are no longer any grounds for moral complaint.[23]

In this section, I presented Kolodny's theory for "tempering" societal hierarchies. I explained those primary "tempering factors" that, when present, can remove or prevent the morally pernicious qualities of relations of inferiority. I take these primary tempering factors seriously — perhaps more seriously than does Kolodny, insofar as I believe (and he does not) that these factors have a "lexical priority": we ought to try, as best as we can, to achieve as many of these primary tempering factors as we can in our forms of organization. Nonetheless, Kolodny and I agree that these primary tempering factors cannot always be employed. However, as we will see in later sections, and in the next chapter, these primary tempering factors are not enough to render morally acceptable macro-structural hierarchies.

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[20] ibid., 90–91. For my part, I would prefer not to refer to this phenomenon as "caste", for two reasons; First, I want to avoid using "caste" to refer simply to anything: the writer Isabel Wilkerson faced harsh criticisms when she tried to argue, in her book *Caste: The Origins of Our Discontents*, that Blacks in America were an inferior caste. 'Caste', so the criticisms went, is a unique form of recognition-based, morally objectionable hierarchy prevalent in India and other cultures, while the racial discrimination faced by Black people throughout the world and especially in the Unites States is another, separate kind of morally objectionable hierarchy, one which is partially recognition-based but also partially based in economic exploitation; thus, these two topics should not be run together, but rather each deserves to be considered as its own historically and culturally constituted phenomenon. Second, it sounds like Kolodny wants his term "caste" to be applicable not just to *social*groups, but to *economic* classes and *political* estates. One aim of my dissertation, overall, is to reframe phenomena such as capitalism, Statism, white supremacy, patriarchy, and others, as systems that generate what Kolodny here calls "caste". Yet I call these "macro-structural" hierarchies. Despite these reservations, for ease of discussion (given that I am discussing Kolodny's work), I continue to use the term "caste", albeit in quotation marks.

[21] ibid., 91. We need not agree: "*bondage*", perhaps is capable of being dyadic, but virtually all instances of "bondage" are examples of *slavery*, which is always "structural" or a matter of stratification. Therefore, "bondage" appears always to share core, definitional features of what Kolodny calls "caste."

[22] ibid., 101.

[23] ibid., 98.

## 2.4 Regard and Disregard

In this section, I consider one of the 'constituents' for societal hierarchy: *disparities of regard*. Though 'asymmetries of power and authority' can be complex in practice, on paper they are easier

to explain. Disparities of regard, however, are complex in reality and in theory. They require a slower explanation, to tease out their moral implications.

For the most part, the primary 'tempering factors' discussed above concern *asymmetries of power and of authority*. Though they extend to *disparities of regard*, these latter inequalities are so diverse that Kolodny is forced to devote a separate chapter to consider their intricacies. In examining these, he finds that the concept of *regard*, and its connection to *inferiority*, have some general qualities that must be kept in mind.

First, a disparity in regard between a superordinate and a subordinate, one that constitutes or helps to constitute a relation of inferiority, is always relative to some third party or "judge", who regards the superordinate more highly than the subordinate. Kolodny holds that there is no hierarchy of regard if there is no third party to judge: a disparity of regard, amongst two parties only, is not enough for a relation of inferiority.[24] The crucial third-party need not be a natural individual, but can be an artificial or collective agent. High or low regard from a person or body that wields greater power or authority, or, from a person (here, a natural individual) who themselves enjoys higher regard, will *count more* than high or low regard from a weak person or body, or from a poorly-regarded person.[25]

Second, disparities of regard are not the same as "agent-relative partiality". That is, a special relationship to one's family members or friends gives one "agent-relative" reasons to serve their

interests, and not some stranger's. Yet, one does not thereby actually *believe* the stranger to belong to some lower stratum, or thereby somehow *create* a relation of inferiority because of one's pre-existing partiality. On the contrary, Kolodny alleges that in societal hierarchies marked by *real* disparities of regard, people *actually* regard members of higher strata as *higher*, and the members of lower strata as *lower*. In fact, it is often the case that even *subordinates* regard their superordinates more favorably than they regard their fellows, or themselves.[26]

Third — and most importantly for our purposes — some disparities of regard are *merited*, while others are unmerited. As I have already noted, higher regard for the talent or skill of one person than for the lack of talent of another person is an example of a *merited* disparity of regard. It is only those unmerited disparities of regard that make for objectionable relations of inferiority.[27]

[24] It is not clear why, on Kolodny's view, disparities of regard between only two persons or parties cannot be a hierarchy, or as relation of inferiority. Why should the exercise of, endorsement of, or submission to, a disparity of regard between two persons not constitute a relation of inferiority? Kolodny might remark that exercise, endorsement, and submission to a relation of inferiority are caveats of *asymmetries of power and authority* only, but this is not an explanation — it is unclear why these caveats should not hold of disparities of regard as well. Perhaps Kolodny feels that, when disparities of regard give way to moral complaints, the complaint of a single party to a single other over a disparity in regard would seem to be non-comparative, or in any case not comparative enough. For Kolodny, the non-comparativeness of a complaint is a signal that it is an *invasion* complaint or an *improvement* complaint, and not an *inferiority* complaint.

[25] Kolodny, *The Pecking Order*, 103.

[26] ibid., 103–104.

[27] ibid., 104.

Fourth and finally, when we alight upon *unmerited* disparities of regard, we see that these objectionable relations of inferiority are often centered on what Kolodny calls a "basing trait". This is a quality, positive or negative, that one party is supposed to have (or to have more of), that the other party lacks (or has less of). Such "basing traits" can be anything: skin color, lineage, alleged holiness, or past martial victories. Importantly, a third-party judge need not *actually believe* the "basing trait" justifies the higher regard. They need merely believe that the trait presence or absence *prompts*the disparity in regard, as a norm. An unmerited disparity of regard need not be based on any belief that the inferiors are *actually unworthy* of the regard that they lack, or, that the superiors really deserve the regard that they have. A "basing trait" is not a *justification* — it is a prompt only. Moreover, it is not necessarily a *conscious* prompt: the third-party judge, or the inferiors or superiors, could respond and regard the way they do out of habit, or out of self-interest, or because of other

interests, or even because they are imitating or substituting the models of other situations entirely.[28] Thus, "basing traits" can be grounded in very little — sometimes nothing more than a desire for distinction.[29]

In any case, Kolodny picks out three general kinds of disparity of regard, only two of which are germane to this dissertation.[30] These are *disparities in esteem for particular qualities and achievements*, and *disparities in consideration for persons*. Though these were glossed in Chapter 1, let us examine their moral qualities more carefully now.

*Esteem for particular qualities and achievements* involves approval of some "independently valuable" qualities, or some "independently valuable" achievements. Again, looks can be deceiving here: the approval might be genuine, or else a mere *expression* of approval; the qualities and achievements really might be valued independently, or they might be *surmised* to be independently valuable; the qualities and achievements might actually be possessed, or might merely be *supposed* to be possessed.[31] Independently valuable *qualities* include things like 'poise' or 'wit' or 'beauty'; independently valuable *achievements* include acquired skills, or contributions to fields such as medicine, the arts, or sports.[32]

Esteem for particular qualities and achievements is the sort of thing that a person can merit, and, in fact, Kolodny holds that disparities in esteem for particular qualities and achievements are, in fact, *usually* merited or justified. For this reason, these disparities are typically morally un-

objectionable, and we generally do not have strong moral complaints against inferiority in these cases.[33] This said, there can indeed be *unmerited* disparities in esteem for qualities and achievements. These can cause objectionable relations of inferiority, either wholly or when combined with other factors. Often, in cases where the disparity is only *partially* constitutive for re-

[28] On the "transposability of schemas," see William H. Sewell Jr., "A Theory of Structure: Duality, Agency, and Transformation," *American Journal of Sociology* 98, No. 1 (Jul., 1992): 16–19.

[29] Kolodny, *The Pecking Order*, 104–105.

[30] The third form of disparity of regard involves "merely expressive disparities". These are disparities, the force and significance of which are tied to disparities in esteem or disparities in consideration. That is, they merely express a pre-existing disparity in our regard for other persons' qualities and achievements, or else a pre-existing disparity in our regard for other persons' personhood. See Kolodny, *The Pecking Order*, 114–116.

[31] ibid., 106–107.

[32] ibid., 107.

[33] ibid., 107.

lations of inferiority, the disparity in esteem *tracks*, and is sometimes founded on, a pre-existing "basing trait," such as gender or race.[34]

Kolodny anticipates that we might object: There are all kinds of accidents and mistakes in comparative appraisals of qualities and achievements. Are these really *all* objectionable relations of inferiority? Kolodny says no. In fact, these mistaken interactions do not meet the standards for a 'relationship' or even a 'relation'. He reminds readers that the tempering factor Episodic Character means that isolated, unmerited disparities of esteem do not make for objectionable*relations* of inferiority. Importantly, Kolodny writes that as long as these societal hierarchies "are not ongoing or not woven into the fabric of societal relations" they are not objectionable relations of inferiority, or even *relations* of inferiority at all.[35]

The more serious kinds of disparity in regard are *disparities in consideration for persons*. Consideration for persons, or for the *personhood* of persons, involves an attention not only to the qualities that make someone a unique individual, but also an attention to those more widespread or even universal qualities that mark them as a member of the worldwide 'community' of natural, individual agents. Kolodny notes that considerations for personhood (whether equal or unequal) are practical: they are found within practical, living responses that people make to one another. Esteem

for qualities or achievements, on the other hand, has a *vorhanden* aspect: this attitude can be detached from one's interactions with a living person, and can be considered in the abstract.[36] Following on the heels of this point, we note that consideration for persons takes in the *whole* person, while esteem is usually directed at smaller "pieces": qualities or achievements, only. That said, such esteem can in fact "bleed outward" until the *whole* of a person is regarded through the *lens* of their quality or achievement. Further, disparities in consideration for personhood can also track "basing traits" that are themselves morally objectionable.[37]

In purportedly egalitarian cultures, equal consideration for persons is meant to be given by default, though even with political constitutions and legal systems that formally require equal consideration, under the law, such equal consideration for persons is hardly realized in practice. Nonetheless, equal consideration for persons is considered the (aspirational) norm. Not so with esteem. The reason that equal consideration is legally afforded a "default status" is that equal consideration for personhood is not the sort of thing that could be "merited". Or, taken a different way, consideration for personhood is indeed seen as merited, but simply because a person *is* a person. As such, *disparities in consideration for persons are almost always* ***unmerited***. Yet, there are exceptions.[38]

Though we almost always have moral objections to disparities in consideration for persons, those moral complaints are not always complaints against *inferiority*. Kolodny distinguishes between "comparative" and "non-comparative" wrongs in the domain of disparities in consideration for persons. Some moral wrongs are non-comparative: they are wrong, *regardless* of what happens to others, or regardless of what others receive. On the other hand, some moral wrongs are comparative:

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[34] ibid., 108.

[35] ibid. Note here another oblique, perhaps unintentional reference to something larger: something more systemic or *structural*.

[36] ibid., 113.

[37] ibid.

[38] ibid., 113–114.

they are wrong only in the light of what happens to *others*, or what others receive. Torture, for example, is a *non-comparative* moral wrong. It is wrong regardless of whether other persons are also being tortured. Meanwhile, an official's treating two subordinates differently, in the absence of some justifying difference between them, is a *comparative* moral wrong.

For Kolodny, it is only *comparative* moral wrongs that are the basis for an inferiority complaint. When we complain about *non-comparative* moral wrongs, in general, we do so out of our moral claim to *improvement* or against *invasion*. Non-comparative disparities in consideration for personhood, specifically, are usually a matter of *improvement*complaints, and not invasion complaints, which typically involve power and authority.[39]

There are seven kinds of disparity in consideration for persons. The first kind are "disparities in treating a person with courtesy". When one is courteous or discourteous to another, one responds with appropriate or inappropriate etiquette, given the surrounding culture. In some places, formality or even gravity might be expected, in others, informality. Treating some persons with less than the appropriate amount — some baseline or threshold — of the appropriate type, can count as a non-comparative insufficiency. On the other hand, treating some person with comparatively more, or less, than another person (even if both persons are above the threshold of adequacy) can amount to a disparity in consideration for personhood. We might have moral objections to all three scenarios, but those that count as (potentially) morally objectionable *relations of inferiority* are the scenarios in which one person is treated *below someone else* (whether or not that someone else is themselves treated adequately).[40]

The second kind of disparity in consideration for persons are "disparities in concern for interests." Here, the relevant "interests" are generally interests in improvement, or else the interests that underlie claims against invasion. Again, morally speaking, there can be *comparative disparities* of concern for interests, and *non-comparative insufficiencies* of overall concern. And again, there can be disparities of concern in which both parties receive sufficient concern, but one party receives much more than is sufficient — what some would call "privilege": that is, more than is merited.[41]

The third kind of disparity in consideration for persons are "disparities in recognition of moral standing." Recognition of moral standing is an acknowledgement that a person is a moral agent (with obligations to others), or a moral patient (with claims on others), or a member of a moral community (with sufficient standing to blame, and to hold some second-party accountable, for wrongs done to some third-party, as well as to be blamed and held accountable by a second-party for wrongs done to a third). Of course, there are *non-comparative* insufficiencies in recognition: I might not see you as *enough* of an agent, or patient, or member; or, I might see you as *too much* of any of these. Yet, *comparative*disparities in recognition of moral standing arise when, *in comparison to some other person*, I do not take you to be enough, or I take you to be too much (or, I do not take someone else as enough, or I take them as too much, in comparison to you).[42]

The fourth kind of disparity in consideration for persons are "disparities in consideration involving social norms or expectations." These may or may not be thought of as moral requirements, depending on the situation. As we saw in the last chapter, in our discussion of van Wietmarschen, a norm is a societal expectation that someone engage in, or refrain from engaging in,

[39] ibid., 106, 109.
[40] ibid., 109.
[41] ibid.
[42] ibid., 109–110.

some practice, or some thinking, saying, or doing. Persons are disposed to sanction (positively or negatively) a

person when that person behaves or fails to behave in a certain way. Similarly, persons might negatively sanction someone else if they view that other's action, or failure to act, as inappropriate or out of order. A *comparative*disparity of consideration would arise if one person faced a narrower or broader set of societal expectations than another. However, Kolodny remarks that in many cases a *superordinate* (the more highly-regarded one) can actually be tasked with expectations that are *more restrictive* and *more difficult* than are the subordinates.[43]

The fifth kind of disparity in consideration for persons are "disparities in trusting a person by default." This includes simply listening to people, but also taking them at their word. Kolodny believes we tend to trust others by default, and that we ought to do so. As such, the withholding of this default trust in specific instances constitutes *both* a *non-comparative* insufficiency, and also a *comparative* disparity of consideration, vis-à-vis everyone else whom we would normally trust.[44]

The sixth kind of disparity in consideration for persons are "disparities in noticing and attending." At issue here is whether a person or group is acknowledged and remembered, or whether that person or group occupies other people's thoughts when they deliberate about how to act. A disparity arises when an individual and their needs, or a group and the needs of its members, is simply never considered, or is made invisible. Alternatively, a person or group can be rendered hyper-visible. For example, in certain contexts, white people, men, heterosexuals, and neuro-typical persons will stand out and be catered to. In these cases of hyper-visibility, those so rendered do in

fact have their needs met, and do so more reliably than other groups. If there is no 'justifying difference' that would merit the hyper-visibility, these are cases of what is called "privilege".[45] Kolodny admits that individuals and groups caught in an unmerited "disparity in noticing" of course have *non-comparative* improvement complaints, insofar as their needs are not being met when they could be. However, these persons also have *comparative* complaints against inferiority. That is, there is a further complaint about the mere fact that they are being overlooked, and other persons or groups are not.[46]

The seventh and final kind of disparity in consideration for persons are "disparities in treating someone as an individual." At issue is the practice of attending to a person's particular attributes or traits, whether chosen or unchosen. Kolodny remarks that it is appropriate to attend to a person's unchosen traits, when these are truly particular to an individual. A disparity emerges

[43] ibid., 110. For a similar idea, see Aurel Kolnai, "The Concept of Hierarchy," *Philosophy* 46, no. 177 (Jul., 1971), 221. In my view, this is merely a case of the mixing of hierarchical logics that David Graeber remarks upon in his discussion of Louis Dumont, and Dumont's refusal to accept that this mixture is possible. A doctor-patient relationship, say, is either two hierarchies welded together, or one with differing hierarchical logics for the differing participants. In any case, while the above-mentioned "disparities in treating a person with courtesy" are disparities in what is *given* (courtesy), "disparities in consideration involving social norms" are about what is *expected*. See David Graeber, "The Rise of Hierarchy" in *Hierarchy and Value. Comparative Perspectives on Moral Order*, ed. Jason Hickel and Naomi Haynes (New York: Berghahn Books, 2018), pp. 135–150.

[44] Kolodny, *The Pecking Order*, 110.

[45] Presumably, in those cases when a person or group is rendered hyper-visible, but they are considered a *problem*, and their needs are *not* met because of that status, these are 'collective' examples of the seventh disparity of consideration for persons, considered immediately below.

[46] Kolodny, *The Pecking Order*, 111.

when we attend to the individual traits of some people, but not of others. These disparities are an issue (and almost always unmerited) because even when we treat a person according to a positive stereotype, we place obstacles to their forming important relationships that *require* individuality and attention to unique traits. Examples of such relationships include romance and friendship. Stereotypes always keep people at a distance. Moreover, stereotypes keep *other persons* from recognizing the particular qualities and achievements, in those who are being stereotyped, that they might have reason to value.[47]

As noted, the same factors that temper asymmetries of power and authority can also temper disparities of regard. This is particularly true of *disparities in esteem for qualities and achievements*.

Disparities in esteem for qualities and achievements, which might otherwise grow irritating, even objectionable, are made acceptable by being limited in context and content, for instance. Yet, *disparities in consideration for personhood* are especially pernicious because they are so often un-tempered by *any* of the 'primary tempering factors'. That is, they are not episodic, limited in content or context, escapable, equalized by oversight from higher-ups, or mollified by some other, egalitarian relation.

In this section I explained the third feature of societal hierarchies, besides asymmetries of power and of authority: regard and disregard. Again employing the precision of Kolodny's analysis, I discussed two broad forms of disparities of regard: 'disparities in esteem for qualities and achievements', and 'disparities in concern for persons'. I showed how these are each of differing moral importance.

## 2.5 Assessing the Primary Tempering Factors

In this Section, I turn a critical eye to the first set of factors by which societal hierarchies can be tempered. I agree, broadly, that the 'tempering factors' Kolodny suggests do often render un-objectionable what I called, in Chapter 1, 'interactional hierarchies'. When these tempering factors are present, they remove the morally troubling qualities of relations of inferiority. This is important, because even the most radical political theories acknowledge that some societal hierarchies, and the attendant asymmetries in power and authority, and disparities in regard, may be ineliminable, or even useful (in highly circumscribed situations).

Nonetheless, certain aspects of Kolodny's theory strike me as strange. First, I assert, contrary to Kolodny, that the ability to control the *means* to an end is indeed a way of controlling the end itself. Thus, for a hierarchy truly to be Content Limited, participants ought to control the *means* as

well as the *ends*. Second, I challenge the tempering factor Downward Equalization as a kind of special pleading, and third, I make the same point about Egalitarian Relationship: Kolodny appears to have particular forms of political and economic organizations in mind, or wishes not to make trouble for his favored forms of organization. Fourth, I again note that Kolodny expresses some strange views about 'regard' — I reject the notion that disparities in regard require some third party to judge them. Finally, fifth, I note (as, admittedly, Kolodny himself does) that many, if not most, of his primary tempering factors are in fact absent in what I call *macro-structural hierarchies*: capitalism, Statism, white supremacy, patriarchy, etc. Thus, these primary tempering factors cannot be used to justify such societal hierarchies. Kolodny's answer to this conundrum

[47] ibid., 111–113.

is to present a list of 'secondary tempering factors'. I will discuss those tempering factors in the next chapter of the dissertation.

The first questionable quality of Kolodny's primary tempering factors is that Kolodny fails to make a convincing case for his feeling that it is enough to temper a societal hierarchy if participants are given control over *ends*. At several points throughout *The Pecking Order*, including in his discussion of the tempering factor Content Limitation, Kolodny implies that a societal hierarchy becomes less or even un-objectionable when asymmetrical power or authority do not set *ends* for people to pursue, but merely the *means* by which they may pursue those ends.[48] As an example, Kolodny cites highways and their speed limits: the State does not tell its citizens where to go, only that they may not drive willy-nilly across backyards and countrysides, and that they must drive below (and sometimes above) certain speeds.

I simply reject the implication that because "ends" are open, one can regulate *means* however one likes, without there being anything of further moral interest. Kolodny's own definition of an "asymmetry of power" includes the ability to *control an environment*, and the 'choice architecture' within that environment. We have moral complaints against someone else's controlling the environment we are in, or the 'choice architecture' of that environment. The means by which one pursues one's ends are part of that choice architecture — part of that environment. Indeed, there are reasons to suspect means and ends cannot, and should not, be distinguished too quickly. A core element of anarchist thought, for example, is the *principle of prefiguration*: that one's practices and habits, today, ought to emulate the principles of the future one hopes to inhabit, tomorrow. On this view, means and ends are one — there is "an identity between (anti-)political methods and (anti-)political goals or ends."[49] Therefore, it is bizarre to suggest that, by controlling *means*, one does not thereby control *ends*. It is even stranger when one considers an agent's subjectivities. Enough has been written by other theorists about habits, habitualization, and 'subjectification' to give us pause: controlling *how* one does, affects *what* one does, even *who one is*, across multiple contexts.[50]

If that is the case, then from the beginning, Kolodny's framing of how to temper societal hierarchies with Content Limitation and Context Limitation is suspect. The problem is not that these are bad tempering factors. The problem is rather the goal Kolodny has: to find the threshold of moral acceptability for a societal hierarchy. Kolodny's question is not "How much can we temper societal hierarchies (even unto their being no longer hierarchical)?" It is rather, "How little must a hierarchy be tempered such that one no longer has an inferiority complaint against the relations it involves?" If means can be separated from ends, then one perhaps need not temper hierarchies too much. If they cannot be so separated, then one must employ Content Limitationand Context Limitation more strictly. Because, in my view, means and ends ought not to be separated too easily, my moral stance is that one must be an *active*, *free*, *equal participant* in the setting of the ends *and the means* of one's life, alongside others.

For this reason, and second, the tempering factor Downward Equalization is particularly strange, and appears to be case of "stacking the deck" in a particular direction. Kolodny holds that, so long as asymmetries or disparities are not final, but are themselves regulated by higher

[48] Kolodny, *The Pecking Order*, 99.

[49] Benjamin Franks, "Prefiguration," in *Anarchism: A Conceptual Approach*, edited by Benjamin Franks, Nathan Jun, and Leonard Williams(New York, NY: Routledge, 2018), p. 29.

[50] See, for instance, Michel Foucault, *Discipline and Punish* (New York: Vintage, 1995) and Michel Foucault *The History of Sexuality, Volume One* (New York: Vintage, 1990).

order decisions (as in a court of appeal, or by higher-ups in a chain of command), and so long as those higher-order decisions are not themselves marked by the same asymmetry or disparity, then a relation of inferiority is morally unobjectionable. The idea is that inequality at a lower level is balanced by equality at a higher one.

Equality at a higher level, amongst whom? Equality among different agents at a higher level does not make subordinates at a lower level less subordinate. In fact, it makes them doubly subordinate. There is the original asymmetry or disparity, at the original level, and subordinates are also in relations of inferiority to the regulators. Kolodny's theory of "Supersession" (which I discuss in Chapter 3) — that those who are subordinated can be, in some sense, *members of*, or *in charge of*, the regulators — is of little help here, as it applies mainly to (highly hypothetical, ideal-theoretical) political democracies, and not to other kinds of societal hierarchy. And as we will see in the next chapter, there are reasons to be skeptical of "Supersession."

Similarly, and third, Egalitarian Relationship appears as an attempt at handwaving-away relations of inferiority that ought to be scrutinized by appeal to external relations. For Kolodny, people in a relationship marked by asymmetry or disparity are not inferior, so long as they stand as equals in some *other* recognized relationship. Kolodny cites airline passengers and air stewards as his example: they are all equal citizens, regardless of role.

Egalitarian Relationship is compelling, if at all, because it prefigures (and in some sense presupposes) the *secondary* tempering factor Equal Citizenship, which itself presupposes a nation-State and the relationship, specifically, of citizenship. This is fine, perhaps, for those political and philosophical traditions that accept, axiomatically, the legitimacy of the State. Yet in my view, political philosophy should not take on board such an axiom, and my goal here is *precisely to question* that macro-structural hierarchy.

Leaving aside this point, I do not think two people in a *relationship* that is emblematic of a wider *relation* can call their interactions tempered by the mere fact they have some *other* relationship, or, crucially, some other *relation*, in which they are equals, or even in which the positions are reversed. A boss has a relationship to his employee. His massively asymmetrical power and authority over his employee are emblematic of the *relation* between the capitalist class and the working class. That they are *also* citizens in a State seems immaterial. It does not resolve the asymmetry in their individual case, or in the wider case of the "caste" stratification. That you are a victim of white supremacy and I am a beneficiary, but that we are both very wealthy, does very little to temper the effects of white supremacy, and nothing to remove its morally objectionable quality. Moreover, it is tenuous to argue that airplane passengers and stewards are in an equal "relation" when looking for a taxi: they are barely relating at all, as citizens or as competitors. We might note, too, that stewards are superordinates in some sense, but subordinate in another: they are the servants of their customers. Yet far from *tempering* the relations of inferiority, it seems simply to *multiply* the number of persons with (potential) moral complaints.[51]

[51] These things being said, Kolodny also provides, in his chapter on the 'secondary tempering factors', a partial solution for getting around the 'one equal relation' clause of the Egalitarian Relationship factor: when looking at large-scale relations between groups, classes, and estates, Kolodny admits that is unlikely that every unique person that makes up each subordinate social group, economic class, or political estate stands in *at least one* relation of equality to every unique individual who makes up each superordinate social group, economic class, or political estate. If that is the case, then even factoring in intersectional oppressions and intersectional privileges, or benefits, we can say the results are *not egalitarian enough*. The question remains however, how to calculate how much egalitarianism is enough. See Kolodny, *The Pecking Order*, 123.

Turning to the matter of regard — this is my fourth point — it is difficult to see the sense of Kolodny's insistence that a disparity in regard between a superordinate and a subordinate is always relative to some *third party* and judge, who regards the superordinate more highly than the subordinate. Why should the judges not be *internal* to the hierarchy in question? I think of historical examples, like the Spartans and the helots of ancient Greece. We must note that it was not a *third party* that made the disparity (though peripheral agents no doubt solidified it). The Spartans took themselves as pure, and took the helots as vulgar, and punished and *conditioned* the helots either to believe it, or to pretend they did, too. Perhaps this relation was only made possible by enormous asymmetries of power and authority. Even acknowledging that, a third party was unnecessary to secure the disparity of regard. The helots were forced to practice greater regard for the Spartans in certain ways: to engage in practices of recognition. Again, no third party was needed. Insisting on a third-party judge as a component for disparities of regard might eliminate the danger that, say, a disgruntled or resentful party could charge, and in so doing automatically *substantiate*, a relation of inferiority against some other party — if we are worried about the "proliferation problem", perhaps this helps. Yet, it also papers-over the way that "subjectification" works: structural hierarchies turn persons in particular societal positions into *subjects*, who hold stances toward their own subjectivities and those of others, and who act out of those stances and subjectivities. While peripheral agents play a large role in shoring-up this process, their *judgement* (as opposed to their unthought orientation or stance) is not a *necessary*component.[52] This is precisely Kolodny's point, at other junctures of his text, vis-à-vis van Wietmarschen.

Despite my reservations, I find that Kolodny's tempering factors largely *do* explain how limited, heavily circumscribed hierarchies are, indeed, morally un-objectionable. Even anarchist theorists sometimes acknowledge that provisional, self-terminating forms of power-over others, and of authority, may sometimes be instrumentally useful or else, inevitable: the question is how to minimize them in quality and quantity. Kolodny's tempering factors lay out the ways such relations of inferiority can be mollified.

A moment's thought, though, will bring us to acknowledge the fifth and most significant point: that, in fact, many of the most prominent hierarchies in our societies are not tempered by *any* of these factors. Consider, for example, our relation to the State — or, rather, to the natural individuals who constitute its agential power. Our relations of inferiority to the State are not tempered by any of the primary tempering factors. Kolodny readily acknowledges this. In fact, he goes point by point: Episodic Character is missing, as the State is an established societal structure, and our relations to it are ongoing. Context Limitation is missing, as the State has extensive reach, all the way to the border (and sometimes beyond), all the time.[53] Content Limitation is missing, as there are few limits on what the State can do to us, or command us to do. Escapability is missing, as it is costly and difficult to move to a different State, and basically impossible to avoid relations to some State, as *Statism* is a global phenomenon — and Escapability requires that one be able to

[52] Kolodny writes that 'discrimination' occurs when some "basing trait" is tracked throughout society's institutions and practices. Those that judge and track a "basing trait" can be individuals, or institutions. This opens up the possibility that a third-party judge could be some collective or artificial agent made up entirely of the dominating party — thereby, in a way, negating my worry. See Kolodny, p. 188. I will discuss Kolodny's view of 'discrimination' in Section 2.6.

[53] In fact, States often grant themselves broad powers to enact laws of extraterritorial scope.

escape that kind of relation overall.[54] Downward Equalization is missing, as the State's decisions are final, for there is no higher court of appeal and there is nothing that could nullify them. And Egalitarian Relationship is missing, because if some of your fellow citizens make the rules, and you do not, then it is not clear what other relation of equality you could stand in, with them, that would matter. Moreover, while

you, yourself, might stand in some relation of equality to these deciders, it is unlikely that *every* other person in your society stands in at least *one* other relation of equality with the deciders.[55]

This list can be applied, not just to Statism, but to capitalism, to patriarchy, to white supremacy, etc. Hierarchical macro-systems fail nearly every stipulation. Kolodny suggests that the complaint we have against the State is this: we stand in objectionable relations of inferiority to those natural persons whose decisions the State's decisions are. These natural persons amount, together, to what I call the "politician estate" and the "bureaucratic estate". Extending his point, we can say the same of the capitalist class and the managerial class, and we can say the same of the beneficiaries of socially pernicious hierarchical macro-systems: men, white people, heterosexual people, cisgender people, able-bodied people, neurotypical people, and so on. In many of these cases, some agents enjoy vastly superior, final, and inescapable power and authority, or else vastly superior, final, inescapable, and unmerited positive regard.[56]

Kolodny also suggests that this explains why the complaint against the State (and, by extension, the other hierarchical macro-structures) is often put in terms of "coercion". Coercion is often brought up by opponents, not in order to object to the use of *force*, (that would be an objection to invasion), but to object to the *final* character of the State's power and authority. Moreover, and in general, the power to coerce (or, in other words, to "compellingly steer" individuals) is usually necessary for holding final power and authority, at all: for it is the power and authority to regulate and to control the exercise of *other* powers and authorities. "Coercion" comes to serve as a metonym for final power and authority, as such final power and authority typically (hypothetical scenarios excluded) requires the ability to "compelling steer". Thus, complaints that appear to be against coercion are

not, actually, against coercion itself ("compelling steering"). Instead, they are complaints against something else, something which requires *backing by* coercion. That something is the wielding of vastly superior, final, and inescapable power and authority over others.[57]

In sum, all of the most commonplace complaints against the State (its use of force, its issuing threats, its disposing of property) are mistaken because they are phrased as complaints against some specific, *discrete* treatment — the kind one person could visit upon another in an isolated episode. Yet, in fact, our real complaint concerns the State's *hierarchical structure*: the un-tempered asymmetries of power and authority that constitute not only what the State is, definitionally, but also the relations among and between those persons who decide what the State does, on the one hand, and those persons subject to those decisions, on the other. The complaint is

[54] For more on this quality of the Westphalian nation-state system, see John W. Meyer, John Boli, George M. Thomas and Francisco O. Ramirez, "World Society and the Nation State," *American Journal of Sociology* 103, no. 1 (July 1997): 144–181.

[55] Kolodny, *The Pecking Order*, 123.

[56] ibid., 124.

[57] Kolodny, *The Pecking Order*, 124–125.

against a kind of *structure*. Unfortunately, Kolodny does not follow this thought to its conclusion. Yet we can.

In this section I presented some of the issues and discrepancies of Kolodny's approach to the primary tempering factors. I disagreed with Kolodny that the ability to control the means to an end is a way of controlling the end itself. I challenged both Downward Equalization and Egalitarian Relationship as presupposing particular forms of political and economic organization. I again disagreed with Kolodny on the notion of regard — this time rejecting the idea that disparities in regard require some third party to judge them. And I noted that most of the primary tempering factors are absent in macro-structural hierarchies: capitalism, Statism, white supremacy, patriarchy, etc.

## 2.6 Toward a Kolodnian Complaint Against Macro-Structural Hierarchies

In the next chapter, I explore Kolodny's 'secondary tempering factors', which, he believes, can render *macro-structural hierarchies*, such as the State, morally un-objectionable. I argue there that his theory fails. In order for the reader to understand why, I must first explain the special sort of moral claim we have against macro-structural hierarchies, in the first place. Not surprisingly, this moral claim is a species of our moral claim against un-tempered relations of inferiority.

In the present section, I examine the "spare lumber" of Kolodny's moral theory, *itself*, and argue that we can construct, from out of these disparate elements, a moral claim against practices that lead to what I called, in Chapter 1, *macro-structural hierarchies*. If we have a special claim against macro-structural hierarchies, then the hurdle that Kolodny's secondary tempering factors must jump is that much higher.

In this section, I contend that Kolodny's comments on "structural injustice", on "the structure of claims against inferiority", on "collective inferiority", on "discrimination", and on what he calls "caste", all furnish the careful reader with the materials necessary to make such a special moral claim.

Let us turn first to what Kolodny writes about "structural injustice."

### *2.6.1 Structural Injustice*

The basic elements of Kolodny's moral philosophy are interests, claims, and complaints. Kolodny's vision of justice is largely individualistic, "directed" (or 'intentional', in the phenomenological sense), and based on *claims* and *complaints*. That is, a complaint is directed against a particular agent (whether it be a natural individual or a collective) for that agent's actions or omissions. In this sense, Kolodny's approach belongs to the tradition that views justice as "the right"— that is, a fair set of institutional policies and procedures.

Yet, it is at least conceivable that there may be moral wrongs, or at least ethical "bads", even when there is no identifiable agent doing anything wrong, or bad, to any specific individual. Kolodny

surmises that such injustices might include "natural injustices", such as famines or disasters, as well as "structural injustices".[58] As it happens, though, given his adherence to justice as "the right" set of institutionalized procedures, Kolodny does not think there can be any actual *injustices* without grounds for complaint that are directed at particular *agents*.[59]

Thus, if a natural disaster is, or could have been, foreseeable, and if some powerful agent could have done something to prevent its devastation, yet that agent allowed the disaster to happen anyway, this furnishes victims with straightforward moral complaints against this powerful agent. The moral complaints will be improvement, invasion, and inferiority complaints. It is morally wrong to do nothing in such a situation, when one can do something. Such an event is in some sense a "natural injustice," as it was prompted by a natural event, yet, qua *injustice*, it is societal and agential

.

With regard to natural disasters that were truly unforeseeable, Kolodny grants that there may be ethical instances in which an individual is faced with a scenario which prompts a kind of *regret*, but for which they can have no real *resentment*, because there is no agent against whom they could reasonably direct a complaint.[60] These natural events are not injustices. After the unforeseeable natural disaster, an unfortunate individual will of course have moral claims to improvement, and against inferiority in those improvements, but this individual has no retroactive moral complaint.

Now, with regard to *structural* injustices, Kolodny admits that these would appear to be of particular relevance for a moral theory centered on complaints against *inferiority*, specifically. After all, "relations of inferiority", qua *relations*and not qua mere *relationships*, seem to be straightforward

examples of *structural* injustices.[61] In fact, Kolodny believes his own moral framework, involving interests, claims, and complaints, can indeed accommodate an orientation to structural injustice.

To demonstrate how, Kolodny discusses Iris Marion Young, and her account of 'structural injustice'. At first glance, Young seems to reject a complaint-based framework for justice. Yet, this is merely an appearance. Instead, Young actually rejects a "liability" model of injustice, and not a complaint-based framework. Young's model of injustice rejects: (1) the idea that injustice must involve some *violation* of a law, or of accepted norms or customs; (2) the idea that, when agents contribute to structural injustice, they do so *intentionally*; and (3) the idea that agents who contribute to structural injustice can be held accountable for a *specific* wrong to a *specific* person, in a way that would ground claims to a *specific*redress or compensation.[62]

Kolodny points out that, all this being taken as given, on Young's account, an individual could still have a *complaint* against an agent for contributing to a system that can be *expected* to result in harms to people *like* that individual, even if (1) no *specific* harm to any *specific* individual can be traced to the actions of the agent and (2) the individual had the same complaint against *everyone else* who contributes to the system in the same way. Young also holds that we have

[58] For Kolodny's views on structural injustice, see "Appendix: Natural Injustice, Structural Injustice, and Claims Against No One" in Kolodny, *The Pecking Order*, pp. 29–32.

[59] Kolodny, *The Pecking Order*, 30.

[60] ibid., 29.

[61] ibid.

[62] ibid., 30–31.

forward-looking responsibilities as individuals to work with others to change the system. Therefore, individuals could reasonably be expected to have complaints against agents for failing to discharge those responsibilities, even if they do not contribute in any way to the origin of the problem.[63] Thus, Young's thought is amenable to a complaint-based framework for justice.

Of course, Kolodny is advancing an approach to justice that is not merely *political*, but *moral*. And Young is quite clear that she takes herself to be rejecting a moral account of responsibility. In

her view, the moral view of responsibility simply *is* the liability model: on this account, individual persons are guilty of traceable wrongs to other individual persons, and must be held accountable. Young does not appear to believe that a moral system could exist that does not invoke the liability model of responsibility. Instead, she advances a "social connection" account of political responsibility, which rejects the notion of guilt or blame, and instead emphasizes that all of us are connected to structural injustices which we have forward-facing responsibilities to address.[64]

Kolodny's view is, in some respects, the opposite. Kolodny would argue that it is strange to speak of "responsibility" without 'claims' on others (that they act or refrain from acting in some way), or 'complaints' towards others (that they did not so act or refrain from acting). For politics or morality to make sense at all, there must be, in Kolodny's view, backward-facing guilt, as well as forward-facing responsibilities, that one *ought* to address. In Kolodny's view, our moral claims speak to our moral responsibilities, which then undergird our political claims and responsibilities. We have moral responsibilities to act in a certain way, politically.

What is germane for this chapter, however, is that Kolodny's system of thought is not opposed to *structural*accounts of injustice, despite his claims-based approach and its possible 'liablist' underpinnings. We do, indeed, have complaints — political *and* moral — against any agents who contribute to a structure that can be expected to result in harms to people positioned in similar nodes to our own, even if the actions of the agents in question cannot easily be traced to a specific harm to any specific individual. We also have moral complaints against a singular agent who contributes to a structure that can be expected to result in harms to people positioned in similar nodes to our own, even if we have the same complaint against every other agent who also contributes to the structure

in the same way. And we have moral complaints against agents for failing to meet their forward-looking responsibilities to work alongside others to change the structure, even if these agents do not contribute in any way to the origin of the problem.[65] This is a complaint-based view of structural injustice.

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[63] ibid., 31.

[64] See Iris Marion Young, *Responsibility for Justice* (Oxford: Oxford University Press, 2011); "Responsibility and Global Justice: A Social Connection Model," in *Social Philosophy and Policy* 23, no. 1 (2006): 102–130; and *Justice and the Politics of Difference* (Princeton, NJ: Princeton University Press, 1990).

[65] Notice the similarity, here, to Dorothea Gädeke's notions of responsibility, which she, too, derives from Iris Marion Young. On Gädeke's account, different actors — the dominators, the dominated, and peripheral agents — shoulder different responsibilities for fighting domination. Dominators and the dominated, as well as my own addition, "middling agents", have both backward- and forward-facing responsibilities. Peripheral agents, meanwhile, have only forward-facing responsibilities. Nonetheless, because all agents, of whatever category, contribute, through actions or omissions, to a structure that can be expected to result in harms to people positioned in particular nodes, all agents face moral complaints. See Dorothea Gädeke, "Who should fight domination? Individual responsibility and structural injustice", *Politics, Philosophy & Economics* 20, no. 1 (2021): 180–201.

What is strange, then, about Kolodny's stance — that his own moral framework, involving interests, claims, and complaints, can accommodate an orientation to structural injustice — is that he does not *develop* this stance, or follow where it leads. As I have remarked throughout this dissertation, it is odd that Kolodny does not pay more attention to the systematicity, or structurality, of hierarchies, as this feature is necessary to render societal hierarchies descriptively and morally coherent.

### *2.6.2 The 'Structure' of Complaints Against Inferiority*

In any case, let us turn now, away from structural injustice in general, and the moral complaints that it raises, and toward complaints against *inferiority*, specifically. After all, moral complaints against structural injustice need not be inferiority complaints: we have invasion and improvement complaints against harmful structures, too. Yet let us next consider what Kolodny says about the basic "frame" or "cast" (he calls it, headachingly, the 'structure') of our claims against inferiority, regardless of whether this inferiority is what I call *structural* or not.

Kolodny argues that claims against relations of inferiority are not claims directed against the relations of inferiority, *themselves* (for these are not of the same moral category as individual agents, and thus, not the sort of things against which one can direct a complaint). Rather, moral claims are addressed to certain *agents*, and constitute a demand that these agents perform, or to refrain from performing, certain *actions* that, themselves, involve, or result in, relations of inferiority.[66] In other words, the complaint is a demand that agents practice differently.

So then, a subordinate has a claim on a superordinate that this superordinate not contribute directly to the subordinate's standing as an inferior. Rather than a blanket-ban on all societal hierarchies, in practice the moral claim amounts to this: the superordinate is not to exercise, or to endorse*, un-tempered* greater power or authority over the subordinate. Nor is the superordinate to exercise, or to endorse, *un-tempered* greater power or authority than that subordinate does, over some *other* persons. Finally, the superordinate is not to give the subordinate *un-tempered* lesser regard than the superordinate gives some other person, where this is not merited.[67] Ultimately, the moral claim against relations of inferiority, then, is that superordinates either *temper* the relations of superiority in which they find themselves, or, *undo them altogether.*

Kolodny takes a relaxed view of normative theory — he does not strictly identify his framework either with *deontology* or with *consequentialism.* Rather, he sees the force of both orientations, and incorporates a concern for rights and for consequences. For example, Kolodny writes that, when one is making a moral complaint that is directed toward a specific, identifiable agent, this complaint is a demand that the agent in question not contribute to the subordinate's standing as an inferior — whether or not this reduces *overall incidences* of cases in which someone

stands to someone else as an inferior. In other words, a complaint against a specific dominator is usually *deontological* in nature, and not consequentialist.[68] If I am making an inferiority complaint against a specific superordinate, the issue is that my *right*against standing in un-tempered relations of inferiority is being violated.

[66] For Kolodny's views on the basic form of claims against inferiority, see "The Structure of Claims against Inferiority" in Kolodny, *The Pecking Order*, pp. 101–102.

[67] Kolodny, *The Pecking Order*, 101–102.

[68] ibid., 102.

On the other hand, I can also lodge complaint against a peripheral agent. That is, I might still have a complaint against persons who do not, themselves, *directly* contribute to my standing as an inferior. I have a claim that these persons work to temper relations of inferiority that I, or *someone else*, stand in. The demand is that agents contribute to reducing the *overall incidences* of cases in which someone relates to someone else in the objectionable way. This is a *consequentialist* complaint.[69] While such a complaint has the flavor of an improvement complaint, it is still related to the issue of inferiority.

Thus, there are some complaints that are "agent-relative" — that is, targeted at *particular* people who are directly involved in a hierarchy — and there are other complaints that are "agent-neutral" — targeted at those who could do something about the objectionable hierarchy, and therefore ought to.[70]

Additionally, Kolodny writes that the above "agent-neutral" complaints can be held by someone, in particular. In other words, these complaints are nonetheless *claimant*-relative. Importantly for our purposes, Kolodny adds that these "agent-neutral" complaints, when held by *many people in a similar situation*, are *also* claimant-relative.[71]

Thus, we can combine these insights with those from Kolodny's passages on structural injustice, above: We have moral complaints against *any agents* who contribute, through actions or omissions, to a *structure* that can be expected to result in persons, *positioned in the same node or nodes similar to our own*, being subjected to *un-tempered relations of inferiority* — even if the actions of the agents in question cannot easily be traced to a specific harm to any specific individual. We also have moral complaints against a *singular agent* who contributes, through actions or omissions, to a structure that can be expected to result in persons, positioned in the same node or nodes similar to our own, being subjected to un-tempered relations of inferiority — even if we have the same complaint against *every other agent* who also contributes to the structure in the same way.

### *2.6.3 Collective Inferiority Complaints*

As we can see, what is emerging is the basis for what might be called a "collective inferiority" complaint. A collective inferiority complaint is a complaint that a *class*, *estate*, or *social group* to which a person belongs is subordinated to some *other class*, *estate*, *or social group*.[72] As it happens, Kolodny himself considers such complaints in a short chapter devoted entirely to the topic.[73]

In that chapter, Kolodny first notes that such collective inferiority complaints could be possible even if the *individuals* of each group are not in any relation of inferiority to each other, *qua individuals*. This might seem strange, yet Kolodny offers this as an example: persistent minorities who are consistently outvoted. Though each individual in a voting body has the same vote as ev-

[69] ibid.
[70] ibid.
[71] ibid.
[72] ibid., 155.
[73] For Kolodny's views on collective inferiority complaints, see "Collective Inferiority" in Kolodny, *The Pecking Order*, pp. 155–156. Bear in mind that, in an endnote, Kolodny also clarifies that a person may stand in a relation of inferiority to each of the several natural, individual members of a collective, or to those who control or guide an artificial agent. Yet the collective *itself*, or the artificial agent itself, *qua entity*, is not either morally superior, equal, or inferior. (Kolodny, *The Pecking Order*, 416, note 4.)

ery other person, the persistent majority enjoys superior influence while the persistent minority group

does not. Another example Kolodny offers is colonial annexation. Each member of a newly annexed state may not *legally* stand in any relation of inferiority to any member of the colonial power, but the annexed group, overall, is subordinated to the group living in the metropole.[74]

Kolodny thinks there are problems with the idea of collective subordination, but he admits that he is unable to write off the phenomenon completely. One alleged problem is that it is not always clear what the relevant groups are. In Kolodny's view, we can always count a member of the supposed minority as, in fact, a member of the *majority*. For instance, a member of a consistently outvoted minority is, nonetheless, a member of the electorate, overall. Kolodny also believes we can construct hypothetical intermediate groups, such as a minority individual plus the majority, and that these hypothetical intermediate groups make it difficult to identify the claimants in a collective inferiority complaint.[75]

What are we to make of Kolodny's stances on collective inferiority? His objections to collective inferiority complaints on the basis of the trouble in identifying the relevant groups seems a silly, ideal-theory objection to me. The relevant groups will often tell you. More broadly, Kolodny's positions on "structural injustice", and on the "form of inferiority complaints themselves", above, already provide us with a way of grappling with the moral wrongs associated with mass instances of inferiority. This is why it is strange that, when he *explicitly* considers "collective inferiority", Kolodny, for the most part, has in mind very limited, parliamentary examples of some groups being outvoted in voting scenarios. He does not have in mind the idea that certain economic *classes* might dominate others. He does not have in mind the idea that certain races, ethnicities, genders, sexualities, etc., might socially dominate entire groups, about which each subordinate individual might have some

complaint such that, collectively, these constitute a particular kind of inferiority complaint. And he certainly does not have in mind anything close to what I call political "estate": that there are strata which are formed by persons' distance from, and role in, the various decision-making processes of a society. I hold that such estates exist, and that it is reasonable to have a complaint that the estate to which one belongs is subordinated to some other estate.

Kolodny himself at times asserts that the biggest problem with our discussing our objections to the State is our insisting that the core issue here must be in some singular action, or discrete behavior, that the State has done — something that an individual could do. He suggests, however, that the issue is rather a morally objectionable *relation*, between those who dictate and those who obey. I think he is right — and not merely politically, but economically and socially as well. This is why it is disappointing that he does not take issues of "collective inferiority" seriously enough. It strikes me that, in fact, most relations of inferiority are not what I have called "interactional" hierarchies, but are rather *structural* and that collective inferiority complaints must therefore make up much more of a theory of justice than Kolodny appears prepared to admit.[76]

[74] Kolodny, *The Pecking Order*, 155–156.

[75] ibid., 156.

[76] I mean this in the same way that muggings, with the gender of the victim explicitly in mind, are examples of a structural injustice that Dorothea Gädeke calls *domination*. See Dorothea Gädeke, "Does a Mugger Dominate? Episodic Power and the Structural Dimension of Domination", *Journal of Political Philosophy*, Vol. 28, No. 2 (2019): 199–221.

### *2.6.4 Discrimination*

Let us turn to two more topics which Kolodny discusses but fails to connect. The first is the issue of *discrimination.*[77] Kolodny holds that complaints against discrimination are really complaints against inferiority. Specifically, they are complaints against particular *disparities of regard.* What makes these disparities objectionable is that they are unmerited (serving no "impersonal

justifications"), and they are un-tempered by the primary tempering factors: they are ongoing, inescapable, and not limited to one time, place, or context.[78]

How is discrimination different from other unmerited, un-tempered disparities of regard? Discrimination is a disparity of regard that 'tracks' a "basing trait" across various societal settings and institutions. Kolodny notes that "basing traits" need not be visible or particularly salient. Nor need "basing traits" be ones for which the bearer is somehow responsible.[79] The "basing trait" merely serves as a focal point. It allows persons and institutions across society to "coordinate" in giving greater regard to some and not others, depending on the presence or absence of the trait. Interestingly, Kolodny implies that this "coordination" happens without being centralized, and often without even being cognized or intentional. In any case, Kolodny believes that it is this multi-agent *coordination* that makes the disparity un-tempered: ongoing, inescapable, and pervasive.

Kolodny defines a "protected class" as any group defined by a "basing trait" around which an un-tempered, unmerited disparity of regard has gathered, or threatens to gather. Protected classes do not need to have a history of being discriminated against. What matters is that their "basing trait" is a focal point for disparity of regard, now. That said, many protected classes are those that have in fact been subject to discrimination in the recent past.

Kolodny writes that there are different kinds of discrimination complaints, but does not elaborate them all. Victims of discrimination can have complaints against society and its patterns, overall. Victims of discrimination also have specific complaints against specific responses by specific individuals. The complaint is that, in a particular incident, a specific person related to the victim as an individual. Kolodny admits that the broader societal pattern is the condition for the possibility of

the discrimination, and without that condition, there could be no discrimination. Yet this is compatible with particularized complaints.[80] Additionally, individuals may also have complaints against bystanders who do not, themselves, discriminate, but who fail to take measures to combat discrimination by others, or, who otherwise support or acquiesce to the system.[81] This is similar to his belief that agents can have claimant-relative but agent-neutral complaints against inferiority. These are targeted at those who could do something about an objectionable hierarchy, and therefore ought to. It is also similar to his belief, along with Young, that we have forward-looking responsibilities as individuals to work with others to change the system. Therefore, individuals

[77] For Kolodny's views on discrimination, see "Claims against Discrimination: The Positive Conjecture" in Kolodny, *The Pecking Order*, pp. 185–190.

[78] Kolodny, *The Pecking Order*, 185.

[79] ibid., 186.

[80] ibid., 187–188.

[81] ibid., 188.

can reasonably be expected to have complaints against agents for failing to discharge those responsibilities, even if they do not contribute in any way to the origin of the problem.[82]

Kolodny writes that there are three basic ways that agents in society (be they individuals or institutions) 'track' a "basing trait". In the first kind of tracking, agents categorize the judged persons as having the "basing trait", and then show *differential regard* on the grounds of that categorization. Kolodny calls this 'direct discrimination'. Importantly, this categorization can be unconscious or implicit.[83] A second form of tracking involves the *insensitivity* of agents to the "basing trait", or to the people who have it, leading to disregard for the presence, or the needs, of those people. The result is a kind of societal 'invisibility'.[84] In the last form of tracking, agents can be sensitive to a factor that is *correlated*with a "basing trait", while not necessarily responding to the "basing trait" itself. Kolodny

calls this 'indirect discrimination'.[85] Systems of discrimination are usually anchored in 'direct' discrimination, with 'invisibility' and 'indirect' discrimination sustaining or amplifying it.[86]

What I wish to point out, here, is how close we are to a point of contention that I explored in Chapter 1, between van Wietmarschen and Kolodny. There, Kolodny accused van Wietmarschen's theory of being purely or basically recognitive: recognition-based. I argued that, without an account of structure, the critique was apt, but that *with* an account of structure, we can make sense of how norms, reasons, and values can be systematized such that they lead to the asymmetries of power and authority, and the disparities of regard, that Kolodny describes. As it turns out, Kolodny himself has a notion of how disparities of regard, at least, can be systematized or structured. His description of discrimination as a kind of decentralized, ambient coordination constituted through the 'tracking' of "basing traits" is exactly the sort of structural model which I had in mind in Chapter 1. What I suggest here is that such tracking of "basing traits" need not merely be a matter of disparities of regard. A macro-structural hierarchy is recursive, or has a "feedback loop" quality to it, because it tracks, institutionally as well as in the face-to-face interactions of individuals, "basing traits" in such a way that, not only are subordinate persons disregarded, but they are disempowered, too. They are rendered less powerful politically, economically, and socially.

[82] Kolodny's discussion bears some resemblance to Dorothy Gädeke's article on structural domination. She finds that peripheral agents are responsible for systemic domination, even if they do not engage in acts of interpersonal domination. See Dorothea Gädeke, Who should fight domination? Individual responsibility and structural injustice", *Politics, Philosophy & Economics*, Vol. 20, No. 1 (2021): 180–201.

[83] Kolodny, *The Pecking Order*, 188.

[84] ibid.

[85] ibid., 188–189.

[86] ibid. Kolodny admits that a theory of discrimination founded on complaints against inferiority cannot account for 'egalitarian discrimination'. If a society or group divides itself into parts and treats them separately, but truly equally, or if two separate groups treat foreign members morally, but treat their own group *supererogatorily* well, then the problem (if there is one) is something other than a relation of inferiority. "Pointless limitation of life options" might be the issue: this an *improvement* complaint, not an inferiority complaint (Kolodny, *The Pecking Order*, 189). This is important for our purposes because, even were we to establish a macro-structural hierarchy as technically morally un-objectionable, from the standpoint of an inferiority complaint, we still have a quasi-moral, quasi-ethical *improvement* complaint: Why not anarchy?

### *2.6.5 "Caste", and the Combined Moral Claim Against Macro-Structural Hierarchies*

The second topic that Kolodny discusses yet fails to connect is the topic of what he calls "caste". We have already discussed "caste", toward the end of Section 2.3. Along with "bondage", "caste" is one of the paradigmatic cases of a societal hierarchy that is as little tempered as it is possible to be. For Kolodny, "caste" refers to the stratification of large, separate populations across society: what I prefer to call estates, classes, and groups. "Caste" is not tempered by an Episodic Character, by Context Limitation, by Escapability, or by another Egalitarian Relationship.[87] Members of lower strata carry their status all the time, everywhere, and they are neither able to escape nor able to relate to their superiors equally in any other kind of relation.

I suggest, first, that "caste" is always a structural matter. That is, it is impossible to understand "caste" without reference to the notion of structure.[88] "Castes" do not arise out of interactional hierarchies, alone, unconnected to one another in a larger system. Indeed, "caste" is always spoken of in terms of a system or structure. Thus, if Kolodny does not make use of a concept of structure, he will be unable to make sense of "caste". I suggest, second, that "caste" in fact drops out of Kolodny's analysis as his book progresses, and I suggest third, that Kolodny's lack of a structural analysis — despite his awareness of structure and his admission that such a concept works quite well with his theory — explains why "caste" *must* fade away in his analysis.

And yet (and this is my fourth suggestion), "caste" ought to play a larger role in Kolodny's work, for the goal of the secondary tempering factors — which we discuss in the next chapter — is

precisely to help eliminate the possibility of "caste". I cannot substantiate these suggestions here, but I do so in the next chapter.

For now, let us combine what we have found in Kolodny's discussions of "structural injustice", "the structure of claims against inferiority", "collective inferiority", "discrimination", and "caste". If we combine the insights therein, we are left with a moral collective inferiority complaint against practices which lead to the creation or continued existence of macro-structural hierarchies.

First, we have a collective inferiority complaint against *any agents* (collective, artificial, or natural) who contribute, through actions or omissions, to a *structure* that, via coordinated tracking of "basing traits", does or can be expected to result in the formation of a "*caste*": that is, in numerous persons' being positioned in the same or in similar nodes, such that they are thereby subjected to the same or similar un-tempered relations of inferiority. We have this collective inferiority complaint even if the actions of the agents in question *cannot easily be traced* to a specific harm to any specific individual.

Second, we also have a collective inferiority complaint against any *singular agent* (collective, artificial, or natural) who contributes, through actions or omissions, to a structure that, via coordinated tracking of "basing traits", does or can be expected to result in the formation of a "caste": that is, in numerous persons' being positioned in the same or in similar nodes, such that they

[87] Kolodny, *The Pecking Order*, 101.

[88] As it happens, "bondage" too is basically nonsensical without the notion of structure. While it is theoretically possible to imagine a case of bondage that is structural in only the very thinnest sense, and which is therefore an interactional hierarchy, most actually-existing cases of bondage have in fact been instances of the institution of slavery: a structural hierarchy.

are thereby subjected to the same or similar un-tempered relations of inferiority. We have this collective inferiority complaint even if we have the same complaint against *every other agent* who also contributes to the structure in the same way.

Finally, third, we have a collective inferiority complaint against any and all agents for failing to meet their forward-looking responsibilities to work alongside others to change any structure that, via coordinated tracking of "basing traits", does or can be expected to result in the formation of a

"caste": that is, in numerous persons' being positioned in the same or in similar nodes, such that they are thereby subjected to the same or similar un-tempered relations of inferiority.We have this collective inferiority complaint even if these agents *do not contribute in any way to the origin of the problem.*[89]

In this section, I built a case for a *moral complaint against macro-structural hierarchies*. In particular, I held that Kolodny's work neglects this specific kind of moral complaint. However, and crucially, I argued that we can derive our case against macro-structural hierarchies from Kolodny's theory itself. Using the 'spare lumber' from Kolodny's discussions about "structural injustice", about the "structure of claims against inferiority," about "collective inferiority complaints", about the phenomenon of stratification, which he calls "caste", and about the phenomenon of "discrimination", which he leaves unconnected, I constructed the case for a collective moral complaint against macro-structural relations of inferiority.

## 2.7 Conclusion to the Chapter

In this chapter I explained the simplest elements of normative theory: interests, values, rights, duties, claims, and complaints. I also considered which moral claims are the most basic. I then returned to societal hierarchies, and presented Kolodny's theory of "tempering factors" that, when applied, can remove or prevent any morally pernicious qualities of relations of inferiority. After that, I explained

the moral issues pertaining to regard and disregard. Finally, I argued that we have a *collective moral complaint against macro-structural relations of inferiority*. I held that Kolodny's work neglects this specific kind of moral complaint, but that we can derive our case against macro-structural hierarchies from Kolodny's theory itself.

In the next chapter, we will consider what can be done about such macro-structural hierarchies.

[89] A sympathetic critique from Professor Mark McCullagh points out that this way of putting things, vis-à-vis macro-structural hierarchies, makes it seem as if *everyone* is guilty, and as if *everyone* is responsible, in a way that is not particularly helpful for determining who has done what, and who ought to do what in response. Leaving aside the distinction between guilt and responsibility, I admit that my approach is not meant to be a diagnostic tool for the exact calculation of shades of guilt or responsibility. And indeed, on my view, everyone *does* bear some responsibility, and likely some guilt, too. Yet what I aim to do, with my text, is merely to make a forceful argument that we have a moral claim to societies that are maximally horizontalist, and not hierarchical. I am arguing that all persons have a responsibility to build a world that is anarchistic, and, moreover, to build this world *in an anarchist way* — and not through some dubious method, such as by capitalist firms and markets, or by political parties and "workers' States".

# Chapter 3 — Tempering Macro-Structural Hierarchies?

## 3.1 Chapter Introduction

In this chapter, I demonstrate how Kolodny's strategy to mollify both meso- and macro-structural hierarchies fails. Kolodny believes that persons have a moral claim against finding themselves in relations of inferiority that are un-constrained. The less a societal hierarchy is mitigated, the greater its risk of exemplifying "bondage" (slavery) and "caste" (extreme stratification). However, in his book *The Pecking Order*, Kolodny provides some ameliorating factors that, when present, either un-make a societal hierarchy, or, render it morally un-objectionable. His term of art for fixing a societal hierarchy is "tempering", and he calls these methods of watering-down a societal hierarchy the "tempering factors".

The trouble, for Kolodny, is that States, and individual capitalist firms, are typically un-tempered by his first list of tempering factors, and thus, States and capitalist firms, *as such*, are at risk of being morally un-acceptable. However, after his set of "primary" tempering factors have been exhausted, Kolodny presents another list, this time of "secondary" tempering factors; these are his attempt to render meso-structural hierarchies, such as the offices that States and capitalist firms involve, morally un-objectionable.

Insofar as Kolodny believes that a State, or a firm, simply *is* its offices, then, in his view, tempering these offices means that we have tempered the larger phenomena. We have, therefore, removed any inferiority complaint against these forms of human organization.

However, as I argued in Chapter 1, Kolodny lacks a structural account of societal hierarchies, which is necessary for an accurate understanding of how norms, values, justifications, and power itself contribute to a hierarchy. Lacking the structural element of hierarchies, descriptively, means

that Kolodny struggles to capture the fact that, in truth, States and firms do not *simply* reduce to their offices. Offices do, of course, constitute larger-level phenomena — this is true. Yet States and firms are, themselves, part of macro-structural hierarchies. And just as States and firms do not simply reduce to their offices, so too is Stat*ism*, or capital*ism*, more than the sum of all States or firms. Addressing a series of nodes, alone, will not necessarily correct for problems in the overall organization of the nodes, or in the relations between the nodes.

Moreover, lacking a structural account of hierarchies means that Kolodny has trouble seeing how some *moral*issues are structural, too. In the last chapter I argued on behalf of the notion of the "collective inferiority complaint". I maintained that several unconnected strands in the work of Kolodny imply, when connected, that we have a moral claim against any natural individuals who contribute, through actions or omissions, to a structure that, via the coordinated tracking of "basing traits", does or can be expected to result in the formation of a "caste". In other words, we have a moral complaint against being positioned in the same (or in similar) nodes, alongside nu-

merous other persons, such that we are all thereby subjected to the same (or similar) un-tempered relations of inferiority.

Because Kolodny fails to account for the structural dimension of hierarchies, descriptively, he misses the structural dimension of hierarchies, morally. He does not see that, given that macro-structural hierarchies are the sort of societal phenomena that lead to the formation of political, economic, and social strata, or "castes", and thus to collective inferiority complaints, we therefore have a moral complaint against Statism, capitalism, white supremacy, patriarchy, heteronormativity, and much more. Or, more accurately: we have a moral complaint against any and all agents who create, sustain, or do nothing to un-make, such macro-structural hierarchies.

Thus, Kolodny's argument, that the secondary tempering factors meet our moral claim against un-tempered relations of inferiority, is flawed, because these factors are aimed at meso-structural offices, only. These secondary tempering factors are not enough to meet our larger moral claim, which requires that meso-structural hierarchies be tempered such as to *transform* or *destroy* the macro-structural hierarchies of which they are a part. Kolodny lacks a synoptic vision of structural wrongs and their structural causes, and so he can only offer a string of piecemeal solutions.

Nonetheless, Kolodny's piecemeal solutions are born from an incredible attention to detail. Though the frustration of his work is that it lacks a compelling, overarching vision, its promise is its microscopic nuance. Political theory, especially *radical* political theory, stands to benefit from the sort of secondary tempering factors that Kolodny discusses, and indeed from the patient, explicit, analytical treatment of inferiority that Kolodny provides. Kolodny is correct to argue that we have a moral claim against un-tempered relations of inferiority. He is also correct to argue that his secondary tempering factors are necessary to temper what I call meso-structural hierarchies. These secondary tempering factors are not flawed, per se. They are simply insufficient completely to resolve all of our inferiority complaints.

Understanding *how* they are insufficient allows us to see in what direction Kolodny's theory must be pushed. When we press the implications of Kolodny's own account — when we connect the threads of his approach that imply that we have *collective inferiority complaints*, and when we accept his intuition that *tempering factors are necessary* to render societal hierarchies morally un-objectionable — then we must acknowledge that *supplemental secondary tempering factors are necessary*, fully to meet our robust moral complaint against finding ourselves in structural relations of inferiority. In Chapter 4, I explain the tempering factors that, in addition to Kolodny's list, meet this requirement. Yet, these supplemental tempering factors are not to be found in Kolodny's

thought, nor indeed within mainstream, liberal political theory. Instead, when we elaborate and apply such additional tempering factors, we find ourselves in anarchist territory.

The present chapter has six sections. In Section 3.2, I merely explain seven of Kolodny's eight secondary tempering factors.

Then in Section 3.3, I assess these tempering factors. I hold that they are insufficient to address our moral claim against macro-structural hierarchies. There are several problems with Kolodny's elaboration of these tempering factors. First, in Kolodny's system, they are not applied strictly. Second, they are not applied alongside other, supplemental tempering factors that aggressively target relations of inferiority. And third, they are not part of any synoptic, structural vision. As such, they do not prevent Statism, or capitalism, or the other macro-structural hierarchies, against whose very existence we have a moral complaint. As long as there are still politicians and bureaucrats, owners and managers, then there are still some who decide and others who

obey; there are still some who do the work and receive less and worse, while those who do nothing receive more and better. Kolodny's secondary tempering factors are, indeed, necessary to render meso-structural offices morally un-objectionable. Yet they are not even sufficient to do that completely, and they are certainly not enough to temper macro-structural hierarchies. For the only way to temper a macro-structural hierarchy is to unmake it, or to transform it into a macro-structural *horizontality*.

In Section 3.4, I investigate the secondary tempering factor Equal Influence and Kolodny's stipulations for democracy. Equal Influence is a crucial tempering factor — it is this factor that justifies the kind of horizontal, democratic decision-making that all participatory ideologies must endorse.[1] Yet Kolodny also uses it to defend representative forms of political organization, which upon closer inspection, still runs afoul of our collective inferiority complaint. For this reason, we must approach

this tempering factor slowly and carefully. Bashing it indiscriminately stands to jeopardize forms of collective decision-making that are not morally troublesome. Too light a touch, however, risks implying that centralized, hierarchical kinds of political organization are morally acceptable. I hold that Equal Influence is indeed a necessary factor to render group decisions morally un-objectionable. However, Kolodny does not apply Equal Influence to meso-structural hierarchies as strongly as even a simple moral claim against un-tempered relations of inferiority would require. Moreover, if we *also* have a *collective* inferiority complaint against "caste"-like relations of inferiority, then Equal Influence, as elaborated by Kolodny, is not nearly enough. Rather, we require not only a strict application of Equal Influence, but a series of additional secondary tempering factors.

In Section 3.5, I assess Kolodny's approach to the capitalist firm. Despite their straightforwardly hierarchical nature, Kolodny does not reject either the capitalist firm or the capitalist system. As such, it is important to see whether there is any sense to Kolodny's attempt to justify hierarchy in the workplace, or whether he is mistaken. I find that the problem, as ever, is that Kolodny avoids any structural analysis, descriptively or morally. The problem is not that Kolodny accepts capitalism — though that is bad enough, from a standpoint that takes collective relations of inferiority seriously. Rather, the problem is that 'capitalism' never enters his analysis in the first place. Instead, he only considers hierarchy in the capitalist *firm*, without considering the macro-structural hierarchy of which such firms are a part. I reject Kolodny's arguments on behalf of workplace hierarchy, and question Kolodny's reluctance to apply his secondary tempering factors strictly to meso-structural hierarchies. Overall, though, I maintain that even a strict application of the secondary tempering factors, and thus, even Workplace Democracy, are not enough to address our moral claim against macro-structural relations of inferiority. The economic sphere in fact requires

additional secondary tempering factors in order to meet our moral claim against macro-structural hierarchies, as such.

Finally in Section 3.6 I conclude the Chapter. I present again the general weaknesses of Kolodny's theory that must be addressed if we intend truly to meet our collective moral claim against structural relations of inferiority.

[1] Such ideologies do not merely arrive at horizontal relations, they *endorse* them, and thus I label them *horizontalist*.

## 3.2 Secondary Tempering Factors

In this section, I explain seven of Kolodny's eight secondary tempering factors, and note that these tempering factors are, indeed, necessary to constrain what I called, in Chapter 1, "*meso*-structural hierarchies". Thus, it is important in some way to defend these tempering factors. I endorse Kolodny's secondary tempering factors, just as I endorsed the primary tempering factors, and insisted on their necessity for rendering small-scale "interactional hierarchies" morally acceptable. Nonetheless, while these secondary factors are necessary to temper meso-structural offices, they are not sufficient to do so. Nor are they enough to temper macro-structural hierarchies.

Let us begin, as ever, with the notion of 'structure'. Kolodny does not write much about 'structure', nor does he distinguish, as I do, between thinly-structural "interactional hierarchies", on the one hand, and "meso-" and "macro-structural" ones, on the other. That said, Kolodny might agree with my points from Chapter 1: that a societal hierarchy grows more "thickly structural" as its nodes, and their inter-relations, grow more impersonal, constitutive, pluralistic, extensive, and replicative. When this happens, the superordinated nodes in the societal hierarchy, qua societal positions, often become "offices", or at least become "office-like."

Kolodny does in fact write on the topic of "offices". He defines an "office" as the situated capacity of one individual to make, through certain procedures, decisions that have implications for

another individual or individuals. In fact, for Kolodny, it is the stable form that these asymmetries of power and authority take that *constitutes* such offices.[2] In my thinking, an office is best thought of as a *meso-structural hierarchy*.

In the case of such meso-structural offices, the *primary* tempering factors (Episodic Character, Context Limitation, Content Limitation, Escapability, Downward Equalization, and Egalitarian Relationship) can of course still apply. Yet hypothetically, they might not be *necessary* to render such offices morally acceptable. That is, we might in fact need, or desire, some stable asymmetry of power or authority, or some stable disparity of regard, that is *not* tempered by all (or even some) of the primary tempering factors. Admitting this does not imply that such offices should be *completely un-tempered*: that would land us in the morally unacceptable territory of "bondage" or "caste". On the contrary, some tempering is always necessary. The question is: what kind?

On the other hand, and again hypothetically, it might be that the primary tempering factors *are*, in fact, *necessary*to render an office or office-like node morally acceptable. Yet, they might not be *sufficient*, even if all are present, to render an office or office-like node morally un-objectionable.

Either way, *some extra tempering factors are necessary*. Kolodny lists eight secondary tempering factors that can render meso-structural offices, or office-like nodes, morally un-objectionable.[3]

The first of the secondary tempering factors is Impersonal Justification. In Kolodny's view, asymmetries of power and authority are morally acceptable, even when not tempered by the primary tempering factors, if they are attached to offices that are justified by *impersonal reasons*.[4]

[2] ibid., 131.

[3] Acceptable, that is, from the point of view of view of an *inferiority* complaint.

[4] Niko Kolodny, *The Pecking Order: Social Hierarchy as a Philosophical Problem* (Cambridge, MA: Harvard University Press, 2023), pp. 125–126.

The next secondary tempering factor is Least Discretion. Least Discretion is the idea that officials occupying asymmetrically powerful offices must exercise no more of their asymmetrical power and authority, and no more often, than serves the impersonal reasons that justify the offices.[5] Officials should *do* no more than they need to do, and should *have* no more power or authority than they need to have, in order to do what their mission requires. Kolodny notes that Least Discretion assumes, and therefore builds upon, Impersonal Justification, as the assumption is that there *are*, in fact, impersonal reasons that justify the asymmetrical offices.[6]

The third secondary tempering factor is Equal Application. Equal Application is the stipulation that exercises of superior power and authority apply as much to officials as to patients.[7] This tempering factor is met, Kolodny writes, when those who wield power over others are either just as "inclined" to follow their own orders, or, when they exercise power in a way that affects them as much as it affects their subordinates.[8] Kolodny issues a caveat though: even in cases where Equal Application does not apply, asymmetrically greater power and authority might still be tempered by the *other* primary or secondary tempering factors, thereby rendering a macro-structural hierarchy acceptable anyway.[9]

The fourth and fifth secondary tempering factors are Upward Un-Accountability and Downward Accountability. The first of these stipulates that those who are subject to the superior power and authority of others must *not* be accountable to those who wield that power and authority.

The second mandates that those who do have such superior power and authority *must* be accountable for their use of that power and authority to those who are subject to it.[10]

The sixth secondary tempering factor is Equal Influence. This factor is of such importance, and such complexity, that I discuss it in its own section at 3.4.

Seventh, then, is Equal Consideration — a stipulation that the instantiation of a macro-structural hierarchy, such as a State (and its meso-structural offices), treat those who are subject to it equally. For Kolodny, the State, in particular, must show equal consideration to all citizens. It, and its offices, must especially avoid any pattern of *discrimination*, which Kolodny defines as any un-tempered, and thus objectionable, disparity of regard (usually an un-tempered disparity in *consideration for persons*) that is coordinated via "basing traits".[11]

The eighth secondary tempering factor is Equal Citizenship. Equal Citizenship obtains when *enhanced versions* of two other secondary tempering factors are present: Equal Influence and Equal Consideration.[12] An enhanced version of Equal Influence means that those subject to the State and its meso-structural offices not only have *equal opportunity* to influence how the superior power and authority of the State (and its meso-structural offices) is exercised, but, that this opportunity is also *robust* or *meaningful*.[13] An enhanced version of Equal Consideration means that those subject to the State (and its offices) are not only treated equally by the State, but that this treatment is *good*: that it is at or above some threshold.[14] In other words, the State and its

[5] ibid., 125–126.
[6] ibid., 133.
[7] Kolodny, *The Pecking Order*, 125–126.
[8] ibid., 134.
[9] ibid., 135.
[10] ibid., 125–126.
[11] Kolodny, *The Pecking Order*, 140–141. See also Chapter 13, "Claims Against Discrimination."
[12] Kolodny, *The Pecking Order*, 142.
[13] ibid.
[14] ibid.

offices really must serve the public interest, meeting or preventing what we might call "collective improvement complaints". Kolodny writes that because the State, through its offices, wields final power and authority, which together

regulate all other relations, of all other kinds, within a territory, the political status of citizenship is one's most fundamental standing with respect to others in society.[15]

In this section I presented Kolodny's view of offices. I next gave an overview of seven of his eight secondary tempering factors. These factors are meant to render the asymmetrically superior power and authority of meso-structural hierarchies morally un-objectionable. In the next section, I consider whether they do so.

## 3.3 Assessing the Secondary Tempering Factors

What are we to make of the secondary tempering factors? I hold that we must endorse them. The secondary tempering factors are, indeed, a necessary part of the effort to render the offices, or office-like nodes, of a meso-structural hierarchy morally un-objectionable.

However, in this section, I critique Kolodny's elaboration of these secondary tempering factors: in his approach, they target meso-structural offices and office-like nodes, alone, and they therefore do not address our wider moral complaint against macro-structural hierarchies, themselves.

*Mild* forms of the secondary tempering factors might suffice, if we are considering only *meso*-structural offices, shorn of any connection to any larger systems or structures. Yet, if our moral focus is on preventing the 'collective inferiority complaint' that arises when macro-structural hierarchies produce "caste"-like strata, then these secondary tempering factors are not enough.

Instead, we must temper meso-structural offices in such a way that they do not constitute, nor contribute to the creation of, such "caste"-like strata at all. Tinkering with meso-structural offices, without any thought to the larger systems and structures of which they are a part, will do nothing to resolve our robust moral claim against structural relations of inferiority.

Let us turn to each secondary tempering factor to see why this is the case.

### *3.3.1 Impersonal Justification*

There do exist impersonal reasons that can justify the asymmetrical power and authority of meso-structural offices. Even a horizontalist society, with horizontalist macro-structures, might occasionally call for (local) asymmetries of power and authority.

Yet there are no impersonal reasons that adequately justify *macro*-structural hierarchies. And the meso-structural hierarchies of a macro-structural hierarchy, such as its offices, are tied to the impersonal justification of that larger macro-structural hierarchy. They belong to the same justificatory order.

If there are no impersonal reasons that justify macro-structural hierarchies, then there are no impersonal reasons that justify the meso-structural offices of such macro-structural hierarchies.

In fact, Kolodny writes that an asymmetrical office's being *fully* "impersonally justified" means that its existence and its function not only serve impersonal reasons, but do so ***at least as***

[15] ibid., 142–143.

***well as any alternative, and in fact better than any alternative not marked by a similar asymmetry***.[16]

This is a fairly explosive stipulation, one that Kolodny casually mentions and to which he never returns. It opens the door wide for the anarchist orientation I discuss in the next chapter. It also puts the *onus probandi* on those who seek to defend any hierarchical, centralized form of human organization, whether it is political, economic, or social. In fact, one is reminded of what the philosopher Paul McLaughlin calls "the pragmatic argument" on behalf of the State: this argument

holds that the State's existence is justified, simply because a centralized, hierarchical form of decision-making works better than anything else at achieving whatever we want it to do.[17]

In Kolodny's thought, a macro-structural hierarchy is justified if there are impersonal reasons for its meso-structural offices. For him, the *best* of those reasons are: (a) that the macro-structural hierarchy's meso-structural offices either *improve the choice situation* of every individual, as far as possible, compatible with fairness to others, or (b) if they *prevent our being invaded*, or (c) if they *prevent our being caught in relations of inferiority*, in other areas of life. In other words, a macro-structural hierarchy is justified if its offices are *practical* in serving the public interest, or in protecting us against moral wrongs. This is, then, the "pragmatic argument".

Yet as McLaughlin points out, the pragmatic argument on behalf of the State is flawed, because it relies on an *assumption* : that what "we know" works better than what we *do not* know.[18] Or, to put it as Kolodny does: an asymmetrical office is impersonally justified if its existence and its function serve impersonal reasons *at least as well as any alternative, and in fact better than any alternative not marked by a similar asymmetry*.[19]

Yet the fact is, *we do not know* — from Kolodny at any rate — whether there *are* any alternatives to structural hierarchies (meso- or macro-) *at all*, whether they are marked by similar asymmetries, and whether they just as good as, or actually better than, structural hierarchies. Kolodny's elaboration of Impersonal Justification simply assumes that there are no alternatives to offices, or to macro-structural hierarchies. Moreover, it fails to question how the larger macro-structure to which a meso-structure belongs is affected by, and affects, its various meso-structures.

I hold that 'supervenience' works both ways: meso-structures help to constitute macro-structures, and macro-structures help determine meso-structures. Thus, while we should not be opposed to limited, localized meso-structural offices, I maintain that widespread, far-reaching offices tend to contribute to (while not fully amounting to) the *constitution* of macro-structural hierarchies. In other words: too many local hierarchies make a society hierarchical.

Of course, Kolodny is surely correct (though perhaps accidentally) about Impersonal Justification. A meso-structural office must indeed serve impersonal reasons, and must indeed do so at least as well as any alternative, and in fact better than any alternative not marked by a similar asymmetry. Yet this insight strikes one as impotent, without a structural outlook. As I show in the next chapter, anarchism has, or is, such an outlook, and is better able to make use of this insight.

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[16] Kolodny, *The Pecking Order*, 133.

[17] Paul McLaughlin, *Anarchism and Authority: A Philosophical Introduction to Classical Anarchism* (Hampshire, England: Ashgate, 2007), p. 92.

[18] ibid., 92.

[19] Kolodny, *The Pecking Order*, 131.

### *3.3.2 Least Discretion*

As an effective tempering factor, Least Discretion faces obstacles, merely in the case of meso-structural hierarchies. These are yet more pronounced if meso-structural offices belong to macro-structural *hierarchies*, rather than to macro-structural *horizontalities*. In short, Least Discretion does not work well without extra tempering factors.

To begin, we must note that, as zones of stabilized authority and power-over others, offices affect the psychology, or "subjectivity-formation", of officers. If officers are not in the habit of reflecting upon the least amount of discretion necessary for them to pursue their ends, but are, instead, in the habit of *living inside* that role or office, such that it forms part of their identity, then it is easy for officers to overstep their bounds. It is difficult, moreover, for them to know when they have done so.

Further, on an institutional level, bureaucratic "mission creep", in which an organization's initial project expands beyond its original scope, is a well-documented phenomenon. If an

institution's mission is creeping, this muddies the waters as to when Least Discretion is being violated or not. If the goal is always expanding, how is one to know the scope of one's remit, especially if this is rarely reflected upon?

Moreover, the nature of *macro*-structural hierarchies as recursive, and intersectional, means that, at the level of their *meso*-structural hierarchies, *political* offices have corrosive economic and social effects, *economic* offices have corrosive political and social effects, and social "office-like" nodes have corrosive economic and political effects. Part of the logic of Least Discretion is that it is intended to prevent unintended relations of inferiority. Yet insofar as structural relations of inferiority accommodate, co-define, and co-reproduce each other, it becomes less likely that attempting to address inferiority at the level of an office (and a single one, at that) will prove effective.

There is also something philosophically fishy about Least Discretion. Kolodny asks us to accept a conceptual operation which requires that we artificially separate a person from where they are, and from what they do. The 'office' and the 'occupant' are separate. I find it more believable that one's societal position, and one's "habit-repertoire", help to make one the natural person that they are.

In contrast to Kolodny, I argue that we must simply admit the overlap between node and occupant. What makes an office is not just its impersonal reasons for existence, or its asymmetrical greater power or authority, but (a) the procedures, practices, and habits that constitute it, (b) the persons who enact these, and (c) the often inter-personal context in which the office sits. Moreover, practices and habits (including the practices and habits of offices) also constitute the *subjectivities* of individuals. We are what we repeatedly do.[20]

Repeated engagement in particular habits not only shape a person *within* an office, but *outside* of it, and *beyond* it.[21] A habit can bleed outward: to things the agent does elsewhere, concurrent to the holding of the office, or even after holding and then leaving the office. An officer's habits

[20] These connections are explored, albeit somewhat obliquely, in the work of Todd May, especially *The Political Philosophy of Poststructuralism* (University Park, Pennsylvania: Pennsylvania State University Press, 1994) and *Our Practices, Our Selves: Or, What it Means to Be Human* (University Park, Pennsylvania: Pennsylvania State University Press, 2001).

[21] For more on the linkages that connect our thinkings, sayings, and doings together and, alongside these thinkings, sayings, and doings, constitute our practices, see Theodore R. Schatzki, *Social Practices: A Wittgensteinian Approach to Human Activity and the Social*, (Cambridge, UK: Cambridge University Press, 1996), especially pp. 98–110.

can even influence the habits of whatever *non-officials* the official is exposed to, as well as the habits of other officials, in entirely different departments or organizations.

Thus, the effects of a societal hierarchy ripple outward. Drawing too neat a separation between office and occupant is an example of the dangers of ideal theory. Our messy, networked reality raises doubts about the justifications we can offer even *meso*-structural offices, let alone *macro*-structural hierarchies. A structural view moral wrongs and their factual causes demands that we endorse Least Discretion but that we also do more.

### *3.3.3 Equal Application*

Equal Application no more prevents "caste"-like relations of inferiority than do the other tempering factors, when taken each on their own. This tempering factor assumes an apparatus capable of monitoring and correcting the person who issues commands: it assumes some system in place to ensure that power and authority are exercised in such a way that even those issuing the directives must obey them.

Does that generally hold, in practice, vis-à-vis the offices of macro-structural hierarchies? Do Statist or capitalist offices work this way? Quite the contrary: government officials are often, perhaps usually, not held to the standards they create and enforce. Similarly, in the economic realm, capitalist businesses would likely collapse were Equal Application to obtain. Kolodny knows that Equal

Application cannot be applied strictly — this is why he suggests that Equal Application is the *least important* of the secondary tempering factors.

Yet, we might draw the opposite conclusion, or at least place the emphasis elsewhere: that this tempering factor is violated so routinely suggests that it might not be capable of execution within large systems predicated upon, and constituted by, mass, structural relations of inferiority. Kolodny implies that we must, then, mostly give up this tempering factor. I suggest that we give up the macro-structural hierarchies.

Kolodny alleges that Equal Application is not crucial to the tempering of meso-structural offices, because, he says, some officials are tasked with projects that require that they be untouched by the rules they generate. We must treat this with skepticism. It is not clear that there are any projects so intractably complicated that a centralized, hierarchical response is the *only* avenue to their resolution. Yet even if this were true, the risks are too high not to insist that this hierarchy follow Equal Application. When the occupants in asymmetrical offices or office-like nodes are not confronted by a strict form of Equal Application, they can, and often do, use their asymmetrically greater access to resources (such as information) to secure and stabilize power-related feedback-loops. With such feedback-loops, we open the door to "caste"-like relations of inferiority. If we have a moral claim against structural relations of collective inferiority, then Equal Application is not optional.

### *3.3.4 Downward Accountability & Upward Un-Accountability*

The main difficulty with Kolodny's tempering factors Upward Un-Accountability and Downward Accountabilityis that, within the wider field of a *macro*-structural hierarchy, subordinates have recourse to thin forms of accountability for *meso*-structural offices and officials. While an

individual capitalist, or politician, or white person, or man, etc., can perhaps be held accountable for

their actions, it is unclear what sort of accountability an *entire* class, estate, or group can face. *Were* these tempering factors to hold of meso-structural offices, within the context of a macro-structural *horizontality*, they would render asymmetrically greater power and authority acceptable. Yet they do not hold vis-à-vis the offices of *macro*-structural *hierarchies*. Nor could they hold, given the operational realities of States and capitalist firms.

Kolodny argues that the State, understood as that agency which wields final power and authority, has *a certain unity*, even over time, even when distributed into a multitude of offices.[22] Thus, on Kolodny's own line of thinking, the agents of the State have a kind of unity. In my terms, they form an "estate" — the political equivalent of economic classes and social groups.

If the agents of the State have a kind of unity, then it is not clear that Upward Un-Accountability pertains in the case of the State — though it might in a horizontal, decentralized society where measures are taken to prevent political estates from forming.

In a society marked by macro-structural hierarchies, though, we must be skeptical. If offices, or office-like nodes, are held by members of one class, estate, or social group, and if those offices and nodes function, within a larger structure, to exploit and to perpetuate asymmetries of power and authority, recursively, then Upward Un-Accountability and Downward Accountability are logistically barred.

### *3.3.5 Equal Consideration*

Equal Consideration prohibits, and is meant to combat, discrimination. Yet it cannot do much in the context of multiple, overlapping macro-structural hierarchies.

As I showed in the last Chapter, in cases of discrimination, some "basing trait" serves as a focal point for a coordinated pattern of greater or lesser consideration for those who have, or lack, that trait. And as I argued in the last Chapter, discrimination has systemic, *structural* qualities. Phenomena such as white supremacy, patriarchy, and heteronormativity, all qualify as hierarchical macro-structures. Yet I believe Statism and capitalism *also* engage in something like discrimination. That is, they also function according to principles much like white supremacy, patriarchy, and heteronormativity. They too track basing traits in order to display coordinated patterns of dis-empowerment and dis-authorization.

And the reverse is also true. Despite the more "social" or "recognitive" nature of structures such as white supremacy, patriarchy, and heteronormativity, and despite their having fewer institutions devoted solely to their perpetuation (and thus, despite their "living", so to speak, parasitically through other institutions), these systems nonetheless share many of the "logics", or operating procedures, as well as many of the *effects*, of more recognizable macro-systems like Statism (the State) and capitalism (the firm). They sometimes feature office-like roles. They too affect power and authority.

Hence, I view macro-structural hierarchies as *structural relations of inferiority* that, through coordinated tracking of "basing traits", result in the formation of "castes": numerous persons' being positioned in the same or in similar nodes, such that they are thereby have collective inferiority complaints.

[22] Kolodny, *The Pecking Order*, 142.

If it is also true of hierarchical macro-structures that they *intersect* (that is, that they "accommodate", "co-define", and "co-reproduce" one another), then Equal Consideration is that much less likely ever to obtain within a societal field defined by them.

It is one thing to say that the politician estate, which holds control of the highest State offices, is unlikely to share equally its power with the estates under it (the bureaucratic estate, and the mass estate). It is one thing to say that the bourgeoisie will never allow capitalistic mechanisms to treat equally the managerial class or the working class. It is one thing to say that white people will fight tooth and nail to avoid considering Black people equally, and that men will do the same with women, cisgender and heterosexual folks with queer people, able or neurotypical people with disabled or neurodivergent ones, etc.

Yet, when these categories *intersect*, such that persons in superordinate *social* positions are also in superordinate *political* and *economic* ones, it must be clear that, so long as macro-structural hierarchies exist together, Equal Consideration will be difficult to apply to their offices, or office-like nodes.

A hierarchical macro-structure, qua system, has recursive feedback loops that empower some groups, classes, and estates, and that weaken others. Those with power can perpetuate habits of unequal standing. And when multiple superordinate positions coincide in a single individual, this potential perpetuation is all the more dangerous. Kolodny's secondary tempering factor Equal Consideration would help to render a meso-structural office morally acceptable, within a macro-structural *horizontality*. Yet it is not possible within a macro-structural *hierarchy*.

This is part of the reason such macro-structural hierarchies are morally objectionable in the first place: they are not tempered in a way that answers our moral claim against them.

### *3.3.6 Equal Citizenship*

Equal Citizenship faces the same logistical problems as all the other secondary tempering factors. Applied mildly, and without supplementary tempering factors, it does not prevent "caste"-like relations of structural inferiority. Yet additionally, its elaboration by Kolodny also speaks to a

mistaken framing of the political sphere as chief among the spheres of society in questions pertaining to justice.

Kolodny argues that Equal Citizenship obtains when enhanced versions of two other secondary tempering factors are present: Equal Influence and Equal Consideration. Kolodny maintains that, when Equal Citizenship obtains, those subject to the State and its meso-structural offices not only have equal opportunity to influence how the superior power and authority of the State (and its meso-structural offices) is exercised, but, that this opportunity is also robust or meaningful.

Yet Kolodny's definitions of "robust" or "meaningful" influence are debatable: as I demonstrate in the next section, Kolodny sets the bar for *formal* Equal Influence quite low.[23] And with regard to Equal Consideration, as we have already seen, one could argue that the threshold above which the State must bring its citizens is of a height that could only be reached by its annihila-

[23] That being said, Kolodny himself sets the bar for *informal* Equal Influence quite high. See Chapter 31, "The Demandingness of Informal Equality" in *The Pecking Order*.

tion.[24] In any case, given the logistical problems with achieving either Equal Influenceor Equal Consideration within a society marked by multiple, overlapping macro-structural hierarchies that accommodate, co-define, and co-reproduce one another, Equal Citizenship, too, is unlikely to be achievable.

Kolodny holds that there must be one societally recognized relationship in which members of society stand as equals, that it must be political, and that Equal Citizenship secures this relationship.[25] We must ask, why need there be only *one* equal relationship? Why not a multiplicity of localized equalities? Persons can stand in relations of equality, or at least non-inferiority, in the

political, economic, *and* social realms. It is not clear why politics ought to be privileged, unless the politics that one has in mind is intended to be centralized and hierarchical to begin with. Kolodny might argue that requiring more than one equal relationship/relation is too onerous, or not practical. This, though, would be an awkward, non-ideal aside in an otherwise ideal-theoretical argument.

In any case, that there is *one* recognized relationship in which members of society stand as equals, in one sphere, is not enough to prevent either "bondage" or "caste" in others.

* * *

In this section, I considered seven of Kolodny's eight secondary tempering factors, and explored the problems, either with the tempering factors themselves, or else with Kolodny's presentation of them. I showed that Kolodny's "fixes" are aimed meso-structural offices, without consideration of the wider field — the macro-structural hierarchies — in which such offices are situated. Yet we have a moral claim that takes this field as a target. Because macro-structural hierarchies influence how offices function, clipped, narrow versions of the secondary tempering factors will be insufficient to meet our structural, moral complaints against "caste"-like relations of collective inferiority. Moreover, as I elaborate in Chapter 4, even more robust forms of the secondary tempering factors are not enough: really to meet our moral claim against macro-structural hierarchies, we require supplemental tempering factors.

## 3.4 Assessing Equal Influence and Democracy

In this section, I confront Kolodny's elaboration of Equal Influence and democracy. Kolodny writes of democracy, "[l]et us say that a political decision is 'democratically made' if and only if it is directly or indirectly democratically made." Kolodny holds that in a *direct* democracy, any political decision

is "made by a process that gave everyone currently subject to it equal or both equal and positive, and formal or both formal and informal opportunity, for informed influence over it."[26]

Meanwhile, in an *indirect*, or representative democracy, any political decision is made by a representative — that is, an official, or an official body. Importantly, in a representative democracy, "the decision to have that official, or official body, make that decision" is *itself* either directly, or indirectly democratically made. Moreover, the official or official body must satisfy "whatever

[24] For a similar theme, see William Godwin, *An Enquiry Concerning Political Justice* (Oxford, UK: Oxford University Press, 2013), Book V, "Of Legislative and Executive Power," Chapter XXIV, "Of the Dissolution of Government", p. 306.

[25] ibid., 142–143.

[26] Kolodny, *The Pecking Order*, 292.

other 'standards of selection' and 'standards of conduct' are implied by the values that justify democracy, beyond those that apply to all officials."[27] Kolodny writes that this is merely a starting point. The real question is: What justifies democracy?

For Kolodny, it is the secondary tempering factor Equal Influence. Equal Influence is the most important of all of Kolodny's secondary tempering factors. It is this factor that not only justifies democratic forms of organization and decision-making, but in fact requires them. Democracy, in other words, ensures Equal Influence — it is a form of Equal Influence — and it therefore tempers the asymmetrical power and authority of governmental offices.

Equal Influence is that tempering factor which requires that any individual who is subject to superior power and authority have as much opportunity as any other individual for informed, autonomous influence over any decisions regarding how that power and authority are exercised.

Whenever Equal Influence is in effect, I am not in any objectionable relation of inferiority to any person. Even if I am subordinated to some office, and subjected to its decision, I am not inferior, or not objectionably so. Under Equal Influence, I can have less influence than the decision-making collective, as a whole. Yet 'the collective' is not another natural person, with whom a question of superiority or inferiority arises in the first place.[28]

Kolodny's elaboration of the descriptive and moral dimensions of Equal Influence, stands to assist all those who are interested in horizontal, participatory decision-making in justifying their practices. However, Kolodny also uses Equal Influence to defend representative forms of democracy. I reject representative forms of decision-making as excessively centralized, hierarchical, and immoral.

Thus, I argue that Equal Influence, as elaborated by Kolodny, is necessary but insufficient. Applied simply at the level of offices, Equal Influence is not enough to meet our moral claim against macro-structural hierarchies, themselves. Rather, our more robust moral claim against macro-structural hierarchies demands that either the primary tempering factors, such as Escapability, are strictly enforced, or, that persons have Equal Influence over any decision, power, or authority that might produce, or maintain, collective relations of inferiority to which they (or anyone else) will be subject. In fact, I insist: (1) that as many of the primary tempering factors be met, as far as possible, (2) that as many of the secondary tempering factors (including Equal Influence) be met, as far as possible, and that (3) additional secondary tempering factors — *anarchist* tempering factors — be met, too. I consider the anarchist tempering factors in the next chapter.

For now, I consider Equal Influence so as to preserve as much as possible, without allowing for representative government. My argument proceeds along two tracks. On the one hand, I make a top-down argument. I hold that Equal Influence is structurally disallowed, so long as meso-structural offices are themselves part of a context of *macro*-structural hierarchies. Macro-structural hierarchies, as they actually function, simply prevent Equal Influence, and thus prevent the tempering necessary to render asymmetrical power, authority, and regard morally acceptable.

On the other hand, I make a bottom-up (or middle-up) argument. I show that, even *were* Equal Influence somehow to obtain in the case of these meso-structural offices, it is nonetheless the case that, without a strict application of the primary and secondary tempering factors, and without the addition of supplemental tempering factors, Equal Influence is insufficient to meet our moral claim against macro-structural hierarchies, themselves.

[27] ibid.

[28] ibid., 137–138.

In other words, even if Kolodny's many stipulations about Equal Influence all hold, they are *still* not enough to prevent political "castes" from forming. We require more than Equal Influence, as elaborated by Kolodny, to meet our collective inferiority complaint.

The upshot of these two tracks of argumentation is that while democratic decision-making is indeed justified, Equal Influence is incapable of redeeming representative government.

### *3.4.1 Justifying Democracy: Stipulating Equal Influence*

Kolodny gives six stipulations for what counts as an equal opportunity to influence a decision to which one is subject. Though all are defensible, and indeed ought to be defended, some are impossible to achieve today, given the current organization of human societies. That is, these stipulations cannot and could not ever be met from within the context of multiple, overlapping, macro-structural hierarchies. Thus if we seek Equal Influence, and through it, democracy (because both are morally necessary), we cannot do so through the mediation of such macro-structural hierarchies.

The first of Kolodny's stipulations is that an equal opportunity for influence must be a matter of *influence*, and not a matter of correspondence to choice preference. As long as influence is *equal*, whether one gets what one wants is irrelevant to inferiority.

Second, the opportunity must be a matter of equal *relative*, not absolute, influence. If one has little, or no, actual influence over a decision, this has no bearing on inferiority — as long as one has *as much influence* as every other person.

Third, what matters is *retained* opportunity for influence, not *exercised* opportunity for influence. If you and I both have the same opportunity to influence the decisions to which we are subject, and if we will continue to have the same opportunity, then, if I occasionally refrain from *exercising* my opportunity, I do not thereby become *inferior* to you. Kolodny notes that my consenting, in the past, *permanently* to divest myself of opportunity for influence is disallowed: I must retain, over time, my opportunity to influence, if Equal Influence is to justify democracy by not exposing me to relations inferiority.

The fourth stipulation is that the equal opportunity must be for *informed* influence. Asymmetries in knowledge affect our ability actually to exercise influence, and thus, our opportunity for influence of *any* kind.

Fifth, what matters is equal opportunity for *autonomous* informed influence. What counts as "autonomy" here refers to the formation of judgments. Influence is "autonomous" if it is knowingly in accordance with judgments that are, themselves, reached by free reflection on what one takes to be relevant reasons. *Any* manipulated judgments or reasons produce inferiority.

Finally, sixth, in order to count as Equal Influence, when those with greater natural power cede their asymmetrically greater opportunity to influence decisions, this ceding must *not* be a *condescending gift*, or a matter of *personal discretion* : for these would violate Least Discretion.[29]

What are we to make of these stipulations? Here I pursue my two-pronged argument. First, we must acknowledge that, *pace* Kolodny, these stipulations cannot be applied to offices or office-

like nodes, within the context of Statism, or capitalism, or any of the socially pernicious macro-structural hierarchies. And, if these offices cannot meet all of the stipulations for Equal Influence, then Equal Influence does not obtain, and these offices are un-tempered.

[29] Kolodny, *The Pecking Order*, 323–325.

The fourth and fifth stipulations appear especially shaky. Kolodny himself raises reasons for doubting the possibility of meeting the fourth stipulation, which requires equal opportunity for informed influence. In fact, he devotes an entire chapter to exploring how the *informal* requirements for democracy (including the requirements for informed influence), may be so high as to be unrealizable.[30] I merely add that it strains credulity to suggest that either Statism or capitalism contributes to informational symmetry. States, usually claiming national security, require extremes of informational *asymmetry*: the government must have as much information about its citizens as possible, while citizens must be kept in the dark about the workings of the State apparatuses. As for capitalism, there is a reason that marketing and advertising are multi-billion dollar industries: they keep consumers wanting and working and without information.

As for the fifth stipulation, even if we stick to Kolodny's narrow definition of autonomy, it is open to pressure. Macro-structural hierarchies jeopardize Equal Influence by barring autonomy, in judgment and in action. Using Rainer Forst's ideas, I argue that the *exclusionary justificatory orders* that buttress macro-structural hierarchies prevent persons from thinking, knowing, and judging as autonomous equals.[31]

Kolodny might hold that this opens me to charges of "arguments from false consciousness": that no one is *really*autonomously informed. Yet my claim is institutional, not epistemological, and has more to do with self-determination than with being perfectly informed. The point is not that

societal organization prevents our being "perfect knowers". Nor even is the problem a lack of strict epistemic equality.[32] Rather, the issue is that the hierarchical organization that Statism, capitalism, and other macro-structural hierarchies entail *necessarily prevents* our simply being "on a par" with one another in the realm of judgment.[33] These structures solidify and reproduce large-scale *inferiority* in matters of judgment.

Kolodny might also claim that this critique fails to pick out targets of superiority: to whom is the complaint lodged? I argue that we have a moral complaint against dominators, the dominated, *and* peripheral agents.[34] Our collective inferiority complaint is lodged against *any agents* (collective, artificial, or natural individual) who contribute, through actions or omissions, to the construction or maintenance of macro-structural hierarchies — including the construction or maintenance of the *exclusionary justificatory orders* of such macro-structural hierarchies. Even dominated agents can contribute to such structures and thus, to their own oppression and the oppression of others.

My secondary critique is that, even were these stipulations to be met at the multitudinous *meso*-structural sites in which there is asymmetrical power, authority, and regard, and thus, even if Equal Influence were to hold at the level of offices, this would not be enough to meet our

[30] See Chapter 31, "The Demandingness of Informal Equality" in *The Pecking Order.*

[31] See Rainer Forst, "Noumenal Power," *The Journal of Political Philosophy* 23, no. 2, (2015): 111–127.

[32] For more on epistemic equality and epistemic injustice, see the work of Kristie Dotson: "Conceptualizing Epistemic Oppression", *Social Epistemology* 28, no. 2 (2014): 115–138; "A Cautionary Tale", *Frontiers: A Journal of Women Studies* 33, no. 1 (2012): 24–47; "Tracking Epistemic Violence, Tracking Practices of Silence", *Hypatia* 26, no. 2 (Spring 2011): 237–257.

[33] See Nancy Fraser's arguments for participatory parity in Nancy Fraser and Axel Honneth, *Redistribution or Recognition? A Political-Philosophical Exchange* (New York: Verso, 2003).

[34] See Dorothea Gädeke, "Who Should Fight Domination? Individual Responsibility and Structural Injustice", *Politics, Philosophy & Economics*, Vol. 20, No. 2 (2021): 180–201.

moral claim against *macro*-structural hierarchies, because it would not be enough to prevent the emergence of political "castes".

How could this happen, despite Equal Influence at the *meso*-level? "Castes" might emerge from conditions over which no one has any singular influence. Sometimes, systemic elements

emerge from mechanisms that operate without conscious choice, and over which no single individual has much influence. This is easier to see in the case of capitalism, with market mechanisms, or in the case of the social macro-structural hierarchies, such as patriarchy and white supremacy (which often depend upon *sub-conscious* mechanisms). Yet material constraints play a role in Statism too, and these conditions are not necessarily chosen by anyone, nor is it the case that one person can greatly influence them, alone.

Another avenue to "caste" is the justificatory orders that buttress macro-structural hierarchies. I already pointed out that these prevent Equal Influence from being achieved. Yet we can imagine a scenario in which "justificatory orders" would *not* violate the fourth or fifth stipulations (to informed and autonomous influence) *if* such justificatory orders keep *everyone* equally ill-informed, or at the same, unimpressive level of "free" reflection on what they take to be relevant reasons.

In that case, everyone would have the same opportunity to influence decisions at the local level, but there might exist no ideas or concepts which could prevent persons simply from ceding decision-making authority to the same politicians, again and again. Or, there might be no ideas or concepts which prevent persons from ceding decision-*applying*authority to the same bureaucrats, again and again. In such a hypothetical, all persons would *retain* their opportunities to influence decisions. They would merely *cease* to do so. This would result in a political "caste", against which we have a moral complaint.

In either case, per the second stipulation of Equal Influence, Kolodny might state that there is no moral issue here, as long as everyone has the *same* opportunity to influence. Remember, Kolodny is concerned with inferiority. Any complaint about a lack of *absolute* influence, or even a lack of any *positive* influence, at all, is likely to be a mere *improvement* complaint. He writes, "what matters is one's equal relative influence, not the absolute extent of one's influence." He continues,

"[t]he fact that one does not have influence over the decision does not put one under the power and authority of another if no one else has influence over it either."[35] Yet, as we will soon see, elsewhere in his discussion of Equal Influence, Kolodny goes on to state that, in fact, in order to avoid an *inferiority* complaint, we must, indeed, have *positive* influence.[36]

Moreover, as I have already argued, we have a collective inferiority complaint that we can lodge against any agents (collective, artificial, or natural individual) who contribute, through actions or omissions, to the construction or maintenance of macro-structural hierarchies — including the construction or maintenance of the exclusionary justificatory orders of such macro-structural hierarchies. We have this complaint, even if the actions of the agents in question *cannot easily be traced* to a specific harm to any specific individual. We are permitted to direct this collective inferiority complaint at an individual agent, *even if we have the same complaint* against

[35] Kolodny, *The Pecking Order*, 323.

[36] ibid., 332. In discussing any form of political organization (directly democratic of representative) that features officials, Kolodny writes, "However, control requires that the body, the People, have positive influence over the official. And it is hard to see how the People can have positive influence unless individual members of the People have positive influence."

every other individual agent who also contributes to the structure in the same way. We have such a collective inferiority complaint against any agents *for failing to meet their forward-looking responsibilities* to work alongside others to change or dismantle macro-structural hierarchies. We have this collective inferiority complaint, even if these other agents do not contribute in any way to the origin of the problem.

Thus, it does not matter if each individual has very little influence, or influence that only amounts to something significant when in concert with the influence of others. What matters is that each individual does their best to tackle the conditions that generate our collective inferiority complaint. The upshot is that we have, and would have, that complaint, *even were Equal Influence to be met at the meso-structural level of offices.*

None of this should be taken to imply that Equal Influence is irrelevant for justice, or, that its stipulations are impossible to meet. Equal Influence is, indeed, a *moral requirement* if we are to meet our claims against un-tempered relations of inferiority. However, Equal Influence is impossible to meet given the current political, economic, and social organization of society.

### *3.4.2 Justifying Democracy: Three Kinds of Control over Officials*

The stipulations of Equal Influence, alone, do not make for a very robust democracy. In particular, even if realized, they do not amount to a call for *positive* influence. Yet Kolodny does, in fact, believe that democracy requires that participants not only have equal opportunities for influence, but that these opportunities be positive. Thus, while Equal Influence is enough to justify democracy, from the standpoint of an inferiority complaint, democracy requires more than Equal Influence, alone.

Kolodny believes that even in a direct democracy, there will be, of necessity, localized instances of asymmetrical power and authority. Thus, we must consider the ongoing question: is it acceptable for there to be officials of any kind — even, say, in a directly democratic society? How do we justify the existence of these officials?

Kolodny believes that it is morally acceptable for some parties to have asymmetrical power and authority over others as, so long as those *subject* to this asymmetrical power and authority have positive Equal Influence over those who *wield* that power and authority. Ultimately, what it means to have *positive* Equal Influence over those with asymmetrical power and authority is, partly, for there to be Downward Equalization (a primary tempering factor) in this relation of unequal power and authority, and partly for there to be Downward Accountability (a secondary tempering factor) too.

Recall that Downward Equalization stipulates that: (a) asymmetries and disparities are not final, but are themselves regulated by higher-order considerations; (b) higher-order conditions are not themselves marked by the same asymmetries or disparities that might prompt an inferiority complaint. I turn to Downward Equalization in the next subsection, in my discussion of Supersession.

Downward Accountability meanwhile, stipulates that those who have such superior power and authority must be accountable for their use of that power and authority to those who are subject to it. Whether subordinates have Downward Accountability or not will turn on the kind of ***control*** that subordinate parties can have over those with asymmetrical power and authority. It is important, then, to explain Kolodny's three kinds of "control" that an agent *Alpha* (as "the

People", say) could have over an agent *Beta* (as any official, or even as the entire government, for instance).

The first form of control that Alpha can have over Beta is **directive control**. This is the ability Alpha has to direct what Beta does. Alpha has **directive control** of Beta under three conditions. First, Alpha has **directive control** of Beta to the extent that Beta merely *specifies* Alpha's vague directives, or *applies* Alpha's directives to particulars, or *chooses the means* to execute Alpha's directives, or *prioritizes the execution* of Alpha's directives under conditions of uncertainty.[37] Here, Beta serves as merely a helpmeet to Alpha. Alpha also enjoys **directive control** over Beta, secondly, to the extent that *little discretion* is left to Beta about how to specify, apply, execute, or prioritize Alpha's directives.[38] The less discretion Beta has, the more **directive control** over Beta that Alpha has. Here, Beta does not get to choose how to serve as a helpmeet. Alpha enjoys **directive control** over Beta, thirdly, to the extent that Alpha can issue Beta *new directives at short intervals*.[39] In this sense, Beta is "on call", ready to receive new orders.

The second kind of control that Alpha can have over Beta is **occupancy control**. The is the ability Alpha has to decide who will have power over Alpha, through Beta. Alpha enjoys **occupancy control** over Beta, under two conditions. Alpha has **occupancy control** over Beta, first, to the extent that Alpha *decides who has influence* over Beta's decisions. This can happen, for example, when Alpha is a natural person who simply occupies the office "Beta", or, when Alpha is a member of the body "Beta". Alpha also enjoys **occupancy control** over Beta, second, to the extent that Alpha can *decide, at short intervals, who influences* Beta.[40]

The third kind of control that Alpha can have over Beta is **regulative control**. This is the ability Alpha has to review Beta's decisions. Alpha enjoys **regulative control** over Beta under two conditions. First, Alpha enjoys **regulative control** over Beta to the extent that, if Beta makes independent decisions which do not merely specify or execute Alpha's decisions, then Alpha can *constrain or overrule those decisions*. Alpha also enjoys **regulative control** over Beta, second, to the extent that Alpha can do this *soon after* Beta's decisions have been made. At the most extreme, Alpha can sometimes constrain Beta's decisions from the start (as we saw above in the second condition of **directive control**).[41]

What would a society look like if, while hierarchical at the meso-structural level, its subordinates nonetheless had the most robust forms of **directive**, **occupancy**, and **regulative** control possible? This would be a 'facilitative' society. Those with (heavily circumscribed) asymmetrical power and authority would be facilitators, rather than rulers, governors, or even administrators. Their charge would be merely the facilitation of the projects of others. This is one kind of direct democracy.

### *3.4.3 Justifying Democracy: Supersession*

Kolodny uses a series of conceptual tools to justify democratic decision-making, in general. The first of these is Equal Influence, whose stipulations we have just found to be difficult to achieve — difficult to achieve, that is, from within structural relations of collective inferiority.

[37] Kolodny, *The Pecking Order*, 331–332.
[38] ibid.
[39] ibid.
[40] ibid., 332.
[41] ibid.

He also describes three forms of **control** that subordinates — even in *direct* democracies — must have, in order for the secondary tempering factor Downward Accountability to obtain between those subordinates and any persons with asymmetrically greater power or authority over them (power and authority that, one hopes, in a *direct* democracy, would be curtailed by primary tempering factors such as Episodic Character, Context Limitation, Content Limitation, Escapability, etc.).

Another tool that Kolodny uses to justify democracy, in general, is the idea of "Supersession". The trouble is, Kolodny does not merely use "Supersession" to justify democracy, in general. He also uses it, alongside the notion "ideal elections" (which I examine next), to justify *representative* forms of decision-making. Yet, as I demonstrate below, these electoral measures are not enough to meet our collective moral claim against macro-structural relations of inferiority.

Thus, if we are to retain Equal Influence as a tempering factor that justifies democracy, generally, while *also*rejecting representation, specifically, then "Supersession" must be de-fanged, without necessarily being rejected. The acceptability of Supersessional arrangements will ultimately depend on a number of related factors.

When the tempering factor Equal Influence and the phenomenon "Supersession" are combined, Kolodny believes that the asymmetrically greater power and authority of officials over individual members of some group, such as "the People", can be tempered, insofar as those powerful officials are ultimately controlled by that group, operating as a collective body. We are not subordinated to an official with asymmetrically greater power and authority over us, Kolodny feels,

insofar as that official's decisions are sufficiently controlled by, say, "the People", qua body, whose decisions *each of us has an equal opportunity to influence*. Thus, when Supersession is combined with Equal Influence, the *primary*tempering factor Downward Equalization thereby obtains: asymmetries and disparities are not final, but are themselves regulated by higher-order decisions, and, these higher-order decisions are not themselves marked by the same asymmetry or disparity in question.

The mechanics of Supersession are tricky, so it is best to proceed slowly. Kolodny asks us to imagine that one person, "Hyman" has asymmetrically greater power and authority in comparison to another person, "Loman". Hyman has this power and authority because Hyman has greater opportunity to influence the decisions of some deciding agent, "Beta".

In this example, "Beta" could be any of several different kinds of agent. Beta could simply and actually ***be*** the natural person, Hyman: they could be one and the same. Or, Beta could be an *office*, of which Hyman is the current occupant. Or, Beta could be a *group*, of which Hyman is *one member*, but of which Loman is not a member.[42] For example, Beta could be the entire governmental administration of a State, or, perhaps just, say, a local police force.

Now, suppose there is another deciding-agent, "Alpha". *Alpha controls Beta.* Perhaps Alpha is "the People" to Beta's "governmental administration". To the extent that Alpha controls Beta, then, (Kolodny argues) Loman's inferiority is not, ultimately, to Hyman. Rather, Loman is actually inferior to whichever natural individuals have the *opportunity to influence Alpha.* Kolodny calls this shifting, tiered influence and inferiority "Supersession".[43]

[42] Kolodny, *The Pecking Order*, 330–331.
[43] ibid., 331.

Obviously, Supersession need not, necessarily, be democratic. Loman might not have *any* opportunity to influence Alpha. If not, Loman would then have no form of control over Beta, or, ultimately, Hyman. For example, Loman could be a slave, Hyman could be a master, and Beta could be the "office" of mastery — that is, slave ownership. Alpha, meanwhile, could be some emperor, concerned with the treatment of slaves. Alpha, the emperor, controls the prerogatives of slave ownership (Beta), and thus controls what Hyman, as a master, can do to Loman. Emperor Alpha is certainly superior to Loman, the slave. Yet Loman has no opportunity to influence the emperor — nor, perhaps, does Hyman — while, presumably, some others, such as advisors and courtiers, do. If this is the case, Loman might have a moral objection to the several levels of inferiority in question: an objection to his inferiority to Hyman-as-Beta, an objection to his inferiority to Emperor Alpha, and an objection that some others, and not him, can influence the emperor.

However, the *democratic* side of Supersession, and thus the tempering side, enters the picture if, additionally, Loman has *no less opportunity* to influence Alpha than *anyone else* — including Hyman. Supersession is democratic, then, when Equal Influence (and its six stipulations) obtains. When Equal Influence holds, Supersession is acceptable, Kolodny feels, even if Loman has no opportunity *directly* to influence *Beta*, and even if Loman still has asymmetrically less power and authority compared to *Hyman*. In Kolodny's view, Equal Influence, along with Supersession, means that *there is no one to whom Loman is more inferior than he is to himself.*[44]

Take another example. If a deciding-agent, Alpha [the People], controls Beta [the government of a State], and if Hyman [a politician] has opportunities to influence the decisions of Alpha [the People] that are merely *equal* to (or perhaps even *less* than) the opportunities that Loman [a citizen] has to influence Alpha [the People] — if all this is true, then, the relation of inferiority of

Citizen Loman to Magistrate Hyman is tempered, and thereby morally un-objectionable. Citizen Loman can have no moral complaint — at least, no *inferiority* complaint.[45] This is true even if Magistrate Hyman still has asymmetrically greater power and authority than does Citizen Loman.

Thus, Kolodny argues that, if at least some of the tiers of Supersession feature Equal Influence, then this resolves Loman's inferiority complaint, by achieving the *primary* tempering factor Downward Equalization. Supersession andEqual Influence also go part of the way to achieving the *secondary* tempering factor Downward Accountability, through the achievement of **occupancy control**. Moreover, in Kolodny's mind, this opens the door to representative forms of government — though in Kolodny's view, "ideal elections" are necessary *fully* to justify representation. I explore "ideal elections" in a moment.

For now, what are we to make of the idea of Supersession? Cushioned as it is in hypotheticals, and with an ideal-theoretical cast, we cannot *completely* discount Supersession. In fact, we must tentatively endorse some form of it, if we wish to press for the moral acceptability of collective decision-making coupled with at least some 'facilitators'. I have maintained throughout this dissertation that the total opposition to all hierarchies is impracticable.[46] We must sometimes have recourse to highly-tempered societal hierarchies. Supersession, when paired with Equal Influence, marks one path by which these can (sometimes) be morally redeemed.

[44] ibid.

[45] ibid.

[46] Other anarchist scholars have shown the same vis-à-vis the notion of authority. See Paul McLaughlin, *Anarchism and Authority: A Philosophical Introduction to Classical Anarchism* (Hampshire, England: Ashgate, 2007).

Nonetheless, there are some problems with Kolodny's elaboration of Supersession. Though we must endorse some form of Supersession, we need not cede the point that representation, of the kind found in parliamentary republics, is thereby morally acceptable.

What are the issues with Kolodny's elaboration of Supersession? They are two: one descriptive, and one moral. Descriptively, Kolodny maintains that, in a Supersessional arrangement, Loman is *not really inferior* to Hyman (or Beta). Yet this is false. Loman is still inferior to Hyman-as-Beta.

As Kolodny himself notes, some tempering factors are "vertical" tempering factors, and others are "horizontal" tempering factors. A *vertical* tempering factor is meant to resolve our moral complaint at finding ourselves in a relation of inferiority to another person. It addresses the vertical relation. A *horizontal* tempering factor, meanwhile, addresses our moral complaint at finding ourselves being treated worse, by some superior, than another subordinate (who shares the same superior) is being treated by that superior. It is meant to address, not the fact that there is a superordinate and some subordinates, but rather that some of these subordinates find themselves in relations of inferiority *to each other*, when there is no Impersonal Justification for that inferiority.[47]

Kolodny lists Equal Influence as a vertical tempering factor. He believes that, alongside Supersession, it addresses the relation of inferiority that Loman stands in to Hyman, insofar as Loman has at least a distant **occupancy**, and perhaps also **directive** and **regulative control**, over Hyman, through his Equal Influence upon Alpha. Yet it is more accurate to say that Equal Influence, in any Supersessional arrangement other than a direct democracy, is more like a *horizontal*tempering factor. It ensures that no one has more influence than I do over ultimate decisions. It does not give me any immediate control over proximate superiors.

Kolodny asks us to believe that it might be possible, if the six stipulations of Equal Influence hold, for Hyman to have *no more opportunity* to influence Alpha [the People] than Loman. Even if Loman has no opportunity *directly* to influence *Beta* [the State administration], and even if Loman

still has asymmetrically less power and authority compared to *Hyman*, Kolodny believes Loman has no inferiority complaint.

Yet Hyman does have greater opportunity to influence *Beta*. And it strains credulity to suggest that, as a member of the body that is Beta (in the cases where Beta is a governing or administrative body) or, as the occupant of Beta (in cases where Beta is just an office), that Hyman will not have greater opportunity to influence Alpha.

Kolodny is right, of course — if, in this hypothetical, Hyman has no more opportunity to influence Alpha than does Loman, then that is that. Yet in reality, outside the confines of ideal theory, is this something we can believe? It is really the case that Hyman [a politician] has equal or less opportunity, or equal or less power and authority, than does Loman [a citizen] to influence Alpha ["the People"]?

The ideal-theoretical framing of this question masks the intersectionality of societal hierarchies, in reality. Because societal hierarchies intersect, this compounds moral complaints, by obfuscating the responsibility that is allegedly resolved by Downward Equalization. It also multiplies agents who benefit from different kinds of asymmetrical power and authority, and disparities in regard, thereby making Downward Accountability that much harder to achieve.

[47] Kolodny, *The Pecking Order*, 125–126.

Further, in Kolodny's view, if Loman has no less influence over Alpha than anyone else, this means there is no one to whom Loman is more subordinated than he is to himself. Kolodny thinks that a proximate superior, like Hyman, is not *really* superior at all, if there is an *ultimate superior* to whom one is not inferior. Yet, this is to misunderstand the nature of "proximate" and "ultimate" causes. A proximate cause does not cease to be a cause, simply because there is an ultimate cause behind it. Nor does a proximate moral wrong cease to be one, so long as there is an ultimate value or virtue behind it.

Regardless of the promise of future regulative actions — such as the promise that an official abusing Least Discretion will be dealt with — a proximate superior is here, now. That I could have some equal influence upon the proximate superior's *superior*, in a vote, say, at some *other* time and place, does little to render the asymmetrically greater power and authority here, before me, somehow subject to *my* influence. On the contrary: I have influence — even just relative, contributory influence — *just when I am influencing*. Even if I am a member of a body that, collectively, can control the agent to whom I am currently in a relation of inferiority (Hyman), this does not pro-actively, or retro-actively, cancel the present *relation* of inferiority. Moreover, if I am *not* a member of the body that controls this superior, but merely an *elector* of the members of the body that controls the superior, then in what way does this cancel my complaint against inferiority? Why would introducing a second, morally questionable hierarchy thereby resolve the first?

It is false to say that, should both Equal Influence and Supersession hold, Loman [a citizen] is therefore not inferior to Hyman [a politician]. Even were Alpha [the People] to have absolute control over Beta [the State], and correspondence in the decisions Beta makes (so that the People get whatever they want), Loman would *still* be inferior to Hyman [a politician]. The fact remains that Hyman has not only greater opportunity, but greater power, to influence the decisions of some deciding agent, "Beta", than does Loman.

It is too late in the game for Kolodny to alter the definition of a relation of inferiority. By Kolodny's definition, inferiority exists when there are asymmetries of power or authority, or disparities of regard, between natural individuals, and when those asymmetries are exercised, endorsed, or submitted to.[48]

Now, perhaps Loman cannot be inferior to *Alpha*, or to *Beta*, if these are anything other than natural individuals — if Alpha and Beta, as "the People" and "the State", are collective or artificial agents, that is. Kolodny has already insisted that superiority, equality, and inferiority only obtain between natural individuals. In these cases, Loman is not inferior to Alpha or Beta.

Yet, Kolodny also admits Loman can be inferior to the natural individuals who comprise, control, or influence Alpha and Beta, especially if the offices of these collective or artificial agents are not tempered the right way.[49]

As I showed in Chapter 2, the natural individuals who comprise, control, or influence Alpha and Beta can form a superordinate "caste"-like class, estate, or group, against which subordinates have a collective inferiority complaint. This can happen, even if Kolodny's secondary tempering factors are applied, because, as I have shown, Kolodny's secondary tempering factors are not enough.

[48] As we saw in Chapter 1, my own account to societal hierarchy integrated van Wietmarschen's normative approach to Kolodny's power- and regard- based account, through the notion of "structure".

[49] Kolodny, *The Pecking Order*, 416, note 4.

So, insofar as Hyman occupies an office that helps to constitute Beta, Loman is still inferior, both as an individual, and as a member of a collective with a collective inferiority complaint.

I mentioned that there are two issues with Kolodny's elaboration of Supersession: one descriptive, and one moral. The moral issue is that Kolodny implies that the asymmetrical power and authority of meso-structural offices is morally un-objectionable if both Supersession and Equal Influence obtain. Yet even if Equal Influence does hold (and its six stipulations, as I have argued, are tough to achieve) it is not enough to render Supersessional arrangements morally un-objectionable. We *still* need the other secondary tempering factors (the "anarchist tempering factors" to be discussed in Chapter 4), and, if possible, the primary tempering factors too.

Thus, the moral acceptability of Supersession depends on:

1. *What kind* of control Alpha has over Beta;

2. *How much* control Alpha has over Beta;
3. The exact relation of Hyman to Beta;
4. The exact relation of Hyman to Loman;
5. What kind of *influence* Loman has over Alpha;

Let me touch on each of these points.

Regarding (1), we know that control can be **directive**, **regulative**, or **occupancy**. It is necessary, then, that Alpha have at least *some* **directive**, **regulative**, or **occupancy control** over Beta, though Kolodny is vague about how which, how much, and in what mixture.

We have already seen that the fullest measure of all three kinds of control would amount to, in effect, a society directly governed by "the People". Next, recall that Kolodny is concerned, foremost, with resolving our *inferiority*complaints. Kolodny is concerned with the minimum threshold of acceptability of meso-structural offices. He is, in some sense, a "thresholdist". What is of interest, to Kolodny, is not, necessarily, that society is "good". What matters to him is that society is *fair*. Inferiority, of the wrong kind, violates a moral vision of justice as fairness.

Of course, he insists that there must be some control of Beta by Alpha, and remarks that this control requires that Alpha, "the People", has *positive* influence over Beta, the officials. Given that "the People" could have no positive influence unless *individual members* of that body have positive influence, it follows that each individual must have equal, *positive* influence over at least the highest officials.[50]

Nonetheless, Kolodny cautions that the case for equal, positive influence does not rest on the value of the People's "governing themselves". Nor does those argument rest on the value of an *individual's* "governing themselves". To lean on either of these values would be to lean on

conceptions of "the good", and would be to call upon understandings of justice as "the good", rather than "the right".[51] Instead, Kolodny's argument depends only on procedural and formal means and reasons for avoiding relations of inferiority to officials.

[50] ibid.

[51] For more on the distinction, see: Rainer Forst, "First Things First: Redistribution, Recognition and Justification" in *Axel Honneth: Critical Essays: with a Reply by Axel Honneth*, ed. Danielle Petherbridge (Leiden, Netherlands: Brill Academic, 2011), p. 303; Nancy Fraser and Axel Honneth, *Redistribution or Recognition? A Political-Philosophical Exchange* (New York: Verso, 2003), pp. 28–29; Nancy Fraser, "For a Three-Dimensional Theory of Justice: On the Specificity of the Political" from *Reframing Justice: The Spinoza Lectures* (Assen, Netherlands: Koninklijke Van Gorcum, 2005), pp. 42–48; Nancy Fraser, "Abnormal Justice", *Critical Inquiry* 34, no. 3 (Spring 2008), *passim*.

Yet in a telling passage Kolodny admits that direct democracies, whether lax or strict, are indeed more tempered that representative ones.[52] He writes,

There is no denying that in direct democracy, where laws and executive orders are made by the People, no question of control over highest officials even arises, and so no question of sufficient control. And if the People are permanently in session, rather than simply constituted at elections, and are always overseeing what lower officials there are, then the People exercise greater control over those officials: the People can issue more specific directives or regulate the officials' decisions and can do so at shorter intervals. So, in representative democracy the asymmetric power and authority of officials are less fully tempered by Equal Influence than in direct democracy. That much must be granted. The question is whether the asymmetric power and authority of officials might be sufficiently tempered such that, in combination with other tempering factors such as Impersonal Justification and Least Discretion, our relations to those officials do not constitute relations of inferiority.[53]

Thus, while Kolodny's sights are set on rescuing representative democracy and passing the minimum threshold of acceptability, we must ask, regarding (1) above: Why, if more *diverse* forms of control are possible, should they not be pursued? Why, if greater tempering is possible through more diverse control, ought it *not* be pursued? Why not the most control, of the most diverse kinds? Why not direct democracy?

Recall again Kolodny's statement regarding Impersonal Justification: an asymmetrical office is impersonally justified if its existence and its function serve impersonal reasons ***at least as well as any alternative, and in fact better than any alternative not marked by a similar asymmetry***.[54] The implication was that we ought to prefer more highly tempered relations to less highly tempered ones.

That stipulation does not cease to apply when we are discussing Equal Influence. In fact, it is unclear why we should not extend its implication to the discussion of Equal Influence. Thus, any concrete way of achieving Equal Influence, in practice, is impersonally justified if its existence and its function allow for *as much* 'absolute' influence as any alternative, and in fact *more* than any alternative not marked by a similar asymmetry.

Similarly, regarding (2) above, Kolodny appears to long to say that it does not matter *how much* influence there is, as long as it is positive in some regard, and equal. As Kolodny's second stipulation of Equal Influence states, influence need not be robust or meaningful (or in Kolodny's words, 'absolute'). It simply must be positive and equal. Thus, maybe the degree of absolute vs. relative influence does not matter, vis-à-vis Equal Influence.

Yet it surely *does* matter, with regard to the other primary and secondary tempering factors. Equal Influence, alone, does not render an asymmetry of power or authority fully morally acceptable. Again, Kolodny is vague here.

As I have just remarked, it is sensible to assume that, unless arguments to the contrary can be summoned, one ought to temper an asymmetry of power and authority to the greatest extent possible. A direct democracy is better tempered than a representative one. Similarly, greater positive and absolute influence of Alpha over Beta better resolves not only our general complaints against un-tempered relations of inferiority, but also our collective inferiority complaints.

[52] Kolodny, *The Pecking Order*, 335.

[53] ibid. (My underscoring.)

[54] Kolodny, *The Pecking Order*, 131.

Regarding (3) above, we must ask about Hyman's relation to Beta. Is Beta identical to the natural person, Hyman? Is Beta an office, of which Hyman is the occupant? Or, is Beta a group, of which Hyman is one member, but of which Loman is not?

From the standpoint of Loman, and of Equal Influence, it might not appear to matter: as long as Alpha controls Beta, and as

long as Loman has some positive influence over Alpha, and as long as this influence is no less than anyone else's influence, then Equal Influence, in the realm of Supersession, obtains. Loman is not inferior.

Yet depending on the *kind* of control over Beta, (1) above, and the *amount* of control (2) above, and the *size* of Beta, Alpha might have an easier time controlling Beta if Beta consists of fewer individuals and offices. That is, it stands to reason that even relatively small amounts of **directive**, **regulative**, and **occupancy control** over Beta would be easier to exercise if there are fewer persons to control. And to the extent that control is easier, the relative control of Alpha over Beta, (2), would be *greater*. And, as I showed above, *we ought to prefer greater tempering to less*.

I have already discussed (4), above. Though Kolodny takes the relation of Hyman to Loman to be vertically tempered by "Supersession" and Equal Influence, it is more accurate to say that Loman's relationship to other 'patients' of the society's government or administration is *horizontally* tempered. Loman is not inferior to other Low-men. Yet Loman continues to be inferior to Hyman.

With regard to (5), Loman (and persons like him) must have influence over Alpha, and this influence must ideally be in the form of **control**. Supersession, along with Equal Influence, provides **occupancy**, **directive**, and **regulative** — at least, in a direct democracy. In a representative democracy, Supersession, along with Equal Influence, provides only **occupancy control**. Therefore, Kolodny must specify how, in an indirect democracy, the other forms of **control** can be achieved. His solution is to theorize what I call "ideal elections". I turn to this topic momentarily.

For now, I ask readers to bear in mind two points about Supersession. First, if meso-structural offices belong to a wider context of macro-structures (of whatever kind), then it is unlikely that anything but the strictest, most tempered forms of Supersessional relation will be acceptable from the standpoint of Equal Influence. Such Supersessional relation would need guarantee that: (a) Alpha has robust forms of **directive**, **occupancy**, and **regulative control** over Beta; (b) Hyman's

asymmetric power, authority, and regard, vis-à-vis his relation to Beta, is strictly tempered by the secondary tempering factors; (c) Loman has recourse to the primary tempering factors, strict versions of the secondary tempering factors, and additional anarchist tempering factors. All of that is necessary simply to make *any* kind of meso-structural offices acceptable. Insofar as meso-structural offices cannot meet these requirements within the context of macro-structural *hierarchies*, it is unlikely that Supersession, of the right kind, can be achieved within the kind of State-capitalist system Kolodny seeks to redeem.

The second point is that, even were meso-structural offices to present no issue, and even if persons were able to exercise, through Supersessional arrangements, Equal Influence over *most* decisions to which they are subject, this does not imply that such persons would be able to exercise Equal Influence over *all* factors to which they are subject, nor all decisions in relation to these factors. For they would still have an insufficient influence over the macro-structural hierarchies of which they are a part to meet our moral claim *against* such macro-structural hierarchies.

As I have already argued, macro-structural hierarchies emerge from more than simply the conscious decisions of individuals. They have emergent properties that arise from material conditions. They have mechanisms by which they function, including the subconscious or unconscious behaviors and aggregate behaviors of large groups of people.

Nonetheless, we have a collective inferiority complaint against any individual — indeed, every individual — who fails to meet their forward-facing responsibilities to dismantle the collective, structural relations of inferiority to which we are subject. This includes forward-facing responsibilities to address the emergent properties, functional mechanisms, and unconscious or unthinking behaviors that create or maintain such structures.

Equal Influence, via Supersession at the level of meso-structural offices, is not enough to meet such a moral claim, for emergent properties, functional mechanisms, and unconscious behaviors do not sit neatly withing meso-structural offices. Rather, they subtend, overflow, and overarch such offices. And yet, arguably, we still have an inferiority claim to Equal Influence over not only the emergent properties, functional mechanisms, and unconscious behaviors that replicate macro-structural hierarchies, but also a claim to Equal Influence over the behaviors themselves, regardless of what kind of macro- or meso-structure (hierarchical or horizontal) that they replicate.

### *3.4.4 Justifying Representation: Ideal Elections*

I turn now to the final ingredient in Kolodny's defense of representation — what I call (but he does not) "ideal elections". We have already seen that Kolodny defends collective decision-making, of whatever kind, through the secondary tempering factor Equal Influence. As I argued, Equal Influence is necessary for a vision of society without structural relations of inferiority, yet I pointed out that the six stipulations of Equal Influence are difficult or impossible to achieve from within several overlapping macro-structural hierarchies, including Statism and capitalism.

Kolodny moves in the direction of *representation* by describing three ultimate forms of control — **directive**, **occupancy**, and **regulative** — that those who are subject to proximate, asymmetrical power and authority can have over those who wield that proximate power and authority. Yet as I showed, these forms of control are also amenable to a directly democratic organization that merely uses facilitators, rather than governors. Thus, any vision of society that calls for local, meso-structural offices — offices whose officers have asymmetrical power and authority — will also need to guarantee that those subject to those officers have **directive**, **occupancy**, and **regulative control** over them. This is what the primary, secondary, and supplemental tempering factors are designed to ensure.

Next, Kolodny uses the notion of "Supersession" to present scenarios in which a decision-making body [Alpha] has at least **occupancy control** over a number of offices [Beta] and officers [Hyman]. Insofar as Equal Influence holds in these scenarios, members of that body [Low-men] are not inferior to one another, or to the officers who exercise asymmetrical power and authority over them [Hymen]. Yet I showed that, descriptively, even in Supersessional arrangements tempered by Equal Influence, a given Loman is still in a relation of inferiority to a given Hyman, even if no Loman is in any relation of inferiority to any other Loman. I also argued, morally, that the acceptability of a Supersessional arrangement hinges on a number of factors, such as the *kind* of control Alpha has over Beta, *how much*control Alpha has over Beta, the exact relation of Hyman to Beta, the exact relation of Hyman to Loman, and what kind of *influence* Loman has over Alpha.

I stressed that it is possible that all Low-men — that is, all persons subject to the asymmetrical power and authority of their governors or even facilitators — might have a collective inferiority complaint against all High-men — all officers — if they find themselves in caste-like relations of inferiority to a superordinate political estate.

"Ideal elections" are the last element Kolodny uses to try to justify representation. They are introduced by Kolodny as a way of meeting a possible criticism: that in representative political orders, even when the stipulations of Equal Influence hold, and even when Superssession is in evidence, citizens nonetheless have only **occupancy**, and not **directive** or **regulative control**. I examine Kolodny's argument on behalf of ideal elections and find that its requirements for elections to be considered ideal are unconvincing, for reasons similar to my skepticism about the basic stipulations of Equal Influence: they are unlikely to obtain or to be obtainable in reality.

It is important to address this last point set of arguments from Kolodny, because they further demonstrate the point I have been making throughout this chapter, and indeed, the dissertation as

a whole: because Kolodny lacks a structural account of societal hierarchies, he finds it difficult to theorize structural moral wrongs, including the collective inferiority complaints against structural relations of inferiority that macro-structural hierarchies produce. And, because Kolodny lacks this structural frame, the solutions he proposes do not, and cannot, address these structural moral wrongs. "Ideal elections" are meant to justify representative political orders, but they contribute to Statism, a macro-structural hierarchy that generates "caste"-like relations of inferiority. In rejecting representation and Statism altogether, we may show a greater fidelity to the structural orientation that Kolodny lacks.

On Kolodny's account, democracy is justified through Supersession and Equal Influence. Yet how do direct and indirect democracy compare? Is one better than another? In both direct and indirect democracy, there is a decision-making body, "the People", composed such that each natural person has equal opportunity to influence what it decides. In both direct and indirect democracy, the People sit at the top of a decision-making hierarchy with control over officials. The People control the highest officials, who in turn control other, lower-level officials.

The difference between direct and indirect democracy is that in a *direct* democracy, the People *suffuse* the hierarchy: they sit at the top, and they occupy positions further down as well. Decisions are made not by officials, but by the People themselves. Kolodny believes there must always be localized officials with some asymmetrical power and authority — even if only over very small issues — but in a direct democracy, the handoff of power and authority from "the People" to the officials happens very low down on the hierarchy (or hierarchies): the only officials are low-level facilitators in specific contexts. In a *representative* democracy, the People sit at the very top the political decision-making hierarchy, as the Sovereign authority, yet the rest of the system is composed

of officials with asymmetrical power and authority over individual members of that Sovereign authority.[55]

We might wonder, though — *do* the People, in a representative democracy, *actually* sit at the top of the decision-making hierarchy? Kolodny admits that it appears as if Equal Influence and Supersession secure for the People only **occupancy control**, and not **directive** or **regulative control**, over their officials and governments. If this is so, the People do not appear to "sit at the

[55] Kolodny, *The Pecking Order*, 333.

top". It seems that the People's role, in a representative republic, is limited periodically to selecting who will occupy the highest offices. Yet once selected, the objection goes, these officials make their own decisions and fill the middling ranks with their own appointees, without any direction or regulation from the People. Thus, the hierarchy is un-tempered.[56]

Insofar as, in most systems of representation, representatives are chosen through elections, then these elections appear to be the issue. To redeem representative government, Kolodny stipulates six conditions under which elections could constitute decisions, not only about who will *occupy* offices, but about *what* those occupants will do, and *how*. Elections, Kolodny feels, can indeed serve as *decisions* about which directives the officials and bodies are to follow, once in office. Under certain election conditions, we can interpret the question being decided as not only *who* is to occupy the office, but also *what* they are to do once in office. Thus, it is possible, through ideal elections, to have not only**occupancy**, but **directive** and **regulative control** as well. If this is the case, then along with Supersession, representative democracies can achieve the full Equal Influence that direct democracies do.

The first election stipulation is that there must be *a sufficient range of candidates and parties* up for election.

Second, voters must vote for candidates and parties on the basis of *what they truly expect* these candidates and parties will seek to do in office. Further, candidates and parties must be competing for votes by trying to influence those *expectations*.

Third, *reliable information must be available* to voters about what the candidates and parties will seek to do in office.

Fourth, voters must be in a position to *form autonomous opinions* about what the candidates and parties will seek to do once in office.

Fifth, in competing for votes, candidates and parties must not only seek to inform voters about what they will do in office, but they must also *revise their plans* for what they will do in office, in order to appeal to voters. Thus, voters' judgments must have a kind of passive influence over what sort of plans are presented.

Finally, sixth, voters must have the option to *extend more active influence*, by participating in intra-party activities, as well as by working with other, external movements and organizations to bring their concerns to the attention of candidates and parties.[57]

Kolodny believes that, if these six conditions are met in a representative democracy, voters do more than simply select *who* will occupy the highest offices. That is, they have more than mere **occupancy control**. In fact, voters are voting for a platform, and are thereby deciding *what* the highest officials and bodies will do. Thus, the People are now a more-aggregated Sovereign, and thus choose which directives, ("broadly defined", Kolodny writes), that the highest officials and bodies

are to specify, apply, execute, and prioritize. For Kolodny, this means the People have "at least some measure" of what he calls **directive control**.[58]

Is Kolodny correct? No. We might object that the People can issue this or that directive about what the highest officials are to do, but a single directive here or there does not equate to **directive control**. Highest officials must be *constrained* to follow the directive.

[56] ibid.

[57] ibid., 333–334.

[58] ibid., 335.

Kolodny wonders at what sort of constraints officials must face for Equal Influence, "Supersession", Downward Equalization, and Downward Accountability to hold. He decides that it is a sufficient constraint just for the highest officials to see themselves as "duty-bound" to follow the directives they are given, and that they thereby act accordingly. They must act in such a way as to permit the People, through elections, to exert directive control over them.[59]

Kolodny's ideal conditions are open to a bevy of objections. Regarding the first condition, we must ask what constitutes a "sufficient" range of candidates. Intuitively, we might say that no two-party system meets this standard. Moreover, societal phenomena such as "Hotelling's Law", a narrow "Overton Window", and Forst's "justificatory orders" point to the likelihood that the persons running for office, and the parties they run under, will begin to merge ideologically until they are indistinguishable.[60]

Kolodny's second condition for ideal elections appears to allow parties to seek the votes only of *some* voters. And, as it happens, given the intersection of the "castes" of multiple macro-structural hierarchies, most political parties do, indeed, court the votes of only some portions of the electorate: the richest segments.

We must ask of Kolodny's third condition: How much information is enough? Kolodny himself argues, in an entire chapter of his book, that the informal opportunities for Equal Influence are so demanding as to be perhaps impossible to meet — he cites issues in equal access to information as one hurdle.[61] This is significant: even on his *own* theory, tempering the relations of inferiority that macro-structural hierarchies involve appears impossible.[62]

Kolodny's fourth condition for ideal elections runs afoul of the same phenomena as does his second condition. Without engaging in a theory of false consciousness, and without alleging all people to be brain-washed, we must ask if "Hotelling's Law", the narrow "Overton Window", and Forst's "justificatory orders" mean that, in actuality, persons have much less autonomy to come to informed decisions than is even acceptable, let alone ideal. In fact, as I showed above, Equal Influence, itself, faces a similar issue with its fifth general stipulation. It is unlikely that we can achieve the sort of autonomy of judgment within macro-structural relations of inferiority that would justify such macro-structural relations of inferiority.

Kolodny's fifth condition for ideal elections implies that parties may, and maybe *must*, target their policies at a homogenized middle. Again, "Hotelling's Law", the narrow "Overton Window", and Forst's "justificatory orders" mean that what is presented as acceptable is the barest candidate

[59] ibid. This is a strange source of support for Kolodny's system. It does not seem to cohere with other parts of Kolodny's account, by which he criticizes, say, van Wietmarschen for being *overly recognitivist* or *regard-focused*. One also wonders if he would grant this notion — the idea that mere *intent* is enough to secure democracy — to more radical, left-wing ideologies.

[60] Hotelling's Law is an observation in economics that, in many markets, it is rational for producers to make their products as similar as possible. For more, see Harold Hotelling, "Stability in Competition", *Economic Journal* 39, no. 153 (1929): 41–57; The Overton Window refers to the range of policies politically acceptable to the mainstream population of a society at a given time. For more, see "A Brief Explanation of the Overton Window," at the Mackinac Center for Public Policy, https://www.mackinac.org/OvertonWindow. Accessed online on October 8th, 2024; For Forst's justificatory orders, see Rainer Forst, "Noumenal Power," *The Journal of Political Philosophy* 23, no. 2, (2015): 111–127.

[61] See Chapter 31, "The Demandingness of Informal Equality" in *The Pecking Order*.

[62] The impossibility stems largely from Kolodny's vision of democracy being a centralized, Statist, representative form, lodged within a capitalist economy: it is not definite that a decentralized socialist society would face the same hurdles.

for overlapping consensus. It is not clear that the electorate even shapes what the parties offer. Rather,

the reverse is often true. Parties, and media institutions that depend on insider access to information, inform people what they ought to want, or what is acceptable.[63]

Finally, Kolodny's sixth condition for ideal elections fails to address the elephant in the room: If voters are allowed and encouraged to have this thorough a role, then why not opt for a direct democracy? Kolodny might reply that his interest is merely in showing the hypothetical acceptability of representative democracy, but this is hardly satisfying as philosophy. As I asked above: if more tempering is possible, then why not opt for it?

Kolodny's ideal conditions are not convincing. They do not obtain in real life, and it is doubtful that they even could be satisfied under conditions of multiple macro-structural hierarchies and their justificatory orders. Kolodny routinely admits the meagerness of what these conditions guarantee: Voters only have the party options open to them on the ballot. The directives they decide upon are "broadly defined", and indeed must be, because the definition of **directive control** must be stretched to include a kind of influence and participation that is virtually nonexistent.[64] Voters, Kolodny says, have "some measure" of directive control, but one suspects that he means "very little".[65]

Ultimately, Kolodny does admit that in a *direct* democracy, laws and orders are made by the People. Thus, no question of control over "highest officials" arises. If the People are always "in session", generating rules, and if they are always overseeing which lower officials are in office and what they do, then the People exercise *greater* control over those officials. The People can issue more specific directives, or regulate the officials' decisions, and do so at shorter intervals. Kolodny

thus admits, then, that in a representative democracy, the asymmetric power and authority of officials are *less fully tempered* by Equal Influence than in a direct democracy.[66]

What he does not state clearly is that it is better for hierarchies to be more fully tempered (or non-existent in the first place) than to be *less* fully tempered.

* * *

In this section, I questioned Kolodny's elaboration of Equal Influence. I denied that Equal Influence is capable of being realized within the context of a macro-structural hierarchy, in any way that would temper such hierarchies, and thereby answer our moral claim against them. I also rejected Kolodny's argument that representative democracy, and therefore the most benign forms of Statism, are justified through Equal Influence. I held that even at the level of meso-structural offices, Equal Influence is impossible to achieve, so long as those meso-structural offices are themselves part of a context of macro-structural hierarchies. I also showed that, even were Equal Influence somehow to obtain in the case of these meso-structural offices, it is nonetheless the case that, without a strict application of the primary and secondary tempering factors, and without additional secondary tempering factors, Equal Influence is insufficient to meet our moral claim against macro-structural hierarchies themselves. The upshot was that representative gov-

[63] See Edward S. Herman and Noam Chomsky, *Manufacturing Consent: The Political Economy of the Mass Media* (New York, New York: Knopf Doubleday, 2011).

[64] Kolodny, *The Pecking Order*, 334–335.

[65] ibid.

[66] This does not, however, temper Kolodny's own support for *representative* democracy. The issue perhaps then becomes an ethical one: which way of life do we evaluate to be better for persons to have?

ernment, qua macro-structural hierarchy, is incapable of being redeemed, even through Equal Influence.

However, if applied strictly, and at the multitudinous sites in which persons have a claim to no less influence than anyone else over the outcome of a decision to which they will be subject, Equal Influence has radical implications. It points to the necessity of a society with an overall character that is markedly different from anything on offer today. In fact, a robust Equal Influence,

applied not merely to meso-structural hierarchies but targeted at macro-structural hierarchies too, helps to lay the moral foundation for macro-structural *horizontalities*. In short, when Equal Influence is applied, alongside the primary tempering factors, the secondary tempering factors, and the anarchist tempering factors (elaborated in Chapter 4), it produces a situation without structural relations of inferiority.

## 3.5 Assessing Capitalism and the Secondary Tempering Factors

In this Section, I explore the primary and secondary tempering factors as they relate not to the State, but to capitalism — or, more precisely, to the capitalist firm. Kolodny believes that capitalist firms, unlike the State, already feature some of the primary tempering factors. Therefore, he argues that while they still require tempering from the secondary factors, the necessity for these secondary factors is *less urgent* than in the case of the State. I disagree.

Kolodny's views on the capitalist firm make plain the overall difficulty his theory faces. This is that, because Kolodny does not avail himself of a notion of structure, *descriptively*, his suggestions for how to characterize, and then to address, hierarchical wrongs *morally*, fall flat. Kolodny's "fixes" take aim at meso-level capitalist firms, rather than the macro-structural economic system of capitalism. Thus, he misses the moral claim that we have against finding ourselves in the very structural, "caste"-like relations of inferiority that capitalism *structurally requires*.

In fact, Kolodny's position on the capitalist firm, and on capitalism itself, are in some ways stranger than his views on the State. We can, perhaps, understand why Kolodny might have trouble moving from an analysis of this or that State, to *Statism*. This latter is the recursive, world-wide, macro-structural system of human organization that generates centralized, hierarchical forms of

political decision-making, administration, and enforcement. We can also, perhaps, understand why he might have trouble theorizing the notion of a political "estate", or estates.

Yet, Kolodny *does* understand that *capitalism* exists. He *does* understand that there are *economic classes*. However, he never makes the jump to a descriptive or moral analysis of capitalism, despite there being times when his own analysis brings him face-to-face with this structural reality.

Kolodny's failure to account for capitalism undermines his own theory. I hold that, as a dynamic, compounding, recursive macro-structure, one that intersects with other such systems, capitalism not only produces the conditions for a collective *inferiority* complaint, but also generates what we might call "collective invasion complaints" and "collective improvement complaints". A suite of primary, secondary, and supplementary tempering factors is necessary to meet our moral claims against such macro-structural hierarchies. However, such a suite, applied strictly, would un-make capitalism, and create a different, *horizontal* macro-structure in its stead.

Thus, it is also crucial to examine Kolodny's account of the capitalist firm because his view serves as a contrast for alternative approaches. A critique of Kolodny lays the groundwork, like the other sections of this chapter, for a consideration, in the next chapter, of how we might improve upon Kolodny's "big picture".

### *3.5.1 Capitalism and the Primary Tempering Factors*

Kolodny writes that, if we take as the target of our complaint the hierarchy and the inferiority that the State involves, then we have strong grounds for a "parallel-case argument" against the capitalist firm. For the capitalist firm (or its agents) *also* wields ongoing asymmetric power and authority over those subject to it. How far the "parallel-case argument" succeeds depends on how

many of the tempering factors that are *absent* from the State are *also absent* from the capitalist firm.[67] He begins by considering which of the primary tempering factors are present or absent in the case of the capitalist firm.

First, Episodic Character is plainly missing. Like the State, profit-based business is an element of an established, ongoing societal structure.[68]

Kolodny does not stop to consider this structure, or even to give it a name, but we can: it is capitalism. Of course, Kolodny might object to my putting the focus, not on the State or the firm, but on *Statism* and *capitalism*. He might say that there is a 'category error' here, insofar as I am trying to lodge complaints against *systems* rather than agents. While Kolodny can claim that the State just *is* its agents, and that the firm is too, he might ask: can we really say that *Statism*"is" a discrete group of people, or that *capitalism* is? If part of my argument is designed to show that these systems are *networks of practices*, and not only of people, then where is the *moral argument* supposed to land? Kolodny might say that, on the structural argument I am advancing, I can really only make "improvement" complaints, not inferiority complaints. *Inferiority* complaints, after all, are lodged against *natural persons*, not systems.

My reply is the same structural argument I have been advancing throughout the dissertation. We have a moral complaint against dominators, the dominated, and peripheral agents.[69] Our collective inferiority complaint is lodged against any natural individuals who contribute, through actions or omissions, to the construction or maintenance of macro-structural hierarchies — including

the construction or maintenance of the exclusionary justificatory orders of such macro-structural hierarchies. We have this complaint, even if the actions of the agents in question cannot easily be traced to a specific harm to any specific individual. We are permitted to direct this collective inferiority complaint at an individual agent, even if we have the same complaint against every other individual agent who also contributes to the structure in the same way. We have such a collective inferiority complaint against any agents for failing to meet their forward-looking responsibilities to work alongside others to change or dismantle

[67] In some sense, my dissertation establishes a larger parallel-case(s) argument. My contention is that Statism, capitalism, and things like white supremacy and patriarchy are all examples of *the same kind of phenomenon*, insofar as they share the same basic form. They are all hierarchical macro-structures. Moreover, they share the same moral problem: they expose us to structural relations of inferiority.

[68] Kolodny, *The Pecking Order*, 148.

[69] See Dorothea Gädeke, "Who should fight domination? Individual responsibility and structural injustice", *Politics, Philosophy & Economics* 20, no. 2 (2021): 180–201.

macro-structural hierarchies. We have this collective inferiority complaint, even if these other agents do not contribute in any way to the origin of the problem.

Returning to the primary tempering factors, Kolodny does not believe that Context Limitation and Content Limitation are either necessarily present, or necessarily absent, in the case of capitalist firms: it depends on the local economic and legal structure.

In practice, he admits, "at will" employment — an employer's ability to dismiss a worker at any time for any reason — undermines both Context Limitation and Content Limitation, as the boss retains a crucial bargaining chip that they can utilize at any time. Yet, Kolodny says there is nothing *prohibiting* the passage of stricter laws ensuring Context Limitation and Content Limitation.[70]

In my view, this is both a tacit admission that capitalism lacks these tempering factors by itself, and a gesture toward the necessity of intersectional analysis: other macro-structural hierarchies (in this case, Statism), can *accommodate*and *co-reproduce* capitalism, or, can be used (in finite ways) to de-limit and thereby *co-define* it.

I must point out, however, that as a macro-structural hierarchy with a similar form, Statism tends to *accommodate* capitalism more than it limits capitalism. So, while Kolodny is correct that,

technically, there is nothing *prohibiting* the passage of stricter laws ensuring Context Limitation and Content Limitation, this is an ideal-theoretical point that does not stand up to our hierarchically interlocking, macro-structural reality. The truth is that the only things prohibiting the passage of stricter laws ensuring Context Limitation and Content Limitation are all of the varied mechanisms, avenues, and tricks belonging to these macro-structures that are open to, or even *required* of, the agents of capitalism or Statism.

Kolodny appears to long to say that Escapability from the capitalist firm obtains. In his mind, phenomena such as a social safety net, or the State's acting as an employer, can make Escapability from relations of inferiority to the capitalist firm seem to hold. Yet, even he is forced to admit that they do not really allow for Escapability. Firstly, one cannot escape relations of inferiority to some employer, somewhere. Capitalism is the global economic system: a macro-structural hierarchy. Secondly, exit carries a cost that is very high, such as a loss in firm-specific "human capital" when one leaves a job. Simply put, those who leave a firm sometimes lose the resources *with* which, and the context *in* which, to use a particular set of skills into which they have invested time and effort. Yet, one of Kolodny's stipulations of Escapability is that escape must be without much cost or difficulty.[71]

Here Kolodny has reworked what he takes to be a Marxist point (though the point is, in fact, a more broadly socialist one): the problem is not simply that, in a capitalist system, one cannot escape *an* employer. The problem is that one cannot escape relations of inferiority to the bourgeoisie, the capitalist *class*. Kolodny frames the issue as if it is a problem with "bondage" — and it is — but it is also a problem with "caste". Yet, he neglects to analyze further the "collective inferiority" facet of the issue. As with his point about Episodic Character, Kolodny comes close here, in his discussion of

Escapability and the capitalist firm, to a confrontation with the notion of structurality. Unfortunately, he breezes past it.

[70] Kolodny, *The Pecking Order*, 148.
[71] ibid., 148–149.

Kolodny believes that Downward Equalization obtains. Asymmetries and disparities in capitalist firms are not final. There is a higher court of appeal — that is, literal *courts of appeal* — and these are not marked by the same asymmetries or disparities as those within the capitalist firm. According to Kolodny, the capitalist firm is regulated by a legal order that workers have an equal opportunity to influence.[72]

I find this to be a particularly weak stance, for six reasons. First, it is not clear how a higher court can do something *fully* to fix, say, *a disparity of regard*, such as discrimination on the basis of class or race. Moreover, once one experiences an instance such discrimination, one has experienced it. One might try to prohibit future instances of this moral wrong, but how does one redress a past wrong of this kind in a way that is *meaningful* — in a way that truly *changes the structure*, rather than simply offering a monetary reward?

Second, and relatedly, if the problem is, indeed, a disparity of regard, which often operates in the psyche and indeed the subconscious mind, then this problem is likely to be present at a higher organizational, structural level, simply because *human beings* are present at a higher organizational, structural level. This means that the ruling of a court of appeals is unlikely to address every level of the problem.

Third, the money and time it takes to bring lawsuits against massively wealthy corporations, or even just bosses, is often prohibitively high — too high for members of the lower class, or even the shrinking middle class.

Fourth, Kolodny is mistaken to argue that workers have recourse to bureaux or departments of labor. For "recourse" must mean "effective recourse." Yet these departments of labor are typically slow, and usually render narrow decisions.

Fifth, the intersectionality of macro-structural hierarchies means that hierarchical macro-systems accommodate, co-define, and co-reproduce one another. Thus, we observe State mechanisms that provide protection to the upper class, because those in the highest government *estate* are also, often, members of the bourgeoisie, or adjacent to the bourgeoisie. As a result, the "regulatory capture" of some State organs becomes an issue.

Sixth, workers might have equal *formal* opportunity to influence the government, but they do not have equal *informal* ability. Kolodny knows this well, and in fact devotes a chapter of his book to discussing this issue.[73] One informal hurdle is that workers might not have time to vote. Another is that workers cannot choose how many parties there are. A third is that workers cannot mandate that any party be sympathetic to workers' concerns.

Overall, non-ideal reality makes the presence of Downward Equalization dubious in the case of the capitalist firm (a meso-structural hierarchy), and impossible in the case of capitalism (a macro-structural hierarchy). One could argue that the problems with capitalism, and its relation to Statism, could be fixed. Yet true fixes would alter the *kind of macro-structures* these things are.

Kolodny finds that Egalitarian Relationship obtains in the capitalist firm as well, provided that the secondary tempering factor Equal Citizenship obtains (and Kolodny believes it does). For Kolodny, the persons in the relationship marked by an asymmetry or disparity in the capitalist firm stand as equals in some other recognized relationship — namely, citizenship.[74]

[72] ibid., 149.

[73] See Chapter 31, "The Demandingness of Informal Equality" in *The Pecking Order.*

[74] Kolodny, *The Pecking Order*, 149.

I object here, as well. Above, Kolodny was happy to admit that Context Limitation and Content Limitation *only*obtain in *particular* situations, given the surrounding society in question. As such, it is not clear why he wishes to insist that Downward Equalization and Egalitarian Relationship *always* obtain. It strikes me as straightforwardly obvious that they do not *always* obtain. We are not all equal citizens. Kolodny might insist that these tempering factors obtain when the political apparatus is functioning as it "ought" to, but he would be supplying the vision of how things ought to be from a liberal theoretical toolbox: an anarchist might supply a different vision of how things "ought" to be.

Kolodny concludes that some of the primary tempering factors which are absent in the State are "more present" in the capitalist firm, and that, therefore, the case for the secondary tempering factors is weaker in the case of the capitalist firm than it is in the case of the State. We should conclude, he thinks, not that the secondary tempering factors are *unnecessary* in the case of the firm, but rather that only *some* are necessary. If bosses are like State officials, we would at least expect their relations to their employees to meet the secondary tempering conditions of Impersonal Justification and Least Discretion, which also are supposed to apply to State officials.

I disagree with Kolodny's analysis. On the contrary, I argue that if the primary tempering factors are not *meaningfully* present, then the primary tempering factors are *absent*. They are absent in the case of Statism, and capitalism, and in the case of socially hierarchical macro-structures (white supremacy, patriarchy, etc.).

On Kolodny's view, if the primary tempering factors are absent, we require the secondary tempering factors to render a societal hierarchy morally un-objectionable. If the primary tempering factors are absent in the case of the capitalist firm, then on Kolodny's own view, we will need more, maybe *all*, of the secondary tempering factors to render the capitalist firm morally un-objectionable.

### *3.5.2 Capitalism and the Secondary Tempering Factors*

Kolodny's reasoning about the secondary tempering factors reveals errors in his judgment, not only about the capitalist firm, but also about the State, and about the macro-structural hierarchies to which these belong: capitalism and Statism. Carefully considering his arguments shows the challenges of a State-capitalist ideological orientation, and opens the door to a libertarian-socialist one.

Kolodny believes that we must at least expect capitalist firms to meet the secondary tempering conditions of Impersonal Justification and Least Discretion. Kolodny hastens to add, however, that while *some* of the other secondary tempering factors are necessary in the case of the capitalist firm, the secondary tempering factor Equal Influence is *not*required — if it were, this would be a requirement for Workplace Democracy.

Why does Kolodny believe that Equal Influence is unnecessary in the capitalist firm? This is because the "conventional moral wisdom" in capitalist systems does not require it. This conventional moral wisdom holds that we ought to be "friendlier" to prohibiting the abuse or the arbitrary treatment of employees than we should be to establishing an all-out workplace democracy.[75]

This is an odd line of thinking. First, as philosophers, we are not meant to be moved by "conventional moral wisdom". We are meant to follow our investigations where they lead and, more-

[75] ibid., 149–150.

over, to make those investigations honest ones. We are, at the moment, questioning some basic tenets of the capitalist firm, if not the capitalist macro-structure, overall. Why, then, should we take care not to tread on that structure's conventional moral wisdom? If Forst's view of "justificatory orders" is correct, one would think we ought to be *especially skeptical* of it.

Second, it is not clear why we ought to be friendlier to some organizational principles than others, or what being "friendlier" means. Kolodny gives no reasons or justifications for this stance. All we know is that we have been enjoined to substitute "the way things are usually done" for careful investigation and justification.

Finally, Kolodny here displays a greater concern for the relations of inferiority that are typical of "bondage" than those that are typical of "caste." Yet he does not give any reason for this either, or even acknowledge it. We, however, know why: an interrogation of "caste" requires a structural orientation, descriptively and morally. Workplace Democracyis meant to challenge the collective relations of inferiority common to both "caste" and "bondage" (though whether it is enough is a different question).[76] Kolodny has trouble fitting it into his system because he has trouble fitting 'structure' into his system.

According to Kolodny, a capitalist firm ought to meet the secondary tempering factors Impersonal Justification and Least Discretion. Kolodny holds that there are a few *impersonal reasons* that justify hierarchy in the economic sphere.

First, workplace hierarchies of authority allegedly reduce transaction costs. Were a capitalist economy to function such that the buyers and sellers of the relevant "factors of production" (resources, labor, etc.) each did so independently, in every market transaction, then the costs to the system, and to each buyer and seller, would be quite high. It would be difficult or impossible to manage all the relevant market factors, all at once, in one's head, without losing time, energy, opportunity, or money. Yet, if some of those buyers, sellers, and transactions were to be organized,

instead, under the hierarchical management of a boss, then the costs on all, and on each, could be reduced. The result is a net gain in efficiency.[77]

This is, perhaps, a sufficient argument against decentralizing a *capitalist* economy. Yet it is not a case against a decentralized *socialist* economy. In fact, it has nothing to say about socialism. This justification merely *assumes* a capitalist economy, and attempts to solve for a problem inherent in that system by inserting another. In this scenario, everyone simply *is* a competitor, and no one is working for the common good or the public interest. In such a ruthless economy, short of any public spiritedness, it might be that submission to a ruler would, indeed, be the only way to ensure some safety or stability for oneself. Yet that is not the only kind of economy. A different standpoint — one that takes a structural view of moral wrongs and moral rights, ethical goods and ethical bads — might envision economic practices of production, distribution, and consumption that are *not* driven by sale, for profit, on a market.

Kolodny continues with his defense of the impersonal justifications that, allegedly, require economic hierarchy. He next claims that, in such a hectic market (without any bosses to coordinate), uncertainty would dramatically increase, which would make labor contracts very difficult to draw up. Workers are often required to make changes to what, when, where, and how they work, in order to complete the jobs that they are contracted to do. Even in stable, certain markets,

[76] As it happens though, Kolodny returns to Equal Influence in capitalist firms for a second, slightly more sympathetic, look. I discuss this second look momentarily.

[77] Kolodny, *The Pecking Order*, 150.

it is impossible to draft a contract that completely covers *any* possible scenario. Yet, he feels, the inability to draft a complete contract, and the difficulty in drawing up a contract *at all* in an unstable, uncertain market, are solved through hierarchical relations. A hierarchical supervisor, whose only role to is to keep the relevant production and distribution factors in mind, helps to make the market much more stable, for the buyers and sellers, and thus overall. The "completeness problem" is solved when workers

agree to an *incomplete* contract: when they agree just to submit to the direction of a boss. The boss's function is to specify the contractual terms left unspecified for the purpose of efficient production.[78] Thus, this is, in Kolodny's mind, another Impersonal Justification of the capitalist firm.

Yet again, this only seems reasonable if one *already assumes* a market in which commodities are competitively produced for the most profit possible. The establishment and maintenance of such, historically, has depended on an already centralized, coercive form of political power — the kind of centralized, coercive political power which generates collective inferiority complaints. Yet there are *other* forms of political and economic organization that are better tempered. As better tempered, these forms of organization therefore better meet our moral claims against untempered relations of inferiority, generally. They also better meet our more robust moral claims against *structural* relations of inferiority.

Further, we should not cede too much to Kolodny, even from within his examples. We cannot even be sure that a boss really *does* allow for efficient production. Some socialist literature argues that bosses are an *impediment* to production. Cornelius Castoriadis, for example, argued that the gap between the increasing number of tasks that bosses ask workers to handle, and the always-diminishing power they give to those workers to handle those issues, itself is consistently widening. Castoriadis felt that this logistical problem, rather than any decline in the rate of profit, would ultimately lead to a productivity crisis for the capitalist macro-structure.[79]

Kolodny remarks that the office of a boss could be impersonally justified in some, or in all of the ways he mentions. In any case, the impersonal reason such justifications serve is always *efficiency*.

Kolodny does admit that efficiency, while impersonal, is not a *sufficient* reason, in every case. We might, and often do, value things other than efficiency. Further, Kolodny writes that the office of "boss" should not be geared *exclusively* to efficient production for the given firm in question. For this might not serve efficient production of the economy, overall. The economy, overall, must also factor in the "public interest": that is, the *collective improvement claims* of each and every person, taken together. Workers might bear unfair costs for a given increase in this or that firm's productivity, thus violating the public interest.[80]

In line with this concessive spirit, Kolodny admits that he earlier underplayed the secondary tempering factor Equal Influence, in order to focus on the secondary tempering factors Impersonal Justification and Least Discretion. Early on, he remarked that the conventional moral wisdom in capitalist firms is that Equal Influence is simply not required. Yet he then counters this

[78] ibid., 150–151.

[79] See Cornelius Castoriadis, "Modern Capitalism and Revolution," in *Political and Social Writings*, translated by David Ames Curtis (Minneapolis, MN: University of Minnesota Press. 1988), pp. 226–343. For a discussion of Castoriadis and this text, see Todd May, *The Political Philosophy of Poststructuralist Anarchism* (University Park, Pennsylvania: Pennsylvania State University Press, 1994), pp. 38–44.

[80] Kolodny, *The Pecking Order*, 151–152.

wisdom: three issues suggest that our claim to Equal Influence is, in fact, *stronger* in the capitalist firm than in the State. Because other primary and secondary tempering factors are missing, Equal Influence becomes all the more important.

First, asymmetries are in some ways *less* tempered in the firm by the primary tempering factor Content Limitationthan they are in the State. At work, bosses impose "ends" as well as "means," while the agents of the State, Kolodny holds, never specify what goals are to be pursued. Not only that, but the boss's orders are often very detailed. Thus, the "means" themselves are overly-controlled. By contrast, the State's laws (Kolodny argues) merely set broad boundaries within which to achieve whatever goals one likes.[81]

I have no qualm with Kolodny's calling for greater Equal Influence in the capitalist firm, at the meso-structural level — though I deny that meso-structural hierarchies can change much, when they are situated within the context of one, or even several, macro-structural hierarchies. Nonetheless, what Kolodny says of the State, vis-à-vis Content Limitation, is not true. The State sets ends by *controlling* means. And even if it were true of a State in isolation, given the realities of the intersectionality between macro-structural capitalism and Statism, Kolodny's point is especially erroneous.

As for *capitalist* institutions setting the ends to be pursued, Foucauldians might agree: it is meso-structural institutions (often economic) that construct "infra-laws" that then link up to form a web of practices, discourses, and policies which constitutes society's overall operations. A Foucauldian analysis might argue that the State's laws are secondary.[82]

Yet, the case of Content Limitation and the State is not so simple. First, the State has its own mid-level institutions that create infra-laws, too. Second, the State's quotidian, legislative laws might, indeed, set broad boundaries within which to achieve whatever goals one likes. Yet, the fact that these boundaries, even the large-scale ones (and not merely the "infra"-boundaries), are *productive* of our habits (and thereby our subjectivities) speaks to the point that the State is *directive*: it pushes us in a certain direction, and does not merely provide an arena to "play" in. Third, as I argued above, we must criticize the division being drawn here between means and ends. If an agent can regulate means, that agent can regulate ends.

In any case, Kolodny gives another reason to push for Equal Influence at work. He claims the secondary tempering factor Equal Application is more likely to obtain in the State than in the firm: State agents are subject to the laws they craft, but bosses are not subject to the orders they give. Kolodny believes that issuing orders and monitoring compliance prevents bosses from fulfilling the orders themselves.[83]

Here, Kolodny is right about the firm, though we must specify that it is not the uppermost bosses (the bourgeoise) who give orders, but middle managers: the "coordinator class". I object, though, to his implication that bosses *would*follow their own orders if they had the time. There is no reason to believe this.

Kolodny is also, again, wrong about the State: they do not always or even usually subject to the laws they create. Politicians can deliberately write laws in such a way that these laws apply only to politically less authoritative, economically poorer, or socially mis- or un-recognized persons, so

[81] ibid., 152–153.

[82] For Foucault's discussion of "infra-laws" (which he does not name as such), see Michel Foucault, *Discipline and Punish: The Birth of the Prison*, Chapter 2, "The Means of Correct Training," in the sub-section "Normalizing Judgment," pp. 177–179.

[83] Kolodny, *The Pecking Order*, 153.

that there is never any danger of superordinates needing to follow them. In cases when politicians, or the bureaucrats under them (such as the police) are caught violating a directive, it is common for nothing to happen — to the offender, to the institution, to the macro-structure. Often, this is given a legal gloss: politicians or bureaucrats must be given "qualified immunity" and allowed to do this or that in the name of "public safety" or "national defense", etc. These concepts become part of the un-thinking that exclusionary "justificatory orders" foster and develop.

Kolodny's third reason to suspect that Equal Influence is more necessary in the capitalist firm than in the State is that the secondary tempering factor Upward Un-Accountability obtains in the State, but not in the firm. In the State, Kolodny believes, one is accountable to one's fellow citizens for the violation of a directive, and not to the State's agents. Yet in the firm, one is not

accountable to one's coworkers for the violation of a directive. One is accountable to managers, directors, the board, and so on.[84]

Again, I stress that Upward Un-Accountability obtains in *neither* the firm nor the State. The citizen who disobeys a State directive is dragged before State agents; that these agents are fellow citizens is of little difference, for Equal Application does not really apply. Because the State has a unitary quality, one is brought before *it*. In any case, a judge is either of the "politician" or the "bureaucratic" estate, and not the "mass" estate. One is never held accountable in front of all the members of one's *own* estate.

Ultimately, then, Kolodny does feel that the secondary tempering factors Impersonal Justification and Least Discretion are required of the capitalist firm. Yet in the end, and strangely, Kolodny refuses to say whether Equal Influence is also, *actually* required of the firm. His own views force him to admit that the claim to Equal Influence has some strong points in its favor. Yet an affirmation that Equal Influence is, indeed, *necessary* would be a call for Workplace Democracy.

Though this is where the argument plainly leads, Kolodny is unwilling to follow. Rather, Kolodny ends simply by suggesting that he has at least pointed to the deeper sources of the controversy over workplace organization.[85]

Kolodny's hesitancy is understandable, if one recognizes that his analysis lacks a structural frame, descriptively and morally. As such, a change to every capitalist firm might seem as if it would fundamentally change something, though Kolodny is unable to say what. Yet he need not be so worried to endorse Workplace Democracy. This is because, *even if* all capitalist firms were to implement Workplace Democracy, this would not radically change or unmake capitalism, as a

macro-structural hierarchy. Competing democratic workspaces would not prevent some workspaces, and their workers, from succeeding, and others from failing. It would not prevent some workers from being rich and others from being poor. It might change what the bourgeoisie looks like, but not the existence of such a class.

As I have maintained throughout this chapter, Kolodny's secondary tempering factors are targeted at meso-structural offices. However, even the secondary tempering factors that Kolodny accepts, in any given situation, would not do *enough* to prevent our collective inferiority complaint against macro-structural hierarchies. Even if these factors were present at the meso-structural level of individual States, or capitalist firms, the macro-structural hierarchies to which these belong would not necessarily change. For that, we would require not only a strict application of

[84] ibid.

[85] ibid., 153–154.

the primary and secondary tempering factors. We would require, too, additional secondary tempering factors.

* * *

In this section, I considered Kolodny's assessment of the capitalist firm. I rejected Kolodny's arguments that the *primary* tempering factors are more present in the capitalist firm than they are in the State. I also dismissed his arguments that not every secondary tempering factor is necessary in the case of the capitalist firm.

Instead, I held that in order to prevent our collective inferiority complaint against macro-structural hierarchies, the primary and secondary tempering factors are necessary, including Equal Influence, which in turn mandates Workplace Democracy. Further, I held that, should *any* economic offices be necessary, they must be tempered by supplemental secondary tempering factors, to which I turn in Chapter 4.

## 3.6 Conclusion to the Chapter

In the dissertation thus far, I have argued that Kolodny lacks a structural account of hierarchies. As such, he cannot theorize the broadest and deepest kind of hierarchy. And thus, he also misses the structural wrongs such large-scale hierarchies generate.

In this chapter, we saw the downstream consequences of this lacuna. Kolodny proposes a series of modifications to offices that feature asymmetrical power and authority. Yet an investigation into the details of his suggestions show them to be helpful, but mis-aimed. They target meso-structural offices only, and miss the contexts to which such offices belong. Therefore, they fail to meet the sort of moral claim we have against larger hierarchical structures.

Kolodny's elaboration of the secondary factors for tempering meso-structural hierarchies does not countermand our moral claim against macro-structural hierarchies, themselves. Kolodny is correct to argue that we have a moral claim against un-tempered relations of inferiority. He is also correct to argue that his secondary tempering factors are necessary to temper what I call meso-structural hierarchies. Yet, these tempering factors are not *sufficient* to temper *macro*-structural hierarchies.

First, I presented seven of Kolodny's eight secondary tempering factors. I then assessed these tempering factors. In general, Kolodny's elaboration of these secondary tempering factors is vague or not compelling. In other cases, Kolodny relies upon unhelpful ideal-theoretical assumptions. I criticized the watered-down versions of these tempering factors — Kolodny does not always appear to take these factors as seriously, or wish to apply them as strictly, as I do.

Next, I investigated the secondary tempering factor Equal Influence and Kolodny's stipulations for democracy. Kolodny does not apply Equal Influence to meso-structural hierarchies as strongly as he ought to, and that, in any case, even a strict application of Equal Influence is

insufficient to redeem the Statist, centralized, representative forms of political decision-making that are preeminent in the world today.

After that, I assessed Kolodny's approach to the capitalist firm. Here too, I rejected Kolodny's arguments on behalf of workplace hierarchy, and questioned Kolodny's reluctance to apply his secondary tempering factors strictly to meso-structural hierarchies. Further, I held that the economic sphere, like the political and social spheres, in fact requires *additional* secondary tem-

pering factors in order to meet our collective inferiority complaints against macro-structural hierarchies.

The general thrust of this chapter was that *all* secondary tempering factors must be strictly enforced, given our moral claim against macro-structural hierarchies, and that even these are not enough.

In the next chapter, I further develop the idea that, in fact, Kolodny's eight secondary tempering factors are insufficient to meet our collective inferiority complaint against macro-structural hierarchies. I then argue that we require additional secondary tempering factors fully to meet this moral claim. Yet if the primary, secondary and additional tempering factors are applied, and strictly, the result is the transformation of macro-structural *hierarchies* into macro-structural *horizontalities*. And, I argue, the theory corresponding to this descriptive and moral situation has less in common with a mainstream, liberal outlook than it does with an *anarchist* one.

# Chapter 4 — The Anarchist Alternative

## 4.1 Chapter Introduction

In the last chapter, I argued that Kolodny's interventions into societal hierarchies fail. Specifically, because Kolodny lacks a structural account of societal hierarchies, *descriptively*, he does not develop a structural account of right and wrong, *morally*. Because Kolodny has no clear view on "collective inferiority complaints", his elaboration of the secondary factors for tempering societal hierarchies does not answer our moral claim against the broadest and deepest of these hierarchies: macro-structural hierarchies. We have a freestanding, collective moral claim against finding ourselves in macro-structural relations of inferiority. This is a moral claim that the secondary tempering factors, on their own, cannot rise to meet.

Kolodny is correct to argue that we have a moral claim against un-tempered relations of inferiority. Further, unconnected strands of thought in his approach, when connected and injected with a structural outlook, do allow for view to collective inferiority complaints. Kolodny is also correct to argue that his secondary tempering factors are necessary to temper *meso*-structural hierarchies. Nonetheless, Kolodny's secondary tempering factors are not *sufficient* to temper *macro*-structural hierarchies.

Thus, in the present chapter, I argue that we require *additional* secondary tempering factors fully to meet that moral claim against macro-structural hierarchies. Without them, practices of subordination, and the attendant accumulations of power, wealth, resources, and regard, will all generate feedback loops that silo persons into political, economic, and social positions of inferiority. Such recursive patterns of practice, and of unequal outcome, constitute the collective relations of inferiority toward which we have a moral complaint.

On the other hand, if societal hierarchies at the "interactional" and "meso-structural" levels are indeed tempered, strictly, by multiple tempering factors, the patterns and outcomes against which we have a moral complaint are broken. In their place, new, empowering practices are generated. The outcomes of these practices are also recursive and accumulative, yet they are marked by symmetries and parities of power and regard, rather than asymmetries and disparities. The result is the transformation of macro-structural *hierarchies* into something very different. I call these alternate kinds of organization "macro-structural *horizontalities*."

Moreover, and ultimately, a political theory that stresses our collective inferiority complaint *against* multiple, interlocking macro-structural hierarchies, and which also emphasizes our "collective improvement claim" *to* multiple, interlocking macro-structural *horizontalities*, fulfills the promise of Kolodny's project. Yet it also takes us beyond that. The resulting outlook can no longer be regarded as the liberalism of mainstream political philosophers. Instead, this outlook is plainly a form of anarchism.

Thus, in this chapter I turn to anarchism as a societal ideology. I position it as a pre-existing, and superior, alternative to the Kolodnian approach toward societal hierarchies. I demonstrate that historically, anarchism has been grappling with the themes of this dissertation — that is, the

descriptive and moral significance of societal hierarchies, in their various spheres, at their multiple sites and levels — since the 19th century. In the process, I move beyond a mere fault-finding expedition within Kolodny's text, and instead turn to the positive contributions anarchism has to offer political theory. It is this ideology, more than any other, which has always maintained a structural view of interlocking societal hierarchies, but which has tended to approach these topics implicitly and evocatively. It is, then, an outlook that stands to gain from the explicit and analytical insights of Kolodny — partly because it stands to make better use of them.

This chapter has seven sections. In Section 4.2, I present contemporary accounts of 'ideology' itself, and of anarchism as an ideology. I give an overview of Michael Freeden's 'morphological' account of ideology, and explain the recent anarchist incorporation of the morphological account as a way of theorizing anarchism. While I agree with present-day anarchist thinkers that '(anti)-hierarchy' is a core concept for anarchism, without which anarchism is incoherent, I hold that '(anti)-hierarchy' is in fact *the core of the core* of anarchism: the heart of the matter. I charge that anarchists have not yet adequately "micro-decontested" the concept of 'societal hierarchy', or 'societal horizontality', or 'structure', by identifying, defining, or organizing the micro-components of these concepts. Further, I argue that, while anarchists have done a good job giving the appropriate *priority* to 'anti-hierarchy' (by admitting its centrality), anarchism has not yet given it the attention that is *proportionate* to its importance. This dissertation has been, in part, an attempt to rectify this very problem.

In Section 4.3, I draw a connection between the notions of this dissertation and the societal ideology of anarchism. I give a brief "potted history" of anarchism and the concepts of 'hierarchy', 'horizontality', and 'structure'. I hold that anarchism has a long history of engagement with the descriptive and moral dimensions of these concepts. It is by elaborating past anarchist positions on these issues, I argue, that we confront the need for additional, strict tempering factors. From this history we are greeted by vision of what such factors ought to look like. And we observe, too, what we risk if we do not achieve these additional tempering factors. However, I also charge that historically, anarchist insights have often been merely *implicit* and *evocative* on the topic of 'societal hierarchy'. By "implicit", I mean the opposite of *explicit*: past anarchists often neglected even to use the term 'hierarchy', or to cast it as of greater significance than, say, 'power-over' others, or 'authority'. By "evocative", I mean the opposite of *analytical*: past anarchists often failed to pick apart the micro-components of 'societal hierarchy' so as to differentiate 'hierarchy' from power, authority, and regard,

and thereby to understand the moral implications of each. Thus, while the "spirit" animating anarchist theory points toward 'societal hierarchy' as the conceptual arch-stone of anarchism, and while it calls for highly tempered hierarchies — or, rather, for *no hierarchies at all*, whenever possible — the tools with which we frame such additional tempering factors will need to be Kolodnian.

In Section 4.4, I draw from the history of anarchist political theory, and from this "anarchist spirit", by elaborating ten additional secondary tempering factors — for a grand total of eighteen secondary tempering factors — that must be present to meet our moral claim against macro-structural hierarchies. In particular, I consider Kolodny's arguments for rejecting two of these additional secondary tempering factors: Rotation and Sortition. I hold that Kolodny's objections to Rotation and Sortition are not persuasive and that, on the contrary, we need these, and the other "anarchist tempering factors", to render asymmetries of power and authority morally unobjectionable.

In Section 4.5, I more fully elaborate the implication from the preceding section. This is that a strict application of all of the secondary tempering factors (plus an application of as many of the *primary* tempering factors as is possible), leads to meso-structures that are either (1) sharply-curtailed hierarchies, or, (2) structures that are not hierarchical *at all*anymore, but rather what I call "horizontalities". In either case, the cumulative result of these altered meso-structural institutions is the presence, on a societal scale, of what we might call a "*macro-structural horizontality*." In this section, I explain the core features of both meso- and macro-structural horizontalities, and elaborate how a macro-structural horizontality may still comprise (sharply bounded) meso-structural hierarchies, while nonetheless lending a horizontalist quality to society at large.

In Section 4.6, I conclude the chapter. I demonstrate the connection between the additional tempering factors, macro-structural horizontalities, anarchism, and Kolodny. By adopting the additional tempering factors (which are drawn from anarchist theory), and by applying them,

alongside Kolodny's primary and secondary tempering factors, one achieves the sort of macro-structures on behalf of which anarchism has been implicitly and evocatively arguing for close to two centuries. These are macro-structural horizontalities. In the process, one fully meets our collective moral claim against structural relations of inferiority. This moral claim is one that Kolodny's own theory points to. Anarchism, then, completes a project the outlines of which Kolodny's system but dimly illuminates.

## 4.2 Anarchism as Ideology

In this section, I begin by explaining the "morphological" account ideology. I then note that contemporary anarchists often present anarchism as most basically concerned with hierarchy and horizontality. However, in these accounts, neither term is typically given much analytical content. Hierarchy is given *priority*, but inadequate *proportionality*.

I begin with the contemporary anarchist understanding of the importance of 'hierarchy' for anarchism. No contemporary anarchist would deny that 'societal hierarchy' is of central importance to anarchism, both conceptually and historically. In fact, in their 2018 anthology *Anarchism: A Conceptual Approach*, editors Benjamin Franks, Nathan Jun, and Leonard Williams give societal hierarchy, or rather "anti-hierarchy", pride of place. In this volume's attempt to spell out the basic ideas of anarchism, "anti-hierarchy" is the topic of the first chapter. Anti-hierarchy is taken to be the first concept one must understand, if one is to understand anarchism as an ideology.

Following the pioneering work of Michael Freeden, Franks, Jun, and Williams present a "morphological" account of anarchism as an ideology. In this approach, ideologies are understood to be "assemblages of particular political concepts" that are patterned according to a 'morphology' — that is, "an inner structure that organizes and arranges those concepts in particular ways […]"[1] Further, ideologies — or rather, those who subscribe to these ideologies — "de-contest" the meanings of each ideology's concepts. That is, an ideology has certain mechanisms that make the meanings of its concepts temporarily stable, though never immune to change.[2] Ideologies are in some sense recursive, for any ideology's morphology "is determined by the ways it decontests the

[1] Benjamin Franks, Nathan Jun, and Leonard Williams, "Introduction", in *Anarchism: A Conceptual Approach*, edited by Benjamin Franks, Nathan Jun, and Leonard Williams (New York, NY: Routledge, 2018), pp. 4–5. Franks, Jun, and Williams, following Freeden, take a neutral approach to ideology, in contrast to the negative understanding of ideology common to Rainer Forst and others of the Frankfurt School of Critical Theory.

[2] Franks, Jun, & Williams, "Introduction", in *Anarchism: A Conceptual Approach*, p. 3, pp. 4–5.

concepts it contains," yet, at the same time, "the decontested meanings assigned to these concepts are", themselves, "determined by how they are organized and arranged within the ideology [...]"[3]

The concepts of an ideology bear four general relationships to one another and to the ideas of other ideologies. These relationships help to set the internal morphology of each ideology. First, an ideology's concepts have *proximity* to one another — that is, they often help to delimit and define each other. Second, these concepts have different levels of *priority* within an ideology. Not every concept is as important to an ideology as the others. Rather, ideologies are themselves hierarchical constructions.[4] Some notions are core concepts: these are "enduring and indispensable" and provide the ideology "with its essential identity, with the views that separate it from other perspectives." Other notions are adjacent (providing "additional nuance and anchoring for some of the core concepts"). And still other notions are merely peripheral (ideas that are "tied to particular times and places, to the concerns of the moment").[5] The third kind of relationship that the concepts of an

ideology bear to one another is *permeability*. That is, the concepts of one ideology can intersect and overlap with those of another, separate ideology. "Freedom" and "equality", for example, are important notions for many ideologies, and cannot be taken solely to define any single one. Finally, the notions of an ideology can have varying levels of *proportionality*. That is, the "relative space or attention to particular issues given by the ideology" can differ. Even core concepts can receive little extended discussion (being more or less taken for granted), while a great deal of ink might be spilt on peripheral ideas.[6]

De-contestation, the processes by which the meanings of an ideology's concepts are rendered momentarily stable, takes two basic forms. The first, which Franks, Jun, and Williams dub 'micro-decontestation', involves "identifying, defining, and organizing [the] 'micro-components' [of a single concept] – i.e., the particular referents that specify what they are concepts *of*..." The authors name the other process 'macro-decontestation', and this refers to the arrangement of different concepts "within a hierarchy of 'core,' 'adjacent,' and 'peripheral' elements as well as determining their relative significance among other concepts of the same type [...]"[7]

Anarchism has its own share of core, adjacent, and peripheral concepts. Their *proximity*, *priority*, *permeability*, and *proportionality*, along with the various ways each concept is "micro-" and "macro-decontested", help to give anarchism its own signature morphology. These mark it as the ideology it is, and not some other.

As noted, Franks, Jun, and Williams dedicate the first chapter of their book to anti-hierarchy, emphasizing "anarchism's opposition to hierarchy in human relations" and the fact that anarchism seeks "both to demolish the institutions that promote hierarchy and to construct viable alternative

[3] ibid., 5.

[4] It is easy to see how spare observations like these, when over-emphasized, can mistakenly lead a thinker like Louis Dumont to understand human societal existence as basically hierarchical. For a critique of Louis Dumont's hierarchical theory, see David Graeber, "The Rise of Hierarchy," in *Hierarchy and Value. Comparative Perspectives on Moral Order*, edited by Jason Hickel and Naomi Haynes, (New York: Berghahn Books, 2018), pp. 135–150. For Dumont's views, see Louis Dumont, *Homo Hierarchicus: The Caste System and Its Implications* (Chicago: University of Chicago Press, 1970).

[5] Franks, Jun, & Williams, "Introduction", in *Anarchism: A Conceptual Approach*, p. 1.

[6] ibid., 1.

[7] ibid., 5.

organizations."[8] Anti-hierarchy is thus the first of anarchism's core concepts. Nonetheless, this first chapter, written by Randall Amster, fails to tackle hierarchy head-on, and instead works *around* the concept, evoking its importance for anarchism.

Amster is both forceful and insightful when he relates the importance of hierarchy to anarchism. Amster correctly identifies hierarchy as anarchism's major concern. He writes, "[t]he centrality of an anti-hierarchical perspective is evident in anarchist theory and action alike. Indeed, it might be said that a robust notion of anti-hierarchy is the *sine qua non* of anarchism, the core concept that differentiates it at root from other ideologies."[9] In fact, while many ideologies take a serious look at societal hierarchy, anarchism is unique:

In its thoroughgoing critique of hierarchy, anarchism establishes itself as a singular sociopolitical theory, one that sets a high bar of critical analysis for how deeply it is willing to inquire into quintessential hegemonies surrounding governance, economics, social relations, knowledge production– and even into the workings of anarchist organizing itself.[10]

Amster adds that the "depth of its critique of hierarchy is one of the principal points of distinction between anarchism and other radical theories."[11] (We might add, here, that it also distinguishes anarchism from more mainstream theories, such as liberalism and Neo-Roman republicanism.) Amster acknowledges that, in general, "anarchists have proven adept at applying subtle distinctions in concrete contexts, and likewise at embracing diverse perspectives on processes and goals alike, and (perhaps uniquely among political theories) to unflinchingly inquire as to their own patterns in order to stand against those associated with the dominant structures in society."[12] Amster is correct, here, and he is at his best when he is most evocative.

Unfortunately, the adeptness of anarchists at applying subtle distinctions in concrete contexts not enough for an analysis of hierarchy, on paper, nor are Amster's evocations enough, either. Amster admits that "when we consider the notion of anti-hierarchy as a core anarchist tenet, it is important to recognize that an array of corollary concepts is connected to this foundational value…"[13] Yet these corollary concepts — the kinds found in Chapters 1, 2, and 3 of this dissertation — never follow, in his account (or in those of other anarchists). Instead, Amster's chapter is divided into sections that discuss societal hierarchy in relation to "authority", "the State", "capital", "domination and power", and "organizing". These sections are historically and sociologically illuminating, but they do not do much to "micro-decontest" the concept of societal hierarchy by defining its component parts.

In fairness to Amster, he perhaps carries some skepticism that societal hierarchy can be completely defined. As he writes,

we might view anarchism more as a set of interrelated processes than as a settled goal, and hence as a perpetual means toward its own evolving ends. When we say that anti-hierarchy is a core anarchist concept, then, it is not so much in reference to a plank in an ideological foundation

[8] ibid., 8.

[9] Randall Amster, "Anti-Hierarchy," in *Anarchism: A Conceptual Approach*, edited by Benjamin Franks, Nathan Jun, and Leonard Williams(New York, NY: Routledge, 2018), 15.

[10] Amster, "Anti-Hierarchy," in *Anarchism: A Conceptual Approach*, 15.

[11] ibid., 16.

[12] ibid., 19.

[13] ibid., 15–16.

as it is describing a tool for engaging a wide range of issues and unpacking various intersecting forms of oppression.[14]

On this view, what matters is *what* we use the concept of hierarchy *for*: an anti-hierarchical viewpoint is not "simply a values-orientation at work, or an attempt to score points in some academic debate [...]"[15]

Nonetheless, we can do more with clearer concepts. I must here resurrect van Wietmarschen's complaint against Kolodny, and use it against Amster: merely listing a number of

topics, to which anarchists have applied an anti-hierarchical lens, does not tell us what societal hierarchy, or societal horizontality, or structure, really *are*.

In fact, using the terms from *Anarchism: A Conceptual Approach* itself, we can identify the problem with anarchism, vis-à-vis the notion of hierarchy: anarchists have not yet adequately "micro-decontested" the concept of 'societal hierarchy', or 'societal horizontality', or 'structure', by identifying, defining, or organizing the micro-components of these concepts. Further, while anarchists have done a good job giving the appropriate *priority* to hierarchy/anti-hierarchy (by admitting its centrality), anarchism has not yet given this conceptual pair the attention that is *proportionate* to its importance. For to do so would entail such a micro-decontestation. If hierarchy is as important a notion for anarchism as most anarchists believe it to be, then it deserves an extended, explicit, analytical treatment. I have laid the groundwork for this treatment in the proceeding pages of this dissertation.

In this section, I explained the morphological view of ideology, and gave an account of anarchism as just such an ideology, with a morphology of de-contested core, adjacent, and periphery concepts arranged in relations of *priority*,*proximity*, *permeability*, and *proportionality* to one another. However, I charged that, while anarchist theory hitherto has given '(anti-)hierarchy' the *priority* it is due, it has not nearly done enough to secure for it the proper *proportionality*within anarchism, by micro-decontesting its component parts.

## 4.3 Anarchism and 'Hierarchy': A Potted History

Kolodny's robust analysis of the descriptive and moral issues pertaining to relations of inferiority springs from his own liberal political theory. Yet as I have shown in this dissertation, Kolodny's insights reveal issues with societal hierarchies that this liberal political theory is ill-equipped to resolve.

Because liberal political theory is decided, in advance, on the desirability (or at any rate the inevitability) of capitalism and of the centralized, hierarchical, Statist world system, it is incapable of resolving the "collective inferiority complaints", as well as the "collective improvement-" and "collective invasion complaints", that either spring from these macro-structural hierarchies or, are accommodated, co-defined, and co-reproduced by them.

If A Kolodnian liberalism cannot help, what is the alternative? I now begin to argue for anarchist theory as the non-hierarchical alternative to this liberal political theory. Specifically, in this section I give a "potted history" of the concept of 'hierarchy' as it pertains to anarchism. Anarchism, as a societal ideology, more honestly confronts both 'hierarchy' and 'horizontality' than do more mainstream political theories, such as Neo-Roman republicanism, or the liberalism

[14] ibid., 17.
[15] ibid., 21.

of theorists such as Kolodny. In particular, anarchist thinkers have always grasped the *structural qualities* of hierarchies and horizontalities, and have consequently understood the moral dimensions of such phenomena far better than most. By way of that assertion, in this section I show that these concepts have been central to anarchist theory, historically. Nonetheless, to give Kolodny his due, past anarchist thinkers have not often been either *explicit* or *analytic*enough about the descriptive or moral aspects of 'hierarchy', 'horizontality', or 'structure'. This has blunted anarchism's effect, both within academia and outside it. As such, while I follow the spirit of past anarchist theorizing — and indeed, of past and present anarchist *practice* — to elaborate the necessary supplementary tempering factors in Section 4.4, I also make use of Kolodny's precise conceptual tools to do so.

What is a "potted history"? A potted history is one that is partial, uprooted, and presented in little portions. I do not pretend to offer here an investigation into every instance in which any anarchist has used the term "hierarchy," or in which they happened to home-in on the salient qualities of what I have called "meso-" or "macro-structural hierarchies". Instead, I focus first on

a few of the so-called 'classical' anarchists — that is, the anarchists who lived and wrote from the middle of the 19$^{th}$ century to the early decades of the 20$^{th}$. After that, I examine the thought of a single anarchist from the mid- to late-20$^{th}$ century: Murray Bookchin. It was Bookchin who, more than any other anarchist theorist, helped to rearticulate anarchism as an outlook concerned with hierarchies. Considerations of space mean that I can plant my history in no bigger pots than these.

I narrow my focus on several *thematic* elements that are 'hierarchy-adjacent'. These include obviously (1) the **separation and ranking** of persons, (2) the **exploitation** that societal hierarchies, especially the macro-structural ones, involve, (3) the fact that relations of superiority and inferiority play a large part in **subjectivity formation**, and (4) the fact that societal hierarchies are **structural**.[16]

I ask three questions of both the early anarchists, and of Bookchin. First, did these anarchists use the term "hierarchy," in the same general, societal sense which I have been pursuing in this dissertation? Second, did these anarchists — regardless of whether they explicitly use the word "hierarchy" at all — gesture in any way to the *structural*qualities of hierarchy? Third, if they did give this sense to societal hierarchy, did they provide an analytically explicit account of structure or hierarchy, or did these senses remain latent?

I find that early anarchists sometimes explicitly used the term, and sometimes they did not. Yet even when they did not explicitly discuss hierarchy, this theme was never far from the surface, and these theorists often touched on the structural qualities of hierarchy, as well. Bookchin, on the other hand, is much more explicit about 'hierarchy' than the early anarchists, and there are elements of his thought that we can clearly label "structural". Nonetheless, I find that neither the earlier anarchists, nor Bookchin, offers a fully explicit, analytically precise account of the descriptive and

moral characteristics of societal hierarchy. Contemporary anarchism, then, requires the explanation I have been pursuing in this dissertation.

[16] Earlier versions of this material also explored the anarchist sensitivity to (1) the **practice-based** nature of hierarchies; (2) hierarchies as existing in **multiple "spheres"** of societal activity (the political, economic, and social spheres), and (3) the **replication** of hierarchies (that is, the expansion of hierarchies, their intersectionality, and the fact that they accommodate one another). These topics have been excised for considerations of space.

### *4.3.1 The Early Anarchists*

The early anarchists typically found the sort of **separation and ranking** involved in capitalism or the State, and the attendant inequalities in power and privilege, to lack what Kolodny would call an Impersonal Justification. The early anarchist attention to hierarchy is evident in the frequency and manner in which some of them used the word 'hierarchy.' The French philosopher Pierre-Joseph Proudhon (1809 — 1865), for instance, used the term 'hierarchy,' or one of its cognates, with great regularity; it appears to have been one of his favorites.[17] One of Proudhon's earliest uses of the term is in the first volume of his 1846 book *System of Economic Contradictions*. There, he writes about the notion of "progress" that was popular in France at the time. Proudhon is very skeptical of the way his countrymen have formulated this idea, for,

[it] does not improve the condition of all equally and uniformly, although in the end it must include and transfigure every intelligent and industrious being. It commences by taking possession of a small number of privileged persons, who thus compose the elite of nations, while the mass continues, or even buries itself deeper, in barbarism. It is this exception of persons on the part of progress which has perpetuated the belief in the natural and providential inequality of conditions, engendered caste, and given an [sic] hierarchical form to all societies.[18]

Already in this passage we see Proudhon's sensitivity to the way hierarchies help to mold our **subjectivities** (progress must "transfigure every intelligent and industrious being"), a theme which I further discuss below. The important point to note, here, is the sense that some persons have been

picked out and raised above others, to form a societal elite. It is these individuals — in fact, Proudhon uses the term "caste" — that will manage society, and it is therefore this group that benefits from the organization of society in a pyramidal fashion. And, it is ultimately they who can label this framework "progress."

Proudhon is more straightforward in his 1851 work, *General Idea of the Revolution in the Nineteenth Century*, where he states simply,

THE FORM UNDER WHICH MEN first conceived of Order in Society is the patriarchal or hierarchical; that is to say, in principle, Authority; in action, Government. Justice, which afterwards was divided into distributive and commutative justice, appeared at first under the former heading only: a SUPERIOR granting to INFERIORS what is coming to each one.[19]

Here, Proudhon acknowledges the historical precedence of hierarchy, and interestingly equates it with patriarchy. This is surprising for two reasons. The first is that we would expect him, like many of the earliest anarchists, to take only an economic or political stance toward hierarchy: that is, it is a purely *economic* phenomenon, or, if it is a feature of the State, then the State at least can be traced back to an economic foundation. Proudhon, in fact, usually does take economics to be the basis of societal phenomena. But here, Proudhon first notes how

[17] A cursory search of Iain McKay's *Property is Theft! A Pierre-Joseph Proudhon Anthology* reveals 46 unique instances of the term, and at least one instance in which Proudhon quotes his own earlier use of this word. These references to 'hierarchy' occur throughout Proudhon's career.

[18] Pierre-Joseph Proudhon, *System of Economic Contradictions* Vol. 1, Chapter Three, "Economic Evolutions—First Period—The Division of Labour" [1846]. Found in *Property is Theft! A Pierre-Joseph Proudhon Anthology*, edited by Iain McKay (Oakland, CA: AK Press, 2011), p. 180.

[19] Pierre-Joseph Proudhon, *General Idea of the Revolution in the Nineteenth Century*, Fourth Study, "The Principle of Authority" [1851]. Found in *Anarchism: A Documentary History of Libertarian Ideas, Volume One: From Anarchy to Anarchism (300 CE to 1939)*, edited by Robert Graham (Montréal: Black Rose Books, 2005), p. 51.

hierarchy is related to the social sphere — the sphere of recognition (and misrecognition). It is also interesting that he should make the connection between hierarchy and patriarchy, given his infamous misogyny. Proudhon did not believe in the equality of the sexes, so it is surprising to see him connect patriarchy, which he seems otherwise to have supported, with economic and political hierarchy, which he despised.[20]

Proudhon clearly saw such hierarchy as still operative in his society. But he did not think this mode of organization could last. In a moving passage from his 1858 book, *Justice in the Revolution and in the Church*, he writes about the inequality of minds, and what this means for a society. He describes a situation in which arithmetician is teaching an "innocent" (likely a child, or else an adult novice), in mathematics. As the neophyte begins to learn the basic principles, we can imagine that "[a]ll this will interest, and perhaps astonish him: he will have, in the measure from 2 to 4, a synthetic view of things." And yet we are also aware that "the arithmetician knows much more, and his synthesis is incomparably more comprehensive."[21] Proudhon then asks, of the arithmetician,

[d]oes this give him the right to believe himself superior to the other, in nature and dignity? Certainly not: the only difference is that one has learned more than the other; but reason is the same for both of them [...] It is for this reason, finally, that modern civilisation tends invincibly to democracy: where philosophy reigns, where as a consequence the identity of philosophical reason is recognised, the distinction of classes, like the hierarchy of church and State, is impossible.[22]

For Proudhon, there is a movement underlying society — a progression that makes unstable the sharp divisions and indelible valuations that have been drawn hitherto, to the disadvantage of subordinate persons and groups — even if there still must be some temporary and limited differentiation in rank, as between student and teacher.

The early anarchists were quite sensitive to the **exploitation** rampant their societies, and were scathing not only toward exploitative relations, but toward so-called remedies that retained this exploitation. The Russian anarchist Mikhail Bakunin (1814 – 1876) made his opposition plain in a number of letters, speeches, and books. In an unfinished manuscript titled *Écrit contre Marx*, not published until the mid-20th century, he states outright how incredible he finds the claim that, in

"Herr Marx's People's State [...] there will be no privileged class." The Marxist promise is that judicially, politically, and economically, every person will be equal: each to every other. Bakunin scoffs,

So there will be no more class, but a government, and, please note, an extremely complicated government which, not content with governing and administering the masses politically, like all the governments of today, will also administer them economically, by taking over the production and *fair* sharing of wealth, agriculture, the establishment and development of factories, the

[20] For more on Proudhon's sexist and patriarchal attitudes, see *Property is Theft! A Pierre-Joseph Proudhon Anthology*, edited by Iain McKay (Oakland, CA: AK Press, 2011), p. 36, note 176, p. 48, note 233, and p. 91, note 1.

[21] Pierre-Joseph Proudhon, *Justice in the Revolution and in the Church*, "Programme," Section Three, "On the Quality of the Philosophical Mind" [1858]. Found in *Property is Theft! A Pierre-Joseph Proudhon Anthology*, edited by Iain McKay (Oakland, CA: AK Press, 2011), p. 625.

[22] ibid.

organization and control of trade, and lastly the injection of capital into production by a single banker, the State.[23]

Bakunin is uneasy that the affairs of everyday people, in their communities, should be seized and managed for them by an enormous State apparatus — that is, he is uncomfortable that a centralized authority should make the decisions for everyday people — everyday people who will, naturally, still be expected to do the work that the State demands of them. Bakunin continues that this sort of vast State mechanism will require a great deal of knowledge, "and a lot of heads brimful of brains." But then, he notes, this will simply usher in "the reign of the *scientific mind*, the most aristocratic, despotic, arrogant and contemptuous of all regimes." There will be a new class — "a new hierarchy of real or bogus learning, and the world will be divided into a dominant, science-based minority and a vast, ignorant majority. And then let the ignorant masses beware!"[24] Bakunin anticipates a society run by technocrats, a society in which practices of obedience will be extracted from all those not fortunate enough to have the brains for statecraft. In passages such as these, anarchists show that they are concerned not only with the theft of surplus value from the labor of the workers, but also with the theft, from those same workers, of any sense of autonomy.

The famous Lithuanian-born anarchist Emma Goldman (1869 – 1940), in her 1910 essay "Marriage and Love," takes aim at the way that marriage, as a societal institution, extracts benefits from women that are not shared, or shared equally, with those very women. She writes,

The defenders of authority dread the advent of a free motherhood, lest it will rob them of their prey. Who would fight wars? Who would create wealth? Who would make the policeman, the jailer, if woman were to refuse the indiscriminate breeding of children? The race, the race! shouts the king, the president, the capitalist, the priest. The race must be preserved, though woman be degraded to a mere machine, — and the marriage institution is our only safety valve against the pernicious sex-awakening of woman.[25]

Goldman shows her readers that the status of women in society is so low, their wombs are treated as factories — and factories not for the production of new persons, but merely for new *functionaries*, the occupants of 'nodes': agents who will carry out the tasks of the economic, political, and social hierarchies that structure society. Goldman is a perfect example of an anarchist who almost never uses the term "hierarchy," in any sense, in her writings, and yet who seems to display, on every page, an understanding of how societal hierarchies really work.

Nowhere are the early anarchists more eloquent than when they are discussing the role that hierarchies play in **fashioning the subjectivities** of the persons and the groups caught up in them. In his 1873 book *Statism and Anarchy*, in writing on the effect of bureaucratic work, Bakunin laments how, when bright young men go to work for the State, they are inevitably warped by the process. He remarks upon the lives he had seen altered, for "no sooner did they enter the state's service than the iron logic of their situation, inherent in the exercise of certain hierarchical and politically advantageous prerogatives, took its toll, and the young men became

[23] Mikhail Bakunin, *Écrit contre Marx*. Found in "On Marx and Marxism," in *Mikhail Bakunin: Selected Writings*, edited by Arthur Lehning (London: Jonathan Cape, 1973), p. 266.

[24] ibid.

[25] Emma Goldman, "Marriage and Love," in *Anarchism and Other Essays* [1910]. Accessed online at The Anarchist Library, https://theanarchistlibrary.org/library/emma-goldman-anarchism-and-other-essays. Accessed on March 11th, 2021.

cynical bureaucratic martinets while still mouthing patriotic and liberal slogans."[26] The French anarchist Jean Grave (1854 – 1939), writing twenty years later, had much the same to say about the effect that military service

had on a typical young man. He wrote that the discipline of the military "lays upon [this man] a leaden weight which will cramp him and contract his brain forever, slackening even the rhythm of his heart-beats." Grave adds, "[a]fter having ground him for three years in the multiple gearings of its hierarchy, it will give you back a shapeless rag, if it have [sic] not completely devoured him!"[27] In the view of Bakunin and Grave, the participants of these hierarchies have been not only twisted, but debased.

Emma Goldman gives a clearer view of the productive quality of hierarchies — that is, how they create the people who will be subordinated (and, for that matter, those who will be *super*ordinated). We have already seen how, in her 1910 article on marriage, Goldman highlights the exploitative nature of the marital institution. Yet she also places an emphasis on how even *before* marriage — in fact, from childhood — women are trained to see the world in a particular way. In this sense, while still encompassing the institution of marriage, Goldman's critique implicitly takes aim at the larger system of patriarchy, itself. Goldman writes that "[f]rom infancy, almost, the average girl is told that marriage is her ultimate goal; therefore her training and education must be directed towards that end. Like the mute beast fattened for slaughter, she is prepared for that."[28] Goldman goes on to note that girls are told to look upon marriage and domestic life as their "ultimate calling." But when a woman is grown and has married, she soon learns that "the home, though not so large a prison as the factory, has more solid doors and bars." This prison even has a warden — "a keeper so faithful that naught can escape him." These warden-husbands, too, have been trained, since birth, to look through narrow social lenses. The most tragic part of the marriage arrangement is that "the

home no longer frees [a woman] from wage slavery; it only increases her task."[29] Thus Goldman demonstrates the interlocking connection between a socially pernicious macro-structural hierarchy (patriarchy) and an economically pernicious one (capitalism).

Given the effect that hierarchies can have on the formation of subjectivities, anarchists have always been skeptical of brands of socialism that rely on hierarchy to function. The Italian anarchist and educator Luigi Fabbri (1877 — 1935), taking his notes directly from Bakunin, explained the willingness of urban and industrial workers to become enamoured of centralized, vanguard-party socialism as precisely the *effect* of factory-work. In his 1921 book *Dictatorship and Revolution*, he writes that the industrial proletariat is led to Marxism,

by the spirit of subjection acquired in the large factories, where the worker is educated, almost as if in the barracks, to forced and hierarchical discipline; where the mechanical and automatic

[26] Mikhail Bakunin, *Statism and Anarchy* [1873]. Found in "On Marx and Marxism," in *Mikhail Bakunin: Selected Writings*, edited by Arthur Lehning (London: Jonathan Cape, 1973), p. 267.

[27] Jean Grave, *Moribund Society and Anarchy*, Chapter 13, "Militarism" [1893]. Accessed online at The Anarchist Library, https://theanarchistlibrary.org/library/jean-grave-moribund-society-and-anarchy. Accessed on March 11th, 2021.

[28] Emma Goldman, "Marriage and Love," in *Anarchism and Other Essays* [1910). Accessed online at The Anarchist Library, https://theanarchistlibrary.org/library/emma-goldman-anarchism-and-other-essays. Accessed on March 11th, 2021.

[29] ibid.

work itself dispenses with thinking for themselves and makes them find it more comfortable to get back in the hands of the leaders and representatives.[30]

Because the behavior that the economic hierarchy requires of them is so similar to the behavior required by their new political hierarchy, industrial workers are able to fall right into the same rhythm by supporting authoritarian socialists.

This might be temporarily effective, but anarchists typically doubt that it can last. On the contrary, too strict a hierarchy will be forced to rely, not on a crafty subjectivity-formation for its exploitative effectiveness, but instead, on the same coercive, violent techniques of exploitation that were explored a moment ago. The German historian Max Nettlau (1865 — 1944) believed it is precisely because the workers do not have their subjectivities formed in the right way that Marxism tends to falter, and then eventually to rely on coercion and violence. In his 1928 book *Authoritarian*

*Communism and Libertarian Communism*, Nettlau describes how Marxism is often forced to bring about socialism "by means of non-socialists or with men barely imbued with the socialist spirit."[31] Marx, for instance, was able to attract a crowd about him, "but in this vast aggregation the only socialists were him and the handful of real authoritarian communists." As a result, Marx and his coterie began gradually to feel that they had to *rule* the masses, (Nettlau adds, "if they were not already authoritarians"). Thus, when this sort of organization actually begins to gain mass support, "this dictatorship becomes governmental and hierarchical, like that of the Bolshevik party over the many millions of people of Russia." Yet this can never be real socialism, Nettlau concludes. Rather, this leads to

[A] fictitious, conventional, executive socialism, the shadow, the ghost, the façade of socialism, but never its reality: thus, too, those who believe that with this method of compulsion the people will gradually come to understand and to love socialism, suffer from a gross error. No, this is just as unlikely and as impossible as educating a child with slaps and beatings so as to persuade him of the necessity of learning his lessons and to make him love doing his homework; to the contrary, he will detest them. This method does not produce enduring results [...] socialism can never be thrown together this way: it will be an organic development or it will not exist.[32]

Nettlau imagines that there are limits to subjectivity formation: no child likes being hit, and while training a child this way might eventually inure them to the violence, it will never win them over to it. Similarly, while the process of forming subordinated subjectivities can often be quite successful, authoritarians are likely, eventually, to lean too much on the simpler, cruder, and more violent forms of exploitation: namely, the techniques of threats and coercion. When this happens, the subjectification process begins to unravel — or, if you like, different subjectivities, already there, merely step into prominence to protest.

Finally, the early anarchists saw societal hierarchies as larger than merely single instances of domination — what I call "interactional hierarchies". These thinkers understood, if implicitly, that societal hierarchies are **structural** — they effect ever larger phenomena, from performances

[30] Luigi Fabbri, "Marxism and the Idea of Dictatorship" [1921], from *Dittatura e Rivoluzione*. Accessed online at The Anarchist Library, https://theanarchistlibrary.org/library/luigi-fabbri-marxism-and-the-idea-of-dictatorship. Accessed on March 12th, 2021.

[31] Max Nettlau, *Authoritarian Communism and Libertarian Communism*, chapter 2 [1928]. Accessed online at The Anarchist Library, https://theanarchistlibrary.org/library/max-nettlau-federica-montseny-authoritarian-communism-and-libertarian-communism. Accessed on March 12th, 2021.

[32] ibid.

to practices to institutions to systems. Ultimately, when enough of these structures are present, they give a certain tenor to entire societies: they form macro-structural hierarchies.

The early anarchists were well aware of the structural nature of pernicious hierarchies, and how they can contribute to a certain kind of society. Proudhon, for instance, saw that structures — whether they were horizontal or hierarchical — had certain principles or patterns by which they could be recognized and studied. In his 1851 text, *General Idea of the Revolution in the Nineteenth Century* he compares the principles of economics in general — not merely capitalist economics, but all economics — with the principles of the State.

I call certain principles of action economic forces, such as the Division of Labour, Competition, Collective Force, Exchange, Credit, Property, etc., which are to Labour and to Wealth what the distinction of classes, the representative system, monarchical heredity, administrative centralisation, the judicial hierarchy, etc., are to the State.[33]

Here Proudhon attributes some of the worst effects of capitalism to the principles of the State. That is, for Proudhon, the State was founded on certain *general* economic realities, but, it introduces its *own* elements that warp those realities: the State has an economic *foundation*, but it, in turn, creates the specific form of economic organization we call "capitalism".[34] Regardless of where Proudhon stands on this issue (Proudhon is a difficult writer because his views, and terminology, change throughout his career), what is clear is that there are *principles* behind the structures of society.

Also taking a wider, terraced view was the Japanese anarchist Kōtoku Shūsui (1871 — 1911). Kōtoku understood how, building up from the level of practices, anarchists would need to arrive at better "bones" for society: a new set of structures. In a letter sent to his lawyers from prison, he writes,

[Our] REVOLUTION…means a fundamental transformation of political and social institutions, not a change of rulers… Based on the presupposition…that the institutions and hierarchy of today will not keep up with the advance and development of society and humanity…their overthrow and the creation of new institutions will become inevitable…[35]

Not only must radicals arrive at new behaviors, then, but there must be new ways of aggregating and organizing those behaviors — new *institutions* and new *systems* that are not rigid, sclerotic, or vertical, but instead which are more flexible, participatory, and horizontal.

Turning toward the new organization of society, the Spanish anarchist José Llunas Pujols (1850 – 1905), in his 1882 essay *What is Anarchy*, wrote that anarchy — the end or goal of anarchism — amounts to "[t]he whole organization of society stripped of power, domination or the authority of some over others."[36] This implies "hierarchies not existing in a society *organized*

[33] Pierre-Joseph Proudhon, *General Idea of the Revolution in the Nineteenth Century*, Second Study, "Is There Sufficient Reason for Revolution in the Nineteenth Century?" Chapter Two, "Chaos of Economic Forces, Tendency of Society Toward Poverty" [1851]. Found in*Property is Theft! A Pierre-Joseph Proudhon Anthology*, edited by Iain McKay (Oakland, CA: AK Press, 2011), p. 546.

[34] Many anarchists today attempt to avoid the reduction of societal phenomena, ultimately, to economic conditions. Contemporary anarchists often prefer, instead, an intersectional approach to the constitution of society.

[35] Kōtoku Shūsui, "Letter from Prison" [1910]. Found in *Anarchism: A Documentary History of Libertarian Ideas, Volume One: From Anarchy to Anarchism (300 CE to 1939)*, edited by Robert Graham (Montréal: Black Rose Books, 2005), p. 367.

[36] José Llunas Pujols, "What is Anarchy" [1882]. Found in *Anarchism: A Documentary History of Libertarian Ideas, Volume One: From Anarchy to Anarchism (300 CE to 1939)*, edited by Robert Graham (Montréal: Black Rose Books, 2005), p. 126.

*along anarchist lines*, the system being founded upon the free will of all its individuals." Pejols goes on to give an example of what kind of institutions one might expect in this new society. Focusing on work, Pejols writes,

Let us suppose that a workers' body is set up without a steering committee or any hierarchical office; that it meets in a general assembly once a week or more often, at which everything pertinent to its operations is decided; that it chooses receivers, a treasurer, a bookkeeper, an archivist, a secretary, etc. to collect dues, retain its funds, audit its accounts, handle its archives and correspondence, etc., or appoints a commission with *exclusively administrative* functions and with a defined code of conduct or *Imperative Mandate*: the organization of that society would be *perfectly anarchist*…[37]

Pejols's idea is that, in a condition of anarchy, all work would be organized this way. Were that the case, there would be, at least at the meso-level, a new set of institutions. At a higher level — that is, macro-structurally — we would call this overall economy "socialist." Politically, it would be "libertarian," or "participatory," or "federative," or even "democratic," if democracy is understood as decision making that is consensus-based or majoritarian, rather than representative.

Given enough of the right institutions, systems, and structures, one can even characterize society, as a whole, as of a certain "type." Thus, Proudhon argues in his 1846 *System of Economic Contradictions* that society is basically divided into two sorts, "the one traditional and essentially hierarchical […] the other socialism, which, coming to life at every crisis of civilisation, proclaims itself preeminently anarchical and atheistic," by which he means that a truly socialist society is "rebellious against all authority, human and divine."[38] By 1849, Proudhon is arguing confidently in a natural progression of societies. He writes in *Resistance to the Revolution: Louis Blanc and Pierre Leroux* that "*Anarchy* is the condition of existence of adult society, as hierarchy is the condition of primitive society. There is a continual progress in human society from hierarchy to anarchy."[39] Nor is he the only anarchist to see a basic division in societal type. The French anarchist Elisée Reclus (1830 – 1905), in his 1894 "Anarchy" draws a connection to Biblical societies and the societies of his day. Of the Old Testament communities, he says simply, "society as a whole was based on terror." He elaborates: "Men were not citizens, but subjects or flocks; the wives were servants, the children were the slaves, over whom the parents held a relic of the old right of life and death."[40] Reclus does

not believe that thousands of years later, much has changed. Even today, he says, "the guiding principle of the state itself and of all the particular states that make it up, is hierarchy […]" This system of domination, Reclus concludes, "encompasses a long succession of superimposed classes in which the highest have the right to command and the lowest have the duty to obey."[41] The quality of society itself, he feels, is hierarchical.

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[37] ibid.

[38] Pierre-Joseph Proudhon, *System of Economic Contradictions* Vol. 1, Chapter One, "Of the Economic Science" [1846]. Found in *Property is Theft! A Pierre-Joseph Proudhon Anthology*, edited by Iain McKay (Oakland, CA: AK Press, 2011), p. 169.

[39] Pierre-Joseph Proudhon, *Resistance to the Revolution: Louis Blanc and Pierre Leroux* [1849]. Found in *Property is Theft! A Pierre-Joseph Proudhon Anthology*, edited by Iain McKay (Oakland, CA: AK Press, 2011), p. 480.

[40] Elisée Reclus, "Anarchy" [1894]. Accessed at The Anarchist Library, <https://theanarchistlibrary.org/library/elisee-reclus-anarchy>. Accessed online on February 26th, 2025.

[41] ibid.

Other early anarchists agree, though they sometimes describe the effects of hierarchical society differently. Jean Grave, for instance, prefers to describe the ramifications that this pyramidal society has for individuals. He writes accusingly in *Moribund Society and Anarchy* (1893),

You have made society a hierarchy, with the top of the social scale (considered as a reward for merit, intelligence, and industry) reserved precisely for those who have never done anything! Those who by one means or another have succeeded in perching on the summit, eat, drink, and wanton, without the slightest employment for their ten fingers. They offer the spectacle of their idleness and indulgence to the exploited, who, at the bottom of the ladder, sweat, suffer, and produce for them, receiving in exchange just enough to keep from starving to death, without being able to hope to get out of their condition but by some stroke of chance. And you are astonished that people have a tendency to want to live without doing anything! For our own part we are astonished at one thing only: that there are still people stupid enough to work![42]

Grave's point is not that all should suffer, but that those who suffer at the bottom of society suffer *because* there is a bottom, and those who enjoy themselves at the top do so at the expense of their subordinates. In this situation, he finds indolence and vagrancy perfectly understandable, even acceptable.

While Grave places emphasis on the effects of hierarchical society to everyday people, the Russian anarchist Pyotr Kropotkin (1842 – 1921) takes a more structural approach. In his 1909 book *The Great French Revolution: 1789–1793*, Kropotkin describes the sort of nation-State that began to take shape, across Europe, after the French Revolution. Kropotkin believes that this was a kind

of society that the world had never seen, at least on a comparable scale. He describes hierarchical society this way:

That formidable mechanism, by which an order sent from a certain capital puts in motion all the men of a nation, ready for war, and sends them out to carry devastation through countries, and mourning into families; those territories, overspread with a network of officials whose personality is completely effaced by their bureaucratic apprenticeship, and who obey mechanically the orders emanating from a central will [;] that passive obedience of citizens to the law; that worship of law, of Parliament, of judges and their assistants, which we see about us to-day; that mass of hierarchically organised and disciplined functionaries; that system of schools, maintained or directed by the State, where worship of power and passive obedience are taught; that industrial system, which crushes under its wheels the worker whom the State delivers over to its tender mercies; that commerce, which accumulates incredible riches in the hands those who monopolise the land, the mines, the ways of communication and the riches of *Nature*, upon which the State is nourished; and finally, that science, which liberates thought and immensely increases the productive powers of men, but which at the same time aims at subjecting them to the authority of the strongest and to the State [...][43]

[42] Jean Grave, *Moribund Society and Anarchy*, Chapter 10, "The Influence of Environment" [1893]. Accessed online at The Anarchist Library, <https://theanarchistlibrary.org/library/jean-grave-moribund-society-and-anarchy>. Accessed on February 26th, 2025.

[43] Pyotr Kropotkin, *The Great French Revolution: 1789–1793,* Chapter 2, "The Idea". Accessed online at The Anarchist Library, https://theanarchistlibrary.org/library/petr-kropotkin-the-great-french-revolution-1789-1793. Accessed on February 26th, 2025.

What emerges from Kropotkin's description is a *type* of civilization, one that can be characterized by its dominant form of organization. This form is what I have called the macro-structural hierarchy.

In this sub-section I showed that on the topic of hierarchy, the nineteenth century anarchists were sometimes explicit, and sometimes implicit. Nonetheless, even when implicit, these anarchists displayed their understanding of (1) the **separation and ranking** of persons, (2) the **exploitation** that societal hierarchy often involves, (3) the fact that relations of superiority and inferiority play a large part in **subjectivity formation**, and (4) the fact that these hierarchies are **structural**. However, it is also the case that, on a definitional or analytical level, these anarchists lacked a fine-grained analysis of societal hierarchy, in its descriptive and moral registers. Their accounts were powerful, but evocative rather than compartmentally detailed.

### *4.3.2 Murray Bookchin, The Ecology of Freedom*

No thinker has done more to re-situate anarchism as the ideology opposed to macro-structural hierarchies than the American radical Murray Bookchin (1921 – 2006), whose words began this dissertation. Originally a Marxist, Bookchin became disillusioned with Marxism and transitioned to anarchism early in his life. He had a similar falling out with anarchism toward the end of his life, and later declared himself a "communitarian". Nonetheless, he was one of the first and loudest theorists to assert that anarchism was centrally concerned with hierarchical organization, and not merely with the State or capitalism.

In Bookchin's view (in a way reminiscent of Fabbri's), Marx and Marxism were mistaken in their assessment of the revolutionary potential of factory conditions. Bookchin felt that the factory, far from instilling class consciousness in the urban proletariat, "in fact had created habits of mind in the worker that served to regiment the worker, that served in fact to assimilate the worker to the work ethic, to the industrial routine, to hierarchical forms of organization."[44] Thus, it was a mistake theoretically to privilege the urban, industrial proletariat and the mechanisms of class antagonism. Rather, class antagonism must be understood as a species of something more categorical: hierarchy.

So central did Bookchin take hierarchy to be that he dedicated his magnum opus, 1982's *The Ecology of Freedom*, to the topic. Two aspects of this work are notable. The first is that, despite the concept's importance, Bookchin never explains precisely *what hierarchy is*. More concerned with the historical and anthropological *genesis* of hierarchies, Bookchin instead examines hierarchies from nearly every angle except the definitional or analytic. However, the second aspect of this work is that it is clear, from a close reading, that Bookchin's hierarchies have the very characteristics by

which we assessed the early anarchists. Bookchin thus serves as the best representative of mid-to late- 20$^{th}$ century anarchist thought on hierarchy: he identified its importance, and thus brought it from a situation of latency, to one of explicitness and centrality. Yet, he neglected to bring hierarchy into analytic precision.

[44] Murray Bookchin in *Anarchism in America*, directed by Steven Fischler & Joel Sucher (1983; New York, NY: Pacific Street Films). YouTube video, 1:15. Accessed at Forgotten Glory, YouTube, https://www.youtube.com/watch?v=MMgVWZZ04tM. Accessed on February 26$^{th}$, 2025.

*The Ecology of Freedom* has a deceptively simple thesis: that "the very notion of the domination of nature by man stems from the very real domination of human by human."[45] However, this simple thesis has a complex unfolding. Bookchin sets out to chart how humankind's warped relationship with the Earth can be traced back to the first unequal relationships among human persons. Inspired anthropologically by Dorothy Lee and Paul Radin, politically by Pyotr Kropotkin (and by the errors of Karl Marx), and philosophically by the thought of Aristotle, Hegel, and Hans Jonas, Bookchin attempts, in a complicated, multilayered story, to tell the very history of humankind. At the crux of it all is the idea of hierarchy.

Bookchin explains the silence on the concept of hierarchy:

As recently as the sixties, words like hierarchy and domination were rarely used. Traditional radicals, particularly Marxists, still spoke almost exclusively in terms of classes, class analyses, and class consciousness; their concepts of oppression were primarily confined to material exploitation, grinding poverty, and the unjust abuse of labor. Likewise, orthodox anarchists placed most of their emphasis on the State as the ubiquitous source of social coercion. Just as the emergence of private property became society's "original sin" in Marxian orthodoxy, so the emergence of the State became society's "original sin" in anarchist orthodoxy. Even the early counterculture of the sixties eschewed the use of the term hierarchy and preferred to "Question Authority" without exploring the genesis of authority, its relationship to nature, and its meaning for the creation of a new society.[46]

Characteristically, Bookchin places the blame not only on the shoulders of the Marxists, but on the anarchists as well. Bookchin is also clear about the theoretical importance of hierarchy, as a more basic societal phenomenon, than "class" or "the State." He felt that the use of terms like these,

without examining their more basic undercurrents, is not merely clumsy, but potentially dangerous, too. Bookchin holds that speaking, writing, and thinking with concepts that have not been elaborated, even if we do so, "in the name of a 'classless or libertarian' society, could easily conceal the existence of hierarchical relationships and a hierarchical sensibility, both of which — even in the absence of economic exploitation or political coercion — would serve to perpetuate unfreedom."[47] Bookchin thus states that without a thoroughgoing theoretical understanding of what lies behind State and class, we will not progress very far.

The emphasis Bookchin places on this elaboration makes his own definition of hierarchy all the more disappointing. His is not terribly illuminating. "By hierarchy," Bookchin writes, "I mean the cultural, traditional and psychological systems of obedience and command, not merely the economic and political systems to which the terms class and State most appropriately refer."[48] Bookchin is not speaking only of specific, articulated and interlocking systems of oppression, but also of a more ambient quality of society: "I refer to the domination of the young by the old, of women by men, of one ethnic group by another, of 'masses' by bureaucrats who profess to speak in their 'higher social interests,' of countryside by town, and in a more subtle psychological sense, of body by mind, of spirit by a shallow instrumental rationality, and of nature by society and

[45] Murray Bookchin, *The Ecology of Freedom: The Emergence and Dissolution of Hierarchy* (Palo Alto, CA: Cheshire Books, 1982), p. 1.

[46] Bookchin, *The Ecology of Freedom*, p. 2.

[47] ibid., 3.

[48] ibid., 4.

technology."[49] While this definition is evocative, it does not tell us much about the moving parts of a societal hierarchy. Bookchin elaborates a bit more, writing that "dominance and submission must be viewed as *institutionalized* relationships, relationships that living things literally institute or create but which are neither ruthlessly fixed by instinct on the one hand nor idiosyncratic on the other."[50]

Bookchin means that if stratified relationships are biological, then they are not hierarchical; yet Bookchin does not believe we should see random or isolated incidents of superordination and subordination as constituting a societal hierarchy in the proper sense. Instead, Bookchin believes that real hierarchies "must comprise a clearly social structure of coercive and privileged ranks that exist apart from the idiosyncratic individuals who seem to be dominant within a given community…" Indeed, a hierarchy is a societal formation that is "guided by a social logic that goes beyond individual interactions or inborn patterns of behavior."[51]

From this, we are to understand that hierarchies are more than simply political and economic in nature: they are social, psychological, even mental or philosophical. Such hierarchies can exist not only between individuals, but also between groups, regions, even concepts, and ecosystems. These stratified relationships must be institutionalized, or constructed — they are neither natural nor accidental. They involve ranks, coercion, and privilege. And they appear to be structural.

This is a good start, but only that. Unfortunately, Bookchin says no more, *explicitly*, in his work. Partly, this is because Bookchin does not believe hierarchies can be formally defined. He writes, "[…] I doubt that the word can be encompassed by a formal definition. I view it historically and existentially as a complex system of command and obedience in which elites enjoy varying degrees of control over their subordinates without necessarily exploiting them."[52] Indeed, Bookchin hand-waves the more analytical approach, writing, "[…] I deal with processes, not with cut-and-dried propositions that comfortably succeed each other in stately fashion, like categories in a traditional logic text."[53]In contrast to the approach of this thesis, which attempts to lay out the components of societal hierarchies, Bookchin instead affirms that his own "process-oriented dialectical approach

comes much closer to the truth of hierarchical development than a presumably clearer analytical approach so favored by academic logicians."[54] Bookchin is indeed chiefly concerned with hierarchical development, and he rightly notes that his own investigation follows a Hegelian, dialectical method. Because of this, his account of the origins of hierarchy is often difficult to follow. Bookchin eschews a linear narrative he prefers to fold in new details as necessary.

In any case, after several lengthy chapters, Bookchin arrives at what he believes are the threats to continued life on the planet, as well as the possibilities for a truly liberatory life together. Bookchin writes,

Objectively, we have come a long way from the cunning of the priestly corporation in turning clan values against organic society; from the rise and commanding role of the warrior-chieftains and their entourages in the expansion of the male's civil sphere; from the disintegration of a communal economy into a manorial one; and finally, from the emergence of the city as the arena

[49] ibid.
[50] ibid.
[51] ibid., 29.
[52] ibid., 4.
[53] ibid., 12.
[54] ibid., 13.

for dissolution of kinship relationships and the blood oath by citizenship, class interests, and the State.[55]

Bookchin believes that ultimately, our only hope is *ecology*, which involves humankind's coming to terms with our hierarchical past: both the hierarchies we have constructed in our relationships with each other, and the ones we have built in our dealings with the planet and its ecosystems. Bookchin argues that we can live in a more horizontalist, participatory fashion. He holds that we are in a position, technologically and ideologically, where we can choose not only what we want, and will want in the years to come, but that we can even choose what we *need*. This newfound freedom, incomparable with anything that has come before, can either send us into smaller, greener, more holistic communities, or, it can accompany us to environmental devastation, resource wars, and the grave.

One of Bookchin's major contributions to the study of hierarchy is his approach to how the **superordination and subordination** of human beings is carried out. Briefly, Bookchin believes that

super/subordination of persons, and of nature, is made possible by sharp *divisions* in thought, rather than looser *differentiations*. He writes that the original "organic sensibility" of early societies, which cast different phenomena as a "unity in diversity" slowly became warped into a hierarchical mentality, one that "ranked the most miniscule phenomena into mutually antagonistic pyramids erected around notions of 'inferior' and 'superior.'"[56] This was a change in worldview that helped to naturalize relationships of domination. Whereas early thinking had preferred temporary and limited assessments of this or that object or person, as *sufficient* or *insufficient*, "right now, for this task," there eventually arose a way of dividing the world, such that every phenomenon was seen as cut off, separate. Moreover, those ripped phenomena were then stamped with a value that was indelible. Bookchin writes, "Difference was recast from its traditional status as unity in diversity into a linear system of separate, increasingly antagonistic powers — a system validated by all the resources of religion, morality, and philosophy."[57]

This shift in thinking, from differentiation to division, had serious consequences. A conceptual commitment to opposition "casts all 'otherness' in stringently antithetical terms."[58] Our very understanding, after this transformation, "depends upon our ability to control what is to be understood — or, more radically, to conquer it, subjugate it, efface it, or absorb it."[59] Bookchin writes that "what began as a sensibility has evolved into concrete social fact."[60] In interpersonal relations, "[m]an staked out a claim for the superiority of his work over woman's; later, the craftsman asserted his superiority over the food cultivator; finally, the thinker affirmed his sovereignty over the

workers."[61] Before long, the very organization of society had shifted, such that "the collective control of production was supplanted by elitist control, kinship relations by territorial and class relations, and popular assemblies or councils of elders by state bureaucracies."[62] With the rise

[55] ibid., 112.
[56] ibid., 7–8.
[57] ibid., 63.
[58] ibid., 302.
[59] ibid.
[60] ibid., 8.
[61] ibid., 63.
[62] ibid., 62.

of the State and the earliest hierarchical forms of economy, it became easier and easier to treat other human beings, and the Earth, instrumentally:

A carefully planned effort was undertaken to piece work together so that the State could extract every bit of labor from the "masses," reduce labor to undifferentiated labor-time, and transmute human beings into mere instruments of production. Historically, this unholy trinity of intensification, abstraction, and objectification weighed more heavily on humanity as a malignant verdict of social development than did theology's myth of original sin.[63]

Human minds, on Bookchin's view, have became cutting, categorizing machines.

Bookchin's analysis of **subjectification**, or the process of subjectivity-formation, falls in line with his emphasis on the conceptual elements of a hierarchy. Bookchin notes that a hierarchy is not merely a form of societal organization, "it is also a state of consciousness, a sensibility toward phenomena at every level of personal and social experience,"[64] and thus, as societies became more stratified, "the most complete shift occurred in the psychic apparatus of the individual."[65]

Bookchin sets out to chart the development of hierarchy from the very beginnings of human history. Originally, he feels, societies featured a natural division of labor, but conceptually and valuatively, persons were merely differentiated, not divided. Slowly, societies became patricentric or matricentric, without being patriarchal or matriarchal. That is, men or women, and the activities they performed, became more esteemed, but overall societies retained a compatibilist, holistic mindset. Yet even with that, the seeds for hierarchy had been planted. Conceptually, at least, persons were

superordinated and subordinated. These persons slowly began to understand themselves, and others, according to this mindset. So a male, from a young age "identifies with such 'masculine' traits as courage, strength, self-assertiveness, decisiveness and athleticism [...]"[66] The story is the same for the female. Her tasks will be child-rearing and to gather food. A girl is "taught to identify with such 'feminine' traits as caring and tenderness," while the community will "prize her for these traits and foster them in her."[67]

In fact, on Bookchin's view, subjectification itself is "the medium by which the old create a modicum of power for themselves."[68] They used their control of the socialization process for their advantage. Yet as society developed, and as the elderly, shamans, and warrior fraternities formed alliances, there followed the rise of gerontocracies, theocracies, and patriarchies. Necessarily, these hierarchical structures encouraged subjectivities that would be productive, and not obstructive, to their functioning.

The process of crafting the subjectivities of subordinated and superordinated persons continued unabated as the State developed and class society replaced organic society. Both the political hierarchies, and the economic ones, developed "epistemologies of rule"— that is, understandings of what is 'natural' that were internalized by members of society.

Lest this process seem primarily social or political, Bookchin attests that it was an economic matter, as well. In the capitalist system (the most recent historical form of macro-structural economic hierarchy,) it becomes necessary to *objectify* subjectivity — that is, to externalize one's

[63] ibid., 249.
[64] ibid., 4.
[65] ibid., 63.
[66] ibid., 79.
[67] ibid.
[68] ibid., 82.

interiority, such that one no longer has much of an interiority at all. Bookchin writes that "the objectification of subjectivity is the *sine qua non* of mass production," and then himself quotes Max Horkheimer, who

wrote that " 'thought or word becomes a tool [and] one can dispense with actually "thinking" it, that is, with going through the logical acts involved in verbal formulation of it,' ".[69] What Bookchin and Horkheimer have in mind is that, for industrial capitalism, what is paramount is that one have *nothing in mind*. Not thinking, and not going through the motions of thought, becomes an indispensable part of being a person, in societies where capitalism is the primary economic system.[70]

Bookchin's notion of **exploitation** is an expansive one. Rather than purely an economic phenomenon, he sees social and political exploitation to be a factor of hierarchies, too. At issue, in its most general sense, is the extraction of certain behaviors or practices, the benefits of which go almost exclusively to one societal stratum, at the expense of the one behaving or practicing. Of course, as with the other elements of a societal hierarchy, Bookchin is primarily concerned with the *genesis* of exploitation. On Bookchin's view, the already powerful and privileged groups in society use their power and privilege to create practices, institutions, and systems that will, themselves, produce feedback loops, making their creators all the stronger. On the texture of exploitation, he writes,

Repression has commonly been the affirmation of authority, not merely of exploitation, and we often misinterpret history when we suppose that the knout has been applied solely to extract labor rather than obedience. Indeed, the ruling classes of the past have dealt with the ruled as children, not merely as toilers — a fit that has its template as much in patriarchy as it does in technics.[71]

It is an important, and underemphasized, element of exploitation — that not merely labor, but also practices of *obedience*and even of *recognition* and *esteem* are extracted from subordinates, and then distributed to the superordinates in a hierarchy. This element, in fact, changes 'exploitation' from being solely an economic phenomenon, into a more generally *societal* one.

Bookchin notes that, where *subjectification* fails to ensure productivity, hierarchies have other techniques for exploitation. He writes that in such scenarios, "class society must have recourse to outright coercion — to the institutionalized system of force we call the political State."[72] Successful exploitation is thereby assured by working on both the minds and, if need be, the bodies of subordinates.

Bookchin well understands that the practices of society constitute its structures, and that many of the most widespread, causally influential patterns in society can be described as structures. That is, society is **structural**, and structures are practice-based. Although most of Bookchin's writings on structures are actually *institution*-based, it is clear that his concern is with larger, more abstract tendencies in society. Indeed, Bookchin feels that a hierarchy is "guided by a social logic that goes beyond individual interactions or inborn patterns of behav-

[69] ibid., 222–223. For the original Horkheimer quote, see Max Horkheimer, *Eclipse of Reason* (London: Continuum, 2004), 16.

[70] As we have seen, echoes of this view are clearly present in the work of the 3rd generation Critical Theorist, Rainer Forst, and his work on noumenal power and justificatory orders.

[71] Bookchin, *The Ecology of Freedom*, 72.

[72] ibid., 123.

ior."[73] In other words, Bookchin is saying that hierarchies must be structural, dispersed, and intersectional. The implication, moreover, is that a societal hierarchy is often supervenient as well. Bookchin is quite concerned that analyses of society not "individualize" matters of concern. He asserts that "…it cheapens the meaning of hierarchy and domination to deinstitutionalize these socially charged terms and dissolve them into the individual transitory links between more or less aggressive individuals within a specific animal aggregation."[74]

In this sub-section, I presented Murray Bookchin's approach to hierarchy in his work *The Ecology of Freedom*. Bookchin is valuable because he makes hierarchy front and center for anarchism. He understands that societal hierarchy, and its history, and its logic, are the terrain on which anarchism must do battle, even as historical materialism and class antagonisms, more narrowly, are Marxism's. Moreover, Bookchin does more than simply chart the complicated origins of societal

hierarchies. He gives some indications of what a hierarchy, as such, must involve. This strength is also his flaw, for he never goes far enough in laying down, explicitly and analytically, the components of a hierarchy, and how each component's individual logic contributes to the whole.

* * *

In this section, I showed that the anarchists of the past often lacked an explicit *definition* (that is, an exact stipulation) and an *account* (some explanation of the principles, mechanisms, parts, and function) of 'societal hierarchy'. Nonetheless, these same anarchist thinkers often gave a very strong *sense* of 'hierarchy'. In other words, there is no *explicit* or *analytic*treatment of societal hierarchy, overall, in past anarchist theory. The term 'hierarchy' is often not even used. Moreover, the component parts of a societal hierarchy, and their exact moral dimensions, are rarely if ever picked apart, measured, or pinned in place for examination.

Nevertheless, throughout the history of anarchist theory, there is a *latent* and *evocative* understanding of much of what I have covered in this dissertation. Anarchists of the past regularly home-in on "relations of inferiority" as the crux of the matter, even if they never use this language, or call a hierarchy a 'hierarchy'. Moreover, though the anarchist taxonomy of ills and wrongs might lack exact precision, it accomplishes a good deal with the precision it has. Anarchist theory might give off "more heat than light", but the light it does give off is aimed in the right direction, and the heat it gives off allows readers to feel that something is, indeed, amiss. This heat challenges readers to do something about moral wrongs, even if they lack every detail.

By comparison, republican, liberal, or Marxist theories often enough chill readers, and shine a bright light in the wrong direction: they often take the hierarchies involved in the State (and even capitalism) for granted. Anarchist theory, on the contrary, has always been willing to interrogate the

presence of hierarchy, in *all* areas of society. What anarchists have lacked hitherto have been the conceptual tools, but never the will.

[73] ibid., 29.
[74] ibid., 362.

## 4.4 Anarchist Tempering Factors

In this section I consider what insights the history of anarchist political theory might offer the "Kolodnian problem" I have identified in the past three chapters. I argue that we can glean from anarchist theorizing additional secondary tempering factors, which further mollify the asymmetrical power and authority of meso-structural hierarchies, even potentially transforming them into what I call, in Section 4.5, "meso-structural *horizontalities*." I also address Kolodny's arguments against two of these additional factors. I find Kolodny's reasons for rejecting supplementary secondary tempering factors unconvincing. Kolodny's arguments target *meso*-structural offices alone, because for him, these are the loci of possible moral complaints against longstanding relations of inferiority. Yet, given that we have a moral claim against macro-structural hierarchies themselves, and, consequently, against practices and institutions that generate or sustain the collective inferiority that macro-structural hierarchies involve, we must target meso-structural institutions in a way that responds to this larger moral complaint. It is only through the addition of anarchist tempering factors that we can do so.

Are the eight secondary tempering factors enough? Kolodny believes so. Whenever the *primary* tempering factors are incapable of being employed — as in the cases of what I call "macro-structural hierarchies" — Kolodny believes that a suite of *secondary* tempering factors can mop up whatever moral objection might be remaining in the hierarchy under consideration. Kolodny does not, however, believe that anything *else* is necessary, morally, to render a societal hierarchy acceptable than some combination of his six primary tempering factors and his eight secondary tempering factors. In fact, on at least two occasions, Kolodny has the opportunity to consider additional candidates for secondary tempering factors.[75] Notably, Kolodny considers, and rejects, Rotation and Sortition as potential secondary tempering factors. Not only does he believe they are useless, but he in fact also believes these factors, if realized, would be harmful.

I disagree. Kolodny is vague about the relationship of the primary tempering factors and the secondary tempering factors: which ones are necessary, in what order, and in what degree, in order to render societal hierarchies morally acceptable. Admittedly, while anarchists cannot be completely precise about such matters, either, they need not be quite so vague. Anarchists insist that societies first avoid societal hierarchies, whenever possible. That is, we take an anti-hierarchical stance from the start, unlike Kolodny.[76] When societal hierarchies cannot be eliminated, anarchists hold that persons ought to strive, to the greatest extent possible, to create practices and institutions that realize as many of the *primary* tempering factors as possible. Sometimes, societal hierarchies exist that are unable to be tempered by the primary tempering factors. When this happens, not only are Kolodny's stated secondary tempering factors crucial, but these societal hierarchies must meet some *additional* secondary tempering factors, lest they contribute to the kinds of macro-structural relations of inferiority against which we have a collective inferiority complaint. In addition to Rotation and Sortition, any ineliminable offices must be further tem-

[75] See Niko Kolodny, *The Pecking Order: Social Hierarchy as a Philosophical Problem* (Cambridge, MA: Harvard University Press, 2023), pp. 138–140, and pp. 337–340.

[76] The political theorist Ian Shapiro, though writing on the topic of democracy rather than hierarchy, also takes a highly skeptical view of hierarchies from the start of his book *Democratic Justice*. His own list of questions we must address to any non-democratic form of organization has been a large influence on this dissertation. See Ian Shapiro, *Democratic Justice*, (New Haven, CT: Yale University Press, 1994), especially pp. 41–45.

pered by Meritocratic Ascension, Term Duration Limits, Term Number Limits, Skill Diffusion, Decentralized Coordination, Strict Mandate, Immediate Recall, and Declination.[77]

I define Rotation as obtaining whenever every eligible member of an political, economic, or social organization — whether it be a small institution or an entire society — has the obligation to serve as occupant of an office or role *once*, before any member may fill that office or role twice, and that every member must fill the office or role twice, before any member fills it three times, etc. Sortition is the deciding of officials by lottery, or by random, computerized algorithm. In cases in which Rotation and Sortition are impractical, and where specialized knowledge or experience are required (as in the case of a brain surgeon, say), Meritocratic Ascension demands that *anyone* with the relevant knowledge or experience must be allowed to fill that role, consistent with selection procedures that are transparent and impartial, and that are drafted and ratified by the membership of the organization in question. Anarchists usually imagine that these three tempering factors must be accompanied by another tempering factor, Declination: members of a society ought to be able to *decline* a post that they do not wish to fill; this is one of two factors that may override Rotation. Term Duration Limitsis the requirement that there be a maximum number of days or hours for which an official may occupy an office or role, after which they are ejected from it. Term Number Limits stipulates that a person may only serve as an official in a particular office or role a given number of times before they are barred from ever serving in that capacity again. (This is the second factor that may also override Rotation, alongside Sortition.) Anarchists tend to adopt strict versions of both Term Duration Limits and Term Number Limits, yet Meritocratic Ascension can override both in cases where specialized skills are in short supply. To rectify the asymmetries of power and authority, and the disparities of regard, that sometimes emerge from Meritocratic Ascension, another

tempering factor, Skill Diffusion, demands that transparent processes be in place to ensure that real, actionable opportunities for the attainment of specialized knowledge and skills are available to as broad a swath of the population as possible. Strict Mandate is an updated form of Least Discretion — it specifies that, in cases in which higher-order assemblies are necessary, almost no discretionary power must be allowed to those officials who attend those bodies. These officials become *delegates* for, rather than *representatives* of, those who send them off to those bodies. As such, persons at the local level retain extensive **directive control** over delegates, and these assemblies are more like *deliberative* bodies than decision-making ones. Immediate Recall is the stipulation that officials be subject to ejection from office or role before their term has reached its durational limit, if those subject to the asymmetrical power and authority of the official desire it. This tempering factor guarantees a robust form **regulative control**. Finally, Decentralized Coordination is the requirement that there be multiple sites of political, economic, and social organization and "power-with", with none having ultimate or final power and authority over

[77] I omit Workplace Democracy because I take it to be implied by a strict application of Equal Influence in workplace settings. For more on anarchist organization, and the implementation (and genesis) of these tempering factors, consult Pyotr Kropotkin, *Fields, Factories and Workshops* (New Brunswick, NJ: Transaction Publishers, 1993); Rudolf Rocker, *Anarcho-Syndicalism: Theory and Practice* (Oakland, CA: Ak Press, 2004); Iain McKay, "Organisation", in *Anarchism: A Conceptual Approach*, edited by Benjamin Franks, Nathan Jun, and Leonard Williams(New York, NY: Routledge, 2018), pp. 115–128; Robert Graham, *We Do Not Fear Anarchy – We Invoke It: The First International and the Origins of the Anarchist Movement* (Oakland, CA: AK Press, 2015); David Graeber, *Direct Action: An Ethnography* (Oakland, CA: AK Press, 2009).

any other. This tempering factor requires the hiving-off of smaller organizations from larger ones, yet, the continued communication and joint planning between segments.[78]

I hold that these additional tempering factors are invaluable for preventing what Kolodny calls "caste" as well as our collective inferiority complaint against macro-structural hierarchies. These tempering factors operate at the meso-structural level, either strictly tempering hierarchies, or even transforming them into what I call, in the next section, "horizontalities."

Let us now consider Kolodny's reasons for rejecting two of these additional secondary tempering factors, Rotationand Sortition. As is evident, an anarchist framework defining the occupancy of an office or role as an "obligation", and also allowing for Declination, frames office-holding, from the beginning, as an *ill* rather than as a *good*. I consider this more in a moment. Kolodny does *not* adopt such a framing, and his responses to Rotation and Sortition follow from this basic difference in orientation.[79] Kolodny assumes that it is desirable to have "power-over" others. (To his credit, however, his assumption is not that the *superiority* that comes with greater power is preferable, but rather that the *non-inferiority* that comes with such power is. Power guarantees that one is not being subordinated.)

Kolodny has two problems with Rotation as a candidate for secondary tempering factor. First, he has a practical worry: Rotation is unavailable when the ratio of citizens to offices is too high.[80] Not every member of the society in question will be able to fill an office.[81] There might be some persons who live their entire lives without the opportunity to serve as an officer. Again, note that Kolodny is implicitly assuming that occupying an office is a *good*, and that the offices that are the most sought after (to which Rotation does not allow equal access) are the "highest" offices. Moreover, Kolodny's argument also tacitly assumes a centralized State.

None of these assumptions is necessary. We need not see occupying an office as desirable. We need not see a society as having *higher* offices at all — a direct democracy would not have these. And we need not assume a centralized State, or any State at all. If there were, instead, a large network of community assemblies and work syndicates, organized according to an additional

[78] The anarchist view of decentralized coordination likely finds its distant origin in the notions of federalism and of 'subsidiarity', first expounded by Johannes Althusius in his 1603 work *Politica Methodice Digesta, Atque Exemplis Sacris et Profanis Illustrata*. Note that for Althusius, however, though 'subsidiarity' requires issues to be addressed at the most local level consistent with their resolution, this does not entail that they must be addressed in a participatory or democratic manner. Thus, the anarchist view of decentralized coordination is not reducible to subsidiarity. See Johannes Althusius, *Politica, An Abridged Translation of Politics Methodically Set Forth and Illustrated with Sacred and Profane Examples* [1603], ed. and trans. Frederick S. Carney, foreword by Daniel J. Elazar (Indianapolis, IN: 1995 Liberty Fund).

[79] In assuming that office-holding is either a good or a bad, both Kolodny and anarchist thinkers move away from a pure vision of "justice as the right", and smuggle in ingredients that add a flavor of "justice as the good" into their theories. For more on "justice as the right" and "justice as the good", see Nancy Fraser and Axel Honneth, *Redistribution or Recognition? A Political-Philosophical Exchange* (New York: Verso, 2003), pp. 29–30; Nancy Fraser, "For a Three-Dimensional Theory of Justice: On the Specificity of the Political" from *Reframing Justice: The Spinoza Lectures* (Assen, Netherlands: Koninklijke Van Gorcum, 2005), pp. 42–48; Nancy Fraser, "Abnormal Justice", *Critical Inquiry* Vol. 34, No. 3 (Spring 2008); Rainer Forst, "First Things First: Redistribution, Recognition and Justification" in *Axel Honneth: Critical Essays: with a Reply by Axel Honneth*, ed. Danielle Petherbridge (Leiden, Netherlands: Brill Academic, 2011), p. 303. For an anarchist account of "the good", see Nathan Jun, "Reconsidering Post-Structuralism and Anarchism" in *Post-Anarchism: A Reader*, ed. by Duane Rousselle & Süreyyya Evren (New York: Pluto Press, 2011), especially pp. 240–242.

[80] By 'office', Kolodny has in mind political offices, whereas I use it to refer to political, economic, and social roles.

[81] Kolodny, *The Pecking Order*, pp. 139.

secondary tempering factor, Decentralized Coordination, then the problem of office numbers need not be present: insofar as any officers are even necessary, a decentralized model might increase the opportunity to fill the many local, low-level offices (for there are, by definition, no high-level ones).

Kolodny's second worry is more fundamental: that Rotation does not actually temper subjection to asymmetric power and authority. Kolodny does not believe that temporarily occupying the role of "ruler" provides any relief from inferiority in the many instances when one is *not* ruling, and when one is instead subjected to the *underside* of the hierarchy. He grants that being ruler *temporarily* provides relief. He grants, too, that a system of rotation itself endorses the idea that *everyone* has (or that *no one* lacks), some "basing trait" that makes them equal. Yet this is not enough, for Kolodny, to count as tempering. Merely momentary safety from subordination is insufficient.[82]

Again, there are some mistakes in reasoning here. First, Rotation is meant to prevent "caste" from forming, and not simply to prevent "*bondage*". The point is to prevent recursive feedback loops in which greater and greater political, economic, and social power are allowed to accumulate within a stratum of persons. Rotation answers our collective inferiority complaint against macro-structural hierarchies. If everyone gets a turn in an office before any individual occupies that office again, then, no stable "estate", say, comprised of persons with similar political interests (such as politicians or bureaucrats) can take shape.

Of course, there are still worries: if there are other macro-structural hierarchies in operation, then an individual from an economic class or a social group (a religion, ethnicity, or even large family, for instance) could use the position to favor their class or group. In reply, I note that, if we are allowed to assume the existence and the exercise of such power to benefit one's own class or group, then we may also assume that whatever can be *done* by one occupant can be *undone* by the next. If this is cold comfort, we can help ourselves to the same assumptions that Kolodny makes. Kolodny assumes that certain primary and secondary tempering factors will, and maybe must, be *present together*. His defense of Equal Citizenship as a secondary tempering factor, for example, depended on the simultaneous presence of particularly *robust*forms of both Equal Consideration and Equal Influence. Since this is so, we too may stipulate that Rotation must exist with one of the other secondary tempering factors, like Least Discretion or Equal Application or Downward Accountability. Thus, we must admit that, theoretically at least, it is possible, through Rotation *alone*, for everyone to get a turn at being a despot; everyone is thereby exposed to the potential of "bondage". Yet, if we assume the presence of other tempering factors that prevent despotism (as it seems we are allowed to do), Rotation should join the ranks of the secondary tempering factors, along with the other additional candidates. To fail to allow for this is to open the gates both to hierarchical macro-structures, and to our collective inferiority complaint against the "castes" that follow.

Let us turn now to Sortition. Before lodging his complaints against it, Kolodny considers why Sortition might seem appealing. I will take these points first, as Kolodny's reasoning is not always correct.

First, he says, it may be that an office and an occupant are simply necessary, but that it does not matter *who* occupies the office. What makes an office effective in bringing about substantively good results is that it simply assigns responsibility to *some* person, and, that it provides the official

[82] ibid.

or body with appropriate resources, goods, and services (such as freedom from worries and distractions) to make decisions. The distinctive traits of the occupant may be of little importance. In that case, Kolodny says, Sortition might be adequate.[83]

Kolodny is correct, though we might add some nuance here. My position, which I derive from anarchist theory, is that if there are any asymmetrical offices that cannot be eliminated, then offices and tasks must be designed as far as possible to eliminate for the selection of specific groups. The role should be such that anyone can do it. The office should be tempered by Decentralized Coordination, Sortition, Rotation, Term Duration Limits, Term Number Limits, Strict Mandate, Immediate Recall, and Declination. In the case of specialized work-syndicate positions (such as, say, "heart surgeon" in a medical syndicate), not everyone can reasonably be expected to land in that position *immediately* upon joining the syndicate. In this case, Meritocratic Ascension is necessary: amongst those with the relevant knowledge and expertise, only those factors ought to be considered. However, Skill Diffusion demands that anyone ought to be able to join the syndicate, performing a task appropriate to their skill level, and then, to work their way into other tasks, consistent with the testing standards the syndicate makes, and in consultation with local assemblies, syndicates of different trades, and syndicates of the same trade. This prevents, for example, a community's being held hostage by its doctors, upon whom it relies and who possess rare and invaluable knowledge and abilities.

Kolodny's next supposition for why Sortition might be appealing is that greater diversity in a decision-making body may improve decision-making, in which case Sortition again avoids the pitfalls of elections. However, he then remarks that, outside the empirical question, and simply on paper, Equal Influence would seem to favor *neither* Sortition *nor* elections: they seem to be equally

acceptable. In both methods, every individual enjoys equal opportunity to influence who occupies the highest offices and decision-making bodies.[84]

Here, it is clear that Kolodny and anarchists have different ideas about what Sortition might be used for. Kolodny is concerned with Sortition being used for the highest legislative bodies, or executive bodies, or judicial ones. Yet because anarchists assume a multitude of direct, consensus-based democracies, alongside further tempering factors, such as Decentralized Coordination, Rotation, Term Duration Limits, Term Number Limits, Immediate Recall, Meritocratic Ascension, Skill Diffusion, and Declination, we do not envision Sortition being utilized to fill out an "upper" body or a centralized collective agent. Rather, the anarchist vision is one of participation: community members make up local neighborhood assemblies, and workers make up local work syndicates. An *"official"*, in an anarchist society, is a solitary role, fulfilling some function that simply cannot be eliminated nor computerized, one that requires an actual living body. For example, the 'facilitator' of neighborhood assembly meetings might be chosen by Sortition on a meeting-by-meeting, week-by-week, or month-by-month basis. Armed defense columns, to the extent they are needed, might use Sortitionrandomly to select a commanding officer for only a single mission. The captain of a ship could be selected randomly by algorithm from the crew compliment, once per week. Anarchists assume that rigorous education and on-the-job training (Skill Diffusion), plus the presence of equally skilled co-workers all around (the *result* of Skill

[83] ibid., 338.
[84] ibid.

Diffusion), would tend to eliminate the skill specialization that would require and reinforce a "caste" of technocrats.

Sortition works alongside other tempering factors, but this is not a flaw. Kolodny's own factors often derive their force from co-existence. In any case, Kolodny again neglects a powerful argument in favor of Sortition: it strong-arms a society into meeting moral "claims to improvement",

"claims against invasion", and "claims against inferiority". The threat that a manifestly underprepared individual might make it into an important office is an incentive to have a high standard of living, excellent medical care, top-notch education, sterling mental health care, etc. It is also an incentive to ensure that every individual meets a high standard of development. The threat of equality can be a wonderful motivation to eliminate inferiority.

Let us turn now to Kolodny's actual complaints. Kolodny's real worries with Sortition are similar to his worries about Rotation. He believes that, in a system with elections, insofar as 'the People' enjoy **occupancy control**, as well as a kind of **directive control** and **regulative control** through those (ideal) elections, the People sit at the top of the official hierarchy. Under Sortition, on the other hand, the People exercise no control over officials, not even **occupancy control**. Thus, under Sortition, the People do not sit on the top of the official hierarchy. Instead, at the top of the official hierarchy are merely those persons who *happen* to be selected by lottery. So, he writes, elections provide more control than does Sortition.[85]

Kolodny again assumes that Sortition would, or must, exist *alone*, and not alongside tempering factors such as Decentralized Coordination, Rotation, Term Duration Limits, Term Number Limits, Strict Mandate, Immediate Recall, Meritocratic Ascension, Skill Diffusion, and Declination. It is true, Sortition does not sound very appealing, on its own, or when used for the selection of the membership of enormous, centralized bodies of officials. Yet, neither does it sound *less*appealing than non-ideal elections for those purposes. Kolodny misses how parties and officials seek out the votes, and dollars, of segments of the electorate: they then serve those segments. Moreover, they often serve their own political "estate": politicians serve the interests of the politician estate, regardless of party. There is a reason that members of congress always vote unanimously on

the matter of pay-raises. Further, the "control" Kolodny thinks voters have, through elections, is false, empirically: in a 2014 study of the United States political system, Martin Gilens and Benjamin I. Page found that public opinion has near-zero influence on what American officials do.[86] The People are not at the top of *any* official hierarchy. They are at the bottom, right where most of them feel they are.

More basically, it might be understandable why Sortition is to be preferred if we accept that asymmetrically greater power and authority is something to be *avoided*. Kolodny imagines that we would prefer asymmetrically greater power or authority, or a disparity of regard in our favor, over some subordinated position. Perhaps this is true, but Kolodny does not consider that we might not like to be in any societal hierarchy, *at all*, whether at the top or the bottom or in the middle.[87] Actually, Kolodny writes that a lottery is indeed morally acceptable, in cases where

[85] ibid.

[86] Martin Gilens and Benjamin I. Page, "Testing Theories of American Politics: Elites, Interest Groups, and Average Citizens", *Perspectives on Politics* 12, no. 3 (2014): 564–581.

[87] Kolodny writes that the *super*-ordinates of a societal hierarchy might indeed have a moral complaint against being super-ordinated, yet he deems this moral claim to derive from the more basic inferiority complaints of subor-

someone must be conscripted into an unpleasant task.[88] If that is the case, why may we not assume that there could, and should, be a community in which the access to asymmetrically greater power and authority is seen as something regrettable? Moreover, Kolodny also remarks, in several different arguments throughout his book, that a premise of his hinges on the *disposition* of officials, the police, the military, etc., *to follow the rules* and not overstep Least Discretion.[89] If such dispositional assumptions are allowed, then they are allowed for all disputants. The community that anarchists imagine is participatory, and community members are imagined to be culturally dis-inclined to take up positions that involve asymmetrically greater power or authority, or disproportionately great

regard. Sortition into an unwelcome position is grudgingly acceptable as a way of serving that community's welfare. Yet is not a matter of *gratification*. The point of Rotation and Sortition is not to give everyone an office. The point is to distribute the conscription of an unwelcome task, fairly, without leading to stratification into "castes" or providing impetus for a collective inferiority complaint.

Kolodny believes there are two other reasons for favoring elections over Sortition. First, elections provide all citizens with *positive* influence, while Sortition provides positive influence only to those who are selected. There is an argument to be made for positive influence through Equal Citizenship, Kolodny feels, and this supports elections over Sortition.[90] Second, standing for re-election is itself a form of Downward Accountability that has no analogue in Sortition. Not being reelected is a way of being held accountable, Kolodny argues. Yet simply not being selected by lot, Kolodny writes, is *not* a way of being held accountable.[91]

Neither of these points is particularly strong. Elections (allegedly) provide *meaningful* positive influence *only* if Kolodny's six ideal conditions are met, which they never are, and perhaps cannot be. Sortition, by strong-arming a society into raising the standard of living and developing those things to which we have a "non-comparative" claim, thereby reduces net inferiority as well. In other words, it meets not only a "collective inferiority complaint", but a "collective *improvement* complaint," too. As for his second point, Sortition is compatible with the additional secondary tempering factor Immediate Recall, while Strict Mandate can be used as a form of Least Discretion, Content Limitation and Context Limitation. Kolodny is mistaken to imply that there are no ways of holding persons accountable under Sortition. Meanwhile, there are plenty of ways that officials can

fail to be re-elected that have nothing to do with Downward Accountability. We would not call the death of the official (nor the death of the entire electorate for that matter), a kind of Downward Accountability. Similarly, officials are often elected even when the electorate does not want them: as when the voting system is such that a *party* places them in offices rather than their being directly elected by the electorate, (or when officials are selected through some other cartoonish method, such as the United States Electoral College). To argue that re-election is a form of Downward Accountability strains credulity: what if there are only two, virtually identical parties? What if the candidate has a "war chest" of funds that lets them buy their way in,

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dinate parties: superordinates have an *improvement*complaint, namely, against finding themselves in a position in which others' inferiority complaints are repeatedly lodged against them. See Kolodny, *The Pecking Order*, 101.

[88] Kolodny, *The Pecking Order*, 327.

[89] See pp. 93–94, 134, 138, 270, 285, 432 endnote #9, 324–325, 335 in Kolodny, *The Pecking Order*.

[90] Kolodny, *The Pecking Order*, p. 435, endnote 3.

[91] ibid.

again and again, through a flood of campaign advertisements, or the ability to pay more staffers, or any other unfair advantage? What about the empirical tendency of incumbents simply to be re-elected?

Kolodny objects that part of the appeal of Rotation and Sortition is that we run them together, such that they reinforce each other. We desire Sortition, he writes, because it seems to guarantee Rotation.[92] Putting aside our retort that he allows his tempering factors to reinforce each other, too, his objection is that, anyway, *elections* into offices that feature term limits would achieve Rotation just as well as Sortition would. He is correct here. A limit to the *duration* and *number* of terms an official could serve in office would, indeed, achieve something like Rotation. If these are so welcome, though, why are they not among Kolodny's official list of secondary tempering factors? I think they should be, as Term Duration Limits and Term Number Limits. Yet I also think Sortition and Rotation should be there, too. Otherwise, even pairing Term Duration Limits and Term Number Limits with *elections* still ushers in all of the dangers of these elections: "caste"/ stratification, cultural divisiveness, etc. Elections simply do not meet our collective inferiority complaint against macro-structural hierarchies.

Kolodny concludes that Sortition actually *removes* one of the tempering factors on the relation of officials to those subject to them: that the People enjoy some measure of **occupancy** and **directive control** over officials, through elections. Kolodny thinks that Sortition offers equal chances of relief from a bad, but that this nonetheless makes the bad *worse* for those who do not receive relief. They have no control over what officials do.[93]

Again, voters in elections do not have any *meaningful* **occupancy** or **directive control** either, even were the six ideal conditions Kolodny mentions to obtain (and they never do). Kolodny writes as if no other tempering factors could be present, but I have demonstrated that we have reason to consider the presence of additional secondary tempering factors. Further, Kolodny himself insists that societal hierarchies are acceptable, because they are impersonally justified, only so long as there is ***no other form of organization with a similar hierarchy that is just as good, and no other, better form of organization that lacks the hierarchy completely***.[94] This means that we ought to *prefer* to have these additional, secondary forms of tempering. Sortition, if enacted alongside Decentralized Coordination, Rotation, Term Duration Limits, Term Number Limits, Strict Mandate, Immediate Recall, Meritocratic Ascension, Skill Diffusion, and Declination, helps to prevent political, economic, and social "castes" from forming. These measures are not primarily focused on "bondage" (though "bondage" is prevented too, especially with Least Discretion added to the list). Rather, these additional secondary tempering factors help to prevent a collective inferiority complaint against macro-structural relations of inferiority.

In an endnote, Kolodny writes that he believes the appeal of Sortition, among persons living in contemporary times and with an egalitarian impulse, might be that these people combine Sortition

in their mind with *citizens' assemblies and commissions*. These are groups of randomly selected citizens charged with completing tasks that help formally to structure the informal "public sphere". Kolodny thinks that *this* is their appeal, not that they are randomly selected. Their egalitarian nature comes from the fact that they merely identify concerns, place items on the

[92] ibid., 339.

[93] ibid., 340.

[94] For this stipulation, see p. 131 in Kolodny, *The Pecking Order*.

agenda, and shape proposals, with the final decisions being made by referenda, or by elected officials. These assemblies and commissions have little power or authority, which is appealing. Moreover, they are short-lived, with members soon stepping down from their offices. And they only address some specified question, not a broad range of issues. In other words, they display **directive control** (part of Equal Influence), they display Context Limitation, they display **occupancy control** (another part of Equal Influence), they display Content Limitation, and they display Least Discretion. Thus, Kolodny argues, Sortition, properly understood, is not actually a significant part of the appeal of citizens' commissions.

Kolodny even thinks that the proliferation of short-lived, single-issue citizens' commissions would have *drawbacks* if these commissions had the power to make final decisions. Here, Kolodny comes out in favor of centralization: the centralization of decision-making power in the highest officials and offices facilitates Downward Accountability. Kolodny believes that if citizens are upset with the state of things, in a centralized system, they have someone to hold accountable: those higher officials. These officials are few in number. They are well-known, in the case of elections. Yet, he claims, if there are numerous, short-lived citizen's commissions, each with a narrow band of responsibilities, any given citizen might not know "where the buck stops".[95]

I am quite happy to admit that the organizations Kolodny is describing have many of the primary and secondary tempering factors (and sub-factors, or components) about them. Yet this does not mean that Sortition, and the other additional secondary tempering factors, do not have

their own appeal. Nor does it mean that Kolodny's criticisms of citizens' commissions are particularly strong. Sortition prevents the collective inferiority of political, economic, and social "caste", and alongside the other additional secondary tempering factors such as Decentralized Coordination, it provides much *more* Equal Influence, much *more* positive influence, and much *more* control.

It is because Kolodny is committed to redeeming macro-structural hierarchies such as the State (or Statism), rather than dismantling or further tempering them, that he has a mistaken view of citizens' commissions. Kolodny believes that the decentralized nature of citizens' commissions makes Downward Accountability harder. Maybe, but it makes Upward Un-Accountability easier. In any case, Decentralized Coordination means that there are always plenty of *alternative*sources of power upon which to rely. Decentralized Coordination works well with Context Limitation and Escapability: the fact that the buck does not stop *anywhere* goes *both* ways. One is thus not beholden to any final power. If one does not like the political neighborhood assemblies, or the economic work syndicates, or the social affinity groups where one is — one can leave, or begin new ones, or both. Escapability is much more feasible in such a system than it is in a macro-structurally hierarchical one.

Moreover, there is room to debate the notion of Sortition-based citizens' commissions as a model of societal administration. I hold that Sortition should be used *only for offices that cannot be eliminated*, but that every other collective issue should be decided in political neighborhood assemblies, or economic work syndicates, or social affinity groups that are consensus-based and participatory. In other words, I see only a little place for Sortition, and no place at all for elections, in an ideal, federated society of communities.[96]

[95] Kolodny, *The Pecking Order*, pp. 435–436, endnote 4.

[96] Considerations of space mean that I cannot go into further detail, but those interested in other anarchist opinions on Sortition and on citizens' committees should consult John P. Clark, *The Impossible Community: Realizing Communitarian Anarchism* (New York, New York: Bloomsbury, 2013), p. 271, footnote 58. Clark sees a greater place

In this section I examined Kolodny's objections the potential secondary tempering factors Rotation and Sortition. I did not find his objections reasonable, and consequently I accept both Rotation and Sortition as necessary secondary tempering factors. Further, I argued for the addition of still more secondary tempering factors: Term Duration Limits, Term Number Limits, Meritocratic Ascension, Skill Diffusion, Decentralized Coordination, Strict Mandate, Immediate Recall, and Declination. All of these additional secondary tempering factors help to prevent the paradigm of "caste" in political contexts.

## 4.5 Structural Horizontalities

In this section, I consider the 'contrast class' to the societal hierarchy: the societal *horizontality*. As with societal hierarchies, I argue, societal horizontalities also feature differing degrees of *structurality*, which help to determine their basic attributes. The broadest and most far-reaching kind of societal horizontality is the *macro-structural horizontality*. I argue that a macro-structural horizontality is in fact compatible with some forms of meso-structural *hierarchy*. However, these meso-structural hierarchies must be extensively tempered so as not to contribute to a larger structure that is hierarchical.

Hierarchical organization is not the only viable form of human association. Just as human beings can arrange themselves in relations that are hierarchical, so too can they form 'horizontalities'. Horizontalities are, in effect, the mirrors of hierarchies.

A societal horizontality exists when the participants in the relevant societal context display the societally expected complexes of attitude and behavior, toward the occupants of position A, or toward the position A itself (the node), or toward positions like A (similar nodes), such that the occupants of position B, or the position B itself, or positions like B, are 'valuated' approximately equally (that is, on a par), and are thereby accorded approximately equal power, authority, and regard.

A societal horizontality is, of course, a matter of norms and valuation. Yet a horizontality is not always a matter of face-to-face, or even conscious, regard. Even the briefest, 'thinnest' societal horizontalities are structural, such that the normalized valuing they entail, and the behavior they prompt, is more often *systematized* than intentional. Thus, societal horizontalities often owe as much to institutions and to culture for their genesis and maintenance as they do the conscious decisions of individuals. As structural, societal horizontalities affect the subconscious reasons

for Sortition and less for assemblies in an anarchist society, and he believes Murray Bookchin placed far too much emphasis on Athenian-style community assemblies. In Clark's view, there is a danger in imagining the assembly as the 'main' place where decisions are carried out. This is hierarchically to carve up society, itself, and to privilege the political structure of a community over the economic or social one. Clark feels that "many other institutions are equally crucial to the community's free self-determination." He adds that only "a very small part of the community's free self-activity can possibly take place in an assembly." Clark is worried about Bookchin's dismissal of the popular juries and citizens' committees. In fact, Clark thinks that Sortition-based organizations can do things that a direct democracy cannot. A direct democracy, he feels, cannot apply general decisions to specific cases at the local level, nor can it allow for collective decision-making beyond the local-level. My own position is midway between Bookchin's and Clark's, but probably closer to Bookchin's. I tend, with Bookchin, to place a greater emphasis on direct participation, regardless of the sphere of activity. Unlike him, however, I do not mind consensus-based decision-making — Bookchin was worried consensus-oriented decision-making offered too many possibilities for overbearing, charismatic personalities to dominate meeker persons, or those who did not feel like arguing. I believe policies and procedures can be developed to avoid these pitfalls.

we have for thinking in a certain way, or, the habits we have *of not thinking at all*. Thus, like societal hierarchies, societal horizontalities feature justifications, 'justificatory narratives' and even entire 'orders of justification'.

As with hierarchies, the sign, and chief effect, of a horizontality is ***power*** (and power-adjacent phenomena). Rather than asymmetries and disparities of power, however, horizontalities involve *symmetries* and *parities*. Societal horizontalities feature: (1) symmetries of 'power-over' between nodes; (2) symmetries of authority between nodes; (3) symmetries, between nodes, of *comparative* 'power-over' some others; (4) symmetries, between nodes, of *comparative*authority over some others; and (5) parities of 'consideration for personhood' between the occupants of nodes.

This last point is especially telling. First, the more 'thickly structural' a societal horizontality is, the more it helps to generate greater degrees of *participatory parity* among participants in a network. Next, a horizontality generates greater degrees of *justificatory status* and *agency* for all participants as it moves from the interactional, to the meso-, to the macro-level. And finally, a horizontality generates greater degrees of the societal quality of "*public-ness*" the more structural it is.[97] Societal horizontalities can also help to maintain whatever participatory parity, justificatory agency and status, and public-ness *already* exists in a society, through recursive 'feedback loops'.

As mentioned, horizontalities have different levels of structurality. There are thin, "interactional horiozontalities" These are often brief-face-to-face interactions, or else relationships that are limited in content and context.[98] Next, there are "meso-structural horizontalities". These are often institutional, in the widest sense of that term. And finally, there are "macro-structural horizontalities": these are broadest and deepest kind of "flat" human organization.

I discuss *macro*-structural hierarchies first, before considering the meso-level. Like macro-structural hierarchies, a macro-structural horizontality has the following qualities. As *structural*, it will be:

1. Impersonal: Not a matter of individual personality, but rather a matter of 'nodes' and their pre-figured inter-relation.

[97] For more on public-ness and the idea of the public sphere, see Nancy Fraser's text, "Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy", in *Social Text*, no. 25/26 (1990): 56–80, and an updated version, "Transnationalizing the Public Sphere: on the Legitimacy and Efficacy of Public Opinion in a Post-Westphalian World" in Nancy Fraser et. al., *Transnationalizing the Public Sphere*(New York: Polity Press, 2014). Fraser is no friend to anarchism, and both "Transnationalizing the Public Sphere" and "Publicity, Subjection, Critique: A Reply to My Critics" (also in *Transnationalizing the Public Sphere*) are meant as replies, in part, to (Fraser's jejune understanding of) anarchist forms of organization. More of Fraser's jaundiced views toward anarchism can be found in "Against Anarchism" at *Public Seminar*, (October 9th, 2013, accessed online on February 25th, 2025, < https://publicseminar.org/2013/10/against-anarchism/#.Uu1mQ7TkiQI>, and also throughout Nancy Fraser & Rahel Jaeggi, *Capitalism: A Conversation in Critical Theory* ed. by Brian Milstein (New York, Polity, 2018), especially p. 57 and pp. 180–183. For an anarchist response to Fraser's ideas of the public sphere, see Fuyuki Kurosawa, "An Alternative Transnational Public Sphere? On Anarchist Cosmopolitanism in Post-Westphalian Times" in Nancy Fraser et. al., *Transnationalizing the Public Sphere* (New York: Polity Press, 2014), and for a general reply to Fraser, see Nick Montgomery, "Autonomous Politics and Liberal Thought Magic: In Response to Nancy Fraser" at *Public Seminar* (February 3rd, 2014, accessed online on February 25th, 2025, <https://publicseminar.org/2014/02/autonomous-politics-and-liberal-thought-magic/>). For another anarchist approach to counter-publics, see Kathy Ferguson, "Anarchist Counterpublics" in *New Political Science* 32, no. 2 (2010): 193–214.

[98] Interactional horizontalities, I take it, would feature the same characteristics as interactional hierarchies, as explored in Section 1.6. The difference is that hierarchies are, of course valent relations — they feature asymmetries of power and authority, and disparities of regard — while horizontalities feature symmetries and parities.

2. Constitutive: Setting up, in the broadest sense, who we are, the kind of practices or habits we can engage in, the kind of beliefs and dispositions we hold, and the kind of relations we can have, by virtue of our place in certain 'nodes'.

As *macro*-scopic, it will be:

1. Pluralistic: Affecting many persons within a system, or set of systems.

2. Extensive: Occurring repeatedly in time, at many locations in space, and at many levels of organization.

Yet, as a *horizontality*, it will be:

1. Horizontalizing: Tending to *prevent* the creation of classes, estates, and rigidly differentiated groups, any of which would be identifiable with a fixed economic, political, or social position in society, and which would be arranged in normative and valent relations to other tiers or strata.

2. Empowering: Inciting particular practices of personal growth, the benefits of which belong to the individual ('power-to') but the positive effects of which are felt by many ('power-with').

3. Jointly Recreated: Reproduced with transparent, intentional participation; Expanding throughout time, throughout space, and out into other societies, primarily through voluntary choice.

I take it that paradigmatic forms of macro-structural hierarchy are the economic systems of 'socialism' and, even more so, 'communism'; and the political system of 'anarchist federalism'. I refrain from theorizing a macro-structural horizontality in the social realm, for it is unclear whether white supremacy, patriarchy, heteronormativity, and other such macro-structural hierarchies ought to be

*replaced* with an over-arching, horizontal alternative, or, merely *dismantled*, with nothing posited in their place.[99]

As with hierarchies, horizontal systems and structures are awash in what Rainer Forst calls "noumenal power". That is, they feature 'justificatory narratives' and can even be buttressed by

[99] The troubles with Kolodny's secondary tempering factor Equal Consideration might begin to explain why it is difficult to think of an example of a *social* macro-structural horizontality. Equal Consideration, while admirable, is unlikely ever to obtain in macro-structural hierarchies. It literally cannot in cases like white supremacy, or patriarchy, or heteronormativity: the point of these socially pernicious macro-structural hierarchies is the creation of what Kolodny calls "castes." It is not clear what one is to do with such a macro-structural hierarchy, other than abolish it. We can think of a *political* macro-structural horizontality (federalism), and an *economic* macro-structural horizontality (communism): these are standard to anarchism's vision of a global, borderless, federally networked system of horizontal, democratically-participatory neighborhood assemblies and work syndicates. They are also clear *alternatives* to the macro-structural hierarchies that exist today. Yet, what about the social realm? What system do we need there? Surely not a formalized agreement, or systemized theory, on "humanity" or even "personhood"— these always invite exclusions that run the risk, ultimately, of de-humanizing. So, what then? Something vaguer, perhaps? "Solidarity"? "Compassion"? Hegelian "*Freigabe*"? Nietzschean "*Mitfreude*"? What seems most necessary is something negative — a refraining from certain behaviors — rather than something positive — a positing of essences.

large 'justificatory orders'. Horizontalities have justifications (good or bad), or else a justification can be given, after the fact. In general, though, horizontalist orders of justification make it easier for agents explicitly to see and to think about these orders, themselves, than do hierarchical ones. While horizontalist 'justificatory narratives', and horizontalist 'orders of justification', affect what we believe, how we think, and whether we think *at all*, they tend to promote, or at least open a space for, transparency and critical thought. This is because they remove the conditions by which inequalities in power or regard are generated in the first place, as well as the incentives for recursive accumulation of this power or regard. Like hierarchical 'narratives' and 'justificatory orders', horizontalist 'narratives' and 'justificatory orders' *produce* noumenal power, while also being *reproduced by*networks and constellations of that very power.

It would be sensible to assume that a macro-structural horizontality must be constituted by lower-level phenomena that are *also* horizontal in nature. As it happens, a macro-structural horizontality can indeed be 'pure', by comprising only meso-structural and interactional

horizontalities. Yet, crucially, I argue that a macro-structural horizontality need not be *all* horizontalist, all the way through, in order to qualify *as* a horizontality. In other words, a society or group of societies need not banish all societal hierarchies in order to be considered "horizontalist". As I noted in Chapter 2, it is impossible for human beings to eliminate *all* asymmetries of power and authority, and *all* disparities of regard. If we were to make such elimination the standard for a horizontalist, anarchist society, no society would ever come close to such a designation.[100]

I hold, instead, that both meso-structural horizontalities, and even meso-structural *hierarchies*, can be constructed such that they contribute toward — or at any rate do not *prevent* — the emergence of a macro-structural *horizontality*. With a judicious mix of the six primary tempering factors, and, especially, the expanded eighteen secondary tempering factors, it is possible to render temporary and limited asymmetries of power and authority, and disparities of regard, morally acceptable.

Whether they are horizontalist, or, hierarchical in a very highly tempered sense, these meso-level offices and institutions will feature seven characteristics. They will be:

1. Inter-personal: A matter of individual agential personality, choice, and awareness.

2. Minimalistic: Affecting few persons.

3. Limited: Occurring infrequently, in few locations in space, and at few levels of organization.

4. Non-constitutive: Not having a deep effect on the kind of practices or habits we can engage in, the kind of beliefs and dispositions we hold, or the kind of relations we can have; Not forming a deep or long-lasting subjectivity.

5. Non-stratifying: Not creating fixed strata, but rather setting up momentary positions or roles.

6. Empowering: Inciting particular practices, the benefits of which accrue to, or are experienced by, the subordinate parties (if any) or else, by everyone altogether.

[100] This being said, many anarchists happily take "anarchy" — the practical realization of what is theorized and prefigured in anarchist thought and practice — to by *asymptotic*: a societal limit that, like William Godwin's notion of individual perfectability, can never fully or finally be reached. For anarchists, there is always room for improvement.

1. Self-terminating: Tending to bring about conditions in which the nodes or positions cease to exist, or in which their occupants switch positions, or in which their occupants exit the hierarchy entirely.

What sort of offices might qualify as meso-structural horizontalities, or, highly-tempered meso-structural hierarchies? As an example, consider the office of the 'facilitator of discussion' in a neighborhood assembly. This role would be tempered not only by Impersonal Justification, Least Discretion, Equal Application, Equal Influence, Downward Accountability, Upward Un-Accountability, Equal Consideration, and Equal Citizenship, but by Sortition, Rotation, Term Duration Limits, Term Number Limits, Decentralized Coordination, Strict Mandate, Immediate Recall, Meritocratic Ascension, Skill Diffusion, and Declination as well. Moreover, this role is also subject to tempering from the *primary* tempering factors: Episodic Character, Context Limitation, Content Limitation, Escapability, Downward Equalization, Egalitarian Relationship.

In this section I explained the core features of both meso- and macro-structural horizontalities, and elaborated how a macro-structural horizontality may still feature (sharply bounded) meso-structural hierarchies while nonetheless lending a horizontalist quality to a society at large.

## 4.6 Conclusion to the Chapter

In this chapter, I presented the anarchist alternative to a Kolodnian, liberal approach to societal hierarchies.

I first argued that anarchism is best understood as the ideology most centrally concerned with societal hierarchies and their contrast class, societal horizontalities. I then demonstrated that

anarchist theory has a long history of confronting our "collective inferiority complaint" against multiple, interlocking macro-structural hierarchies.

Next, I argued that supplementary secondary tempering factors, drawn from anarchist theory, fully meet the moral claim against structural relations of inferiority that lurks under the surface of Kolodny's text. In this sense, anarchism completes the project towards which *The Pecking Order* but dimly points.

However, it also takes that project in a different direction. For I then showed that the result of strictly and multiply tempering societal hierarchies at the "interactional" and "meso-structural" levels is the transformation of macro-structural *hierarchies* into multiple, interlocking "macro-structural *horizontalities*". It is these large-scale, horizontal forms of human organization to which anarchist political theory argues we have a "collective *improvement* claim".

# Conclusion to the Dissertation — One Contribution to Two Literatures

## C.1 Introduction: A Recap of the Argument

What is a societal hierarchy? What kinds of societal hierarchies exist? In which spheres of human activity do they exist? At what levels? How are we to assess them, normatively? Which ones are morally acceptable, and which ones are immoral? How can we eliminate, or else strictly control, societal hierarchies? Why do so many of the biggest hierarchies seem to function so well in tandem?

These were the questions my dissertation set out to answer. To do so, I interrogated a new text in mainstream political philosophy — *The Pecking Order*, by Niko Kolodny. Although I found Kolodny's insights compelling and revealing, I also found a glaring flaw in his arguments about relations of inferiority. This was his neglect of the notion of 'structure', its descriptive implications, and its moral consequences. In four chapters, I explained the missteps in Kolodny's thinking, while also attending to the above questions.

In Chapter 1, I showed that Kolodny's descriptive approach to societal hierarchies lacks an account of 'structure', and that a structural element is necessary to explain how societal hierarchies are constituted by myriad norms, values, justifications, and power-relations. In response to Kolodny's lacuna, I theorized several levels of 'structurality', and argued for the existence of 'interactional hierarchies', 'meso-structural hierarchies', and finally, 'macro-structural hierarchies.'

In Chapter 2, I demonstrated that Kolodny mentions, yet leaves unexplored, the moral notion of a "collective inferiority complaint". This moral idea is only fully intelligible if one has an explicitly structural approach to societal hierarchies. However, I then tied together several unconnected strands of thought in *The Pecking Order* itself, which together imply that, in fact,

natural individuals do indeed have a collective moral claim against finding themselves in macro-structural relations of inferiority.

In Chapter 3, I argued that the State and the capitalist firm — indeed, *Statism and capitalism themselves* — are not capable of being justified from the standpoint of our moral claims against inferiority. I first explained how Kolodny attempts to justify the State and the capitalist firm through a series of "tempering factors". These tempering factors allegedly mollify the societal hierarchies that the State and the capitalist firm involve. I then argued that Kolodny's "secondary" tempering factors are aimed at addressing *meso*-structural offices, only, and that they are insufficient to render even these morally un-objectionable. Further, I showed that they are not robust enough to meet our collective inferiority complaint against *macro*-structural hierarchies.

Finally, in Chapter 4, I insisted that anarchism offers a better alternative to a Kolodnian account of societal hierarchies. Although anarchist theory has often confronted the problems of contemporary society implicitly (rather than explicitly), and evocatively (rather than analytically), it has nonetheless always taken a structural approach to the question of societal hi-

erarchies. In fact, anarchist theory, I argued, provides the material for additional tempering factors. When employed, these supplemental tempering factors render meso-structural hierarchies morally un-objectionable. Moreover, in the process, these extra tempering factors un-make macro-structural hierarchies, and replace them with something else entirely. I then theorized the contrast class to societal hierarchies: 'interactional *horizontalities*, 'meso-structural *horizontalities*, and finally, 'macro-structural *horizontalities*.' I concluded by demonstrating that, insofar as anarchist tempering factors and macro-structural horizontalities together meet our collective moral claim against structural relations of inferiority, they complete Kolodny's project, while nonetheless taking us outside the remit of liberal political theory and into anarchist ways of theorizing justice.

Throughout the dissertation, I pursued these investigations from a series of standpoints received from many disparate sources. I took 'power' to be divisible into at least three species: 'power-to', 'power-with', and 'power-over'. Methodologically, I took a practice-theoretical approach to society, and I divided the practices of natural individuals into three ideal spheres: the political, the economic, and the social. I followed a mildly functionalist approach to societal reproduction, whereby at least some forms of practice and some forms of organization are taken to exist, and to continue to exist, *because* of the function they perform. I stressed the intersectional and non-reductive nature of society's spheres, their practices, their human strata, and their injustices. These spheres, practices, strata, and injustices 'accommodate', 'co-define', and 'co-reproduce' one another. Thus, while each is conceptually *isolable*, none is ontologically *separable*: none can be taken on its own and 'resolved', while the others wait patiently. Additionally, while each is conceptually *comparable* in form, none is ontologically *reducible* to the others: no single sphere, practice, stratum, or injustice causes all of the others to exist, such that removing that single one would topple all the others. Finally, while I acknowledged the force of a vision of justice as 'the good', I also saw pitfalls to this sort of approach. As such, I instead pursued a vision of justice as 'the right': justice, in other words, as a fair set of institutions and procedures. It was this kind of justice, I maintained — perhaps counterintuitively, for some readers — that could only be achieved through anarchism and anarchy. This is because only anarchist forms of organization stress the full suite of tempering factors — primary, secondary, and tertiary — and apply them aggressively, such that relations of inferiority are sharply curtailed, or prevented entirely.

In what remains of the Conclusion to the Dissertation, I argue that this text makes contributions to two literatures and to several conversations. On the one hand, this dissertation is an intervention into mainstream political philosophy. It subjects a new and noteworthy text in political

philosophy to sustained interrogation. It highlights not only this text's shortcomings and lacunae, but also the text's promising ideas. And most importantly, it attempts to "think what remains unthought" in that text.[1] Furthermore, my dissertation also participates in conversations on the proper definition of societal hierarchy, on structure and what I call 'structurality', and on structural oppression.

On the other hand, the dissertation also contributes to less mainstream, more radical political theory. By bringing Kolodny's insights to bear on anarchist theory, the dissertation pro-

[1] Simon Critchley, *Continental Philosophy: A Very Short Introduction*, (Oxford: Oxford University Press, 2001), p. 69.

vides an explicit definition of societal hierarchies, and thus, a clearer view of one of anarchism's core concepts. By doing so, the dissertation thereby sheds light on the underlying conceptual and moral coherence of anarchism, taken as an ideology. Moreover, this explicit focus on '(anti-)hierarchy' as a conceptual and moral binding agent for anarchism allows for interventions into contemporary anarchist studies. In particular, conversations around "boundary disputes" and the "continuity debate" in anarchist circles are rendered much less intractable. In a larger sense, by using techniques from the analytic approach to political theory — techniques whose absence, in anarchist philosophy, has kept anarchism out of contention in contemporary political theory more broadly[2] — the dissertation is able to "think anarchy" in a different register: to present an analytical anarchism, without reducing the ideology to what is sometimes called "philosophic anarchism"[3], or else to a mere variant of liberal political theory.

## C.2 Contributions to Political Philosophy Broadly

In this section, I suggest that the dissertation makes several contributions to political philosophy, taken broadly. First, there is the interrogation of Niko Kolodny's new text *The Pecking Order*. Second, there is the intervention into "the hierarchy debate" — the nascent debate on the proper definition of 'hierarchy'. Third, there is the extension of the conversation on 'structure' to the topic of societal hierarchy. And finally, there is also the extension of the conversation on structural oppression to societal hierarchies. Let us take each in turn.

Perhaps the paramount contribution of this dissertation is its investigation of Kolodny's text. Kolodny's *The Pecking Order* is a seminal new addition to mainstream political theory. I daresay that this dissertation is one of the first works of philosophy to subject it to a lengthy and in-depth interrogation, demonstrating its errors and lacunae. Yet, this dissertation is more than a mere book report. Nor is it simply an extended complaint. Rather, it is a *critique*, in the philosophical sense of that term: an examination into the conditions of possibility of *The Pecking Order*, and an incitement of that text into new directions. In the four chapters of this dissertation, I first showed what was missing in Kolodny's account: a notion of societal 'structure'. Next, I connected several unconnected threads in *The Pecking Order*itself, and showed what Kolodny's philosophy, with a little tweaking, could be made to do. I demonstrated that it could be made to argue for collective moral claims against structural relations of inferiority. In that sense, even while criticizing Kolodny's ideas, I showed fidelity to them, by thinking what remained unthought in Kolodny's system, itself. Finally, I brought *The Pecking Order* and its liberal philosophical underpinnings into relation with another tradition of political thought — anarchism — as well as to several other conversations.

[2] I do not wish to be misread here: there are many works of anarchist theory, both historical and contemporary, that are rigorous and analytical. Yet, there are many more that are what I call "implicit" and "evocative" — they contain powerful, insightful ideas, yet they do not always elaborate upon these ideas as clearly as they could. Furthermore, let it not be imagined that anarchist theory is missing from mainstream political and philosophical conversations simply because it is rougher, or less precise, than it could be. Rather, I ask readers to recall the passages on "fuctionalism", from the Introduction to the Dissertation. Anarchist political philosophy is deliberately, if not always consciously, excised from mainstream political theory. This banishment serves a function, the benefits of which are recursively re-invested in a continuing silence.

[3] See Nathan J. Jun, "On Philosophical Anarchism", in *Radical Philosophy Review*, Volume 19, Number 3 (2016): 551–567.

I turn now to these other conversations. First, I intervened in what I am calling "the hierarchy debate". This is the debate, mostly between Han van Wietmarschen and Niko Kolodny, over the correct definition of societal hierarchy. I showed that each theorist had captured many of the elements that are indispensable for a definition of societal hierarchy. I also explained why the two theorists disagreed with each other's accounts, where each critique had merit, and how to resolve their disagreement. Resolving the impasse between their positions, I argued, required that we advance the notion of 'structure' for a third, better understanding of societal hierarchy.

Second, by extending 'structure' to the hierarchy debate, I also extended conversations on societal structure, from figures such as Richard Sewell, Sally Haslanger, and even Rainer Forst, to a new topic. I explained the components of a 'structure', and demonstrated why structural accounts of societal phenomena are helpful. I then illustrated how and why societal hierarchies must be thought of as structural. I theorized several levels of structural hierarchy, and picked out their relevant characteristics. In this way, I increased the terrain of application for a structural orientation.

Third, I did the same for the moral discussion of structural oppression. I showed how an account of structural oppression can be applied to societal hierarchies, understood as structural. Kolodny's claim-based approach to moral theory is capable of skirting Iris Marion Young's critiques of the "liability model" of morality, and her insistence, instead, on a theory of political responsibility only. We can elucidate a view of collective inferiority complaints, one that still ascribes responsibility to individuals for their actions (or inactions), without thereby tracing a specific, discrete wrong to a single, natural individual. This way of parsing moral issues demonstrates the power of a structural view of rights and wrongs, yet without resorting to Young's vagaries, such as by referring to five disparate, unconnected "faces" of oppression (which, as we see momentarily, are similar to Uri

Gordon's components of 'domination').[4] Instead, it shows that oppression is often a matter of structural *relations of inferiority* — that is, of societal hierarchies — and, additionally, of invasions and of unmet claims to improvement.

There was a final contribution, too, though it was slight, and more ambient than direct. My dissertation constitutesyet another call on mainstream political philosophy to take anarchist political theory, and anarchist history, seriously. Reading political philosophy, Western or Eastern, can be a disheartening endeavor. The philosopher's sacred duty is to challenge each appearance and every justification — though perhaps not all at once — and to leave no stone unturned. Yet most *political* philosophy amounts to apologism: *"Given that these societal hierarchies, or those, are necessary (and in any case inevitable) how ought they to be organized and managed?"* Anarchist philosophy asks first whether societal hierarchies are, in fact, necessary or inevitable. When it finds some that are — and there *are* some that are — it not only takes the strictest approach to constraining them, but also theorizes why such an approach is the right one: why, in other words, we should take societal hierarchies seriously, morally speaking. The benefits of reading anarchist theory, for a mainstream political philosopher, are twofold. First, it helps to fulfill the purpose of political philosophy: to inquire deeply, rather than shallowly, and broadly, rather than narrowly. Yet beyond this, anarchist political theory has insights that it can offer, say, republicanism, or liberalism, or even Marxism (depending on one's definition of 'mainstream'). Learning at least to

[4] See Iris Marion Young, "Five Faces of Oppression", in *Justice and the Politics of Difference* (Princeton, NJ: Princeton University Press, 2011).

read anarchistically (even if one does not ultimately take the leap) stands to make mainstream political theory stronger, either by helping to resolve longstanding issues or by, at least, improving the quality of the framing of an argument, by better responding to all disputants.[5]

## C.3 Contributions to Anarchist Studies

In her conclusion to *The Continuum Companion to Anarchism*, entitled "Where to Now? Future Directions for Anarchist Research", historian Ruth Kinna marks three avenues for future investigations in anarchist studies. "One line of inquiry", she writes, "is theoretical and concerns the ways in which researchers conceptualize or re-conceptualize key concepts, central to anarchist traditions, in the light of current practices and ideas." The second has to do with the notion of 'prefiguration', and asks after the "aims, purposes, [and] goals that underpin the relationship between the ends and means of anarchist practices." Finally, the third avenue is about ideology, "and the desire to delineate a distinctively anarchist politics in ways that avoid reification."[6] A contribution to any of these areas would count as a contribution to anarchist studies itself.

In this section, I argue that the present dissertation speaks to the first and the third of Kinna's suggestions. While it is, admittedly, silent on the second of Kinna's possible avenues, on prefiguration, the dissertation broaches a fourth issue regarding the history and historiography of anarchist thought. Briefly, my dissertation makes five contributions to anarchist studies. First, it conceptualizes two key concepts that have been central to anarchist traditions: societal hierarchy and societal horizontality. Second, and relatedly, it allows for a clearer understanding of other important concepts for anarchism, such as 'power', 'authority', 'the State', and 'domination'. Third, and in light of the above, the dissertation provides a new way of conceiving at least the *conceptual* side of anarchism-as-ideology. Fourth, it suggests one way of resolving 'boundary disputes' among various

ideological positions that all claim the title 'anarchism'. And fifth, the dissertation revisits and contributes to the so-called 'continuity debate' in anarchist historiography.

Perhaps what is more important, though, is the *way* my dissertation makes these points. I have used Kolodny's analytical methods to make anarchist theory stronger and more precise. Nonetheless, I have deliberately avoided collapsing my approach into liberal political theory, such that anarchism could be read simply as a more aggressive, pointed, restless version of liberalism. Likewise, I have also taken care that my work not appear to be a case of "philosophical anarchism"— the sort of text that concludes, to its own great surprise, that the State is, after all, illegitimate, yet that nothing could or should be done about it. Instead, I have maintained that decentralized, horizontal, participatory forms of organization are not only possible, but morally necessary, and that we must therefore struggle, together, to achieve them.

I turn now to my specific contributions.

[5] For more on anarchist hermeneutics, see Jesse S. Cohn, *Anarchism and the Crisis of Representation: Hermeneutics, Aesthetics, Politics*(Cranbury, NJ: Susquehanna University Press, 2006).

[6] Ruth Kinna, "Where to Now? Future Directions for Anarchist Research" in *The Continuum Companion to Anarchism*, edited by Ruth Kinna (London: Continuum, 2012), p. 315.

### *C.3.1 Micro-Decontesting 'Hierarchy' and 'Horizontality'*

The first and most obvious contribution to anarchist studies is the dissertation's discussion of 'hierarchy' and 'horizontality'. As I argued in Chapter 4, anarchist theory has not adequately micro- or macro-decontested the concept of 'hierarchy.' In other words, anarchist thinkers have not specified or explained the micro-components of the concept of 'hierarchy', nor have they clearly defined 'hierarchy' in relation to other core anarchist concepts, such as 'authority'. Over the last two centuries or so, anarchists have come to give 'hierarchy' increasing *priority* as a notion for anarchist theory. Yet, strangely, this has not led to increased *proportionality* in anarchist discussions: 'hierarchy' has become a shibboleth in anarchist circles, acknowledged as paramount but not debated at great length. There is very little discussion about what that term means, what its component parts are, or how the concept relates to other core notions.

Much of this dissertation is devoted to micro-decontesting not only the parts of a hierarchy, descriptively, but their import, morally. In Chapter 1, I explained societal hierarchies by binding the notions of 'norms', 'values', 'reasons', 'power', 'authority', 'regard', and 'justifications' within the concept of 'structure'. I theorized levels of structurality and thus, levels of hierarchy, from thinly-structural 'interactional hierarchies', to thicker 'meso-structural hierarchies', and finally to the thickest 'macro-structural hierarchies'. I argued that *meso*-structural hierarchies are always 'impersonal', 'pluralistic', 'extensive', and 'constitutive', and that, at their worst, they can also be 'stratifying', 'exploitative', and 'replicative' as well. I further held that *macro*-structural hierarchies are not only *always* 'impersonal', 'pluralistic', 'extensive', and 'constitutive', but that they are *always* 'stratifying', 'exploitative', and 'replicative' too.

In Chapter 2, I argued that, morally, natural individuals have 'improvement claims', 'invasion claims' and 'inferiority claims'. I held that as natural individuals we have a moral complaint against un-tempered relations of inferiority, and that, further, we have a *collective* moral complaint against *macro-structural* relations of inferiority. Extending this thought, we can thereby theorize 'collective inferiority complaints', 'collective invasion complaints', and 'collective improvement complaints'.

In Chapters 2, 3, and 4, I demonstrated that there are a series of factors that, when employed, can render societal hierarchies morally un-objectionable — at least from the standpoint of an inferiority complaint. The first of these are Episodic Character, Context Limitation, Content Limitation, Escapability, Downward Equalization, and Egalitarian Relationship. Because these are not enough to temper meso-structural hierarchies, more factors are necessary to render such offices and roles morally un-objectionable. These additional tempering factors are Impersonal Justification, Equal Application, Upward Un-Accountability, Downward Accountability, Equal Consideration, Equal Citizenship, and Equal Influence. Because these, too, are insufficient to temper macro-

structural hierarchies, a third set of tempering factors is necessary. These supplemental tempering factors are Sortition, Rotation, Meritocratic Ascension, Term Duration Limits, Term Number Limits, Skill Diffusion, Strict Mandate, Immediate Recall, Decentralized Coordination, and Declination.

Finally, in Chapter 4, I theorized 'societal *horizontalities'* in much the same way I had theorized societal hierarchies. Horizontalities, too, bind 'norms', 'values', 'reasons', 'power', 'authority', 'regard', and 'justifications' together through 'structure'. Horizontalities come in 'interactional', 'meso-' and 'macro-structural' forms. Meso-structural horizontalities are

'inter-personal', 'minimalistic', 'limited', 'non-constitutive', 'non-stratifying', 'empowering', and 'self-terminating'. Macro-structural horizontalities, meanwhile, are 'impersonal', 'constitutive', 'pluralistic', 'extensive', 'horizontalizing', 'empowering' and 'jointly recreated.'

All of these terms and concepts, from the first chapter to the last, have been necessary micro-components in the micro-decontestation of 'hierarchy' and horizontality'. Unearthing them, defining them, and bringing them into relation in order to consider their moral implications, constitutes a single contribution to anarchist studies.

### *C.3.2 Macro-Decontesting 'Hierarchy' and 'Horizontality'*

As a second contribution, however, this dissertation helps to *macro*-decontest the notions of 'hierarchy' and 'horizontality', by making clearer their relation to other core, adjacent, and peripheral concepts in the anarchist repertoire. Though Benjamin Franks, Nathan Jun, and Leonard Williams do not list 'power', 'authority', 'the State', or 'domination' in their elaboration of the basic concepts of anarchism, it is clear from other anarchist texts that many anarchists in fact define anarchism as most centrally "about" *these* ideas. However, the insights of this dissertation allow me to make the

case that anarchism cannot be defined as chiefly concerned with any of these notions. None improves upon (and most in some way presuppose) 'hierarchy' as a conceptual binding agent.

Take 'power', for example. Anarchism cannot be defined as the ideology that is "about" power, whether for or against. A concern with power does not differentiate anarchism from any other ideology. Many ideologies spill ink over the nature of power. In fairness to past anarchist theorists, most have focused their interrogations on power as it relates to State formation. That is, amongst theorists, the insistence that anarchism is centrally defined by, say, its rejection of all power is rare. Nonetheless, this position is more common among anarchists who are not theorists. And either way, a focus on State formation has led to an inadequate grasp of both hierarchy *and* power.

In any case, branding anarchism as the ideology "about" power tells us very little about anarchism, power, or ideology, itself. Framing an ideology as for or against power, even power of a specific kind (such as 'power-over' others), is not enough to isolate what makes a specific ideology unique. It is true that power of some kind precedes hierarchy, lexically, and for this reason might make it appealing as a core concept for an ideology like anarchism. Yet we can just as easily say that power, though it is a constitutive component of hierarchy, is also *molded and produced* by hierarchies, into its worst forms. In any case, it is certainly impossible to characterize anarchism as the opposition to all power, as such. How would one oppose it? With what?

'Authority' too, is a poor substitute for 'hierarchy' as the crux of anarchism, though some, like Paul McLaughlin in his 2007 work, *Anarchism and Authority*, take anarchism to be most basically a skepticism toward authority.[7] Yet 'authority', as a concept, is dependent upon the notion of 'hierarchy'. Granted, on a Kolodnian definition of societal hierarchy, 'authority' is in fact a

preceding, constitutive component of 'hierarchy'. Thus, it might seem as if authority precedes hierarchy. However, in a lengthy footnote in Chapter 1, I argued that authority is better seen as a downstream consequence of power that has been arranged, hierarchically. Thus, 'authority' is a species of *'power-over'* others. Yet while power, as such, is indeed conceivable without hierarchy,

[7] Paul McLaughlin, *Anarchism and Authority: A Philosophical Introduction to Classical Anarchism*, (Burlington, VT: Ashgate, 2007).

neither 'power-over', nor 'authority', is conceptually coherent without a pre-existing notion of societal hierarchy, itself. 'Authority', then, is dependent upon 'hierarchy' — both conceptually, and in practice. A second issue is that 'authority' does not bind the many other core, adjacent, and peripheral concepts of anarchism together so well as 'hierarchy' does. Just as 'authority', itself, depends on a preceding notion of hierarchical separation, ranking, and (dis-)empowerment, so too do many of the other basic notions of anarchism derive their *proximity*, *priority*, *permeability*, and *proportionality* from a preceding sense of hierarchy. Franks, Jun, and Williams list 'prefiguration', 'freedom,' 'agency', 'horizontalism', 'organization', 'micro-politics', 'intersectionality', 'Do It Yourself', and 'ecocentrism', among others, as the basic ideas of anarchism. Yet these derive much of their coherence, for anarchism, from their *proximity* to and *permeability* with the notion of '(anti-)hierarchy'. They do not depend on the notion of 'authority', at least not to such an extent.

What about the State? If you were to ask any random passerby on the street what anarchism is, they would likely tell you it is an ideology that is "against the State", or that its world-view amounts to an "opposition to the government". By and large, to the extent that everyday persons have *any* familiarity with anarchism, this is what they understand it to be. Yet 'the State', too, like 'authority', can be explained in terms of 'hierarchy'. The State, or rather *'Statism'* — the large-scale, recursive system that constrains political organization on a planetary scale to take the form of modern, Westphalian-style nation-states — is a macro-structural hierarchy. Moreover, it is not the only macro-structural hierarchy which anarchists have opposed. Anarchists have not, historically, used the

cumbersome term "macro-structural hierarchy," nor have they been explicit about "collective inferiority complaints". Nonetheless, they have passionately denounced capitalism, white supremacy, patriarchy, heteronormativity, cisnormativity, ableism, and a host of others. In fact, anarchism has adopted these terms, and these struggles, into its repertoire more easily than has any other ideology. Anarchists have done so as time, and more nuanced theorization from within and without the anarchist milieux, have brought these structures to their attention. This incorporation has not taken place because anarchist philosophy is so lacking, theoretically, or so porous, argumentatively, that simply anything can be thrown into the mix. Nor is it the case that what underlies, and gives unity, to the anarchist orientation is a mere knack for sniffing out "bad things". No — anarchism is a descriptively and morally unified (if not precisely *uniform*) ideology, complete with its own rigorous theoretical commitments. Underlying anarchism has been an understanding, admittedly often implicit and evocative, of the descriptive qualities of *macro-structural hierarchies*, and the moral qualities of *collective complaints against structural relations of inferiority*. This philosophical dragnet has scooped up the State as a figure of opprobrium for anarchism. As such, anti-statism is a crucial component of anarchism. Yet anarchism is much more than a mere anti-statism.

Finally, there is 'domination'. In recent years, the moral focus of anarchist theory has come to rest predominantly on the ideal of 'anti-domination'. In fact, as Uri Gordon argues in his 2007 work *Anarchy Alive!*, so important has been the anarchist turn toward '(anti-)domination' that we can use this shift to measure a qualitative break in the history of anarchist theory and practice: a *discontinuity* between past anarchisms and present ones.[8] Nonetheless, those like Gordon

[8] Uri Gordon, *Anarchy Alive!: Anti-authoritarian Politics from Practice to Theory* (London: Pluto Press, 2008), pp. 20–21.

who prefer 'domination' to 'hierarchy' often seem to be gesturing toward just what I have been describing

throughout the dissertation. Gordon writes of a tension that theorists face, between "the specificity of dominations and the need to articulate them in common".[9] Indeed, as Gordon describes it, there is something *structural* about domination.Gordon is forced to rely upon the notion of "regimes of domination", to try to give some sense of the abstract *form* of domination. There is a tension here: an overarching category is necessary, yet, it must be able to envelop all of the various ways that "groups and persons are controlled, coerced, exploited, humiliated, discriminated against, etc."[10] I am struck by the impasse: 'control,' 'coercion,' 'exploitation,' 'humiliation,' and 'discrimination' are quite different societal phenomena. Each deserves its own elaboration. And yet, as must be clear by now, they all contain a kernel of the same moral wrong: each is, at least, a kind of (un-tempered) relation of inferiority. Thus, each is a societal hierarchy, or is *related* to a societal hierarchy, or is *generated* by a societal hierarchy. 'Domination' does not make sense outside the idea of a 'relation of inferiority' — that is, *a hierarchy*. 'Control,' 'coercion,' 'exploitation,' 'humiliation,' and 'discrimination', which are meant to fit snugly under the umbrella of 'domination', all evoke, and in fact depend upon, the idea of a relation of inferiority. Thus, it is unhelpful to lean on a "floating signifier" like 'domination', qua umbrella term. An investigation of societal hierarchies, their structural qualities, and their moral dimensions, has the advantage of being explicit and analytical, rather than implicit and evocative — as works that employ the term 'domination' must often be.

### *C.3.3 Defining Anarchism Qua Ideology*

Having thereby micro- and macro-decontested the notion of societal hierarchy, my dissertation better allows us to define anarchism as an ideology. This is its third contribution to anarchist studies. Of course, ideologies are complicated things. They are made up of beliefs and

concepts, certainly, but also persons, movements, communities, institutions, events, and associated paraphernalia. They comprise, too, forms of knowledge — in particular, forms of "knowledge-how".

Anarchism, for example, includes its own variations of the "knowledge-how" to organize, to listen, to speak, to argue, to oppose, to disassemble, to attack, to celebrate, to mourn, to agitate, to build, to help one another in mutual aid. Additionally, we could not understand this ideology without some reference to the "material" of anarchism: the bodies and the zines and the squats and the celebrations and the styles and the fashions and the jargon and the in-jokes and the colors and the flags and the names and the places of anarchism.

My dissertation, though, has been focused on the philosophical side of anarchism as an ideology: that is, its isolable concepts, ideas, values, and justifications. This is the "what" and the "why" of anarchism. This part of anarchism has to do with the rational, conceptual parts of the ideology — the theoretical content. It is the most explicitly self-reflective part of anarchism.

We can use the findings of my dissertation to distill and to concentrate the four most basic anarchist stances. Anarchism is:

1. *A general skepticism of all societal hierarchies*, but,

[9] Gordon, *Anarchy Alive!*, 34.
[10] ibid., 32.

2. *An opposition only to macro-structural hierarchies, specifically*, and at the same time,

3. *A general openness to all societal horizontalities*, but,

4. *An advocacy of macro-structural horizontalities, specifically.*

These four stances, and the descriptive and moral elaborations of their constituent terms, are the basic philosophical content of anarchism. Other concepts, whether core, adjacent, or periphery, typically derive their descriptive and moral significance from these stances and terms.

### *C.3.4 Addressing Boundary Disputes*

As a fourth contribution to anarchist studies, the dissertation speaks to a potential avenue for resolving boundary disputes. "Boundary disputes in anarchism", Kinna writes, "have a long and angry history and one that does not seem to diminish in importance or temper over time." She continues, "[o]n a traditional left–right axis, anarchism is not only used to describe socialist currents and capitalist, market-based doctrines but also anti-left and openly hierarchical forms of anti-statism."[11] How, then, do we determine what is, and is not, anarchism?

Despite remonstrations from thinkers such as Nathan Jun[12] or Catherine Malabou,[13] there is nothing to prevent thinkers as diverse as Reiner Schürmann[14], Paul Feyerabend[15], and Richard Paul Wolff[16] (none of whom had much interest in anarchism as an ideology), from appropriating the terms "anarchism" or "anarchy" and using those terms to refer to any manner of philosophical positions. Nor can anarchists prevent movements such as "anarcho-capitalism"[17], or "anarcho-primitivism"[18] from attempting to brand themselves as legitimate expressions of anarchism by using the 'anarchy' moniker. There are even decentralized, yet fascist, writers who dub their own outlook

"national-anarchism".[19] What can anarchists (and others) use to determine what does, and does not, constitute anarchism?

My dissertation suggests that we apply the above four anarchist stances to any philosophy, and to any movement, that uses the terms "anarchism" or "anarchy" to describe itself, and then observe where that philosophy, or that movement, lands. Insofar as we have a general moral

[11] Kinna, "Where to Now? Future Directions for Anarchist Research", 320.

[12] Nathan J. Jun, "On Philosophical Anarchism", in *Radical Philosophy Review*, Volume 19, Number 3 (2016): 551–567.

[13] Catherine Malabou, *Stop, Thief! Anarchism and Philosophy*, translated by Caroline Shread (Cambridge, UK: Polity, 2023).

[14] Reiner Schürmann, "On Constituting Oneself an Anarchistic Subject" in *Praxis International, A Philosophical Journal*, Volume 6, Number 3 (1986): 294–310; Reiner Schürmann, *Heidegger on Being and Acting: From Principles to Anarchy* (Bloomington, IN: Indiana University Press, 1990).

[15] Paul Feyerabend, *Against Method: Outline of an Anarchistic Theory of Knowledge*, Third Edition (New York: Verso, 1993).

[16] Richard Paul Wolff, *In Defense of Anarchism* (Berkeley, CA: University of California Press, 1998).

[17] Andrew Morriss, "Anarcho-Capitalism", in *The Encyclopedia of Libertarianism*, edited by Ronald Hamowy (Thousand Oaks, CA: Sage, 2008), pp. 13–14.

[18] Elisa Aaltola, (2010) "Green Anarchy: Deep Ecology and Primitivism", in *Anarchism and Moral Philosophy*, edited by Benjamin Franks and Matthew Wilson (Basingstoke, U.K.: Palgrave Macmillan, 2010).

[19] Spencer Sunshine, "Rebranding Fascism: National-Anarchists", in *The Public Eye*, Volume 23, Number 4, Issue 1 (Winter 2008): 12–19. Accessed online at < https://politicalresearch.org/2008/01/28/rebranding-fascism-national-anarchists>. Accessed on April 20th, 2025.

claim against un-tempered relations of inferiority, we must be *skeptical* of all societal hierarchies. We must be all the more skeptical, the less tempered such hierarchies are. Insofar as we have a collective moral complaint against macro-structural relations of inferiority, we must be *opposed* to macro-structural hierarchies. Insofar as we have a general *improvement claim* to anything that is not unfair to any other agent, and that does not overly burden whatever agent we put the improvement claim to, we must be *open* to all proposals for societal horizontalities. We must be all the more open-minded, the more a proposed horizontality meets the stipulations of an improvement claim. Insofar as we have a *collective improvement claim* to macro-structural relations of equality (or, if you like, to macro-structural relations of non-inferiority), we must *advocate* for specific macro-structural horizontalities.

So then, we ask of any philosophy or movement: Does this philosophy or movement embrace, or else ignore, salient un-tempered relations of inferiority? On the other hand, does it embrace, or ignore, relations of equality / non-inferiority? Or, does it have nothing at all to do with these topics? The answers to these questions can guide us in our consideration of what "counts" as anarchism. It may be that some philosophies and movements are straightforwardly anarchistic, on

my definition. Some might not be recognizably anarchist at all. Still others might be "peripheral" forms of anarchism. And some might in fact be hostile to the ideas and ideals of anarchism.

Take 'anarcho-syndicalism'[20] and 'anarcho-communism'[21], for example. These are two differing expressions of anarchist theory and practice. Yet it is clear from their literatures that both take relations of inferiority, especially *collective* relations of inferiority, quite seriously as moral wrongs. Both embrace relations of equality, even *collective* relations of non-inferiority. As such, they are skeptical of societal hierarchies, opposed to macro-structural hierarchies, open to societal horizontalities, and they are advocates of macro-structural horizontalities. Thus, we can understand why, while these are different 'flavors' of anarchism, with different ways of answering logistical questions, most anarchists nonetheless recognize both as "true" and legitimate forms of anarchism.

What about "anarcho-capitalism", or "national-anarchism", for that matter? We apply the same questions, and we get very different answers.[22] In particular, "anarcho-"capitalists avidly embrace capitalism, a macro-structural hierarchy which leads to collective relations of inferiority for the working class. National- "anarchists" embrace (among other macro-structural hierarchies) some form of white supremacy, a macro-structural hierarchy that leads to collective relations of inferiority for persons who are not white. Given that such ideals are against both the theory and the practice of anarchism, historically and in the present day, neither "anarcho-capitalism" nor "national-anarchism" can be considered forms of anarchism, regardless of how their adherents style themselves.

[20] See Rudolph Rocker, *Anarcho-Syndicalism: Theory and Practice* (Oakland, CA: AK Press, 2004).

[21] See Pyotr Kropotkin, *Fields, Factories and Workshops*. New Brunswick, NJ: Transaction Publishers, 1993; See also Pyotr Kropotkin, *Anarchist Communism: Its Basis and Principles*, in *Kropotkin's Revolutionary Pamphlets*, edited by Roger Nash Baldwin (New York: Dover Publications, 1970).

[22] Readers might here wonder: would we not get substantially the same results by using 'domination' as our bellwether? The answer is that yes, we would, though the meaning of our results would be far less clear. 'Domination', as used by anarchists, is a catch-all term for phenomena such as coercion, deprivation, exploitation, exclusion, marginalization, cultural imperialism, cultural appropriation, violence, and dis-empowerment / forced dependence. Anarchists object to all of these things. Yet we do so because these phenomena all involve morally objectionable, un-tempered relations of inferiority. In other words, these phenomena all involve societal hierarchies that are morally wrong.

And 'anarcho-primitivism'? Here I refer not to forms of 'green' or 'ecological' anarchism, but rather the 'anti-civilizational' theories of figures such as John Zerzan.[23] Movements such as these make for special cases. One does not get the sense, from reading anarcho-primitivists, that they readily embrace, say, ageism, or ableism, or cis-normativity. It is nonetheless true, however, that were anarcho-primitivists to get their wish — were industrial society to collapse or be overthrown, and were human beings to return to small, peaceful, intimate bands of hunter/gatherers — then life for elderly people, or disabled people, or trans people would be difficult, if not hellish. Many elderly people, disabled people, and trans people require the medications and medical interventions that only industrial society allows for, in order to live their best and fullest lives. To deny them this is not only "bad" (in the sense of justice as 'the good'), but unfair and morally wrong (in the sense of justice as 'the right'). Anarcho-primitivists do not embrace collective, structural relations of inferiority, per se. Yet in ignoring the potential for such relations, they cannot be said to be close to the core tradition of anarchism. Anarcho-primitivism is, then a "peripheral anarchism", and it moves ever further from the core of the anarchist tradition to the extent that its advocates (sometimes willfully) neglect seriously to address important relations of inferiority. To fail to address these relations of inferiority is, in practice, to naturalize them.

### *C.3.5 Addressing the Continuity Debate*

The continuity debate within anarchist studies was most salient in the early years of the 21st century, and has perhaps dwindled today. As I mentioned above in my discussion of Uri Gordon, the continuity debate was a series of conversations amongst anarchists about whether late 20th and early 21st century anarchisms had anything in common with the anarchisms of the 19th century. Some

thinkers, like Gordon and many of the post-structuralist anarchists, take a "discontinuist" position, and argue that what connects these radicals, across time, is only a name. On this view, contemporary forms of anarchist organization are not only different, but in fact the very principles, concepts, and vision of modern-day anarchists share little in common with their earlier counterparts. However, other theorists take a "continuist" position, and see strong links with the past. For these thinkers, what is salient is an underlying and stable set of concerns. These anarchists admit that anarchism has seen an evolution of stances and methods, as insights into particular issues have been deepened and refined, and as radicals have experimented with different tactics, in practice. Nonetheless, the emphasis is on a sense of a single coherent ideological tradition.

My dissertation suggests that the correct position on the anarchist continuity debate is a modified continuism. As I have argued, what characterizes anarchism conceptually, across its history, is the attitudes of its adherents toward societal hierarchies and societal horizontalities. In that sense, the anarchisms of today are largely continuous with the anarchisms of yesterday. Nonetheless, I have also tried to show that much of the history of anarchist thought has been a gradual process by which the insights of this dissertation have become increasingly *explicit* and *analytical*. While anarchist theory has not developed the precision of Kolodny on these matters, it has been "getting itself ready", as it were, for this precision on these topics. Rather than being radically discontinuous, contemporary anarchisms are, indeed, connected to past ones.

[23] See John Zerzan, *Against Civilization: Readings and Reflections*, (Port Townsend, WA: Feral House, 2005).

However, present-day anarchisms are also *unique* in their increasingly explicit, analytical grasp of the intersectionality and non-reductivity of macro-structural hierarchies. These contemporary anarchisms deserve credit for the novelty of their organizational forms, their organizational principles, the connections they have made to other movements across a wide range

of issues, and the way they have incorporated insights from adjacent theories that align with anarchist critiques (viz., intersectional analyses of structural oppression).

Nevertheless, the impulse to these changes and evolutions springs from an implicit understanding of hierarchy and horizontality, relations of inferiority and relations of non-inferiority. Thus, we arrive at a continuism that respects the novelty of the moment.

## C.4 Future Avenues for Research

The test of a work of philosophy is not the questions it answers, but those it opens up. There are several un-answered questions, and un-touched topics, which cannot be resolved here but which nonetheless deserve mention. In this section I explain these questions and topics. They are: the question of the relation of the other basic moral claims to anarchism, the question of what a social macro-structural horizontality might look like, and the question of "the good" in an anarchist theory of justice.

The first un-answered question has to do with the relation of anarchism to the other basic moral claims, as well as to their collective variants. Kolodny lists three basic moral claims: claims against invasion, claims to improvement, and claims against inferiority. Though Kolodny prides himself on being a pluralist (in contrast, he says, to relational egalitarians and to republicans, who tend to identify a single value and a single moral wrong[24]), it is clear from his work that he takes one moral claim — the moral claim against (un-tempered) relations of inferiority — to be 'first among equals'. This is because our complaint against un-tempered relations of inferiority, specifically, lies at the root of so many other of our more commonplace moral complaints. I have followed Kolodny's

idiom, casting anarchism as, primarily, an ideology concerned with un-tempered relations of inferiority. In particular, I asserted that anarchism is a concern with our collective moral claim against macro-structural relations of inferiority. Yet anarchists certainly oppose invasion — the use, damage, or destruction of one's body or belongings without one's consent, or without an impersonal justification. And anarchists often cast their own complaints as improvement complaints — we could improve institutions, systems, and structures, in a such a way so as to be unfair to no one and to be a burden to no agent: *"We could make things so much better, together."* In fact, I have chosen to cast the positive side of anarchism as just such a set of collective improvement complaints: we have collective improvement complaints to societal horizontalities, generally, and macro-structural horizontalities, generally.[25] Yet the precise relation of anarchism to claims against invasion, and to claims to improvement, singular or collective, remains to be specified.

[24] Kolodny, *The Pecking Order*, 88.

[25] Though I have chosen to cast things this way, in the name of moral pluralism, we can get at the positive side of anarchism through our collective inferiority complaints against macro-structural relations of inferiority. In other words, no reference to collective improvement claims is necessary.

The second un-answered question has to do with what a social macro-structural horizontality might look like. I spoke to the political macro-structural horizontality that anarchism calls for: decentralized anarchist federalism. And I mentioned the economic macro-structural horizontality that anarchism calls for: some form of socialism (in which the means of production, distribution, and consumption belong to all those who use them) or communism (in which the products, too, are shared freely amongst all those who need them). Yet I declined to theorize what a social macro-structural horizontality might look like, out of a desire to avoid talk of 'human nature' or 'essences', as I find these concepts to be ontologically dubious and methodologically costly. Nonetheless, it is a question anarchists must ask ourselves, even if we must first learn the best way to ask it: what institution(s), system(s), or structure(s), if any, ought to be in place to organize esteem and dis-esteem,

regard and dis-regard, respect and dis-respect? According to what metrics, principles, or qualities ought we to organize these institutions, systems, or structures? The danger of these questions is that the answers potentially paint with too broad a brush, one which invites its own unmerited and immoral exclusions and marginalizations. Yet the danger in *not* asking these questions, and in *not* trying to answer them, is that persons go on esteeming and dis-esteeming, regarding and dis-regarding, respecting and dis-respecting more or less willy-nilly. If this happens, then pre-existing forms of mis-recognition — or even brand-new kinds — will find themselves popping up in even the most left-wing utopia. So, we must confront the question: What is the opposite of white supremacy, patriarchy, heteronormativity, cisnormativity, ableism, ageism, religionism, colonialism, anthropocentrism (and potentially others)? Is there an opposite for each individually, or a single opposite for all? Or is an "opposite" not the correct way of even framing this problem?

The final question has to do with justice. What, if any, is the place for a notion of "the good" in a conception of justice, anarchist or otherwise? Moral claims, in my elaboration, rest on underlying interests, which might (or might not) be "good" to obtain. Even on Kolodny's account, claims to improvement have a quality of "the good" about them: if there is no reason, such as unfairness or undue burden, to make the improvement a natural individual requests of us, then morally we are required to make that improvement. This seems to be a kind a union of "the right" and "the good" — we have a moral right to what we deem "good", so long as it is not unfair or an undue burden. Additionally, I have argued that our claim to macro-structural horizontalities is a collective improvement claim: a claim, in other words, to "the good". While it was, and is, possible to theorize our positive claim to macro-structural horizontalities from out of our collective *inferiority* complaint (macro-structural horizontalities being the only form of organization that would prevent such a complaint), it seemed to me necessary to incorporate — especially into anarchism — a claim not just

to "the right" but to "the good". Moreover, Kolodny's elaboration of Impersonal Justification, vis-à-vis horizontal organization (he claimed that an asymmetrical office's being *fully* "impersonally justified" means that its existence and its function not only serve impersonal reasons, but do so *at least as well as any alternative, and in fact better than any alternative not marked by a similar asymmetry*[26]), seems to point to an improvement claim to such forms of organization. It is, nonetheless, still unclear to what extent we can incorporate a view of "the good" in an account of justice without running into the problems that I mentioned in the Introduction to the

[26] Kolodny, *The Pecking Order*, 133.

Dissertation. While anarchist theorists have proposed "life" and "living" as the anarchist good and thus, the source of our improvement claims[27], more remains to be said about whether, how, and why equality (or non-inferiority) and horizontal organizations are *good* for us, in additional to being morally fair.

## C.5 Conclusion to the Conclusion: Anarchism and Philosophy

Many practices — perhaps most — are attractive to us for the ends that they pursue. The very grandest of these, though, focus on ends so hazy they might be unattainable, if they are coherent concepts at all. These endeavors focus on the Right, the True, the Beautiful, and the Good.

Other habits are less goal-oriented. If they have an end in sight at all, it might be said that the goal is the practice itself. The best of these practices attempt to realize something like rightness, truth, beauty, and goodness, in the very doing of them, here on Earth.

Anarchism and philosophy, it strikes me, are alike in that they are both teleological, yet, simultaneously, deontological.[28] Philosophy is the love of wisdom, and it orients itself toward the attainment of such wisdom. Yet, the wisdom need not be present for the love to be. One can practice the loving, even if one does not fully seize the wisdom. Anarchism, too, is the orientation toward justice — anarchists call it *anarchy* — yet most anarchists would acknowledge that the work is asymptotic: one never really achieves anarchy, fully. Justice — full, true, complete justice — is always around the corner, because there is always room for improvement. Nonetheless, we can begin making those improvements, when and where we are. We can also live according to our principles, even if we never find our way to that much hoped-for heaven we have in mind. Thus, there is a sense that, even were we never to achieve wisdom, or justice, the effort alone, here and now, is worthwhile.

In the end, every anarchist must come to their own understanding of what anarchism is. The same is true of philosophy, for every philosopher. These tasks are still beyond me — out of reach for now, and perhaps always. Nonetheless, I have tried, in this dissertation, to push the conversations a bit in the direction I believe is most promising. It is just, and wise, I think, to move away from hierarchies as much as one can, where one can, and to try to achieve, with others, a horizontal way of living.

[27] Murray Bookchin's views on this topic we have already discussed. Additionally, Jesse Cohn identifies an anarchist ethic of being (and of reading and writing) that is ecological — a matter of "becoming, development, and relationality" (78) — while Nathan Jun writes that anarchy, as a harmonious relationship between maximum freedom and maximum equality, is an expression of life itself: "the immanent processes of change, development, and becoming" (126). See Murray Bookchin, *The Ecology of Freedom: The Emergence and Dissolution of Hierarchy* (Palo Alto, CA: Cheshire Books, 1982); Murray Bookchin, *Post-Scarcity Anarchism* (Oakland, CA: AK Press, 2004); Jesse S. Cohn, *Anarchism and the Crisis of Representation: Hermeneutics, Aesthetics, Politics* (Cranbury, NJ: Susquehanna University Press, 2006), pp. 78, 106–111; Nathan Jun, *Anarchism and Political Modernity*, (New York: Continuum, 2012), pp. 120–134, but especially 126–127.

[28] Jun disagrees. He writes, "It is clear, in any case, that the so-called classical anarchists reject normativity and to this extent anarchist morality is not describable in either deontojuridical or teleological terms." See Nathan Jun, *Anarchism and Political Modernity*, (New York: Continuum, 2012), p. 132.

# Closing Quotation

*"Ah, once to stand unflinchingly on the brink of that dark gulf of passions and desires, once at last to send a bold, straight-driven gaze down into the volcanic Me,* once*, and in that once, and in that once* forever*, to throw off the command to cover and flee from the knowledge of that abyss, — nay, to dare it to hiss and seethe if it will, and make us writhe and shiver with its force! Once and forever to realize that one is not a bundle of well-regulated little reasons bound up in the front room of the brain to be sermonized and held in order with copy-book maxims or moved and stopped by a syllogism, but a bottomless, bottomless depth of all strange sensations, a rocking sea of feeling wherever sweep strong storms of unaccountable hate and rage, invisible contortions of disappointment, low ebbs of meanness, quakings and shudderings of love that drives to madness and will not be controlled, hungerings and moanings and sobbing that smite upon the inner ear, now first bent to listen, as if all the sadness of the sea and the wailing of the great pine forests of the North had met to weep together there in that silence audible to you alone. To look down into that, to know the blackness, the midnight, the dead ages in oneself, to feel the jungle and the beast within, — and the swamp and the slime, and the desolate desert of the heart's despair — to see, to know, to feel to the uttermost, — and then to look at one's fellow, sitting across from one in the street-car, so decorous, so well got up, so nicely combed and brushed and oiled and to wonder what lies beneath that commonplace exterior, — to picture the cavern in him which somewhere far below has a narrow gallery running into your own — to imagine the pain that racks him to the fingertips perhaps while he wears that placid ironed-shirt-front countenance — to conceive how he too shudders at himself and writhes and flees from the lava of his heart and aches in his prison-house not daring to see himself — to draw back respectfully from the Self-gate of the plainest, most unpromising creature, even from the most debased criminal, because one knows the nonentity and the criminal in oneself — to spare all condemnation (how much more trial and sentence) because one knows the stuff of which man is made and recoils at nothing since all is in himself, — this is what Anarchism may mean to you. It means that to me.*

*"And then, to turn cloudward, starward, skyward, and let the dreams rush over one — no longer awed by outside powers of any order — recognizing nothing superior to oneself — painting, painting endless pictures, creating unheard symphonies that sing dream sounds to you alone, extending sympathies to the dumb brutes as equal brothers, kissing the flowers as one did when a child, letting oneself go free, go free beyond the bounds of what* fear *and* custom *call the 'possible,' — this too Anarchism may mean to you, if you dare to apply it so. And if you do some day, — if sitting at your work-bench, you see a vision of surpassing glory, some picture of that golden time when there shall be no prisons on the earth, nor hunger, nor houselessness, nor accusation, nor judgment, and hearts open as printed leaves, and candid as fearlessness, if then you look across at your lowbrowed neighbor, who sweats and smells and curses at his toil, — remember that as you do not know his depth neither do you know his height. He too might dream if the yoke of custom and law and dogma were broken from him. Even now you know not what blind, bound, motionless chrysalis is working there to prepare its winged thing."*

— Voltairine de Cleyre, "Anarchism," in *Selected Works of Voltairine de Cleyre*, edited by Alexander Berkman, pp. 114–115 (New York: Mother Earth Publishing Association, 1914).

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2025

Retrieved from the University of Guelph's online thesis database, "The Atrium", on August 2nd, 2025; atrium.lib.uoguelph.ca/items/1ac607d5-3a5a-4a0b-90d0-075268ec4cb6
A Thesis presented to the University of Guelph, 2025. Advisor: Professor John Hacker-Wright.
In partial fulfillment of requirements for the degree of Doctor of Philosophy in Philosophy.
Guelph, Ontario, Canada.