

# Dimensions of Deprivation and Freedom

Eliana Zur-Szpiro

A thesis presented for the degree of Doctor of Philosophy UCL, Department of Philosophy

I, Eliana Zur-Szpiro, confirm that the work presented in this thesis is my own.

Where information has been derived from other sources, I confirm that this has been indicated in the thesis.

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Eliana Zur-Szpiro

## **Abstract**

The thesis addresses the relationship between coercion and poverty. On a sociological level, people in poverty are often described as coerced by their circumstances: for example, when they have no option but to agree to unacceptable job conditions. However, current philosophical accounts of coercion are poorly equipped to explain why some proposals made to those in poverty are aptly conceived as coercive. These accounts assume that an offer is coercive only if, when and because it threatens to make a person worse off. Yet, a central type of case is when a person in conditions of poverty has no reasonable alternative but to accept a proposal which does make them better off, but also unduly submits their will to the will of another. The thesis argues that dominant accounts of coercion suffer from being overly individualistic and distributive. Instead, I take a relational and structural approach. The central definitional and normative feature of coercion is the subjection of one's will. This can occur, I claim, even without one's options being wrongfully restricted. Moreover, wrongful coercion does not happen solely through intentional individual action, but also because of structural factors. Finally, the wrong of poverty is not located merely in the effects of material deprivation of individuals, but also in the unequal relations it gives rise to: in particular, coercive relations. Engaging more closely with poverty puts pressure on our standard accounts of coercion. Furthermore, taking a relational perspective deepens both our understanding of poverty and of coercion.

### **Impact statement**

The thesis makes an important contribution to scholarship within moral and political philosophy. It is located within an emerging approach, influenced by Iris Marion Young, that brings social science to bear on philosophical debates, taking a structural approach to questions of harm and wrongs, traditionally, addressed through an individualistic lens. This approach identifies wrongs that might go overlooked because there is not an identifiable wrong-doer. My thesis helps advance this approach through giving it a new application in the domain of coercive interactions. Additionally, my thesis contributes to the scholarship on poverty, which is a much under-theorised concept within the philosophical literature.

At the same time, my thesis may have benefits outside of academia. The analysis might provide the moral basis for policy change. For example, working practices and relations tend to be deemed permissible as long as they are freely consented to. Yet, we might come to regard these as impermissible when we note that consent takes place in the context of severely constrained background circumstances. My argument does not make the point that all coercive interactions are illegitimate or impermissible, but future research might take this argument further and argue for a change in policy in certain cases. Additionally, my argument regarding the wrong of poverty gives reason to revise anti-poverty policy. Given that the harms and wrongs of poverty include unequal relations, poverty measures that perpetuate relational harms such as unequal status, stigma and dependence are not adequate, even if they improve one's material level of wellbeing. My focus on the relational aspect of poverty, beyond the material harms of deprivation, may give us reason to opt for a policy such as the universal basic income, which is more compatible with independence and equal status, rather than conditional welfare payments.

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## Introduction

What choices do we make to avoid poverty? Most people in the world work in order to ensure their livelihood. Today, this predominantly involves labouring for someone else in exchange for a wage. For some, work offers fulfilment and the opportunity to flourish, and not solely a means to avoid poverty. Others experience work as drudgery; feeling that they would not work if they were not so compelled by economic necessity, or would opt for an alternative form of work had they more options. For others still, the opportunity to sell their labour to earn a wage and avoid destitution would be a welcomed enough opportunity, even if the work is of low-pay and low-status. Then there are those who pursue forms of work that seem so undesirable that we assume they only opt for such work as their sole means of escape from poverty; sweatshop work, or sex work are possible examples. Which of these situations raises moral concern? Specifically, which of these, if any, would we regard as a case of someone being forced, or even *coerced* into selling their labour?

Famously, Marx claimed that under capitalism, workers are coerced into selling their labour; that by its very nature, the structure of capitalism is coercive. Marx writes:

The dull compulsion of economic relations completes the subjection of the labourer to the capitalist<sup>1</sup>

Capital further developed into a coercive relation, which compels the working class to do more work than the narrow round of its own life-wants prescribes.<sup>2</sup>

Labour is, therefore, not voluntary but coerced; it is forced labour.<sup>3</sup>

Despite transactions appearing voluntary under capitalism, the worker's choice amounts to 'work for me or starve'. In developed economies, the equivalent perhaps is 'work for me, or go on welfare'. Of course, welfare can be more or less extensive and more or less respectful of human dignity. Even if starvation is not a threat to those in developed economies, many are in a state of only just managing to meet their most essential needs. The claim that workers face coercion under capitalism is not merely of historical significance. The view is of contemporary importance. This is reflected in Cohen's famous article 'The Structure of Proletarian Unfreedom' and in on-going debates in the literature as to whether it is plausible to regard workers under capitalism as coerced through selling their labour.<sup>4</sup> Countering this is a more libertarian view, which considers voluntary choice to be sufficient for the absence of coercion. The intensity of this debate may be attributed not only to the controversial nature of questions regarding how people fare under

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<sup>1</sup> Marx (1999) [1867] *Capital*, Volume 1, chapter 28

<sup>2</sup> *Ibid.*, chapter 11

<sup>3</sup> Marx (2007) [1961] *Economic and Philosophical Manuscripts of 1844*, trans. Martin Milligan, Dover Publications Inc., 72

<sup>4</sup> Cohen (1983), 'The Structure of Proletariat Unfreedom' *Philosophy & Public Affairs*, Vol. 12, No. 1, pp. 3-33. See also, Zimmerman (1981), Miller (1983), Olsaretti (2004), Reiman (2012)

different political or economic systems, but also to the persistent disagreement that surrounds the concept of coercion.

Coercion is an essential yet contested concept within philosophy, as well as within legal and political debates. Perhaps one reason for the sustained disagreement is that the concept of coercion is employed for different purposes. In law, for example, coercion is defined in a way which enables the distinction between enforceable and unenforceable contracts.<sup>5</sup> Within the political sphere, coercion might be defined so that it explains the unique role of the state.<sup>6</sup> Many think that what makes the state of particular moral significance, and distinguishes it from other contexts, such as the global sphere or individual communities, is that it subjects its members to coercion.<sup>7</sup> This, it is thought, is why particular rights and duties arise through state membership.

Other theorists focus on coercion's function as a legitimate excuse from moral responsibility.<sup>8</sup> At times, people are coerced into doing actions that are morally impermissible. The fact that a person has been coerced may be taken as a reason to consider the person to have acted morally permissibly, or at least in a way that is not blameworthy. Coercion might also be defined in a way which makes it antithetical to freedom, or autonomy.<sup>9</sup> Some regard the core of liberty to be the absence of coercion.<sup>10</sup> Coercion is thought to undermine freedom, yet given that coercion often involves making a choice - albeit a choice among a set of options constrained by another - coercion often does not fit easily with our dominant understandings of freedom. Therefore, understanding coercion may require that we scrutinise how we understand freedom and, perhaps, draw our attention to other dimensions of freedom.<sup>11</sup> Contending with these various definitions are our intuitions. We might, at times, intuit that someone has been coerced, even when that intuition is not consistent with our given definition of coercion.

While the notion of coercion is contested, there is a convergence towards a particular approach to coercion. I refer to this as the 'dominant', or 'traditional' view of coercion. My thesis suggests that this prevalent understanding of coercion is limited in several important ways. This becomes more obvious when we look at cases of coercion involving poverty. The most influential contemporary treatment of coercion is Nozick's account.<sup>12</sup> It forms the basis for most discussions of coercion in the contemporary philosophical literature. In turn, it grounds Wertheimer's account of coercion, which together with Nozick's account, constitutes the dominant view of coercion. Three features characterise this approach to coercion.

First, it takes coercion to impact on the will of the one who is coerced. In this way, it departs from more historically dominant 'classical' theories of coercion, which count force, violence and

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<sup>5</sup> See Wertheimer (1987)

<sup>6</sup> See Rawls (1971), Anderson (2010)

<sup>7</sup> See Blake (2001), Nagel (2005)

<sup>8</sup> See Frankfurt (1973), Berman (2002)

<sup>9</sup> Zimmerman (1981)

<sup>10</sup> Berlin (1969)

<sup>11</sup> Raz (1986)

<sup>12</sup> Nozick (1969)

physical compulsion as forms of coercion. Instead, the dominant view asserts that coercion involves making a choice from options constrained by the coercer. There is psychological pressure but not necessarily physical compulsion. Second, the will is pressured by way of threats. What characterises a threat, according to Nozick's account, is that one receives a proposal which would make one worse off relative to a baseline. Coercion, thus, involves a proposal which threatens to make one worse off than one was before, or than one has a right to be. The third feature is that this baseline tends to be a moralised baseline - that is to say - the threat involves a proposal which, in some way, violates the rights of the coerced person.

These features are exemplified in the paradigmatic case of the highwayman. Brandishing a gun, highwayman A demands of B "your money or your life", and B hands over her money. Here, there is a choice involved; B *chooses* to hand over the money rather than be shot. The highwayman does not forcibly extract the wallet using B's hand or any such action. Additionally, A makes a threat to B. B either must hand over her money or be shot. Therefore, either complying with, or resisting A's proposal, would make B worse off. A removes the option of B retaining her money without being shot. Lastly, since B has the right to hold on to her money without being shot, this proposal undermines B's rights.

There are other features of the dominant account of coercion. For example, it tends to be assumed that the threat must be *successful* for the situation to count as coercion. Additionally, coercion is taken to involve one party *interfering* with the options of another party. I shall say more about some of the additional features of the dominant account at points in my thesis. But, the three features outlined are the most important in characterising, broadly, the dominant view of coercion; which is the target of my analysis.

The dominant account does not classify as coercion a case of accepting an offer of work out of necessity posed by the risk of poverty. As stated, it is widely assumed that accepting a proposal that would make one better off cannot be coercive. This is held, even if one has no reasonable option but to accept the offer. Additionally, it tends to be presupposed that coercion involves A *restricting* B's options to make a proposal that B has no reasonable option but to accept. It is assumed that, if A merely *makes use* of B's pre-existing lack of options to make a proposal that B has no option but to accept, B is not coerced. So, unless the coercer intentionally causes the poverty, most accounts would claim that there is no coercion. Yet, there is a conviction, based on Marx's thinking, carried through to contemporary thinkers, such as Cohen, that people in a condition of deprivation face coercion, even when they are not made worse off or directly forced by others.

Moreover, the idea that poverty gives rise to coercion is attested to in accounts of people in conditions of poverty. While the term 'coercion' is not always mentioned, people use the language of 'control', 'dominance', 'force', and 'subjection'.<sup>13</sup> While our traditional accounts of coercion are

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<sup>13</sup> Narayan (2000), *Voices of the Poor*

helpful in other contexts, they do not explain or explain away the sense in which it appears that the poor are coerced. Even if we shy away from using the term 'coercion', there seems to be insufficient attention paid to the phenomenon whereby, due to lacking adequate options, one ends up being under the control of others.

My aim in this thesis is to put forward a serviceable account of coercion which can explain the conviction that coercion is a widespread phenomenon among those on the edge of poverty. In doing so, I will offer some thoughts about several puzzles that pervade the coercion literature. In particular, I will address the questions: 'Can there be coercive offers?' and 'Does coercion require a coercer?' What makes these questions puzzles is that many have the intuition that coercion occurs in cases of offers, and in the absence of a coercer. Yet, our dominant framework of coercion rules this out.

I do not propose to give a new comprehensive definition of coercion. The analysis is intended to help conceptualise and grasp the significance of certain cases. If it is successful, it may have implications for our overall conception. It is intended, however, as a feasible conception of coercion, rather than an account that will replace existing conceptions. I highlight certain cases as coercive to draw attention to something morally problematic within them; a possible wrong, which tends to be overlooked, and which is best characterised by the concept of coercion. I also wish to emphasise that these cases share something in common with other, more paradigmatic, cases of coercion. These are cases which we understand as straightforwardly morally problematic, and, at times, morally impermissible. It is a further question, that I do not seek to answer, whether, having ascertained that an interaction is coercive, it is necessarily morally impermissible. I aim to show that because the interaction involves coercion, it is morally significant, and may be wrongful, rather than regarding coercion as by definition wrongful.

I identify coercion in relation to non-moral facts, rather than drawing on what already seems wrongful about a case to determine that coercion occurs. My account brings out the connection between coercion, independence and freedom, and links the normative significance of coercion to ideas about moral status. My account of coercion helps us conceptualise certain difficult cases. At the same time, I suggest that it better captures the normative core of central cases of coercion. My hope is that in the course of resolving certain marginal cases of coercion, we may deepen our understanding of several aspects of coercion that tend not to be fully acknowledged.

In keeping with most discussions of coercion in the literature, I make substantial use of cases which elicit our intuitions. I offer hypothetical cases in which we have the intuition that one is coerced, even though such cases are excluded by dominant accounts, since their central features differ from what is taken to be necessary for coercion. Yet, this raises the problematic possibility that people's intuitions may differ. Moreover, dominant accounts of coercion may be better at capturing our intuitions in other cases. However, conflicting intuitions do not undermine my central line of argument. My approach is not merely to make the case that the account I favour

captures our intuitions better than dominant accounts. Instead, I question whether the dominant accounts of coercion can be applied to more complex, real-world cases. My thesis primarily centres on the concern that the dominant account does not help us understand the concept of coercion beyond the sorts of a-contextual, imaginative cases that are prevalent in our philosophical theorising.

My project is motivated by a concern that our concepts and theories, derived from imaginative, simplified scenarios, are of limited help when applied to cases that we encounter in reality. We may worry about the external validity of the judgments we make in hypothetical cases, removed of the complexity of real-world cases.<sup>14</sup> This may seem less of a concern when we are making conceptual assessments regarding whether coercion occurs - rather than ethical decisions or judgements about whether an interaction is wrongful, or what to do in a situation. Yet, if our concept of coercion is supposed to do something for us, then we must be able to employ this function of coercion, whatever it may be, in reality, and not only in theory. So, while my project is based on what I refer to as 'marginal' cases, my analysis brings out the fact that these cases are marginal in the context of philosophical discussions, yet, are central cases in practice. This is both in the sense that they are more common, and that they are of particular moral significance in the real world. Conversely, cases that dominate our philosophical investigations of coercion, such as the highwayman case, are marginal in reality. The paradigm case is clearly a case of coercion, but is quite unrepresentative of how coercion operates in life. It is important that our concept of coercion is applicable to a broad range of cases that we tend to encounter in practice.

Moral and political philosophers have, traditionally, not focused enough on the role of structures, instead being predominantly concerned with the actions of individuals. Instead, we need to account for a richer social ontology than philosophical examples usually draw on. We should start from a richer description of how people stand in relation to one another, addressing power relations and the possibilities that they generate. Part of the purpose of a structural understanding is to draw attention to a large and important class of cases that tend to be ignored. One of the central claims of my thesis is that we need to pay attention to structural coercion.

Traditional accounts of coercion are overly focused on the individual. They assume that one must be coerced by an individual, and that one is coerced when another individual constrains one's options. I give an account of the core feature of coercion, which is the subjection of one to the will of another. I put forward that *coercion is when one has no reasonable alternative but to be subject to the will of another*. This works in conjunction with my structural account. Instead of an individual, it may be structural features, such as economic arrangements or gender norms, that restrict a person's options, or compels someone to submit to the will of another. My structural account provides an answer to the puzzle of how it seems possible, at times, to be coerced without a coercer.

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<sup>14</sup> See Wilson (2016)

The account I favour is less focused on baselines than traditional accounts. The question of whether one will be made better off or worse off through receiving a proposal, is not material, I maintain, to the question of whether one is coerced. I discuss that the reason why most accounts of coercion assume the need to demonstrate how the coercer interferes with another's options is due to their particular notion of freedom. Most adopt the liberal, negative conception of freedom as non-interference. Yet, other philosophers have drawn attention to a separate dimension: freedom as independence.<sup>15</sup> This is an irreducibly social notion of freedom, which addresses how freedom is undermined through the nature of relations between people. So, while coercion is thought to involve a reduction of freedom, this need not be understood in terms of the constraining of options. Instead, coercion may undermine freedom in a relational sense; through undermining independence. There is a relational aspect of coercion that we must attend to, essential to our understanding of the concept and how it functions, namely, that coercion involves the subjection of one's will to another. One might be subject to the will of another, even in cases where this makes one better off. This brings out that the notion of a coercive offer is plausible.

Through answering this latter puzzle, I make the case for why it is credible to regard offers of work that improve the material position of a person who lacks sufficient options, as coercive. At the same time, the subjection of one's will to another is what I take to be the core feature, not only of the difficult cases that I discuss, but of 'central' cases of coercion. I suggest that *forced subjection to the will of another*, is both the core definitional feature of coercion, and its distinct normative feature. This also helps us grasp the normative significance of coercion in central cases. I claim that the dominant accounts of coercion in the literature tend not to identify what makes coercion a distinct type of wrong.

My analysis aims to show that certain interactions make one better off and increase freedom in one sense, namely through expanding one's options, and one's material level of welfare. Yet, at the same time, these interactions make one worse off, and diminish one's freedom along a different dimension, namely, by undermining one's freedom as independence and subjecting one to unequal relations. This latter dimension also receives insufficient attention when we consider freedom in the context of poverty. I attend to a relational aspect of poverty that gets ignored, given our overriding concern with making people better off in a material sense. I argue that interactions that a person enters into to avoid poverty may improve their situation while, at the same time, subjecting them to harmful relations. This is an aspect of the wrong of poverty that is missing from our dominant conceptions.

The dominant approaches to poverty assess the quality of a person's life in terms of their material level of welfare. We can compare this to a multidimensional understanding of poverty, which addresses how people fare according to range of factors. My thesis addresses the need to go beyond traditional understandings of poverty. Yet I also discuss that multidimensional models of

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<sup>15</sup> Kant [1797], Raz (1986), Pettit (1997)

poverty, such as the capability approach, remain too individualistic. I draw attention to a sociological dimension of poverty which, though politically easy to recognise, is difficult to appraise precisely in philosophical terms, and therefore, commonly overlooked. While material deprivation may be integral to a definition of what poverty is, the wrong of poverty goes beyond not having enough of what one needs. What makes poverty wrong is also how it engenders relational harms. Deprivation forces people into relations which undermine their independence; relations of dependence, subjection, subordination and servitude. Poverty consists in standing in certain types of harmful, and unjust relations with others. When we attend to the relational aspect of poverty, we understand that the wrongs and harms of poverty can persist when one enters into unequal relations as a means to improve one's level of material well-being.

My analysis, therefore, has a parallel aim; not only to understand coercion, but to bring to the foreground the issue of poverty, which operates in the background of the cases with which I am concerned. My thesis elucidates an important link between coercion and poverty. Both concepts are addressed regularly within philosophy, and in the political arena, as negative phenomena, without being sufficiently understood. I highlight the multiple dimensions of freedom by looking at its link with poverty. In turn, this enables us to understand something about poverty that is not sufficiently addressed in the literature.

On a sociological level, coercion is particularly relevant to people in poverty. To be in poverty is to lack adequate options. Additionally, as I shall discuss, deprivation makes one particularly dependent on others. Yet, dominant accounts of coercion are poorly equipped to accommodate coercive proposals made to those in poverty. This is because they define a proposal as coercive only when it threatens to make a person worse off. Yet the interesting cases we are concerned with are when a person, because she experiences poverty, has no reasonable alternative but to accept a proposal which makes her better off, yet subjects her to the will of another. Engaging more closely with poverty puts pressure on our dominant accounts of coercion. At the same time, taking a relational approach to questions regarding the quality of a person's life, deepens our understanding of both poverty and coercion. The importance of attending to the nature of relations, and not only whether one is made better or worse off by an interaction, helps us understand the normative significance of coercion and poverty, beyond the dominant accounts in the literature, and illuminates their connection.

I also draw a link between coercion and poverty through the notion of structural wronging. To encourage a *relational* approach to poverty is not to take an *individualistic* approach to poverty. Our dominant understandings of poverty tend to be overly individualistic. Most accounts identify the wrong of poverty in relation to implications for the individual. Many also regard the causes of poverty, and the solutions, to lie within the individual who is in poverty. I argue against this approach. This is not to say that we do not need to attend to individual suffering or that I reject the individualistic take as irrelevant. Instead, I submit that the harmful relations, which arise due to poverty, in themselves, constitute part of the wrong of poverty. For example, poverty compels

one into relations which involve subjection to the will of another. Yet this latter harm may not be reducible to distinct effects on a person's life.

Structural coercion and poverty are both understood in my thesis as forms of structural injustice. Structural injustice, the phenomenon illuminated by Iris Marion Young, is explained as harms which people suffer as a result of structural processes in which many people participate.<sup>16</sup> One of the main concerns of the theory is how the experience of people in poverty constitutes an injustice, even though we cannot locate moral responsibility for these wrongful outcomes, in a causal sense, among the intentional actions of individuals. This is not only parallel to, but leads to, the related phenomenon of structural coercion. This refers to how people are coerced through the structural factors in a society and not by a coercing agent.

There is a stronger and a weaker relationship between structural injustice and structural coercion. The stronger link is that structural injustice amounts to structural coercion, in that the limiting of options due to structural arrangements *constitutes* coercion. We might regard social structures as themselves coercive.<sup>17</sup> The weaker, but still important connection is that there is a parallel between them. In the same way that one might experience structural injustice, one might similarly be a victim of coercion which takes place through structural processes, in the absence of particular coercing individuals. The commonality is that harms occur through structures and collective actions, which are not reducible to the intentional, wrongful actions of identifiable individuals. Yet, this is not to say that the structural constraints *themselves* constitute coercion. This is the position that I argue for in the thesis. There is, therefore, a connection between poverty and coercion through the idea of structural injustice. The structural background of poverty gives rise to people being coerced in the absence of a coercing agent. At the same time, relational harms, such as structural coercion, are one aspect of the wrong of poverty.

In addressing coercion that operates against a structural background of poverty, I look at developing and developed countries alike, while acknowledging differences between them. My analysis does not regard the wrong of poverty to be merely lacking sufficient resources to meet one's essential needs. Rather, it is also a matter of being compelled into relations, which undermine one's autonomy and independence, due to lacking sufficient resources. This is relevant to both developing and developed economies. Relations of coercion may be more apparent in less developed societies, where protections and rights are weaker. Thus, there may be greater scope to force another to submit to one's will than in developed economies. For example, cases such as organ selling, or commercial surrogacy, which we may regard as involving the subjection of the surrogate mother or the organ seller to the will of the transacting parent, or organ-purchaser, tend not to occur in developed countries.<sup>18</sup>

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<sup>16</sup> Young (2006), (2011)

<sup>17</sup> Reiman (2012)

<sup>18</sup> See Anderson, E. (1990) and Satz (1995) for different perspectives on this claim.

On the other hand, practices such as sex work, which we might also consider to involve the subjection of the sex worker to the will of the client, at least in some cases, is prevalent in developed economies.<sup>19</sup> Plus, less pernicious transactions might still involve the subjection of one's will to another, for example, precarious wage labour. Moreover, there are ways in which people in developed economies are subject to the will of others due to institutional arrangements, which are less common in developing economies. For example, welfare systems, which currently, predominantly exist in developed economies, provide a safety net against severe poverty, yet often operate in a way which is experienced as coercive.

Attending to interactions involving poverty - such as where one has no reasonable option, due to poverty, but to accept a work offer which subjects one to the will of another - deepens our understanding of coercion. In particular, we can recognise that coercion is a type of relation, and that it can operate structurally and not just individually. At the same time, the fact that cases involving poverty give rise to coercive relations enhances our understanding of the structural and relational aspect of poverty. My thesis is motivated, in part, by the thought that there has been insufficient regard for the conviction, found in both historical and contemporary theories, as well as the felt experience of individuals, that poverty has a coercive effect on one's will and options. And, that this is part of the evil of poverty.<sup>20</sup> Attending to poverty as a structural wrong makes it plausible to recognise structural coercion. At the same time, the existence of structural coercion provides a way of resolving puzzling cases, where it seems that one is coerced, even though they are not made worse off and where no agent interferes with one's set of options.

My thesis sheds light on an underemphasised link between coercion and poverty. This, in turn, assists our understanding of the moral status of cases, both hypothetical and actual, involving coercion and poverty. I argue for a shift from individualistic to structural models of moral theorising. Through this, we alter and deepen our conceptions of both coercion and poverty. It might seem that the topic of poverty should be treated separately to coercion, but, given the structural concerns that I wish to present, poverty operates as the most obvious central test case and concern. While my chapters focus most heavily on coercion, and I devote only one chapter to discussing poverty explicitly, the conceptual relationship between poverty and coercion is in the background throughout the thesis. I focus on poverty to illuminate something important about coercion. At the same time, what I say about coercion enables a deeper understanding of the normative significance of poverty.

I start by setting out G.A Cohen's argument that under capitalism workers are forced to sell their labour. It is widely thought that capitalism maximises individual freedom by protecting individual rights and respecting voluntary contracts. Yet, some theorists follow Marx in noting that, although individual transactions or agreements may be entered into voluntarily, they do not express

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<sup>19</sup> Ibid.

<sup>20</sup> Marx shows a sensitivity to such considerations, even if this is not precisely his concern. For contemporary theories that link poverty and coercion see Meyers (2014) and Ingram (2014).

genuine freedom. This is due to the background constraints against which they take place. Cohen's argument is that while some members of the proletariat have meaningful alternatives under capitalism, not all do. Specifically, any given member of the proletariat is free to exit their class, but not every member is. Therefore, capitalism involves a great deal of unfreedom at the structural level. My argument in chapter one is that it is important to recognise the structural unfreedom that Cohen outlines, but that we need to go beyond Cohen's analysis; first, to understand how structural unfreedom bears on the status of individuals, and second, to grasp the significance of how poverty undermines structural and individual freedom. I argue that we can build on Cohen's argument to highlight a particular concern with how poverty, within a capitalist society, forces workers to submit to the will of the capitalists in order to avoid poverty. This, I claim, is both a structural and individual concern. Cohen's argument also raises the question of whether there is more unfreedom among those who do not even have the option of selling their labour, and whether this is of greater moral concern. I suggest that focusing on those who are compelled to sell their labour draws attention to a certain aspect of freedom and deprivation that tends to go overlooked: the relational aspect.

Chapter two takes further the suggestion that an offer of wage labour can improve one's position without enhancing freedom. It takes up a particular puzzle in the literature regarding whether there are such things as coercive offers. I pursue the question of how we should conceptualise the sorts of work arrangements that people enter into to avoid poverty, which we assume a person would not opt for had they reasonable alternatives. In the chapter, I argue in support of the notion of a coercive offer. I propose that the notion of a coercive offer helps conceptualise transactions that seem to undermine one's freedom in one sense, while, nonetheless, increasing one's options. My suggestion is that we attend to freedom as independence, rather than non-interference to resolve the puzzle of the coercive offer. I offer an account of coercion that accommodates the more marginal cases of coercion that we are concerned with; cases involving poverty. I suggest that this also provides a convincing explanation of coercion in central cases. I draw on Raz's account of autonomy, focusing in particular on Raz's independence condition. I argue that the distinctive feature of coercion is that it involves the subjection of one's will to another, which occurs in cases of threats and offers alike. Being subject to the will of another undermines our freedom through violating our independence. I argue that this gives us an account of coercion that is more plausible overall, and accommodates the difficult sorts of cases we are concerned with.

In Chapter three I question the assumption that coercion only occurs when there is a clearly identifiable agent who does the coercing. I address the puzzle of whether there can be coercion without a coercer. This is ruled out by what I call the 'simple model' of coercion; which is dominant in the literature. I argue that the simple model is implausibly restrictive. This is because it is unable to accommodate marginal cases, where we have an intuition that one is coerced even though we are unable to identify a coercer. Not only this, but it fails to accommodate *central* cases

of coercion, and cases of coercion that seem particularly wrongful. I give, as examples, coerced sexual propositions and legitimate state coercion through law. The puzzle the chapter is concerned with - whether coercion takes place in the absence of a coercer - is the puzzle of structural injustice. Structural injustice is an account of how wrongful outcomes arise in the absence of the wrongful actions of identifiable individuals. In the chapter, I offer an account of structural coercion and demonstrate the link between structural coercion and structural injustice. I put forward my '*structural thesis*', which argues that people might be subject to the will of another due to structural factors, and not only through intentional actions of identifiable individuals. I discuss that individual interactions can be coercive as a result of how background conditions shape the positions of the transacting parties. Structural factors might, for example, include institutional arrangements which leave a person without adequate options, so that she cannot secure the means to live without subjecting herself to the will of another.

Chapter four addresses the moral status of the conception of coercion that my thesis adopts. The chapter anticipates a possible challenge, namely, that this account does not reflect the moral significance of the concept of coercion. I question the assumption that the dominant account of coercion is better placed to address why coercion is wrongful. First, dominant accounts tend to exclude certain cases of wrongful coercion. I highlight the example of blackmail. Second, the dominant conception of coercion does not account for what is morally significant about coercion qua coercion. I then discuss a recent suggestion in the literature that there is an important moral role for a more expansive concept of coercion. This conception identifies coercion in relation to subjection to a foreign will, rather than the making of threats which violate one's rights. The normative role of this conception is that coercion is 'bad' for a person, even if it does not constitute a 'wrong'. I build on this suggestion, arguing that the subjection of one's will to another may, at times, be wrongful. To be subject to the will of another undermines one's moral status as an equal. I draw on theories of relational equality to support my claim, which argue that certain types of unequal relations are *unjust*. I give an account of the relational and expressive wrong of coercion, which has parallels in my later account of the wrong of poverty.

Chapter five directly addresses poverty, which is in the background of the cases we consider throughout the thesis. First, I discuss the dominant, distributional accounts of poverty. These are principally concerned with poverty as falling below a specified absolute threshold level of sufficiency, or a standard set by others in society. I argue that such measures help define poverty, but do not capture all that is significant about what poverty involves and what makes it wrong. I then discuss the idea that poverty is not only a question of what one has, but also what one can do or be. I explore the view that the central aspect to poverty is a lack of freedom, drawing on the capability approach and in particular, Amartya Sen's theory. I argue that the capability theory is right to recognise that poverty is not simply a matter of lacking resources but, fundamentally, involves a lack of freedom. However, it focuses on a narrow conception of freedom, namely, freedom as opportunity. There is another dimension to freedom; freedom as independence,

which the capability theory overlooks. I argue that poverty is also a matter of standing in relations that respect the independence of one's will. Given that escaping or avoiding poverty can involve relations that undermine independence, some ways of escaping or avoiding poverty do not eradicate the central wrongs of poverty.

The final chapter, chapter six, brings many of these themes together, as well as giving them an application in current economic trends. I argue that economic constraints force people into low-paid, precarious work, a phenomenon which is prevalent in the growing 'gig-economy'. The way such relations are structured makes the workers subject to the will of the company or customer for whom they work. These transactions, I argue, can be conceptualised as coercive offers. They improve the situation of the worker, yet make them worse off in a relational sense, through them being subject to the will of another. This is an example of *structural* coercion, since the constraints are imposed through institutional arrangements rather than through the actions of individuals. I suggest that these unequal relations should be understood as part of the wrong of poverty, even though workers are able in these instances to avoid absolute poverty. I also offer positive suggestions as to how to realise the ideals, of autonomy and independence, that the gig economy purport to realise. I suggest that workers' individual freedom and equal status may be respected when arrangements are constructed to facilitate more equal transactions, despite operating against a background of social and economic inequalities.

## Chapter One: Structural Unfreedom

Are workers forced to sell their labour under capitalism? Some would think not, as we tend to describe people as forced only in cases of severe threat or compulsion, such as when an aggressor threatens one with a gun to one's head demanding 'your money or your life'. In such a case, the person is forced to hand over the money. It would be preposterous to judge that the mugging victim could have chosen to accept the bullet, and therefore was not forced to hand over the money. One might deny that workers are forced to sell their labour, as no one is making them do so, instead they merely opt to sell their labour. But we might also think it preposterous to say that the proletariat are not forced to sell their labour because they can opt for starvation instead.

This chapter takes up the question of the collective constraints to which poverty gives rise. When one faces poverty, any option that enables one to avoid poverty is a good one. Yet, this choice set may be wrongful in a different way. If there is only one route that will enable one to avoid poverty, this course of action may involve a wrong, despite it being a good option, because it constitutes a forced choice. In this chapter I look at G.A. Cohen's support for Karl Marx's view that workers are forced to sell their labour, based on Cohen's claim that one is forced to do X if one lacks any reasonable alternative option to doing X.<sup>21</sup>

Cohen's argument starts from the assumption that to lack a reasonable alternative means to be forced to do one's least bad option. Cohen's focus is the suggestion that workers do have a reasonable option, and therefore are not forced to sell their labour. Cohen takes up the argument, put forward by right-wing thinkers, that workers have an alternative to selling their labour, since other members of the proletariat manage to exit their class by raising enough capital to enter the petty bourgeoisie, for example, immigrants in Britain who came to be shop owners.<sup>22</sup> We can refer to this as the 'social mobility objection'. Cohen argues against this view by claiming that the structure of capitalism is such that only some and not all of the proletariat are free to exit. Since not all are able to exit, Cohen argues, the proletariat are collectively unfree. His approach is to claim that there is something about the proletariat, which has an effect on individuals within it, while being the case that this thing is true of the proletariat but not the individuals. This something is their status as unfree, or forced. Cohen takes it to be the case that the proletariat are collectively unfree and thus forced, without it being the case that individual members of the proletariat are unfree and therefore forced.

Cohen, I will allow, successfully persuades us of this. The problem is that he does not explain how this bears on the freedom of individuals. We take it that this of ultimate moral significance, and what Cohen appears to regard as important. The concern is that without an account of how the proletariat are unfree as individuals, Cohen appears not to tell us something that has normative

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<sup>21</sup> Cohen, (1983), 'The Structure of Proletarian Unfreedom', *Philosophy & Public Affairs*, Vol. 12, No. 1

<sup>22</sup> *Ibid.*, p.7

significance. This is a problem since the situation of the proletariat raises concerns of critical moral significance. Cohen's analysis is intended to counter the right-wing objection to the claim that workers are forced to sell their labour, while also pointing out that there is more freedom in individual workers' situations than left-wing commentators recognise.<sup>23</sup> Yet if we are to draw on Cohen's argument to understand something substantive about the situation of the proletariat under capitalist relations, rather than making a merely technical claim about their freedom, I suggest that Cohen's account requires supplementing.

I will argue that Cohen's structural analysis does not tell us what is morally significant about the situation of the proletariat. Cohen argues that the proletariat are forced to sell their labour, yet also claims that being forced does not require being forced to do something unreasonable. This does not mean that there is nothing of significance to be found in Cohen's account. For one thing, what the proletariat are forced to do is something that raises moral concern, namely, selling their labour in a way which subjects them to the will of another. Additionally, it is not only what one is forced to do but why one is forced to do it that makes being forced of significance. I, therefore, argue that Cohen's analysis is important, because we can identify reasons to regard the fact that the proletariat are forced to sell their labour as morally significant. The reason I put forward is that it is the structure of capitalism - which represents the will of those who fare best under capitalism, the capitalists - that force the proletariat to sell their labour. The proletariat are forced into arrangements in accordance with the will of the capitalists. This is of moral significance. Moreover, I will suggest that the fact that each worker's options are determined in accordance with the superior power of the capitalists, is something that has a bearing on the freedom of each worker as an individual and not just collectively. This becomes clearer when we look at freedom as independence, rather than only freedom as non-interference.

First, I ascertain how to define 'collective unfreedom', which is how Cohen characterises the situation of the proletariat. Cohen does not specify exactly what this means, and I present some possibilities in order to assess whether Cohen's framework is compatible with the view that force and freedom are morally significant concepts. Second, I discuss what the notion of collective unfreedom adds to our understanding of the proletariat's situation. Third, I assess what is meant by Cohen's claim that the proletariat are collectively forced to sell their labour. I then raise the concern that Cohen fails to show something of moral significance. Lastly, I offer a response on behalf of Cohen for why we should regard Cohen's conclusion as important.

#### Cohen's argument

The focus of Cohen's argument is that although any given member of the proletariat may be free to exit their class by rising to the level of the petty bourgeoisie, and therefore may be individually free and thus not forced, not all are able to. Cohen conceptualises this as a situation of collective unfreedom. To make the case for the concept of collective unfreedom, Cohen, instead of putting

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<sup>23</sup> Ibid., p.3

forward an argument, largely relies on the intuitive force of an analogy. The example he gives involves ten people who are locked in a room. The only exit out of the room is a locked door. The key to the door lies in the room, but the door is designed so that only the person who takes the key and unlocks the door is able to leave. If one person leaves, the other nine will remain locked in the room. As it happens, however, none are inclined to leave the room. Cohen writes that, in this case,

whomever we select, it is true of the other nine that not one of them is going to try to get the key. Therefore it is true of the selected person that he is free to obtain the key, and to use it. He is therefore not forced to remain in the room. But all this is true of whomever we select. Therefore it is true of each person that he is not forced to remain in the room, even though necessarily at least nine will remain in the room, and in fact all will.<sup>24</sup>

If no one attempts to leave the room, all are individually free to leave. However, given that not all can leave, the people in the room are collectively unfree. Collective unfreedom is when there is a group, and for all members of the group, we can say of each of them that she is free to do X, but we cannot say that all of them are free to do X.

In many ways, this is an illuminating case. Cohen brings out important parallels with capitalism. The reason why Cohen thinks that the structure of capitalism does not allow mass exit from the proletariat is that capitalism requires a pool of hired labour to sustain itself. Cohen explains that, '*there is a structural barrier to mass exit from the proletariat: the capitalists own the means of production.*'<sup>25</sup> Workers are dependent on capitalists, not just to sell their labour power, but to acquire the capital that would enable them to exit their class. Given that mass exit of the proletariat would undermine the position of capitalists, the rules of capitalism will not permit the mass transfer of the means of production that would be necessary to facilitate this mass exit. Yet this is compatible with some leaving their class to enter the petty bourgeoisie. The structure of capitalism is represented in the case through the exit mechanism being such that once one person leaves, no other can. Additionally, the fact that most members of the proletariat do not try to leave their class, for various reasons, is represented by the fact that, in the above example, none of the ten actually try to leave the room.

Cohen's argument makes the point that if we focus on individual interactions alone, we miss the true character of capitalism namely, how it restricts freedom. While individuals may be thought to contract freely and to sell their labour power voluntarily, in actuality, given that not all workers are able to exit their position, they are forced to sell their labour. This only becomes clear when we look at the structure of capitalism, rather than at the character of individual transactions within it. Cohen directs our attention to the fact that the structure as a whole needs to be assessed as to whether it makes people unfree. Cohen deepens the picture of when one is free by drawing the focus beyond individual agents. Many theories assume that only individuals can be forced,

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<sup>24</sup> Ibid., p.10

<sup>25</sup> Ibid., p. 23

and only individual agents can force others. Cohen makes plausible the suggestion that collective agents can be forced, and collective agents can force others.

However, we might worry that Cohen's argument proceeds too quickly, and raises several further questions. First, what is meant by collective unfreedom? Second, even if we assume that Cohen's analysis is correct and that the proletariat are forced to sell their labour power, is Cohen capturing what is morally significant about the situation of the proletariat?

#### What is collective unfreedom?

Cohen's argument is that workers are forced to sell their labour because they are unfree to exit the proletariat, which would be their only reasonable alternative. They are unfree to exit because they might be interfered with by other workers attempting to leave, since there are not enough exits for everyone. Putting aside any questions about structural unfreedom, one may challenge the assumption at the basis of this argument. We might question whether it is plausible to think of the situation of the proletariat as involving a lack of freedom, putting pressure on Cohen's conception of freedom. Cohen's definition of freedom builds in no normative considerations. He writes that '*X is free to do A if X would do A if he tried to do A, and that sufficient condition of freedom is all that we need.*'<sup>26</sup> Cohen's definition of unfreedom is not simply the opposite of freedom. To be unfree is not merely that if X tried to A he would not do A. X might fail to do A for various reasons, for example, if X lacks the skills to do A. Cohen distinguishes unfreedom from incapacity. Mere incapacity does not make one unfree. Cohen defines unfreedom, thus: '*a person is unfree to do A if and only if, were he to try to do A, he would fail to do A as a result of the action(s) of one or more other person.*'<sup>27</sup>

Cohen's view is that one is unfree to do A if it is not possible to do A due to interference. Cohen thus supports the Marxist claim that workers are unfree using a liberal conception of freedom as non-interference.<sup>28</sup> However, within the liberal conception of freedom, there are wide ranging views as to what forms of interference undermine freedom. Cohen considers any interference to count as undermining freedom, and as such. Some might find this account of freedom implausible. Many accounts identify only certain forms of interference as relevant to freedom, particularly political freedom. For example, only intentional interference, or wrongful interference, count, according to some, as making one unfree in the relevant sense.<sup>29</sup> Not only does Cohen take any form of interference to count as undermining freedom, but he allows that merely possible interference undermines freedom. Cohen's version of the liberal conception of freedom may be rejected at the outset, and perhaps cannot be considered to ground a morally significant claim

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<sup>26</sup> Ibid., p.10, n.8

<sup>27</sup> Ibid., p.26

<sup>28</sup> Cohen adopts the dominant, liberal conception of negative freedom, according to which one, is unfree when unable to perform an action due to constraints. Most accounts focus on external constraints and only those created by humans. Some accounts take one to count as unfree when interference makes an action costly, rather than impossible. The liberal conception of negative liberty comes from Berlin (1969). For other influential accounts, see Hayek (1960), Hobbes (1948 [1651]), MacCallum (1967), Steiner (1994)

<sup>29</sup> For an account which requires intentional interference to undermine freedom see Hayek (1960), for an account which bases freedom on moral considerations see Nozick 1974, Miller 1983

about unfreedom. However, my criticisms of Cohen's view do not hinge on Cohen's conception of freedom. Hence, I will not pursue a discussion of the best account of the liberal conception of freedom here. Instead, I will accept Cohen's account of freedom and show why his notion of collective unfreedom faces difficulties, even given his definition. I do not claim that Cohen fails to achieve the aim of his argument, which is to counter the argument from social mobility. Rather, I suggest that Cohen's argument succeeds, but only in a technical sense, rather than making a substantive claim about the situation of the proletariat.

Cohen puts forward the concept of collective unfreedom, which he defines as the following '*a group suffers collective unfreedom with respect to a type of action A] if and only if it is not possible that, for all X, X performs A (even if for all X, it is possible that X performs A)*'.<sup>30</sup> Cohen distinguishes collective unfreedom from its two closest alternatives: individual freedom and group unfreedom. The most obvious way to understand why the proletariat are not free, and forced to sell their labour, is to regard the group as a whole as unfree. However, Cohen does not take this route, perhaps because he recognises that the proletariat, as a group, has an important option available; to overthrow capitalism. Therefore, the group, as a whole, is not forced to sell their labour power. Individual members of the group lack this freedom, as any given individual is not free to overthrow capitalism.

Or perhaps Cohen regards it as important to also address the status of individuals, and not just of the group. He writes '*We are not here interested in the freedom and bondage of abstract characters, such as the capitalist qua capitalist. We are interested in human freedom, and hence in the human being who is a capitalist*'.<sup>31</sup> So, we can assume that Cohen is interested in the human being who is a member of the proletariat rather than the proletarian as proletarian. However, Cohen thinks it wrong to focus on individual freedom per se, as he recognises that any given individual is free to leave the proletariat. To regard workers as individually free to leave the proletariat obscures the important point that not all of them are.

Perhaps we can best understand Cohen's account by drawing on theories within plural logic that posit the idea of properties held by a plurality.<sup>32</sup> This is where a plurality of individuals share a property that is not held by any individual, nor is the plurality to be conceived as a separate entity. For example, a collective of humans might join hands to surround the castle. The property of surrounding the castle is plurally held, since no individual is able to surround the castle on their own. Yet, we need not posit the collective as a group or a separate entity.<sup>33</sup> Rather, the property of surrounding the castle is true of these agents when taken together, plurally. Similarly, being unfree is true of the members of the proletariat taken together, without thinking that it is the group that is unfree. Cohen is positing that unfreedom is a property shared by a plurality of agents, and this is true non-distributively, in that the individuals are not individually unfree, but

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<sup>30</sup> Cohen (1983), p. 16, n.15

<sup>31</sup> Ibid., p.21

<sup>32</sup> I thank Rowan Mellor for this suggestion

<sup>33</sup> See Munoz-Dardé (2013) for an account of propositions being held by pluralities

they are collectively unfree.<sup>34</sup> It seems that collective unfreedom may affect individual unfreedom, but cannot be understood in terms of it. Cohen identifies this special situation, where the freedom of the group is not simply the sum of the freedom of its parts, and where, within a group, there is individual freedom in that any given individual is free, but unfreedom in that it is not the case that all individuals are free. Cohen labels this situation 'collective unfreedom'.

#### The relationship between collective unfreedom and individual unfreedom

The main problem is that it is unclear what collective unfreedom means for individual freedom. If one is part of a collective that is unfree, is one unfree? Cohen speaks of individuals 'sharing' in collective unfreedom.<sup>35</sup> This is reflective of the ambiguous status of the individuals' state of unfreedom. Is the individual unfree or not? One may question why we need to know what collective unfreedom means for individual freedom, since Cohen puts forward a different, more complex notion of freedom. But Cohen himself takes a fundamentally individual perspective. As Cohen writes:

In the preferred definition of collective unfreedom the relevant agents are individuals, not a group as such. We are not discussing freedom and the lack of it which groups have qua groups, but which individuals have as members of groups.<sup>36</sup>

If we gain something by not simply looking at the freedom of the group as a whole, but of the individuals who are members of a group, then we need to actually understand how being part of a group, whose members are unfree, bears on one's freedom as an individual. I shall discuss two different possible ways of setting this out and say why neither works.

First, according to Cohen, the way that an individual member of the proletariat is unfree, through being subject to collective unfreedom, is due to one's individual freedom being conditional on the freedom of others. Cohen explains how collective unfreedom bears on individual unfreedom where he writes:

It is a fact touching each individual in the group, namely, the mutually conditional nature of their freedom, which licenses the idea of collective unfreedom. As soon as enough people exercise the coexisting individual freedoms, collective unfreedom generates individual unfreedoms.<sup>37</sup>

The idea seems to be that if the structure is such that person X in a collective is only free to do A if others do not do A, then if 'enough' others do A, X is unfree to do A. The collective unfreedom then becomes individual unfreedom. This raises the question, though, whether collective unfreedom has any bearing on individual unfreedom while enough people are not doing A. Moreover, if the fact that too many people doing A prevents X from doing A, does the analysis of collective unfreedom add anything? This seems to be a case of straight forward individual

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<sup>34</sup> See Smith (2009) for an account of non-distributive properties

<sup>35</sup> Ibid., p.17, n.16

<sup>36</sup> Ibid., p.17

<sup>37</sup> Ibid., p.18

unfreedom. This is emphasised especially when we consider the counterfactual situation. If X exits the proletariat, X was free to do so; if Y fails to exit the proletariat, Y was unfree to do so. Perhaps we would say that X was collectively unfree to leave but individually free, and of Y we would say that she was collectively unfree and individually unfree to leave. This would make collective freedom an additional aspect of freedom, but it would not teach us something meaningful about the situations of collectively unfree individuals. Cohen writes that '*If, though free to do A, I share in a collective unfreedom with respect to A, I am less free than I otherwise would be.*'<sup>38</sup> This is the claim for which Cohen does not give sufficient explanation. How and why is one less free as an individual if one shares in collective unfreedom?

Perhaps, however, the counterfactual situation is not the only way to assess freedom. Cohen's view suggests that freedom can be comparative and gradable. We can assess freedom in relation to possible outcomes, not only in relation to actual outcomes. Perhaps, if there are possible outcomes in which one does not do A, because one does A only if certain conditions are met, one is less free than if there is no possible outcome in which one does not do A, or if there are no conditions that need to be met to do A. However, we may question whether such an account of freedom is coherent. We might think that either the conditions will be satisfied, in which case one is free to do A, or they are not satisfied, and one is unfree to do A. However, it is plausible to think that one can be more or less free.<sup>39</sup> We can say that X is more free than Y to do A, if X faces more obstacles than Y.

If one can be more or less free than another, it seems one can be more or less free with respect to maximal freedom, or total unfreedom. Therefore, it is coherent to think that one can be not fully free. It may seem obvious that if there are only a few opportunities to leave the proletariat, one is less free than if there are many. Perhaps, if there are sufficiently few, we might think that one's freedom is too precarious, and that one is not sufficiently free. However, it does not seem that being less free than one would otherwise be, or not being fully free, is sufficient to count as lacking freedom. Collective unfreedom does not amount to individual unfreedom, even if we can identify a way in which there is a connection between the two.

Additionally, we might think that one's freedom is always contingent and conditional. I am only free to do A if others refrain from exercising their freedom to do whatever would prevent me from doing A. This means that one might never be free, since we can always identify a collective of which one is a member, and actions that the members of the collective may perform which would interfere with one's own freedom. However, instead of regarding conditionality as a source of unfreedom, we might simply regard it as the nature of freedom within a collective. Even if we allow Cohen to restrict collective unfreedom only to cases where it is because other members of one's collective perform an action that prevents one from freely performing that same action oneself, we might still worry that the concept is too wide. It seems to be true of infinitely many

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<sup>38</sup> Ibid., p.18

<sup>39</sup> See Carter (1999) for an account that makes sense of the idea of degrees of freedom

cases. For example, I am free to enter my front door, but unfree if all the residents of my building try and enter simultaneously, I am free to make a phone call, but unfree if all the inhabitants of London also make a phone call at the same time. There are many actions that are rendered practically impossible in the event of mass participation. However, we do not regard people as in a state of chronic collective unfreedom. We may question whether the concept identifies anything distinctive at all if it is so widespread.

A second way of capturing collective unfreedom in terms of individual freedom is to look at the situation of members of the proletariat more closely. As Cohen recognises, there are reasons why proletarians do not attempt to leave.<sup>40</sup> One possibility is that the members know that the possibility of exiting is slim, and therefore, do not even try. As some point out, trying to improve one's position can risk making one even worse off, and the cost of failure can prevent people from even attempting.<sup>41</sup> Another possible reason is that individuals are not content with the option of exiting unless their fellow members are similarly able to rise out of their class. Perhaps, out of solidarity, knowing that not everyone can exit, none of the proletariat try to leave.<sup>42</sup> These reasons themselves count as forms of individual unfreedom. If we focus not merely on the structure, but on the way that the structure affects how individuals perceive their options, we can see how collective unfreedom creates individual unfreedom.

However, this approach will not work for Cohen. As Cohen writes '*if the proletarian is forced to sell his labor power in the relevant Marxist sense, then this must be because of his objective situation, and not because of his attitude to himself.*'<sup>43</sup> Cohen does not want to rely on any contingent facts about one's awareness of their situation to ground his argument for collective unfreedom. Cohen states that '*there is collective unfreedom whether or not solidarity obtains.*'<sup>44</sup> Cohen clearly regards individuals to be unfree purely in virtue of the objective set-up of their situation, and not because they have a sense of solidarity, or because they are aware of their limited options. Therefore, this attempt to reduce collective unfreedom to individual unfreedom does not succeed.

I have attempted to understand how Cohen's concept of collective unfreedom can be interpreted in terms of individual unfreedom. One objective is to grasp more fully what is meant by collective unfreedom and how it functions. It seems that Cohen's conception of collective unfreedom is not reducible to individual unfreedom. Rather, it is to be understood as the freedom that a group lacks, not severally, but jointly.<sup>45</sup> However, a greater concern may be that without understanding how collective freedom bears on individual freedom, Cohen does not identify anything morally

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<sup>40</sup> Ibid., p.10

<sup>41</sup> Cohen discusses Tannenbaum's objection that '*one must consider, as I did not, the risk attached to the attempt to occupy a petty bourgeois position, which, to judge by the rate at which fledgling enterprises fail, is very high; and also the costs of failure, since often a worker who has tried and failed to become a petty bourgeois is worse off than if he had not tried at all*', p.28. The point that trying to improve one's situation bears a strong risk, because trying and failing can leave one worse off than if one did not try, is also raised in Wolff and De Shalit (2007), p.70

<sup>42</sup> Ibid., p.12

<sup>43</sup> Ibid., p.5

<sup>44</sup> Ibid., p.12

<sup>45</sup> For P to hold of a collective severally is for P to be true of each member, P is jointly held is when P is true of the members of the collective taken together. Again, I thank Rowan Mellor for this distinction.

significant about the situation of the proletariat. A range of cases will fit Cohen's account of collective unfreedom, even trivial ones. Cohen acknowledges this, by citing the example of a group of tourists who are collectively unfree to go on a day trip, as there are not enough places on the coach for everyone. The group of tourists is unfree, even if there is enough space for everyone who wants to go on the trip.<sup>46</sup> Even if the tourists lack the desire to go they would still be unfree, according to Cohen, if not everyone is able to go. If Cohen is only pointing to this structural phenomenon, he may be right, but he does not seem to draw our attention to anything significant.

The plausibility of the concept of collective unfreedom may rest on the fact that Cohen's central case - the case of proletariat unfreedom, and its analogy of the people in the locked room - involve morally significant denials of freedom. This might be reflected in the fact that Cohen uses normative language; he writes '*a group suffers collective unfreedom*'.<sup>47</sup> Yet, it is misleading to think that individuals suffer anything from a purely structural lack of freedom.

We must remember, however, that nothing of moral significance need follow from the fact that one is unfree. While most accounts of freedom regard freedom as a morally significant concept, and therefore, an account that identifies unfreedom so widely might seem to be wrong, we must keep in mind the particular purpose that freedom has in Cohen's argument. Cohen's argument is that the proletariat are forced to sell their labour power since they are not free to pursue what would be their only reasonable alternative, namely, to join the petty bourgeoisie. Whether the proletariat are free or not is only relevant to the question of whether they are forced to do what they do. The tourists on the bus, therefore, while unfree to go on the day trip, might not be forced to stay at home if they have a reasonable alternative to the day trip, for example, a walk around the local area.

The moral significance of the situation of the proletariat does not follow from the fact that they are collectively unfree. That is just a step to the conclusion that they are forced to sell their labour. As Cohen writes, '*I grant that collective unfreedom with respect to the sale of labor power is not lamentable merely because it is collective unfreedom*' rather, he writes, it is '*what this particular collective unfreedom forces workers to do which makes it a proper object of regret and protest*'.<sup>48</sup> The relevant question we must ask is whether selling one's labour is a 'proper source of regret and protest'. I shall address this matter shortly.

However, this part of Cohen's argument similarly raises the questions that I posed above. First, can we understand what is meant by the idea that the proletariat are collectively forced to sell their labour? Second, if yes, does this capture the moral significance of their situation? I have discussed what the notion of collective unfreedom is. Cohen argues that the proletariat are collectively unfree because it is not possible for all of them to leave the proletariat even though it is possible for any of them to leave, given that most are not trying to leave. I shall now discuss to

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<sup>46</sup> Ibid., p.18

<sup>47</sup> [My emphasis] Ibid., p.16

<sup>48</sup> Ibid., p.20

what extent the main part of Cohen's argument succeeds, the claim that because the proletariat are collectively unfree to leave the proletariat - which would be their only reasonable alternative - they are forced to sell their labour.

Are the proletariat forced to sell their labour?

Cohen's argument rests on the claim that the proletariat are not free to leave their class. We can understand this claim as meaning that for any member of the proletariat, it is true that they are free to leave but it is not true to say of all members of the proletariat that they are free to leave. However, it is not clear how we should understand the claim that under capitalism, '*workers are forced to sell their labor power*'.<sup>49</sup> The claim itself is ambiguous, since it is not clear what is denoted by 'workers'. It cannot mean that all workers are forced to sell their labour, as some workers are not forced to sell their labour; some are free to leave and enter the petty bourgeoisie. It would also be surprising if Cohen takes it to mean that some workers are forced to sell their labour, as this would be a more modest version of Marx's view of the workers' situation under capitalism. Cohen must mean that all workers are collectively, though not individually, forced to sell their labour. However, it is not evident what this means. Being collectively forced is not simply the converse of being collectively free, as to be forced is not merely to be unfree. To be unfree is to fail to do A, even if one tries to do A, due to interference. To be forced is to do something when one has no reasonable or acceptable alternative course.

Perhaps being collectively forced is when there is no reasonable alternative to all members of the proletariat selling their labour. However, there is an alternative to this situation, namely where *some* members of the proletariat *do not* sell their labour power. If Cohen is to maintain that the proletariat are collectively forced, he must regard this situation, since it is possible, as an unreasonable alternative. This, however, seems to give rise to a contradiction.

This is expressed most clearly if we alter Cohen's hypothetical scenario to a two-person case. If there are two people locked in a room, P1 and P2 and only one can leave, then it is true that both P1 and P2 cannot both leave. But they are not both forced to stay, as P1 can leave while P2 stays, or P2 can leave while P1 stays. Hence, P1 and P2 are individually free to leave, but collectively forced to stay. However, Cohen cannot maintain that there is no reasonable alternative to the situation where both are forced to stay, and, at the same time maintain that no individual is forced. If no one is forced, then this is because they have a reasonable alternative, which is leaving while the other stays. If this is not reasonable, then they are individually forced to stay.

It seems that for Cohen to defend the claim that P1 and P2 are not individually forced to stay, it must be reasonable that one leaves. Yet if this is the case, then it is no longer possible to claim that there is no reasonable alternative to the situation where both stay in the room. For this to be true, it would need to be unreasonable for one to leave while the other stays, yet if this is

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<sup>49</sup> Ibid., p.3

unreasonable, then it would be unreasonable for P1 to leave while P2 stays, and for P2 to leave while P1 stays. Therefore, neither would have a reasonable alternative to staying, which would make P1 and P2 individually forced to stay. It does not seem possible for Cohen to claim that they are collectively forced to stay, yet individually free to leave. However, we need not conclude that Cohen is vulnerable to a contradiction here. Cohen might claim that:

1. It is a reasonable alternative for person 1 that person 1 leaves and person 2 stays
2. It is a reasonable alternative for person 2 that 2 leaves and 1 stays
3. It is an unreasonable alternative for 2 that 1 leaves and 2 stays
4. It is an unreasonable alternative for 1 that 2 leaves and 1 stays

so perhaps we can say:

5. It is an unreasonable alternative for 1 and 2 that 1 leaves and 2 stays or that 2 leaves at 1 stays, which essentially is to say that:
6. It is an unreasonable alternative for 1 and 2 collectively, but not 1 and 2 individually

If we allow that there is a perspective that relates to the collective, it remains consistent to regard the situation where both cannot leave as unreasonable, such that they are collectively forced to stay, while neither is individually forced to stay. Cohen might respond that arrangements in which some workers sell their labour are unreasonable, just not unreasonable from the perspective of any given worker. This would be consistent with the claim that no individual worker is forced to sell her labour. We might even think that there is a claim on that particular combination, of both leaving, even if not a claim held by either individual. The key question is whether there is an essentially collective perspective, such that it is coherent to think that a situation can be unreasonable, though not unreasonable from the perspective of any individual.

Perhaps we need not posit this collective perspective, however, as there is an alternative possible reading of Cohen's argument. We might interpret the claim that workers are collectively forced to sell their labour as one where not all members of the proletariat have a reasonable alternative to selling their labour, even if some do or every member individually does. The proletariat are forced into arrangements in which not all can leave; where at least some sell their labour. Or applied again to the two-person case, the two are forced into arrangements where at least one stays. Therefore, if not all workers have a reasonable alternative to selling their labour, workers are collectively forced to sell their labour. This is different from the claim that collective forcing is where there is no reasonable alternative to the situation in which all members sell their labour.

However, there is a separate concern about this reading. The problem is that while the argument may be consistent, it does not show anything of moral significance. Again, returning to the two-person case, we have already established that arrangements where one person stays are reasonable. If they were not, it could not be true that person one and two individually are not forced to stay. So, while it is true that they are forced into arrangements where at least one stays, why does this matter if these arrangements are reasonable? On the one hand, Cohen's argument

succeeds. It is true that there is no alternative to arrangements where at least one stays. Or, applied to the proletariat case, there is no alternative to arrangements where at least some sell their labour. In this sense, it is true that workers are collectively forced to sell their labour. On the other hand, if this means that there exists no alternative to arrangements which we have established to be reasonable, there seems to be no complaint here. So, the argument seems to lack purpose.

The notion of collective unfreedom is used to make the case that workers are forced. But given what might be meant by collective unfreedom, being forced to do something may not be morally problematic. The mere fact of being forced may not capture the moral significance of the proletariat's situation. However, that they are forced does matter. First, what the proletariat are forced to do may be morally significant. I discuss Cohen's reasons for regarding it as a source of moral concern that the proletariat are forced to sell their labour. Second, *why* the proletariat are forced to sell their labour may be significant. I will build on Cohen's view to suggest a reason for holding this view.

#### The moral significance of proletariat unfreedom

Cohen argues that workers are forced to sell their labour power because they lack any reasonable or acceptable alternative. This raises the question of whether this fact is morally significant. We may wonder whether the structure of capitalism forces any collective within it to do what it does. Cohen anticipates and responds to the objection that if the proletariat are forced to sell their labour power, capitalists are too. Perhaps capitalists are in an equivalent situation to the proletariat, as capitalists have no acceptable alternative but to invest their capital - if their only alternative is to sell their labour power. Cohen rejects the equivalence arguing that those who press this counter argument beg the question.<sup>50</sup> This is because selling one's labour power is an unacceptable alternative in virtue of the fact that it is much worse than investing one's capital. Hence, one cannot draw an analogy between the options of the proletariat and the capitalists. This, however, does not mean that the capitalists are not forced to invest their capital.

Cohen defines an acceptable alternative through the formulation '*B is not an acceptable alternative to A if B is worse than A and B is particularly bad.*'<sup>51</sup> Hence, as Cohen recognises, one can be forced to do A, even if A is a good option. Capitalists may thus be forced to invest their capital. It seems that Cohen does not deny this, but rather, rejects that this puts the situations of capitalists and the proletariat on a par. Even where the structural positions of different types of people are similar, there can still be differences of degree between them; as Cohen writes, '*the worker is more closely connected with his labor power than the capitalist is with his capital. When*

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<sup>50</sup> Ibid., p.21

<sup>51</sup> Ibid., p.30

*I sell my labor power, I put myself at the disposal of another, and that is not true when I invest my capital'.<sup>52</sup>*

Here Cohen gives a reason for thinking that it is lamentable that the proletariat are forced to sell their labour. Therefore, we may regard Cohen's argument as telling us something morally significant about the proletariat's situation. Though the mere fact that an agent is forced does not tell us whether the agent's situation is morally problematic, Cohen identifies something special about being forced to sell one's labour power. As Cohen writes, *'It is what this particular collective unfreedom forces workers to do which makes it a proper object of regret and protest. They are forced to subordinate themselves to others who thereby gain control over their, the workers', productive existence'*.<sup>53</sup> The proletariat are not just forced to do something innocuous but forced to do something morally significant, namely to subject themselves to the will of another.

Cohen acknowledges that the structure of proletariat's unfreedom does not tell us what we need to know in order to understand what is morally significant about their situation. Instead it is the content, what their unfreedom consists in, that does this work. Yet, Cohen does not clarify what counts as lamentable unfreedom. Rather, Cohen explains why this particular instance of unfreedom, the unfreedom of the proletariat raises moral concern. This may leave a residual concern that Cohen's account does not say enough to regard collective unfreedom itself as morally significant.

Here, I offer a second reason for regarding Cohen's argument as demonstrating something important. It is true that, for Cohen, to be forced does not depend how bad that action is that they are forced to perform; all that matters is that one lacks a reasonable alternative. According to Cohen, we could be forced to eat in the best restaurant in town. This clearly is of no great concern. However, the fact that the action itself is unobjectionable does not mean that to be forced to do it is unobjectionable. How bad the thing that one is forced to do is counts as only one aspect of the moral significance of being forced. Another aspect is why one is forced to do it. If I am forced into the best restaurant in town because it is on a hill, and all the others are closed due to a flood, there is little of moral concern here. If, however, I am forced because a gunman demands 'go eat in Le Gavroche, or I will kill you' this situation is of some moral concern, even if I end up with a Michelin star meal. Being forced matters if, for example, one is the victim of an unjustified exercise of power, or unfairly subject to the will of another. We might question whether the economic forces of capitalism are coercive in the way as the threat of a gunman, though some regard capitalism itself as coercive.<sup>54</sup> Yet, the reasons why certain possibilities are closed off to the proletariat are not akin to mere natural circumstances either.

The options available to the proletariat are shaped by the structure of capitalism. As Marx claims, the superstructure, and thus the economic structure of society serves to protect the interests of

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<sup>52</sup> Ibid., p.20

<sup>53</sup> Ibid., p.20

<sup>54</sup> See Reiman (2012)

the ruling class. Only as many members of the proletariat can leave their class as will sustain capitalist relations. Members of the proletariat cannot simply accumulate the necessary capital which would give them an alternative to selling their labour, because the capitalist class controls the means of production. Cohen is somewhat ambiguous about how the structural constraints of capitalism operate. At times, he implies that the mechanism of capitalist relations function independently of individual wills, as when he refers to 'the rules of capitalism', and what the structure makes possible.<sup>55</sup> Yet, at other times, Cohen strongly conveys the idea that the structure of capitalism is a product of human agency. In support of the latter interpretation, Cohen writes:

Where relations of production force people to do things, people force people to do things, so the "no force without a forcing agent" condition is satisfied here.<sup>56</sup>

If the structure of capitalism leaves the worker no choice but to sell his labor power, then he is forced to do so by actions of persons.<sup>57</sup>

The structure of capitalism is not in all senses self-sustaining. It is sustained by a great deal of deliberate human action, notably on the part of the state. And if, as I often think, the state functions on behalf of the capitalist class, then any structural constraint by virtue of which the worker must sell his labor power has enough human will behind it to satisfy the stipulation that where there is force, there are forcing human beings.<sup>58</sup>

Proletarians suffer restricted access to means of liberation because the rights of private property are enforced by exercise of capitalist power.<sup>59</sup>

In these statements, Cohen suggests that it is the active will of capitalists that sustains the structure of capitalism and thus blocks the proletariat from exiting their class. Cohen claims that the structure is maintained through human action, though he leaves unspecified whether this is through intentional actions or not. Yet, at other times Cohen seems to suggest that capitalists intentionally obstruct the attempts of workers to improve their position. When discussing the possibility of creating workers cooperatives, he writes that bringing about a transformation of capitalist relations would '*mean the demise of great capitalist fortunes and institutions, whose agents are in an excellent position to frustrate transition to a cooperative market society.*'<sup>60</sup> Cohen suggests that when workers are collectively unfree, or collectively forced, under the structure of capitalism they are subject to the will of capitalists, at this structural level.

Workers subordinate themselves to the will of the capitalist when they sell their labour power. But, in addition, the fact that they must sell their labour power – why it they are forced - is due to the will of capitalists. This clearly is a conclusion of political significance.

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<sup>55</sup> Ibid., p.24

<sup>56</sup> Ibid., p.6

<sup>57</sup> Ibid., p.6

<sup>58</sup> Ibid., p.7

<sup>59</sup> Ibid., p.15

<sup>60</sup> Ibid., p.25

Moreover, though Cohen does not explicitly recognise this, the fact that the workers are subject to the will of capitalists at a structural level is a reason for regarding members of the proletariat to be unfree individually and not merely collectively. Both options - whether a proletarian remains a member of the proletariat, or escapes to the petty bourgeoisie - are determined by the structure of capitalism. The structure is produced, or at least, sustained, by the will of capitalists. Therefore, the situation of each member of the proletariat is shaped by the exercise of capitalist power.

However, one might be sceptical that there is such thing as the 'will of the capitalists'. Moreover, in a later chapter I will discuss that the force of a structural explanation is to show that institutional arrangements arise through processes that operate independently of, or in a way that cannot be directly traced to the intentional actions or decisions of individual agents. Yet, Cohen's argument may be significant, even if we invoke less questionable premises than that the structure of capitalist society is sustained by the intentional will of capitalists. It is still significant that the options available to the proletariat are due to the fact that capitalists own the means of production. This constitutes a relation of unequal power, even absent an intentional will. If A controls X, and B requires X to do Y, then B's ability to do Y is subject to A's control. This is particularly morally significant if A's control of X is not justifiable. It is an injustice if B's inability to do Y, given A's control, serves the interests of A, and A is already in a position of dominance or power relative to B. Therefore, even on this interpretation, we do have a reason for thinking that the merely structural account of how the proletariat are forced, as Cohen outlines, is morally significant. Cohen draws attention to the idea that under capitalism the proletariat are forced into arrangements which subject the proletariat to an unjust power inequality.

It is therefore a mistake to think that a merely structural account of force or freedom lacks moral significance. The structural unfreedom of the proletariat is due to a confluence of interest and power leading to the reinforcement of structures that greatly limit options. This is a reason for thinking that the status of the proletariat as collectively forced is morally significant. Yet even with this explanation, we might regard the proletariat as individually unfree, and not merely as collectively unfree, even if they are individually free to leave the proletariat. This becomes apparent when we move from thinking about freedom as interference to freedom as independence.<sup>61</sup>

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<sup>61</sup> Freedom as independence might be identified with the republican tradition of freedom as non-domination. According to this theory, freedom consists in independence from arbitrary power. This tends to be formulated in relation to independence from arbitrary constraints, or arbitrary interference, where 'arbitrary' is defined as being contrary to one's interests. (Pettit 1997). Recently theorists have articulated a conception of freedom as independence, intended to occupy a middle position between the liberal and republican notions of freedom. This conception remains centrally concerned with the idea of freedom as independence from possible *interference*. (List and Valentini 2016) Instead, I suggest we may posit a conception of freedom as independence that is not inherently related to the idea of interference, whether actual, possible, or probable. This may be drawn from an idea of freedom which Kant expresses, as discussed by Ripstein. (2004) In the Kantian view, freedom as independence contrasts with a condition of *dependence*. Kant suggests that it is not only the possibility of being constrained by another which undermines one's freedom. An unequal relation of dependence, itself, undermines the idea of being one's own master. Kant seems to suggest a more irreducibly relational concern.

While the liberal approach regards unfreedom as a question of interference and constraints on one's options, preventing one from doing something, we might recognise a tradition originating in Kantian political morality which is concerned with freedom in a relational sense. For Kant, freedom requires independence. This is not merely a concern with independence from the constraints posed by others, but '*independence from being bound by others to more than one can in turn bind them.*'<sup>62</sup> According to Kant, freedom requires '*equality*', and '*being [one's] own master*'.<sup>63</sup> This suggests that freedom can be undermined merely by existing in an unequal relation with another.

Workers under capitalism, both as individuals, and as a class, are subject to an unequal relation. The options available to the members of the proletariat are determined in accordance with a set of relations over which the workers are unable to exercise control. This might be a better way of understanding the conditional nature of the freedom of the proletariat that Cohen discusses. It is not that the proletariat are less free because their freedom is conditional on what other members of the proletariat do. Rather, it is conditional on what the structure of capitalism permits; which undermines the independence of the proletariat. As a result of the structure of capitalism, individual members of the proletariat are individually unfree as well as collectively unfree. This has moral and political significance.

So, while Cohen is correct that not everyone can leave the proletariat, I have suggested how we might develop Cohen's argument further to understand the significance of this. The structure of capitalism dictates the positions open to the proletariat; whether selling their labour, or leaving and entering the petty bourgeoisie. The structure shapes each life within it. The normative core of the problem is the difficulty that each individual faces, not merely the fact that not everyone

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Based on this perspective, I suggest that we recognise a separate dimension of freedom to freedom as non-interference; a condition of being subject to the superior power of another. This is in the sense that one's possibilities, goals and intentions are shaped around another, in a way which cannot be reduced to the idea of interference. One may be made unfree by being subject to the power of another, even when this relation does not threaten one's *interests*, but only one's independence. On the republican approach, B is unfree when B faces possible interference from A in doing X. According to the view I suggest, B does X because it is A's will that B does X. This is not a precise articulation of a conception of freedom as independence, but merely is intended to convey that these accounts emphasise different concerns.

Independence is also addressed in theories of autonomy. In the next chapter, I will discuss independence in the context of Raz's conditions of autonomy. (Raz 1986) Yet, we still must make room for a conception of *freedom* as independence, as a rival to the interference view of freedom. While we care about freedom because we care about autonomy, they are not the same. Freedom is a foundational concern of moral and political thought. Autonomy is often regarded as only one domain within freedom. Moreover, when independence is addressed in the context of autonomy, this tends to be in relation to whether a specific choice or decision is reached through an independent process. Whereas, I am interested in independence as a general condition of freedom. The idea is that one's projects and ends are orientated around another, rather than oneself. This requires a broader perspective than attending to the nature of how individual decisions are reached. However, for a global account of autonomy as social independence, see Garnett (2013, 2014).

Additionally, we might regard independence as related to the idea of positive freedom. (Berlin 1969, Christman 1991, 2004) There are ways in which these concerns overlap. Freedom, in the sense of independence, values relations that enhance one's social conditions for freedom. Yet, there is also a negative aspect of freedom as independence. Being subject to the will of another may be experienced as a form of constraint, not merely as the absence of the positive conditions for freedom. Therefore, this idea of freedom cuts across the positive-negative liberty dichotomy. At the same time, freedom as independence is not merely a concern with the *constraints* posed by being subject to the will of another. I suggest we recognise independence as an inherently relational concern, which does not necessarily reduce into the idea of constraints.

<sup>62</sup> Kant (1996) [1797] 6:238, p.30

<sup>63</sup> Ibid

can exit her class-position. Hence, we need to build into Cohen's account more of an understanding of the way that collective unfreedom is accompanied by individual unfreedom. So far, I have pursued a line of questioning regarding whether the way in which Cohen argues that the proletariat are collectively unfree and collectively forced to sell their labour is morally significant. My answer, on behalf of Cohen, is that it is. Yet there is another reason for questioning whether Cohen's argument captures what is morally significant about the situation of the proletariat. While it may be true that members of the proletariat face collective constraints, what may be more morally pressing, is that they face abject poverty. Perhaps this needs to be put more into focus.

#### Deprivation and proletariat unfreedom

On the face of it, Cohen's account does not explain the moral status of the proletariat. Yet, we might regard Cohen's argument that the proletariat are collectively forced as an important first step to a full understanding of why their situation is morally problematic. The fact that one is forced to sell their labour defines what it is to be a member of the proletariat. Yet, we might, nonetheless, question whether this fact captures what is significant about the situation of the proletariat. Cohen focuses only on whether the proletariat are forced or free to sell their labour, which, perhaps, does not sufficiently address the fact that the proletariat face poverty, and all that goes with this.

Cohen writes that '*When Marxists claim that workers are forced to sell their labor power, they mean that they have no acceptable alternative, if they want to stay alive*'.<sup>64</sup> Underlying Cohen's argument is the thought that the proletariat are not forced to sell their labour merely because their alternatives are worse. Cohen says that alternatives are unreasonable when they are 'very bad'. The claim that the proletariat must sell their labour power in order to stay alive, and the opening claims of Cohen's paper that their only alternatives are to 'starve' or 'beg', or 'trust to fortune', shed light on the nature of the proletariat's situation: they are faced with poverty.<sup>65</sup> This is an essential aspect of the explanation for why the proletariat are forced to sell their labour. But we also need to understand the moral significance of poverty in its own right.

We might worry that in focusing on collective unfreedom, we miss what is most noteworthy about the position of the proletariat, namely, that they suffer extreme deprivation. We might describe the proletariat as unfree, but we might also identify them as unable to enjoy their rights, or as facing abject poverty. For his argument, Cohen relies on the fact that the proletariat face particularly bad options, yet primarily offers a discussion of the structural aspect of their situation. This is because Cohen's aims are specific, namely, to counter the argument from social mobility. But, focusing on the fact that the proletariat are forced to sell their labour, rather than their suffering other ills of poverty, might lead us to overlook how bad the predicament of the

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<sup>64</sup> Cohen (1983), p.21

<sup>65</sup> Ibid., p.3

proletariat really is. Being forced to sell their labour may be the least bad aspect of their situation, especially since selling their labour improves their position. This might pose a challenge to Cohen's focus on the proletariat as the relevant group of moral concern. Above, I addressed Cohen's reason for thinking that the proletariat's situation is special and different from the capitalists' situation. Cohen distinguishes the case of the proletariat by saying that there is something special about selling one's labour power. It is special because it involves submitting the use of one's own body to the will of another.<sup>66</sup>

However, there remains a question regarding how we compare the situation of the proletariat, those forced to sell their labour power, with those who do not sell their labour yet are in a state of poverty. Some people in a position of deprivation may not even have the option of selling their labour, perhaps due to mass unemployment or because they are unable to work due to disability. Perhaps this would still involve being subject to the will of another. For example, a person who must resort to begging is dependent on the charity of others and is subject to their (good) will. Cohen would, we can assume, regard anyone who must rely on others for their continued existence as lamentably forced and unfree.

However, it is worth pushing at this still further, and imagining one who is not even able to rely on others for her survival. We can conceive of a person who lacks any option and is in fact starving to death. Perhaps she has been stranded and there is nobody else around. This person is not subject to the will of another, yet she is severely badly off. We may, perhaps crudely, ask is she more or less free? In a certain sense, a member of the proletariat is subject to a particular type of unfreedom, which the starving person is not. The proletarian is compelled to serve another, and perhaps to submit the use of her body to the will of another. But it seems highly implausible to consider the starving person as more free than the proletarian, or the proletarian as more unfree than the starving person.

Perhaps we can instead regard Cohen's analysis, in part, as drawing attention to a particular dimension of unfreedom which tends to be overlooked. This is the relational aspect. I will argue that this is an overlooked feature of the wrong of poverty. Extreme cases of poverty, such as that of the starving person, might arouse our moral concern most urgently. The wrong of poverty involves physical and emotional suffering. Extreme poverty makes a person unfree because they lack essential freedoms such as freedom from hunger, and other fundamental needs. Yet, there is an aspect of the wrong of poverty that perhaps is illuminated more clearly in cases where a person finds herself not yet in abject poverty, but at risk, and must take steps to avoid falling into poverty, or to have a route out of poverty. This aspect denotes how being in poverty consists of and creates unequal relationships. Against a background of poverty, a vulnerable party is forced to submit to the will of a more powerful agent in order to avoid or escape poverty. If we focus only on the wrong of poverty as being a situation of not having enough, we miss this significant

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<sup>66</sup> Ibid., p.20

aspect of it. It is important to address the nature of the situation of the badly off aside from a distributional perspective. This is a different way in which poverty makes a person unfree, they are unfree in a relational sense, as they lack independence.

This relational perspective is important in order to understand the moral significance of the proletariat's situation. The proletariat are unfree in the sense that they lack adequate options. Yet freedom is not only related to one's range of options. Lacking adequate options is one way in which one might fail to be sufficiently free. Yet, I am keen to draw attention to something which tends to be most overlooked; the relational aspect of freedom. Freedom can be undermined through the nature of the relations in which one stands to others, for example, by being subjected to the will of another, or because of relations of dependence or subservience. The proletariat are unfree, in a relational sense, since, in order to avoid poverty, they must exist subordinate to and controlled by capitalists to whom they sell their labour. Focusing on the example of workers under capitalism, while perhaps of less moral urgency than the situation of those in abject poverty, helps deepen our understanding of the relationship between poverty, inequality and freedom.

This perhaps is to stray beyond the scope of Cohen's argument. Although Cohen recognises that the proletariat are worse off than the capitalists because they are subject to their will, he primarily attends to the structural nature of unfreedom within capitalism, rather than to the relational aspect. Cohen's aims are specific, namely to counter the argument that social mobility - the possibility of exiting one's class - makes false the claim that workers are forced to sell their labour. Yet, we can extract from Cohen's argument a concern with the relational aspects of unfreedom and inequality even though this is not his primary focus.

We find in Cohen's analysis a relationship between poverty and freedom. The proletariat are forced to sell their labour in order to avoid poverty. Additionally, we may draw from Cohen's argument the thought that poverty undermines freedom in a structural way. Yet, in order to fully understand the relationship between lacking freedom and poverty, we must go beyond Cohen's framework. When one does not have enough, one is unfree, not only in the sense of lacking sufficient options, but in the sense involved in being subject to the will of another. Poverty leaves one with no option but to subject oneself to the will of another. Poverty, therefore, undermines freedom in a relational sense.

My thesis will continue to examine these concerns. First, I claim that when people have no reasonable alternative but to be subject to the will of another, as is the case with members of the proletariat, we have reason to think of this as a coercive interaction. We can call this 'the coercion thesis'. Second, I address what we might call the 'the structural thesis', which is the idea that individuals experience a lack of freedom due to their options being restricted by structural factors. These factors force people to be subject to the will of others. Third, I put forward 'the relational thesis': the idea that poverty undermines freedom in a relational sense and that this is part of the wrong of poverty.

The thesis further examines what Cohen's argument hints at. First, I build on Cohen's argument that the proletariat are forced to sell their labour, by suggesting that people who lack adequate options may face coercion. In this chapter, I argued that it is the way in which workers are subjected to the will of capitalists, which makes the fact that they are forced to sell their labour significant. In the next chapter, I claim that being subject to the will of another is the core feature of coercion. I argue that one can be subject to the will of another also in cases of offers, and not only in cases of threats. Hence, even offers of work can coerce. In the chapter that then follows, I draw on Cohen's structural account of unfreedom to put forward a notion of structural coercion. In chapter five, I pursue the thought that poverty undermines freedom in a relational sense. My final chapter proposes what might be a current-day analogue for the sorts of concerns regarding capitalist labour relations that Cohen addresses.

### Conclusion

In this chapter, I explored Cohen's argument that the proletariat are forced to sell their labour. I first assessed what Cohen means by 'collective unfreedom', interpreting this as the thought that members of the proletariat are unfree as a plurality, where freedom is a non-distributive property. The members of the proletariat are free individually but unfree when taken together. I then discussed that the unfreedom of the proletariat is not itself taken to be morally significant in Cohen's account, but is part of the argument that the proletariat are forced to sell their labour. Because the proletariat are unfree to pursue the only reasonable alternative to selling their labour, they are forced to sell their labour. I then questioned the significance of the proletariat being collectively forced. I raised two main issues: first, Cohen's theory considers one to be forced even when one is not forced to do anything problematic. Second, the proletariat are only collectively but not individually forced, and Cohen does not tell us how collective unfreedom or collective force bears on individual freedom. Therefore, given both of these concerns, the argument seems to lack moral significance.

In response to the first point I offered two suggestions on behalf of Cohen. First, though one might be forced to do something that is not itself a morally problematic course of action, in the case at hand, the proletariat are forced to do something that raises moral concern, namely, to subject themselves to the will of capitalists. Second, *why* they are forced to sell their labour is of moral significance. No more than a few members of the proletariat are able to exit their class since the capitalist class controls the means of production. It is a confluence of interest and power that leads to the reinforcement of capitalist structures. The options available to the proletariat are shaped by a power imbalance that we might consider to be unjust. This makes the fact that the proletariat are forced to sell their labour morally significant. It also provides the basis for an answer to the second objection. The fact that the options available to the proletariat are shaped in accordance with the power of capitalists, bears on individual freedom. Freedom is not only a question of what options one has; there is a relational aspect too. The freedom of the proletariat is undermined through existing in an unequal power relation with the capitalist class. This

undermines freedom as independence. Each individual member of the proletariat occupies an inferior position relative to members of the capitalist class. Therefore, this source of unfreedom, in a relational sense, does not only operate at the structural level.

In essence, Cohen addresses the fact that some people in society face collective constraints. These collective constraints arise not only out of the state of being in poverty but also out of the risk of falling into poverty. Moreover, these collective constraints have significant implications for individuals. Cohen helpfully addresses the structural aspect of the constraints that poverty creates. He brings into focus the way that the capitalists in their class, rather than as individuals, subject workers to their control. I conclude that Cohen's argument shows something of importance, which is that the positions of the proletarians are determined in accordance with the structure of capitalism. This makes workers subject to the superior power of the dominant class. Cohen's argument is that workers under capitalism are in one sense individually free, yet collectively, as a class, unfree.

However, without showing how workers count as individually unfree, I argue that Cohen's argument, though significant, is lacking. This is because it is of greater moral significance if workers are individually forced, than if they are so just collectively. By agreeing that the workers are individually free not to sell their labour because they have a reasonable alternative, Cohen concedes too much to his right-wing opponents. In actual fact, the way in which workers suffer from collective freedom is accompanied by individual unfreedom, in a relational sense. In the coming chapters, I will draw more on the nature of poverty in order to understand how the collective constraints that poverty involves have normatively significant implications for individuals.

Within Cohen's analysis, we can find the basis for a deeper understanding of the significance of the proletariat's situation. While it is not Cohen's main focus, he does address what seems to be pertinent. First, that the proletariat face poverty. Second, that the way they are forced is not merely structural but involves submission to the will of another. The remainder of the thesis builds on these ideas. In the next chapter, I formulate the *coercion thesis*, which argues that the central feature of coercion is the lack of an adequate alternative to being subject to the will of another. I suggest that this gives us a reason to regard people, who have no option but to enter into transactions which subject them to the will of another in order to avoid poverty, as experiencing coercion.

## Chapter two: Coercive Offers

Are there such things as coercive offers? This on-going puzzle in the literature is largely debated by theorists falling into two broad categories. There are those whose accounts of coercion rule out coercive offers, defining coercion as occurring by way of threats, or as the constraining of options. These theorists account for offers which seem coercive through their moralised-baseline accounts of coercion. Then there are those who aim to show that there are such things as coercive offers according to non-moralised conceptions of coercion. The weakness with the former approach is that it is overly restrictive. It excludes cases about which we have the intuition that coercion occurs. Additionally, there are problems with a moralised conception of coercion. However, attempts to argue for coercive offers have, so far, not fully succeeded. Most of these efforts make space for coercive offers without giving an overall plausible account of coercion.

I suggest that certain interactions are best conceptualised as coercive offers, because they involve an agent being subject to the will of another, yet also involve an improvement in the agent's situation. To rule out that there can be coercive offers is to presuppose a certain conception of coercion. The question of whether there is such thing as a coercive offer should remain open until we have settled on a definition of coercion, which excludes offers, as the best account of coercion. My aim is not to conduct a thorough assessment of how to define coercion. What we take coercion to mean depends on our purposes in employing the concept. Instead, I hope to offer a plausible account which accommodates cases of coercive offers, as well as explaining what goes on in central cases of coercion.

My proposal, in this chapter, is to focus on coercion as the undermining of the independence of one's will, instead of the constraining of options.<sup>67</sup> To bring out why undermining autonomy is

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<sup>67</sup> While my project is concerned with freedom, I discuss autonomy in this chapter, in relation to Raz's view. The relationship between the concepts of autonomy and freedom is a rich topic of investigation itself. Though it may be of some relevance here, I am unable to pursue this issue in detail. Some define freedom and autonomy as separate ideas, the former relating to whether one is ruled by others, and the latter a question of whether one has mastery over oneself. The former tends to refer to one's ability to act. It focuses on when one's inability to perform an action is due to external constraints posed by others. The latter tends to address whether one's actions reflect one's authentic desires, and rational ends. There are ways we can be autonomous without being free, for example, when we make choices that reflects our values, against a background of constrained circumstances. There are ways in which one can be free without being autonomous, for example, experiencing no interference with one's options, yet suffering from mental incapacitation. On the other hand, we might not regard these concepts as separable. First, we might recognise autonomy as a concern with one special, important aspect of freedom, an aspect that requires protection (Dworkin 1988, Frankfurt 1988). We might also identify autonomy as a different formulation of positive freedom. (Berlin 1969) In Raz's account, my present focus, the distinction between freedom and autonomy is eroded. Raz conceptualises autonomy in a more extensive way than is common in the literature. The three conditions that Raz discuss, tend to be regarded as conditions of freedom. For example, condition two, which states that one must have sufficient options, is usually thought of as an aspect of freedom, not autonomy. Autonomy typically matches on to Raz's first condition; whether a person has the capacity for make rational choice. It may also be identified along the lines of Raz's third condition; independence. The idea is that to be autonomous, a decision must be made through an independent process. The presence of, for example, manipulation, undermines autonomy. Yet, this would not necessarily undermine freedom, if one's options are not blocked.

My concern in the thesis is to recognise that freedom is not only a matter of interference with options, but relates to conditions of independence. In particular, freedom requires existing in relations that support, rather than frustrate, the independence of one's will. Moreover, I regard certain relations as undermining freedom in a global sense, rather than being concerned only with how individual decisions are made. Autonomy is usually a concern with the latter. Raz's account is an exception. It regards autonomy as a general state, rather than a quality of individual choices. I take this

not merely a question of interfering with one's options, I will base my account on Raz's conception of autonomy, which posits the Independence Condition. This states that autonomy requires an independent will. Coercion, Raz takes it, subjects the will of one person to that of another. This violates their independence, and thus their autonomy. Importantly, this need not be done through restricting options. Building on this account resolves the puzzle of how a proposal can increase one's options while, nonetheless, being coercive. Attending to Raz's independence condition of autonomy, highlights a separate dimension of freedom. Namely, freedom as independence. Drawing on this idea enables us to devise a plausible notion of coercion, which makes room for the concept of coercive offers. The account is focused on relations which undermine independence, rather than actions which interfere with one's options. In this chapter, I put forward my 'coercion thesis'. This claims that coercion involves being forced to be subject to the will of another. I will first set out the puzzle of coercive offers. I will then discuss the main approaches to solving the puzzle. I shall then turn to Raz's account of autonomy.

Examining whether there are such things as coercive offers is important for our understanding of coercion. First, this task is relevant to the definitional project. A good definition of coercion must accommodate a variety of cases. If there is such thing as a coercive offer, it would be misleading to define coercion only in terms of a threat, as is common in the literature. This question also bears on a moral analysis of coercion. If there are coercive offers, we must find the wrong of coercion not only in cases involving threats. The case of a coercive offer is useful for testing our ideas of what the wrong of coercion is and developing such an account. Additionally, an account of coercive offers may help determine how we should assess and respond to certain cases, capturing what is problematic about them. I suggest that we can draw on the framework of coercive offers to further understand the sort of case illuminated in the previous chapter, in which, outwardly voluntary transactions undermine one's freedom. My suggestion is that this framework helps clarify the moral significance of certain transactions that take place against a background of poverty.

The importance of the notion of a coercive offer emerges in the context of poverty. On a sociological level, coercion is particularly relevant to people in poverty. Cases of coercion, that we encounter in reality, tend involve people in particularly vulnerable circumstances. Threats are employed when a person would not accept another's proposal otherwise. Since, in cases of poverty, B exists in such bad circumstances, A need not resort to threats to get B to comply with A. A can effectively use inducements, even when the content of the inducement is something that B, had she better options, would not accept. There is a conviction, from Marx, carried through in contemporary thinkers such as Cohen, and expressed in the testimony of people in poverty. This conviction is that poverty gives rise to coercion in interactions that one has no option but to enter

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sort of an approach. Yet, I consider it important to use the language of freedom, to make clear that I am referring to the wider category, of which autonomy is generally thought to be one aspect. My argument does not regard freedom and autonomy as separate concerns, therefore, I refer to autonomy where relevant, but my concern is with freedom. For more on the relationship between autonomy and freedom, see, Raz (1986), Christman (1991, 2009, 2004, 2015), Colburn (2010), Garnett (2014) especially, pp.6-7, *fn*8.

into, even if they make one better off. Yet, dominant accounts of coercion are poorly equipped to accommodate coercive proposals made to those in poverty. This is because they define a proposal as coercive only when it threatens to make a person worse off. So, unless the coercer intentionally causes the poverty, most accounts would claim that there is no coercion taking place. However, the interesting cases we are concerned with are when a person, because they are in poverty, has no reasonable alternative but to accept a proposal which makes them better off, yet subjects them to the will of another.

While our dominant or traditional accounts of coercion are helpful in certain contexts, they do not explain or explain away the sense in which it appears the poor are coerced. There seems to be a neglect of the phenomena whereby one lacks sufficient options, which gives rise to being under the control of others. I suggest that we regard this as coercion. This brings us to the question of whether there can be coercive offers. Through answering this puzzle, I make the case for why it is credible to regard offers of work, which improve the material position of a person who lacks sufficient options, as coercive.

There are some offers, made to people in such dire circumstances, that they can hardly refuse. For example, in developing countries, workers, who have no other means of a livelihood, often accept work with pitifully low wages and hazardously poor conditions. It is often discussed that this is exploitation, as people or corporations take advantage of the workers' vulnerability, offering them very bad terms to agreements that, nonetheless, make them better off. Work in sweatshops is an example. It is debated, however, how precisely we should label these situations. Some regard these agreements as voluntary agreements made with consent, despite their unfavourable terms.<sup>68</sup> Others find there to be no meaningful sense of consent involved in such agreements, and deny that we can regard the weaker parties to these agreements as making a free choice, given their dire circumstances.<sup>69</sup> Therefore, we may regard them as coerced into accepting such offers. Within international development literature, coercion can be used to describe labour relations, which include not just trafficking and forced labour, but also agreements made between asymmetric parties with unfavourable terms for the weaker party. Philosophers also use the term in reference to such interactions, here are two examples:

[global markets in capital and labour are] voluntarily joined but given the potentially unbearable costs of exclusion, participation can be described as coercive.<sup>70</sup>

Some object to prostitution on the grounds that it is rarely, if ever, truly voluntary. According to this argument, those who sell their bodies for sex are typically coerced, whether by poverty, drug addiction, or other unfortunate life circumstances.<sup>71</sup>

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<sup>68</sup> See, for example, Zwolinski (2007)

<sup>69</sup> See, for example, Miller (2003)

<sup>70</sup> Barry and Valentini (2009), p.495

<sup>71</sup> Sandel (1998), p.94

What is missing is a philosophical basis for such descriptions. My aim is to provide such an account.

The concept of a coercive offer creates a puzzle. Coercion is usually defined in relation a threat made by one to another to extract compliance. Threats are proposals to make one worse off. Offers are usually defined as proposals to make one better off. Yet, there are cases where we have the intuition that one is coerced, though the coercive proposal is an offer, not a threat. The puzzle is, how can one be coerced by a proposal, which promises to expand one's options, or make one better off? A puzzle is also set up by Nozick's influential analysis of coercion, which rejects explicitly that offers can be coercive, yet acknowledges that there are some cases which seem to be coercive offers. I turn to Nozick's account next.

### Coercive threats

Coercion in its paradigmatic cases involve threats made to a person. Much of the contemporary literature on coercion takes off from Nozick's important work on the topic.<sup>72</sup> Nozick gives the following definition of coercion:

1. P threatens to bring about or have brought about some consequence if Q does A (and P knows he's threatening to do this)
2. A with this threatened consequence is rendered substantially less eligible as a course of conduct for Q than A was without the threatened consequence
3. P makes this threat in order to get Q not to do A, intending that Q realise he's been threatened by P.
4. (Part of P's reason for deciding to bring about the consequence or have it brought about, if Q does A, is that P believes this consequence worsens Q's alternative of doing A, or that Q would believe it does.)
5. Q does not do A
6. Part of Q's reason for not doing A is to avoid (or lessen the likelihood of) the consequence which P has threatened to bring about or have brought about.
7. Q knows that P has threatened to do the thing mentioned in 1
8. Q believes that, and P believes that Q believes that, P's threatened consequence would leave Q worse off, having done A, than if Q didn't do A and P didn't bring about the consequence.<sup>73</sup>

The definition makes explicit that a threat must be made, and that Q acts in accordance with P's wishes, in order to avoid a consequence that makes him worse off. Nozick rejects that there are coercive offers, stating his '*inclination to say that one is never coerced when one does something because of an offer*'.<sup>74</sup> Some proposals, however, seem to be offers and coercive at the same time.

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<sup>72</sup> Nozick (1969) 'Coercion' in White Morgenbesser (ed.), *Philosophy, Science, and Method: Essays in Honor of Ernest Nagel*. St Martin's Press.

<sup>73</sup> Ibid., p. 446

<sup>74</sup> Ibid., p. 452

Nozick gives the example of a slave who is beaten everyday by his master.<sup>75</sup> The master proposes that if the slave performs some task, he will not be beaten as usual. The task is unpleasant for the slave but less bad than receiving a beating. This seems to be an offer, as the master proposes to make the slave better off than usual. Nozick, however, argues that it is really a threat. To judge if a proposal is a threat or an offer, according to Nozick, we should not only compare it to what would normally be expected to happen, but also to what would be morally expected. The master should not be beating the slave in the first place, so while he would be making the slave better off than usual, the slave would still be made worse off than he is entitled to be.<sup>76</sup> The way that Nozick resolves the puzzle of offers that seem to be coercive is to adopt a moralised distinction between threats and offers, and to interpret coercive offers as threats.<sup>77</sup> Nozick adopts a moralised conception of coercion overall, according to which, one is only coerced when their rights are violated.<sup>78</sup>

However, Nozick outlines two scenarios, which he says he is tempted to call cases of coercive offers, which cannot be resolved through using a moralised baseline. The first, we can call:

*Plea-bargain*: The police have sufficient information to charge Q of a crime but offer not to prosecute him in return for information on his accomplices. Again, the normal and morally expected course of events would be to prosecute, so the proposal is an offer.<sup>79</sup>

The second case is:

*Blackmail*: Q has committed a murder, which the police are investigating. P has incriminating evidence about Q, but offers not to go to the police in return for \$10,000. As the normal and moral thing to do would be to come forward to the police with the information, Nozick explains that the proposal P makes to Q is an offer.<sup>80</sup>

Our intuition is, I posit, that Q, in both cases, is coerced into accepting the offer. Nozick, himself, suggests that such offers may be coercive. These cases are ones where the offer, as Nozick puts it, is '*closely tied to coercion*'.<sup>81</sup> Nozick admits his temptation to call these offers coercive, but ultimately declines to give an account of a coercive offer.<sup>82</sup> Nozick poses a puzzle by rejecting the concept of a coercive offer, while presenting these cases, which seem to be coercive offers. Nozick simply leaves the question, as to whether these cases constitute coercive offers, unanswered. He writes, '*I am unable to decide whether, in the above cases, Q was coerced into doing so, and I leave this an open question.*'<sup>83</sup>

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<sup>75</sup> Ibid., p. 450

<sup>76</sup> Ibid., p. 450

<sup>77</sup> Though Nozick notes that, in other cases, the appropriate baseline is specified in relation to what we would normally expect to happen, pp.450-1.

<sup>78</sup> Nozick (1974) *Anarchy, State and Utopia*, p. 263

<sup>79</sup> Ibid., p. 452

<sup>80</sup> Ibid., p. 452

<sup>81</sup> Ibid., p. 452

<sup>82</sup> Ibid., p. 453

<sup>83</sup> Ibid. 452

The dominant view of coercion in the literature is also shaped by the theory of coercion argued for by Alan Wertheimer. Wertheimer, too, denies that offers can be coercive. Like Nozick, Wertheimer holds a moralised conception of coercion, defining a coercive proposal as one which B has no reasonable option to refuse and, if accepted, will make B worse off than B is entitled to be.<sup>84</sup> Wertheimer argues that we cannot identify a relevant feature of an offer case that could make it coercive. Though B may accept A's bad, or exploitative offer when B lacks any alternatives, Wertheimer claims that this would only count as coercive if A were obligated to make B a good offer, and even then, the violation of the obligation would be doing the moral work in this case.<sup>85</sup> Wertheimer states that offers expand our options, and in no way stand to make one worse off. Thus, according to Wertheimer, to call offers coercive would be to erode the idea of coercion as a morally significant concept with serious implications.<sup>86</sup> Nozick's and Wertheimer's analyses are very influential in the literature. However, neither approach gives a satisfactory resolution to the puzzle of coercive offers.

Nozick deals with offers that seem coercive by showing that they are really threats when we compare the proposal to a moral baseline. However, it seems more natural to regard such a case as a coercive offer rather than an offer that is really a threat. Moreover, some offers seem coercive that cannot plausibly be reinterpreted as threats; where the person is not morally entitled to be better off, and yet the offer still seems to be coercive. Nozick's *Plea Bargain* and *Blackmail* cases are such examples.<sup>87</sup> We may also reject Wertheimer's claims that there are no identifiable coercive features in the situations of offers, and that there is nothing of moral significance to be gained by calling offer situations coercive. I will put forward an account of the key feature that makes certain cases of offers coercive, namely that one is subject to the will of another. I argue that while not all cases of coercive offers are wrongful, there is something problematic about them. They all involve the subjection of one's will to another, which is always morally significant. I discuss the moral significance of coercion further in chapter four.

There are also reasons to reject a moral baseline more generally. According to how we usually understand coercion, something is wrongful if it is coercive. However according to a moral conception, something would be coercive because it is wrongful. This seems to get things the wrong way around. Wertheimer and Nozick's accounts do not identify a distinctive wrong of coercion. Central to their definitions, is that a person is made worse off than they ought to be. This makes the wrong of coercion no different from other cases of rights violations. My suggested account brings out a distinctive wrong-making feature, namely that coercion undermines autonomy and one's moral status as an equal, by subjecting one's will to another. Again, I shall say more about this in chapter four.

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<sup>84</sup> Wertheimer (1987) *Coercion*.

<sup>85</sup> *Ibid* p. 230

<sup>86</sup> *Ibid* p. 232

<sup>87</sup> Nozick (1969), p. 452

It seems overly restrictive to insist that only threats are coercive. If we disregard the idea that offers can be coercive, we overlook something of moral importance in many cases. Nozick and Wertheimer do not seem to give strong enough reasons for ruling out the possibility that some offers are coercive. I shall now turn to some theorists who make the case for recognising the existence of coercive offers.

### The possibility of coercive offers

Despite the dominance of the traditional confinement of the concept of coercion to the realm of threats, some writers argue for the concept of coercive offers.<sup>88</sup> David Zimmerman's account is perhaps the most comprehensive. Zimmerman aims to give a non-moralised account of coercive offers, which brings out that coercion involves a lack of freedom, and that this is what makes coercion *prima facie* morally wrong.<sup>89</sup> The way that Zimmerman aims to solve the puzzle of coercive offers is by showing that there are situations in which A proposes to make B better off, while preventing an alternative course of action that B would prefer.<sup>90</sup> Zimmerman makes clear that an offer is only to count as coercive when the person who makes the offer also prevents the better alternative. Additionally, this preferred alternative must be feasibly achievable.<sup>91</sup> Zimmerman illustrates his theory with the following scenarios.

*Desert Island 1 (D1)*: Q is kidnapped by A and taken to a desert island with A's factory on it. A offers Q a job in his factory for a pitiful wage, Q's alternative is to starve. The offer is coercive, according to Zimmerman, as Q's preferred option; not being on the island, is prevented by A.

Zimmerman contrasts this case with:

*Desert Island 2 (D2)*: Q is kidnapped by A, and taken to a desert island, but before A can make his offer, B who owns the only other factory on the island offers Q a job in the factory for a pitiful wage, with the only alternatives being working in A's factory for the same wage, or starving.

According to Zimmerman, in D1, Q is coerced by A. In D2, Q is exploited, but not coerced, by B.<sup>92</sup> The key difference between the cases is that in D2, the person who makes the offer is not the one who prevents the better alternative; B only takes advantage of Q's situation. In D1, the person who makes the offer creates the situation in which Q's preferred alternative is closed off.

One question we might have is whether Zimmerman's account is an account of coercion generally or applies just to offers. Our aim is to have a unified account of coercion for threats and offers. Putting this aside, Zimmerman's account does seem to accommodate relevant cases. His account of a coercive offer seems to explain the intuition in Nozick's examples, that the offers are coercive.

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<sup>88</sup> See also Held (1972), Lyons (1975), Haksar (1976)

<sup>89</sup> Zimmerman (1981), p.122

<sup>90</sup> *Ibid*, p.133

<sup>91</sup> *Ibid*, p.132

<sup>92</sup> *Ibid*, p.133

It provides a reason for thinking that in *Plea Bargain* the prisoner is coerced. The police make him an offer that would improve his situation, while denying him the option he would rather have, namely being free of criminal charges, without informing.

On the other hand, Zimmerman's analysis does not fit as well with *Blackmail*. To recall, P offers not to hand over incriminating evidence about Q to the police. This seems to be an offer. What alternative that Q would prefer does P prevent? No doubt Q would prefer not to be under investigation. But, the police are already investigating Q; P has no control over this circumstance. Perhaps Q would prefer that P retain the incriminating evidence, but not demand that Q pay \$10,000 in return. P makes an offer - keeping quiet about the evidence, but prevents the alternative that Q would prefer, namely, having the evidence kept quiet while keeping his \$10,000. However, it seems implausible to think that this counts as a case of *preventing*. Rather it seems that P merely does not *provide* this option.

Perhaps Zimmerman would regard this case as similar to D2; a case of exploitation, rather than coercion. If so, Zimmerman's account does not then seem to help explain in cases where we have the intuition that the person is *coerced* despite receiving an offer, and not a threat, as in *Blackmail*. Yet if Zimmerman would explain *Blackmail* as a case of a coercive offer, given that P prevents an alternative that Q would prefer, it raises the question why D2 does not also count as a case of coercion. Here too, we might think that B, the second factory owner, prevents an alternative that Q would prefer.

The central issue with Zimmerman's account is that it is not clear how we are to understand the idea of preventing the better alternative. One might think that in the second case, B prevents Q's preferred alternative because B prevents Q from having a better wage, or, we may speculate, from using the resources in his factory to get off the island.<sup>93</sup> Zimmerman claims that this is not how we should understand preventing. What Zimmerman has in mind is when A prevents Q from obtaining his preferred pre-proposal situation on his own, rather than prevents him from taking from A what he would need to achieve it.<sup>94</sup> Nonetheless, it is unclear that preventing should only be understood in this restrictive way. Moreover, we may think that Q is coerced by 'being denied' his preferred alternative, which may include cases of not providing as well as preventing. It seems that Zimmerman relies on the notion of preventing because, otherwise, coercion would be implausibly broad. If A makes Q an offer, there is almost always an alternative that Q would prefer even more, that A does not provide.

Normally, we would assume that coercion would only arise from not providing an alternative if A had a duty to provide it. Zimmerman's account is incompatible with the suggestion that Q is

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<sup>93</sup> Alexander (1983), p.162

<sup>94</sup> Zimmerman (1983), p.167

coerced because A has a duty to provide a better alternative option to Q, and therefore, that A makes Q worse off than Q has a right to be. This is because the theory invokes a non-moralised baseline. However, Zimmerman does not tell us how to distinguish between preventing and not providing. The worry is that the distinction between these, itself, relies on moral considerations. Therefore, Zimmerman's account would collapse into a moralised account after all.<sup>95</sup>

Zimmerman thinks that the question of how far a proposal meets one's desires brings out the relationship between coercion and freedom.<sup>96</sup> The way in which a coercive offer undermines Q's freedom, despite the fact that Q prefers to accept A's proposal than not to, is that Q prefers an alternative which A prevents. Yet it does not seem possible to fit the sorts of cases we would call coercive offers into the idea of preventing a relevant, preferred alternative. Though Zimmerman recognises that one can be made unfree despite being made better off, he does not convincingly explain the sense in which one is, nonetheless, made unfree. I suggest that Zimmerman's account is hampered by the assumption that the only relevant sense of undermining freedom is in terms of prevention. The liberal account of freedom, as I have discussed, assumes that freedom is undermined through constraining one's options. Yet, we need not interpret A as constraining Q to understand Q as coerced. Q can be subject to the will of A even without A preventing or constraining Q's options. I shall say more about this shortly. First, I will address Feinberg's account of a coercive offer, which does not rely on the idea that coercion involves constraining one's options.

Feinberg considers it dogmatic to hold that coercion involves limiting one's freedom.<sup>97</sup> Instead, he recognises that there can be offers which expand one's freedom, and yet, are coercive.<sup>98</sup> For Feinberg, coercion is not about making one worse off, or restricting one's freedom. Instead, Feinberg emphasises a different aspect of coercion. According to Feinberg; '*one person can effectively force another person to do what he wants by manipulating his options in such a way as to render alternative choices ineligible*', which is to coerce.<sup>99</sup> Feinberg states that acts are '*involuntary when the actor is forced to do what he does, whatever his own preferences in the matter*',<sup>100</sup> According to Feinberg, a person need not create the coerced's constrained circumstances to coerce her. The coercer need only manipulate her options. Feinberg suggests, that this can be achieved through an offer, and not only a threat. For Feinberg, the key feature of coercion is the manipulation of a person to act in accordance with one's wishes. This can be done through expanding or restricting one's freedom. Feinberg explains how one can be coerced, without one's options being restricted, giving the following example:

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<sup>95</sup> Alexander (1983), p.162-3

<sup>96</sup> Zimmerman (1983) p.128

<sup>97</sup> Feinberg (1986), p.233

<sup>98</sup> Ibid.

<sup>99</sup> Ibid, p.233

<sup>100</sup> Ibid, p.189

*Lecherous Millionaire*: A mother has a child who is dying but can be saved with an expensive cure, which the mother cannot afford. A millionaire offers to pay for the cure, on the condition that the mother becomes his mistress.<sup>101</sup> The lecherous millionaire's offer expands the mother's range of freedoms, offering a route to saving her daughter. Yet, the mother does not want to become the millionaire's mistress, so is coerced.

Feinberg claims, and I agree, that most would have the intuition that the mother is coerced by the offer. However, perhaps the suggestion that the mother is coerced by the lecherous millionaire's offer is made more plausible, given the nature of the proposal. Our intuitions might be skewed, since the notion of being someone's mistress seems particularly contrary to our moral sensibilities. The case might smuggle in moral considerations. Perhaps we regard the mother as coerced as she is made worse off than she has a right to be. We might think that even if the millionaire has no particular duties towards the mother, making someone their mistress contravenes a morally permissible form of treatment. If the offer were for the mother to perform a less invasive task, or something which does not carry such negative associations, we might question whether coercion takes place. For example, if the millionaire proposed to pay for the daughter's cure in return for the mother reading to him every night, this might seem like a good deal rather than a coercive offer. Perhaps the mother would feel so grateful, she would perform her task of nightly reading happily. At the same time, if the mother resented this task, and abdicated her reading duties as soon as her child was well, on the basis that she was coerced into agreeing, we could make sense of this.

Regardless of the mother's feelings, I suggest that we might still regard such a case as coercive. Moreover, if the task fell in between being as morally innocuous as reading, and as obviously wrong as being someone's mistress - perhaps the mother needs to attend to the millionaire, serving him and cleaning for him - this still seems coercive. And, we can explain why. In all the versions of the scenario, the millionaire would be leveraging the power he has in the situation, and leaving the mother without any option but to serve his will. This, as I will argue shortly, is the core of what coercion involves. I suggest that we might still have the intuition that an interaction, such as the latter one, is coercive, and, we can provide a serviceable account that accommodates this intuition. The pressing question is whether Feinberg can explain the sense in which the mother is coerced.

Does Feinberg offer a convincing explanation for why the lecherous millionaire's offer is coercive? One question it raises is how to understand Feinberg's claim that a coercive offer involves manipulating a person's choice through making their alternative options ineligible. Making options ineligible is not the same as restricting one's choices. However, it is not clear how to understand what Feinberg means by '*rendering alternative options ineligible*' in the context of the case. This would suggest that options that were previously eligible become ineligible after the

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<sup>101</sup> Ibid, p.233

offer is made. Perhaps, the idea is that once the millionaire makes the offer, it becomes ineligible for the mother to opt to do nothing, and allow her daughter to die. Whereas, before the offer, this would have been permissible, perhaps because of it being unavoidable. However, before the offer, the mother only has one ineligible alternative, namely to let her daughter die. So, it does not seem right to say that the offer makes the alternatives ineligible. A proposal might render alternatives ineligible, but it seems very odd in this case to suggest that the mother had an eligible alternative before the millionaire made his offer.

Perhaps, instead, the offer creates an alternative, which is ineligible. The offer means that the mother now has a choice between accepting the offer or declining it and doing nothing, but declining the offer and doing nothing is an ineligible option. This, again, does not seem the correct way to describe the situation. Alternatively, it may be that the offer creates an alternative, namely to become the millionaire's mistress, which is ineligible. Yet, this is not what Feinberg means. It is the alternative to accepting the offer that is ineligible, while the offer is accepted because it is the lesser of the evils.<sup>102</sup>

The very notion of rendering options ineligible suggests that options that were previously eligible become ineligible once a proposal is made. This makes sense in the context of a threat. For example, the highwayman's threat makes B's option to retain his wallet ineligible, as keeping his wallet will cost him his life. Yet it is difficult to understand how an offer has a transformative effect on a person's options. Offers may manipulate a person through transforming how one perceives one's options. For example, B plans to have a quiet night in doing some administrative tasks, anticipating a great deal of satisfaction from completing these tasks. Before settling down, A asks B if he wants to accompany her to a concert of B's favourite performer (A has no one else to go with and doesn't want to go alone). Staying in and doing tasks now seems intolerable to B. A's proposal has manipulated B into doing what A wants, by rendering his alternative prospect ineligible. However, this illustration of how a proposal might manipulate a person without constraining their options does not help support the notion that offers coerce.

First, as this scenario illustrates, Feinberg's explanation does not seem to distinguish between a coercive offer and a merely very good offer. Second, we may question that B's alternative to accepting the proposal becomes *ineligible* rather than merely *undesirable*. Describing an alternative as ineligible suggests it would be unreasonable for B to pursue it. This seems a stretch in the example. Feinberg does not explain how an offer has the transformative effect on one's options - from eligible to ineligible - in the way that a threat does. The thought that mere offers lack this power is why many reject the idea that an offer can coerce.

However, the force of the Lecherous Millionaire case comes from the fact that the mother lacks *any* eligible alternatives. It is against this background that the millionaire's proposal succeeds.

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<sup>102</sup> Feinberg writes, 'there is coercive effect, since B is left with a forced choice between evils, one of which is extreme and intolerable to her, and therefore "ineligible," while the other, that favored by A, is highly repugnant but the lesser of the evils has to choose between.' Ibid., p.247

There need not be a transformative effect on the mother's options for the mother to be forced into doing what the millionaire wants.

I suggest that the difficulties presented by Feinberg's account arise because of the attempt to show how coercion involves a proposal which has an impact on one's options in some way. Though Feinberg thinks that a proposal need not remove an option to be coercive, he seems to assume that a coercive proposal must have some effect on one's options. What Feinberg gets right is that '*one person can effectively force another person to do what he wants*', while expanding one's options. Where Feinberg's account seems to go wrong is assuming that this must be done through having a transformative effect on one's options.

I have, so far, discussed two prominent responses to the puzzle of the coercive offer. Both accounts are helpful at drawing the focus away from threats as being the fundamental feature of coercion. Zimmerman makes central how coercion involves the undermining of freedom, and Feinberg's account centres on how coercion involves one person being forced to do what another agent wants them to do. Both of these ideas seem to get something right. I suggest, however, that both accounts are hampered by the assumption that coercion involves interference with one's set of options; whether through prevention, as in Zimmerman's account, or the manipulation of options, as in Feinberg's.

Feinberg thinks that coercion need not restrict freedom. This seems better translated as the thought that coercion need not restrict one's options. Instead, I agree with Zimmerman that coercion is integrally linked to freedom. But I take this to refer to a different dimension of freedom than freedom as interference, prevention or constraint. Both accounts seem to suffer from the assumption that this is the only relevant set of concerns. While coercion involves a person having an effect on a coercee, this need not be understood in terms of interference, nor any intervention with one's set of *options*. I propose that we focus on how the *will*, rather than the options, of the coercee is impacted by the coercer's proposal.

I suggest that coercion need not involve any interference with one's options. Freedom can be undermined through the undermining of independence, rather than the prevention or manipulation of options. I put forward that B is coerced when B has no option but to accept a proposal that A makes, which subjects B to A's will. This involves a subversion or an invasion of B's will. This seems to better explain what is going on in the Lecherous Millionaire case. It is because the mother lacks any eligible options that the millionaire's offer forces her to accept his proposal. One may subject another to their will without interfering with their options. Moreover, this still involves the undermining of freedom. Yet this is a different sense of a freedom, a relational aspect; one's freedom is eroded through one's independence being undermined by another.

There is more to say about when a proposal subject one's will to another, which I will address shortly. First, I will explain the way in which a proposal undermines freedom in relation to

undermining the independence of one's will, rather than interfering in one's options. I draw on Joseph Raz's account of autonomy, which posits that one of the conditions of autonomy is an independent will and that coercion undermines independence.<sup>103</sup> Coercion undermines independence as it involves being subject to the will of another.

#### The independence condition of autonomy

My aim is to identify an account of coercion that not only is able to accommodate coercive offers, but also seems a plausible conception of coercion overall. My argument is that Raz's account of autonomy helps show that coercion involves the undermining of autonomy through the subjection of one's will to that of another.

The core idea of what personal autonomy is, for Raz, is that one is part-author of their life.<sup>104</sup> To live an autonomous life, one must have the conditions for autonomy, which includes three main elements.<sup>105</sup> First, one must have appropriate mental abilities. Second, one must have adequate choices. Third, one must have independence. Autonomy, in Raz's account, involves a person choosing and pursuing her own ends. So, we may ask, how can an offer violate autonomy when the offer helps the person pursue their ends? Raz's account helps answer this question with two possible responses.

The first relates to his second condition of autonomy; the availability of adequate options. According to Raz, to be autonomous, a person must have adequate options from which to choose. Even if a person makes a choice, which makes them better off, or is made without interference, they may, nonetheless, not be autonomous if they lack sufficient options overall. Raz states that one requires an adequate range of options of sufficient variety, including long-term options of moral significance, as well as short-term trivial options.<sup>106</sup> Additionally, one's choice should not be dictated by the need to protect the life one has set upon.<sup>107</sup> This aspect of Raz's view helps us identify what is wrong with interactions, such as commercial surrogacy or organ selling. We seem unable to straightforwardly regard these choices as coerced, if opted into voluntarily. Yet, where they are pursued due to financial necessity, they might be 'non-autonomous' choices.

However, the adequate options condition cannot alone explain how an offer can violate one's autonomy. It seems clear, in Raz's account, how one can remain non-autonomous despite being made better off, or having one's freedom expanded by an offer. Yet, this does not explain how a person who makes an offer to one who lacks adequate options *violates* their autonomy, and thus coerces them. Additionally, this aspect of the theory is controversial; one may demand more of an answer regarding how we decide, and who decides what is an adequate range of options.

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<sup>103</sup> I am grateful to Michael Garnett for drawing my attention to this aspect of Raz's account of autonomy in discussion.

<sup>104</sup> Raz (1986) *The Morality of Freedom*, p.269

<sup>105</sup> *Ibid*, pp.369-378

<sup>106</sup> *Ibid*, p.374

<sup>107</sup> *Ibid*, p.376

Raz gives further reasons for why our concern with coercion does not just reduce to a concern with options.

First, it is possible to be coerced and to still have plenty of good choices available.<sup>108</sup> Second, constraining options through coercion is usually regarded as a worse form of loss of autonomy than other ways of reducing options.<sup>109</sup> Even if one were coerced to embrace the very option which is both best and preferred for one, coercion would still be problematic. These facts about coercion reveal an additional aspect to autonomy. This relates to the third condition of autonomy and is a second response to the question of how an offer, which makes one better off, can undermine one's autonomy. This is the aspect of independence. My suggestion is that we should focus our attention on this separate dimension of autonomy, which explains how offers may be coercive and gives a richer account of coercion generally. This is the idea that coercion involves one's autonomy being undermined through being subjected to the will of another.

The third of Raz's conditions of autonomy; the independence condition, cannot, as Raz states, be reduced to either of the other conditions.<sup>110</sup> Raz makes clear that autonomy is not merely a question of an individual's set of options and capacities. It is also a social ideal, an aspect of the nature of relations between people.<sup>111</sup> Independence is a concern with one's choices being free from invasion by another. But Raz clarifies that this is not in the sense that another *interferes* with one's options.<sup>112</sup> Instead independence is a concern with how, when one is under the power of another, as a slave is under the power of a master, the way in which one makes choices are perverted, even if one has sufficient options. This is a separate concern to interference. The independence condition addresses how a person '*reaches decision, forms preferences or adopts goals*' in virtue of the relation in which one stands to another.<sup>113</sup>

Raz states that attending to coercion draws attention to this dimension of personal freedom. As Raz writes, '*Coercion and manipulation subject the will of one person to that of another. That violates his independence and is inconsistent with his autonomy*'.<sup>114</sup> Therefore, we can see that coercion undermines freedom, not only in the sense that it interferes with one's options, but in that it undermines independence. Raz seems to characterise coercion as not merely something one person does to another, but a relation in which people stand to each other. As Raz writes, coercion and manipulation '*violate autonomy because of the kind of treatment of others that they are*'.<sup>115</sup> This treatment consists of subjecting the will of one person to that of another, which undermines a person's independence. Given that autonomy requires an independent will, coercion – the subjection of one's will to another – is inconsistent with a person's autonomy.

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<sup>108</sup> Ibid, p.377

<sup>109</sup> Ibid, p.377

<sup>110</sup> Ibid, p.378

<sup>111</sup> Ibid, p.378

<sup>112</sup> Ibid, p.378

<sup>113</sup> Ibid, p.378

<sup>114</sup> Ibid, p.378

<sup>115</sup> Ibid, p.378

This, however, suggests more than one interpretation. Raz could be saying that one's will cannot be independent if coerced or manipulated. However, Raz may also be drawing attention to a separate dimension of coercion. It may be that being subject to the will of another, and the undermining of one's independence, is a way in which one can be coerced. This seems the correct interpretation. Raz elsewhere writes:

forcing persons, and therefore, coercing them to act, invades their autonomy because, first, the person who forces others directly intends them to conform to his will. Subjecting others to his will is either his end or his means to it. And second, the coercer aims at and succeeds in forcing others by restricting their options.<sup>116</sup>

This corroborates the second interpretation, as it makes clear that the fundamental feature of coercion is the subjecting of one's will. This statement also shows that Raz recognises that restricting options is a relevant aspect of coercion, but, not the only feature.

One's will can be subjected to another's in many scenarios, not all of which involve issuing threats or restricting options. An offer may subject B's will to A's when B must comply with A's demands to obtain something B needs. This is how Raz's account helps show that offers, as well as threats, may be coercive. Raz's independence condition seems to allow many more situations to be regarded as coercive than other accounts would permit. I suggest that Raz's account is not only to be favoured because it makes room for offers, but because it provides a better overall account of coercion generally. Not only does the subjection of one's will to another seem to be the unifying feature across cases of coercion, but it seems to identify the wrong-making feature of coercion that makes it distinct from other forms of wrong-doing, such as violating one's rights.

It is important, however, to point out that Raz himself does not extend this account to offers. Raz adopts Nozick's definition of coercion, defining coercive proposals as threats.<sup>117</sup> This seems to present a tension within Raz's view. On the one hand, Raz suggests that coercion does not reduce to a concern with interference. On the other hand, Raz defines coercion as a threat, and thus as a form of interference. This is not necessarily a contradiction; the latter relates to the definition of coercion, and the former may be a question of the normative significance or consequences of coercion.

Yet, I suggest that Raz's focus on coercion, as requiring interference, limits the normative power of his analysis. Moreover, it seems in tension with his emphasis on how coercion does not reduce to a concern with options. Raz focuses on threats for two key reasons. First, he states that this is the usage most relevant to political theory. Second, Raz distinguishes threats from offers, stating that threats reduce one's available options, whereas offers '*never worsen and often improve*' one's available options.<sup>118</sup> Additionally, he notes that it is more difficult to get people to act against their

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<sup>116</sup> Ibid, p.155

<sup>117</sup> Ibid, p.149

<sup>118</sup> Ibid, p.150

interests by making them an offer than by issuing a coercive threat.<sup>119</sup> However, this traditional preoccupation with threats does not justify overlooking coercion that does not take the form of a threat, such as an offer.

Moreover, it is not necessarily true that making an offer never worsens one's options. Sometimes people are made offers which they regret having. An example could be a 'Sophie's Choice' situation, where a mother is offered the chance to save herself and one of her two children, rather than all three perishing. Another example might be the right to euthanasia; it has been argued that this right does not improve a person's autonomy in the morally relevant sense, and, even when exercised wisely, being given this choice harms one. Specifically, having this option exerts a pressure to take this option, even if the patient considers their life worth living. The patient might feel compelled to take the option as not to be a burden to those around her, or out of the perception that others do not consider her life to be worth living. This perception may be exacerbated by the expressive function of the option of euthanasia.<sup>120</sup> To decline certain offers carries a social cost. For example, in a historical context, to refuse a proposal to duel, so as not to risk death, deems one a coward.<sup>121</sup> Or, a far more trivial example is where one is given an invitation which one does not want to accept but would be rude to decline.<sup>122</sup> Receiving offers, that have costly consequences of refusal, may make a person worse off than if they had not received the offer.

The important point is that reducing one's options, or getting one to act against their interests, are not the only relevant violations of autonomy. Subjecting one's will to that of another, as Raz states, is to violate one's autonomy. One's will can be subject to that of another, not only through reducing one's options, or getting one to act against one's interests, but merely by getting one to submit to another. This can be done through offers as well as threats. Therefore, there seems to be an incongruity between Raz's account of the conditions of autonomy, and his account of coercion.

Raz does say that offers raise concern if the person receiving the offer lacks the ability or knowledge to assess it, or, if there are reasons to regard the bargaining situation as unfair or inefficient.<sup>123</sup> It may be that the offers that seem coercive, such as those we have mentioned here, as examples, fall under these categories. However, I maintain that there is no conceptual distinction between offers and threats with regards to their relation to coercion. Therefore, our theory of coercion should apply to threats and offers alike. A preoccupation with threats is a problem. It leads one to overlook cases of coercive proposals that are not threats, and encourages a fixation with identifying whether a proposal is a threat or not. We should adopt Raz's conception

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<sup>119</sup> Ibid, p.150

<sup>120</sup> See Velleman (1992, p.675)

<sup>121</sup> Ibid., p.676

<sup>122</sup> Ibid., p.672

<sup>123</sup> Raz (1986, p.151)

of coercion as the subjection of one's will to another, but apply it to offers in the same way as threats, for an account of coercion that seems more consistent and better meets our intuitions.

#### Coercion as forced subjection to the will of another

I suggest that drawing on the idea of autonomy as independence provides the best account of what is going on in the examples mentioned earlier. The impecunious mother in *Lecherous Millionaire*, the castaway in *Desert Island 1*, the prisoner in *Plea-Bargain*, and the blackmail victim in *Blackmail* all act in their best interests by accepting the offers. Yet, at the same time, they are forced to accept the offer. This is in virtue of having no reasonable alternative but to accept it, and, the terms of the offer put the agents into the service of the one who makes the offer. Perhaps one might worry that other transactions that are not coercive fit this description. Shortly, I shall say more about when an interaction subjects one's will to another. I contend that the account given here is a better account of coercive offers than rival theories, and provides a plausible account of coercion in general. Theorists have struggled to identify the key defining, and wrong-making feature in cases of threats. Suggestions, such as that it is that the coercer proposes to do something wrongful, or intends harm to their victim are vulnerable to counter-examples, as I shall discuss in a later chapter. The suggestion here, that the key feature is the forced subjection of one's will to another can explain what is going on in the case of threats, and is advantageous for accommodating offer cases as well as threats.

Having argued that coercion involves being subject to the will of another, we must note that this notion is not a novel one. Several theorists identify coercion in relation to subjection to the will of another. In fact, Nozick's account of coercion, which is my central target, refers to this idea. Nozick writes:

a person who does something because of threats is subject to the will of another, whereas a person who acts because of an offer is not'.<sup>124</sup>

For Nozick, the feature of being subject to another's will explains why threats are coercive and offers are not. Yet Nozick, in not giving an account of what it is to be subject to the will of another, does not give a principled reason for why only threats, and not offers, have the effect of subjecting one's will to another. A different view is presented by Serena Olsaretti. Olsaretti writes:

we may grant that the subordination of one's will to that of another person, which coercion always involves, makes the latter bad. Some cases of forced acceptance of offers, too, are cases in which one's purposes and will are subordinated to those of another person.<sup>125</sup>

In line with Olsaretti, I take it that the subordination of one's will to another is the central descriptive and normative feature of coercion. I also share the view that one can be forced to accept an offer which makes one subject to another's will. Yet, my account differs to Olsaretti's

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<sup>124</sup> Nozick (1969, p.459)

<sup>125</sup> Olsaretti (2004, p.146)

view, since Olsaretti insists that coercion only occurs by way of threats. Olsaretti claims that if we regard the forced acceptance of an offer as coercive, we stretch the notion of coercion too far.<sup>126</sup> Yet Olsaretti does not give an argument for why this is. My aim is to provide an account of what it is to be subject to the will of another, that makes it plausible to regard offers - which subject one to the will of another - as coercive, as well as threats. In a recent article, Michael Garnett also articulates a conception of coercion in relation to '*subjection to a foreign will*.'<sup>127</sup> Moreover, Garnett defines 'subjection to a foreign will' in a way which applies to offers, as well as threats. I draw on this account, in suggesting what is involved in being subject to the will of another, in the next section.

My account is also influenced by theories which define freedom in terms other than interference. My approach takes it that one's freedom can be undermined without anyone interfering with their options. A person might make an offer to another which has the effect of subjecting one to their will. Yet this has an effect on their freedom in a relational sense, as it undermines the independence of one's will. This has something in common with the republican approach to freedom. This approach argues that freedom is undermined when one is subject to the arbitrary will of another.<sup>128</sup> As I have outlined, the mere *possibility* of arbitrary interference, and not only actual interference, undermines freedom according to this account.<sup>129</sup> Therefore, the lack of freedom is located in the relation that the agents exist in, rather than what one agent does to the other.

My account is similar. As I have discussed, the main way in which it differs is that freedom as non-domination, in focusing on the possibility of interference, still takes interference to be central to freedom. It takes one as subject to the will of another when one is at risk of interference by another. I take it that being subject to the will of another relates to how one's will is orientated. A person can make a proposal which subjects one to their will, not because they could be interfered with, but because their will is now shaped around the other person's will. The independence of their will is undermined. This has the effect of invading or subverting their will. If A says to B 'if you want X, do Y', and B lacks other options to get X, so is forced to do Y in order to get X, B has no option to do Y, because A has made this so. In doing Y, B has orientated her purposes around A's will. This is not best thought of as a concern with interference. This is a different way in which one's freedom can be undermined. It is not that one is interfered with, or at risk of interference but that the independence of one's will is undermined, which has a subverting effect on one's will.<sup>130</sup>

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<sup>126</sup> Ibid. p.152

<sup>127</sup> Garnett (2018)

<sup>128</sup> Pettit (1997)

<sup>129</sup> Ibid., p.107

<sup>130</sup> Garnett similarly explains that his account of subjection to a foreign will is different from Pettit's account of freedom as non-domination. He notes that Pettit is concerned with interference in the traditional sense of prevention. Instead, Garnett takes subjection to be a type of interference, and thus a rival to prevention-focused theories. (2018, p.558)

To further understand the way in which coercion impacts one's will, we might draw on Frankfurt's account of coercion. Frankfurt writes '*coercion must involve a violation of its victim's autonomy. The victim of coercion is necessarily either moved in some way against his will or his will is in some way circumvented.*'<sup>131</sup> Frankfurt's view is that a person acts non-autonomously when their desire to avoid the penalty, or receive the benefit, is so strong that they are unable to resist it. He suggests they must be moved to perform the relevant action without even comprehending whether they wish to, or if it would be reasonable to. Frankfurt claims that the desire or motive must be '*so powerful that he cannot prevent it from leading him to submit.*'<sup>132</sup> Offers, on Frankfurt's account, have the additional feature that, the desire from which the person acts, is one the person would wish not to be moved by.<sup>133</sup>

Frankfurt's view gives a reason for regarding one as coerced without any interference with their options. A proposal is coercive if a person is psychologically unable to resist it. The central normative feature of coercion, according to Frankfurt, is that one's will is not one's own. However, Frankfurt seems to take an overly strict view of when a proposal is coercive, requiring one's will to be completely overcome by a proposal. Yet, it seems that, when one is coerced, one might be capable of making a rational calculation about whether it would be better to submit to, or refuse, the proposal. A mugging victim, paralysed by fear, may be so overpowered by the threat, that she complies, almost without thinking about it. Yet, we can imagine a case where A demands to B "your money or your life", B does not see any weapon being brandished, and so, considers running away instead, or resisting A's threat. Yet, B decides that in case A does have a weapon, the risk is too high, and she would be better off handing over the money. It seems that B is coerced even though B is able to consider whether to submit to, or resist, the proposal.

My account emphasises that coercion involves submission to the will of another. It, therefore, departs from Frankfurt's view, which focuses on coercion as merely acting against one's will. I take coercion to be an interpersonal phenomenon. Frankfurt's account, however, allows that one can be coerced by non-human obstacles, such as an avalanche.<sup>134</sup> We can be forced to act against our will by a merely physical obstacle. However, to suggest that we can be coerced by an object, goes against the consensus in the literature that coercion is an inherently human concept. This is reflected in our ordinary language use; we simply do not tend to apply the term coercion to inanimate objects or natural events. This is not to say that our concept of coercion must reflect how it tends to be used in everyday speech. Nonetheless, it seems that if we are to depart from norms of use attached to our concepts, this needs to fulfil a purpose.

Allen Wood, similarly, regards it as plausible to be coerced by circumstances, without requiring a human agent who is the coercer.<sup>135</sup> He discusses that one may be coerced into staying in a room

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<sup>131</sup> Frankfurt (1973, p.41)

<sup>132</sup> Ibid, p.39

<sup>133</sup> Ibid, p.43

<sup>134</sup> Ibid, p.45

<sup>135</sup> Wood (2014, pp.22-23)

that is locked (regardless of how it came to be locked), or coerced into going a certain route up a mountain due to the weather. This is because Wood opts to use the term coercion synonymously with force or being compelled.<sup>136</sup> Of course, how one employs the concept of coercion depends on one's purpose. Wood is interested in coercion in so far as it means that a person acts in a way they do not choose, because they lack acceptable alternatives.<sup>137</sup> This has importance. Whether one's choices are made freely matters, since this relates to whether one is autonomous. Nonetheless, I suggest that the concepts of force or compulsion are adequate in conveying that a person acts non-voluntarily.

On the other hand, given the use to which Frankfurt puts the concept of coercion, namely, as an effect on one's will which vitiates moral responsibility, it might be plausible to allow that moral responsibility is undermined through actions taken to avoid a naturally occurring danger or obstacle, as much as a human one. Frankfurt writes that *'the effect of coercion on its victim, in virtue of which the victim's autonomy or freedom is undermined, is not essentially due to the fact that he is subjected to the will of another.'* Frankfurt regards the core feature of coercion to be the undermining of autonomy through taking a course of action that goes against one's will. He recognises that our social and political freedom is undermined when we are limited by other people. He also notes that the additional resentment that one feels reflects a sense of injustice, beyond how one relates to nonhuman infringements on our will. Yet, he regards this as *'no more than a matter of useful terminology.'*<sup>138</sup>

Frankfurt insists that *'A man's will may not be his own even when he is not moved by the will of another.'*<sup>139</sup> Choices forced by circumstances do undermine autonomy, which is of moral significance. Moreover, natural circumstances may force one to act in a way that undermines moral responsibility for these actions in the same way that human interference would. Nonetheless, I suggest that coercion be reserved for the undermining of autonomy through obstacles that are caused by human action. There is additional significance to being subject to the will of another, which is not reflected when we employ the concept of coercion in the way Frankfurt and Wood suggest.<sup>140</sup>

Frankfurt's view, defining coercion in relation to acting against one's will, rather than being subject to the will of another, obscures the sense in which coercion is a relation. To say that a person is coerced is to say something about a person's standing in relation to others. The social and political significance of such a relation is not only of terminological importance. Coercion makes a claim on us that constraints due to natural circumstances do not. When one's will is subordinated to another, there is a harm, which may constitute a wrong. The harm is the expression of a lack of respect for a person. The relation of subjection undermines one's moral

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<sup>136</sup> Ibid.

<sup>137</sup> Ibid.

<sup>138</sup> Frankfurt (1973, p.45)

<sup>139</sup> Ibid. p.45

<sup>140</sup> Ibid. p.46

status as an equal. I shall say more about this in chapter four, where I discuss the normative significance of coercion. Next, I will clarify what is meant by being subject to the will of another.

#### When is one subject to the will of another?

Since the notion of being subject to the will of another is central to my proposed account of coercion, it is necessary to clarify what this means. Though I draw on Raz's view that coercion involves the subjection of one's will to that of another, Raz does not give an account of what it is to be subject to another's will. We can, however, refer to aspects of his view to fill in the details. The main elements of what is involved in being subject to the will of another is that first, B has no reasonable option but to comply with A's will; B has no reasonable option but to do X. Second, X is sufficiently related to A's will. Third, B would not do X otherwise.<sup>141</sup>

To expand on these, first, the costs of B not doing X must be sufficiently high. One possibility is that one is subject to the will of another when one's alternative options would fail to enable one to meet their basic needs, for example, if B must comply with A's proposal to avoid starvation. If refusing A's proposal would leave B in an adequate situation, B is not subject to A's will. Yet, we may go beyond merely basic needs as a standard of unreasonable cost. We may regard B as subject to A's will if refusing A's proposal would leave B unable to achieve a decent life, even if B would be able to meet her basic needs. We may invoke Raz's conception of personal needs here, defined as the conditions necessary to '*enable a person to have the life he or she has or has set upon*'.<sup>142</sup> Raz states that a person, to be autonomous, must not struggle to maintain the minimum conditions of a worthwhile life. We might then regard B as coerced to do X when not doing X would deprive B of meeting her personal needs. An example might be Harvey Weinstein's victims. Weinstein did not threaten his victims with violence but with ending their career as film stars if they did not acquiesce to his sexual demands.<sup>143</sup> Though refusing his demands would not compromise his victim's basic needs, it is an unreasonable cost that they would lose the career they had set upon. Therefore, they were subject to his will, and, thus, coerced.

Perhaps, the worry, again, arises that we are only persuaded that S is subject to H's will because the context of sexual demands skews our intuitions. We may substitute the sexual demand for personal favours, such as, 'I will cast you in the film if you make me tea' or 'pick up my kids from school'. Perhaps one may doubt the moral force of regarding S as coerced if S complies with demands such as these. One might also question the strength of the claim that S is coerced if refusing the proposal would not leave her in a state of deprivation. I agree that this sort of case may not raise moral concern at the level that we usually associate with coercion claims. Yet, I regard this as a separate question; concerning the moral significance of coercion. I address this

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<sup>141</sup> This account of what it is to be subject to the will of another draws heavily from Michael Garnett's 'Coercion: The Wrong and the Bad', 2018

<sup>142</sup> Raz (1986, p.152)

<sup>143</sup> This puts aside the point, which I shall discuss later, that the sexual demands of a man always carry the possibility of violence when refused even when no explicit threat of violence is made.

in a later chapter. We might identify one as coerced without having first established whether S is wronged.

A further clarification to the condition is that it is not necessary that the cost to B of not doing X be immediately experienced. For example, B may do X because A, her boss demands it, even if B does not fear that she will be fired on the spot if she does not do X. Our account of being subject to the will of another must account for patterns of behaviour and long-running relations between people, and not only one-off interactions.

For further detail to this first condition; whether a proposal subjects a person to the will of another is relative to the goals, preferences and aversions of the person. I regard it as sufficient that a person takes themselves to have no choice but to submit to A, even if they are mistaken. For example, B does X because B believes that A demands it, but in fact, A demands Y, or A only implied that he demands X. It is important to assess B's subjective beliefs about the situation. Yet, we must take an objective perspective on how bad B believes the consequences of not doing X to be. For example, B must believe that not doing X will bring about serious harm, rather than minor inconvenience. Yet at the same time, this assessment must be sensitive to B's particularities. For example, if A demands 'do X or I will throw some buttons at you', objectively this is not a serious consequence, but if B has a morbid phobia of buttons, this is a serious consequence. This is to take an objective assessment of B's subjective belief.

A final clarification is that I do not take mere subjection to the will of another to count as coercion. I regard coercion to be where one has no option but to be subject to the will of another. I illustrate the difference with the following example.

Army 1: B joins the army because he wants to serve his country. Through joining the army, B is subject to the will of A, his commander. B must obey A's rules, directives, orders and wishes. B is not coerced as he opts into this interaction, and B can leave the army if he decides to.<sup>144</sup>

Army 2: B joins the army because B has huge debts, lacks an education, and sees no other way of earning a livelihood. Through joining the army B is subject to the will of A. B is coerced through this interaction as B is forced to be subject to the will of A.

One may doubt that B is coerced here since A does not coerce B. Rather, B is forced by financial necessity into this interaction. I will address this point in the next chapter. B in Army 1 is subject to the will of A because disobeying A carries unreasonable costs for B, for example, severe punishment, or having to leave the army, which is his chosen goal. Yet the voluntary nature of this interaction means that B in Army 1 is not coerced. The involuntary nature of the interaction in Army 2 means that B is coerced. Therefore, it is relevant to coercion whether one faces a

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<sup>144</sup> This latter point is not strictly true, as leaving the army carries huge costs and penalties. The reality is not that one can simply leave. Therefore, the example of the army complicates matters, but I will put this complication aside here.

constrained set of options. What I take not to be integral is whether one's options are constrained by the other agent in the interaction. Again, I will discuss this further in the next chapter.

The second condition is that B does X because X is A's will. This requires X to exercise some form of discretionary power. To be subject to A's will means that B must serve A's interests, obey his commands, or meet his wishes. For B to be subject to A's will, it is not sufficient that B does X and X happens to accord with A's will. However, the way in which A gets B to do X need not be wholly intentional or active in the sense that A specifically manipulates B's options to get B to do X. It is generally assumed that one cannot be coerced by accident.<sup>145</sup> Yet, I suggest that the impact of inequalities of power on interactions may make it plausible to regard unintentional subjection to one's will as possible. For example, if B works for A, and A has made it clear that the more personal favours that B performs for A, the more likely it is that A will continue to employ B (and B needs the job to avoid destitution), if A brings in his suit to work and announces 'I need this suit to be dry-cleaned', B may interpret this as an instruction, and take the suit to be dry-cleaned, when in fact, A was announcing his own intention to take his suit to the dry-cleaners.

In isolation, this interaction may not constitute coercion, but may be an instance in a wider, coercive set of relations. Purely accidental coercion may seem unlikely, or morally unproblematic. However, in many cases, unintentional coercion may not be purely accidental because, due to contextual features of the situation, a person understands themselves as needing to serve the will of the other. Therefore, I do not hold intentionality as a condition of being subject to the will of another. I shall say more about the structural features of interactions and how these operate beyond the propositional content of a proposal in chapter three.

The third condition requires there to be a divergence between A's will and B's will; B experiences A's will as a foreign, or an alien will.<sup>146</sup> This means that B does X because X is A's will, and not because of B's independent reason for doing X. As Frankfurt puts it, when Q is subject to P's will, '*Q's motive is not one which Q wants, but one which P causes him to have.*'<sup>147</sup> This does not mean that these do not coincide at times. B may have reason to do X, but if B does X because A commands it, B is subject to A's will. For example, if B sees A looking bedraggled on the street and plans to give him some money, but before she does, A pulls out a gun and demands her money, B is coerced into giving the money. Some cases may count as coercive when B would have done X anyway, but is subject to A's will when B does X, because A made it impossible for B not to do X.

At other times, B acts from her own motivation, despite A's threat or command to do X, and, therefore, is not subject to A's will when she does X. For example, A demands that B tidy her room, otherwise, her hi-fi will be confiscated. If B has a huge urge for her room to be clean, perhaps overpowering any worries about the hi-fi being taken, then B is not subject to A's will when she tidies her room. This might seem like a case where A's threat lacks normative power, but this is

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<sup>145</sup> Nozick (1969), p.444, Baron (2014), p.104, Garnett (2018), p.562

<sup>146</sup> Garnett (2018)

<sup>147</sup> Frankfurt (1973), p.45

because B's will is overriding in the case. Perhaps on a different day, when B is feeling lazier, the very same threat would be effective in overcoming her reluctance to tidy the room. Moreover, it may be that B planned to tidy her room but when B makes the threat, A finds herself being moved by the threat, rather than her own urge to tidy the room. In this case, A's threat undermines the independence of B's will, and B's will is frustrated, even if there is no conflict between A's will and B's will. It may not always be possible to ascertain, from an outside perspective, whether A's proposal or B's will, is operative in a case, and therefore whether B is subject to A's will.

I also take B to be subject to A's will when B does X only because A wills that B does X, even if A wills that B does X because X is in B's interests. Cases of paternalism are such an example, and count as cases of coercion. On the other hand, there are times when A commands B, but B is not subject to A's will, when A commands X in order to serve B's will. For example, if B is in a dangerous situation and has no option but to obey A's commands, but A is a rescuer and commanding B to do X in order to save B's life, B is not subject to A's will (assuming B wants to live). This is a case where A shapes his motivation in accordance with B's will. Therefore, B is not subject to A's will. Where A's proposal is sufficiently attuned to B's will, B may not count as being subject to the will of another, even when B has no option but to comply with the proposal.

This confluence of factors constitutes being subject to the will of another. The idea is that a proposal, even when it makes one better off, can make a person subject to the will of another, by fulfilling its terms. The interaction improves one's material position, but puts one in an inferior position, in a relational sense, relative to the one who makes the proposal. Such interactions tend to result from unequal positions of power, but the sorts of cases we are concerned with also create or reinforce an imbalanced relation of power.

I have set out that the core feature of coercion is the subjection to the will of another. One is coerced when one has no reasonable alternative but to be subject to the will of another. I suggested that this account helps meet our intuitions that a person is coerced in cases of offers, which a person cannot reasonably decline. A coercive offer is an interaction in which, by accepting the terms of the offer, the person becomes subject to the power or control of another. However, there may be an objection to this suggestion that I have gestured at, but not sufficiently addressed. This is that such interactions are cases of exploitation, rather than coercion. I am interested in cases where A makes a proposal to B, who is already in disadvantaged circumstances, rather than creating these vulnerable circumstances. Yet, this is, commonly, how one distinguishes between coercion and exploitation, as in Zimmerman's account above.

Coercion is thought to require A interfering with B's options, to get B to comply with A's will. Exploitation is thought to involve A merely making use of B's circumstances to subject B to A's will. It might seem that, by suggesting that a person might be coerced even when their vulnerability is merely taken advantage of, I am ignoring the normative function of exploitation. My account may seem to collapse exploitation and coercion into each other. Instead, I take it that

coercion and exploitation often overlap, particularly in the sorts of cases that raise moral concern. Given that coercion tends to occur between agents situated in an unequal power relation, many cases of coercion are cases of exploitation, since both concepts involve a powerful agent taking advantage of the vulnerability of the weaker agent. Yet, coercion and exploitation pick out different normative concerns.

Coercion, at root, is concerned with not acting from an independent will, whereas, exploitation is concerned with unfair gains. Both have in common that they involve taking advantage of a vulnerability. Both usually arise in the context of relations characterised by a power imbalance, as well as having the effect of reinforcing unequal power relations. Yet, there are cases of exploitation that do not count as coercive. If I sell you a t-shirt that should have cost £5 for £500, I have exploited you. However, unless you had to buy that t-shirt to avoid some great harm, I have not coerced you. More importantly, there are cases that fit into the account of coercion that I have set out, that do not seem to be captured by the idea of exploitation. I am not able to subject the concept of exploitation to a thorough conceptual analysis here, so I draw only on a broad notion of what exploitation is. Yet, although accounts in the literature differ in their details, there is a consensus that exploitation involves taking unfair advantage of a person's vulnerability to extract gains for oneself.<sup>148</sup>

One example of a non-exploitative coercive offer is the *Plea-Bargain* case from Nozick. The criminal accepts a coercive offer to rat out his accomplices, yet the police do not seem to gain more than the criminal, nor does their benefit seem unfairly gained. The prisoner seems coerced but not exploited. However, not all definitions of coercion require unfair advantage, it might suffice that the person merely gains. Yet there are coercive offers that are not exploitative because the offeror does gain any benefit from the interaction. A may make a coercive offer to B that B accepts, which A does not gain from. It is sufficient for coercion that A sets terms with which B must comply, even if these terms do not serve A's interests. Perhaps A demands that B engage in humiliating behaviour, as a show of A's power, which does not benefit A. For example, A asks B to 'bark like a dog' in order to receive money that A will give B. We might think that A gains from this display of power, but it seems misleading to describe this as a case of exploitation.<sup>149</sup>

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<sup>148</sup> See Marx [1847], Feinberg (1990), Wertheimer (1996), Zwolinski and Wertheimer (2016), Wolff 'Structures of Exploitation' (forthcoming)

<sup>149</sup> A recent case of a coercive offer illustrates this point. A homeless man was offered money by a group of men on a stag party to tattoo words, of their choosing, on his forehead. Though such a case is rare and not indicative of wider societal relations, it demonstrates the important point here. The case illustrates how people in a position of relative power can take advantage of another's vulnerability to subject him to their will. This interaction constitutes coercion, and does not collapse into exploitation. The core moral feature is that the men subjected the homeless man to their will, not that they extracted benefits from his vulnerable situation. However, perhaps humiliating the man was a form of entertainment for the men. Therefore, the interaction did, perhaps, involve taking advantage of another's vulnerability in order to receive a benefit. Yet, even if we regard this case as counting as exploitation, this does not capture its full moral significance. There is a separate, though perhaps, overlapping, concern with the coercion of the homeless man, through the offer. The men subordinated the man to their will, through getting him to obey their commands, even if this made the man materially better off.

'Homeless man paid to have forehead tattooed 'did it in desperation'' 6th August 2018, *The Guardian*, <<https://www.theguardian.com/world/2018/aug/06/homeless-man-paid-forehead-tattooed-desperation-benidorm>>

There are also offer cases involving being subject to control, which seem coercive yet not exploitative, particularly involving people in poverty. For example, later in the thesis I will discuss that welfare benefits which require people to adhere to strict conditions, such as proof of seeking work, in order to be entitled to continued receipt of benefits, may be coercive. Those who enforce these conditions do not gain from the interaction. However, such a case might seem more accurately described as involving a threat to take away benefits, rather than a coercive offer. Yet, there are other cases of conditional giving that are relevant. For example, some forms of charitable donations require the recipient to make changes to their life demanded by the donor. Or, there are cases of less powerful countries adhering to strict terms, such as to restructure their economic system, in order to receive the benefits of trade with powerful countries.<sup>150</sup> In such cases, the more powerful party sets the terms of the interaction. Yet, it is possible that the weaker party gains from the interaction, but the stronger party does not. These are not cases of exploitation or coercion by threat, but are most plausibly regarded as coercive offers.

I, therefore, regard exploitation and coercion as doing different types of moral work because they emphasise different normative features in a case. Nonetheless, the reasons we have for being concerned about coercion and exploitation might be similar. Both involve unequal interactions, whereby, the aims and goals of one person are in some way subject to the superior power of the other. This also seems the case in related concepts such as manipulation and indoctrination. The moral significance of this family of concepts relates to the imbalance of power undermining, in differing ways, the autonomy and moral status of the weaker party, when they transact or interact with the stronger party.

### Conclusion

In this chapter, I raised the question of whether there are genuinely coercive offers. The particular puzzle posed by the notion of a coercive offer forces us to scrutinise the dominant accounts of coercion in the literature. I argued that accounts that do not leave conceptual space for cases that involve genuine offers that are coercive are limited accounts of coercion. While such accounts may serve distinct purposes, I suggested that, given their limitations, they cannot account for all cases of coercion that we encounter in theory, and more importantly, in reality. Therefore, there is a need for an additional account beyond the dominant account. My aim was to identify an account of coercion that can accommodate coercive offers, not as a separate aspect to the theory, but where the definition of coercion applies to offers and threats alike. Additionally, my aim was to identify an account that presents a plausible account of coercion overall.

The weakness of the dominant accounts of coercion is that they focus too heavily on the question of whether a proposal makes one better or worse off in relation to a baseline. They concentrate too heavily on the role of the coercer in constraining or interfering with one's options. This overlooks other morally significant features of coercive situations. I looked at other accounts

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<sup>150</sup> The terms of The Washington Consensus tend to be regarded as having been coercive

which do not define coercion in relation to a baseline, but according to other morally relevant features. Yet, I argued that such accounts still assume a notion of freedom in relation to constraining, preventing or interfering with options.

I have argued that Raz's account of coercion, while not a defence of the concept of a coercive offer, helps provide the strongest explanation of what goes on in cases of coercive offers. Raz draws attention to a notion of freedom as independence of one's will, rather than interference with options. We should, I argued, recognise a relational aspect of freedom, that tends to go overlooked. The central feature of coercion is that it involves the subjection of one person's will to that of another. This undermines the independence condition of autonomy. This notion of autonomy best explains what goes wrong in cases of coercive offers. It is looking at cases of coercion, which do not reduce to a concern with how one's options are affected by another, which draws attention to this dimension of autonomy. In this way, our study of coercive offers, and our investigation of freedom both enhance our understanding of the other.

Part of the motivation for exploring this particular puzzle in the literature is that there are contexts in which the possibility of a coercive offer presents itself. One such context is people in a situation of poverty. People in poverty face such limited options that, commonly, a proposal to do something which we might consider a bad choice - because for example, it involves physical or psychological harm, such as hard-labour, servile or subordinating tasks, invasive use of one's body - is experienced as an offer. This is because it makes a person better off through the promise of remuneration. Yet, there is a distinct way in which a person, in such a situation, has their will frustrated through being forced to do such work. Moreover, the work is not merely bad, but involves being subordinate to the will of another. As I shall discuss, people in such situations often regard themselves as forced into a situation or relationship which undermines their independence. Yet, the insistence that one cannot be made better off and coerced and the same time means the normative significance of such choices gets overlooked. The central focus on threats in our dominant theories of coercion makes such cases marginal ones, or problem cases in our theoretical framework. Yet, in reality, such cases confront us frequently and are of central moral significance.

People who face poverty are particularly vulnerable to being subject to the will of another. This is because their limited options, and lack of means, makes them dependent on others to meet their needs. There is a distinct phenomenon of people in vulnerable circumstances ending up forced to submit to the will of people in more advantaged positions. This is not limited to circumstances of poverty, but, as I shall suggest in a later chapter, the more extreme and obvious harms of poverty mean that this aspect tends to go overlooked, which makes it an important focus of our concern. This phenomenon seems insufficiently addressed in the philosophical literature and under-theorised. I suggest that the framework of coercion, understood in a way which goes beyond the limitations of the dominant accounts of coercion, provides a route to grasping the significance of the impaired choices made by those in poverty. The next chapter will address a

further limitation of dominant accounts, namely their individualistic perspective. I will put forward the view that coercion operates in a structural way. The chapter that follows engages with the question of the moral significance of coercion. I pursue some of the possible concerns, raised in this chapter, regarding whether I define coercion in a way which identifies coercion too broadly, and in a way that lacks moral force. The final chapters turn to discussing the issue of poverty more directly and unequal relations more broadly.

### Chapter three: Structural Coercion

In the previous chapter, I put forward an account of coercion as the forced subjection to the will of another. I argued this makes it plausible to regard coercion as occurring through offers. My argument, I suggested, helps make the case for why we might regard people, who lack sufficient options due to poverty, as in a coercive situation when they accept work offers which subject them to the will of another. I countered the widely held assumption that a person cannot be coerced in a situation involving an offer. Yet, there is another dominant assumption which might undermine the idea that poverty, itself, gives rise to coercion. This is that coercion only occurs where there is a coercing agent.<sup>151</sup>

Coercion is thought to be an inherently interpersonal phenomenon. Most theorists dismiss the idea that any case of being forced to do something due to lacking options is coercion. They rule out, for example, that being forced to turn back due to a storm counts as coercion. Instead, it is widely held that coercion is when one is forced by *a person* to do something, due to a lack of reasonable alternatives. Additionally, coercion is thought to involve a person *deliberately creating* a situation where one lacks reasonable alternatives but to submit to their will. Generally, in the literature, coercion takes the form of 'A makes a wrongful threat to B to get B to do what A wants'.<sup>152</sup> We might refer to this as 'the simple model'. The simple model makes ineliminable reference to an A, who is a coercing agent. Yet, in many cases in which someone is forced to sell their labour from a situation of poverty there may be no individual agent, A, who is responsible for the worker lacking sufficient options, and thus, no agent who can be said to be the coercer. This would seem to make implausible, from the outset, the suggestion that B is coerced when she has no reasonable options, due to poverty, but to accept A's proposal, which subjects B to A's will. Such cases do not fit the simple model. Yet, I argue that this should not lead us to rule out such cases as coercive.

I argue that the simple model is under-motivated. I give two arguments. First, I give an internal argument which aims to show that, given what proponents of traditional accounts believe about a case, making only a number of moves within the case should lead them to expand their conception of coercion. I suggest that we may have the intuition that one is coerced when there is no coercing agent, according to the typical criteria for who constitutes a coercing agent. Second, I give an external argument that draws attention to structural features of society and the need to better theorise about them. This is my primary argument, namely, that it is implausible to require that coercive interactions fit the simple model of coercion.

Many scenarios, in reality, which call for a coercion-based analysis, exhibit greater complexity than the simple model can accommodate. Therefore, such a model of coercion is not easily

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<sup>151</sup> See Olsaretti (2004), p.145, Baron (2014), p.104, Zimmerman (1981)

<sup>152</sup> See Nozick (1969), Wertheimer (1987), Pallikkathayil (2011), Lamond (2013)

applicable to 'real-world' cases. This includes cases commonly regarded as paradigmatic cases of coercion, such as state coercion. I also point out that some theorists, such as Nozick, adopt the simple model, while regarding interactions, such as state taxation, to be coercive. Such theorists would rule out that poverty can be coercive where there is no coercing agent, yet object to coercion in cases where we cannot easily identify a coercing agent. This contradictory set of beliefs provides further motivation to resist the objections of those who argue that poverty does not give rise to coercion where there is no coercing agent. I argue that the simple, standard model is hampered by its inability to consider how coercion could occur without a coercer, given its inherently individualistic focus. Instead, we might offer an alternative to the standard model, a broader, social model of explanation. One which attends to power relations, and which makes the idea of structural coercion, central.

This chapter puts forward my 'structural thesis', the view that people can be subject to the will of another due to structural factors and not only through the intentional actions of identifiable individuals. In the chapter, I introduce the notion of structural coercion. This is the idea that people are coerced as a result of structural arrangements limiting one's options, leaving one no reasonable alternative but to be subject to the will of another. First, I outline different possible meanings of the requirement for a coercer, arguing that none of the interpretations make it plausible to rule out coercion in the absence of a coercer. I present a series of variations on a paradigmatic case to show that the case still seems coercive, even when we relax the conditions for the coercing agent. I then aim to demonstrate that the standard model of coercion, which grounds the assumption that coercion requires a coercer, prevents us from dealing with important, complex cases. In particular, it excludes cases that are considered paradigmatic cases of coercion, despite the lack of a clear coercer. I offer two examples to support my argument that the simple model is too limited; the coerciveness of law, and sexual coercion. I then put forward the notion of structural coercion.

#### The agential requirement of coercion

Most accounts of coercion take for granted that coercion requires a coercer. These accounts make reference to an 'A' who coerces 'B'.<sup>153</sup> This requirement seems to follow from what the dominant definitions of coercion take to be an essential feature, namely the making of threats. If coercion requires a threat, then coercion must involve someone who makes a threat. Additionally, some writers *explicitly* insist on the need for a coercer. One theorist claims: '*there is no coercion without a coercer, and the coercer has to coerce intentionally.*'<sup>154</sup> I suggest that the requirement for an intentional coercing agent is not only a feature of the dominant understanding of coercion. It is a product of the individualistic assumption that characterises our approach to questions of wrongdoing, generally. There is a common assumption that if we are interested in claims about justice

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<sup>153</sup> See previous footnote

<sup>154</sup> Baron (2014), p.104

or morality, we must be able to trace outcomes to the actions of individuals. However, as some theorists have aimed to demonstrate, this assumption is under-motivated.<sup>155</sup>

This individualist assumption is rejected by the structural approach to justice, articulated, most prominently, by Iris Marion Young.<sup>156</sup> Young's theory of structural injustice identifies wrongful outcomes in the absence of clearly identifiable wrong-doers.<sup>157</sup> The approach argues that the orthodox view that wronging requires a clear wrong-doer, and is identified in relation to individual interactions, leads us to fail to attend sufficiently to wrongs that operate structurally. This individualistic presumption carries through to other forms of wrongings. It grounds the assumption that coercion requires a coercer. The structural approach is motivated by the powerful thought that, by attending only to individual interactions, we overlook harms and wrongs that are apparent when we look at the operation of society as a whole. Recognising that wrong-doing need not be attached to the intentional actions of individual agents gives us reason to rethink the assumed structure of coercion. I shall say more about the structural approach later. Presently, I wish to address the simple model in the context of hypothetical cases of coercion. I will suggest that when we change aspects of the simple model in an imagined case, the intuition that coercion takes place persists. Later, I will argue that we should reject the simple model as the only relevant model of coercion because of the implications it has for *actual* cases.

First, we must ascertain what is meant by the idea that coercion requires a coercer. Though it tends to be taken for granted that coercion requires a coercer, what this means is not fully clear, and often taken to mean many things at once. Requiring a coercer for coercion might mean that a person is coerced only when an agent has shaped their choice circumstances, for example, by making a threat. It might mean that there must be an individual agent, or that the agent who removes B's options must be the agent to whose will B conforms. Another thing that is meant by the thought that coercion requires a coercer is that coercion requires a wrong-doer. We can get clearer on which of these are plausible requirements by setting out a paradigmatic case, then changing its details, to discover what the relevant significant features are. According to the simple model, A makes a threat to B to get B to do what A wants. The paradigm example is a highwayman who pulls a gun to a passer-by and demands "your money or your life", and the passer-by hands over the money.

First, we can test whether there is any relevant difference if the coercer is one agent or several. Imagine that there is one lead highwayman who demands the money, and several others who are holding the weapons. It may be that they are all working together and will divide the money. So, when the lead highwayman demands the money, against the threat of the other agents' weapons, B is subjected to all their wills. The fact that *multiple* agents pose a threat instead of a *single* agent makes no difference, it seems, to whether the interaction is coercive.

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<sup>155</sup> Young (2011)

<sup>156</sup> *Ibid.*

<sup>157</sup> *Ibid.*

Must it be a single agent to whose will B is subject? Again, the previous case undermines this thought, and another simple case makes it implausible. If there are three highwaymen who all demand in unison “place your wallet on the ground or we will shoot you”, the fact that we cannot individuate one agent to whose will B is subject does not make B any less coerced by the three highwaymen. It makes sense to think of an agent being subject to the will of many agents, or a group of agents. Perhaps the issue is that there must be an *identifiable* coercer, rather than a single coercer. This means ruling out cases where we might think that B is coerced yet there is *no one* to whose will B is subject. I agree that such cases do not count as coercion. However, I will argue that we might identify quite widely what may count as a will to which B is subject. I shall say more about this later.

Now we should consider whether it is possible for B to be coerced when it is A who reduces B's options, but C to whose will B is subject. For example, let us imagine that A brandishes a gun to B and says ‘I’ll shoot you...’, but before he finishes his sentence, C appears and says “...if you do not hand over your money to me”, and A says nothing more. B does not know if they are working together or not, in fact they are not, but A decides to stay silent to see how best to turn the situation to his advantage. Is B coerced by A or C? Or is it both? If A restricts B's options so that B has no alternative but to accept C's proposal, we may doubt that B is coerced by A or by C. But, it seems clear that B is coerced into accepting C's proposal. Once we allow a separation between the constraining of the circumstances and the subjection to one's will, we might suggest that there need not be *one* agent who *both*, limits B's circumstance and subjects B to his will. Moreover, there need not be *any* agent that limits B's circumstances for B to be coerced.

Must the coercer interfere with B's choices or merely make use of them? What primarily makes an interaction coercive, I take it, is that A is able to get B to comply with his will. It thus seems equally coercive if rather than issuing a threat, A puts B in vulnerable circumstances, or removes B's options, to place B in a position where B has no alternative but to agree to A's proposal. For example, if A hides B's vitally needed medication and then offers to produce it if B gives him a huge sum of money, this amounts to the demand “your money or your life”. A will only allow B to live if B hands over the money. Such a case is clearly coercive. The case to compare this to is where A picks out B, who is in vulnerable circumstances, to get B to do what A wants. The difference is that A does not create B's bad circumstances and only makes use of them. This, perhaps, makes A less morally culpable. Yet the case still seems coercive (as well as, perhaps, exploitative).

If we include cases - where A intentionally leverages B's bad circumstances to get B to do what A wants - as cases of coercion, we may consider cases where A does not specifically prey on B. We may include cases in which A encounters B and uses B's vulnerable circumstances to get her to do what A wants. Does this make a relevant difference? A still undermines B's autonomy by compelling B to act in accordance with A's wishes, by making use of her bad circumstances. Perhaps this situation seems better described as exploitation. Exploitation, loosely defined, is when A derives benefits from B by taking advantage of B. However, as discussed in the previous

chapter, while coercion and exploitation overlap, this is not a reason to insist that the interaction constitutes exploitation if our intuition is that B is coerced.

Must an interaction involve wrongful action to count as coercion? In many example cases of coercion, both according to moralised and non-moralised accounts, we can identify a wrongful intention on behalf of the coercing agent. Yet, there are also cases in which there is no wrongful intention. As an example: Albert makes a threat to Beth, his sister, that he will uninvite her from his 40<sup>th</sup> birthday party unless Beth clear out all the drugs in her house. Albert's threat does not violate Beth's rights; Beth does not have a right to go to Albert's party. Moreover, Albert does not have a wrongful intention, as his threat is aimed at helping his drug-addicted sister improve her life. My claim is that we find this interaction coercive, but permissibly so. This suggests that a wrongful intention, or motivation, is not necessary for coercion. Some might consider such a case impermissible paternalism.<sup>158</sup> Yet, some cases of paternalism constitute coercive interactions.

Nonetheless, it is assumed that *an* intention is required for coercion, even if not a wrongful intention. Most accounts take it that A must intend to limit B's options, or intend to subject B to his will for A to coerce B. It is commonly insisted that accidental coercion is not possible. We might imagine a case where B misinterprets A as making a threat. For example: A is a charity collector, working late at night, asking people for money. B thinks she is being mugged and hands over her money to A terrified. We may have the intuition that B's giving the money is coerced, but that A did not coerce B, or that A coerced B without intending to. Nozick argues that B may think she is coerced, but, as she is not coerced by A, she is not, in fact, coerced.<sup>159</sup> There may be a principled reason for this stance. For example, if we are interested in coercion as something that makes an agent's action blameworthy, we might doubt that there is such thing as accidental coercion. If this is not our purpose, we need not resist the thought that B is coerced, even if A did not intend to threaten B.

I conclude this part of the chapter by claiming to have shown that when we change a paradigmatic case of coercion so that there are multiple agents, no interference by A into B's circumstances, and the absence of a wrongful intention, our intuition is that B is, nonetheless, coerced. This suggests that the requirement of an identifiable coercer for coercion to occur is overstated in the literature. It is not necessary that an agent interferes with B's situation for B to be coerced. According to the most plausible interpretations of what is meant by the requirement for a coercing agent, it seems that coercion can occur even when these requirements are not met. My approach here was to take a case which fits the simple model and relax various features of the case to show that these features are not necessary for coercion. However, one might question whether a proponent of the standard simple model of coercion would be committed to the other scenarios presented here. These proponents would not regard these alternative cases as coercion if presented with them outright. Therefore, we might question whether this reveals inconsistency

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<sup>158</sup> Shiffrin (2000), p.216

<sup>159</sup> Nozick (1969), p.444

on their part, or an illegitimate path-dependent line of reasoning. Perhaps, the plausibility of the claim that the case still seems coercive when the central features are changed *presupposes*, instead of helps to prove, the sort of view of coercion that I claim is plausible. Proponents of the dominant view might simply not share the intuitions that the variations of the paradigm case are still cases of coercion. Perhaps then, the aims of my approach should be more modest. Rather than intending to show the validity of the claim that coercion does not require a coercer, it should make the point that it is not obvious which features of the simple model are central to coercion and why.

The paradigmatic case takes the form 'A wrongfully restricts B's options so that B will be made significantly worse off if she does not comply with A's will'. The traditional conception of coercion excludes cases that do not fit this simple model. I aimed to show that more cases than usually recognised fit the simple model, by relaxing the requirements for what constitutes the coercing agent. I took the paradigmatic case of coercion and changed it so that the relevant elements of coercion are still present, even when we weaken the requirements for a coercing agent. However, it might be that the simple model of coercion is not the appropriate starting point. It is too narrow, and we are not justified in regarding each of its features as necessary for coercion.

Most importantly, the simple model does not accommodate all the cases we would regard as coercive. Some real-world cases are simple enough to fit this model, for example, one person mugging another. The problem with the simple model of coercion, however, is that it leaves us unable to identify cases that are more complex, yet, seem to count as coercive. In the next section, I aim to undermine the dominant approach to coercion, not by arguing that its requirement for a coercer is unnecessary, but by claiming that the simple model, itself, is problematic. This is because it is unable to accommodate complex, yet normatively significant, cases of coercion.

#### Against the simple model of coercion

The Stanford Encyclopedia of Philosophy's entry on coercion suggests some key applications for the concept of coercion. It states:

We may want to know whether and under what circumstances workers are coerced into working, either in particular jobs, or in general. It may also be of interest to know whether sexual harassment in workplaces or schools is coercive, for purposes of justifying a legal response to it. Those who design medical and other human-subject-based experiments need to be able to determine whether their subjects participate freely or under coercion. More generally, market economic transactions are thought to add to overall welfare (economic efficiency), but only if they are performed freely, which includes their not being coerced. The possibility of relying on ballots, survey data and other communications will also depend on whether such responses are given free from coercion.<sup>160</sup>

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<sup>160</sup> Anderson, S. (2011) 'Coercion', *The Stanford Encyclopedia of Philosophy*

It is clear that we cannot ascertain the coerciveness of such possible cases by applying the simple model. These interactions may not involve the making of threats, or only implicit but not explicit threats, they may not involve rights violations, or an identifiable coercer, and may involve a person becoming materially better off. To rule out that such scenarios are coercive because their features stray from the simple model would be dogmatic. Yet, instead of trying to fit these cases into the simple model, we might allow space for an alternative model of coercion, in addition to the simple model.

This is not to say that the simple model can never be applied to real-world cases. Some interactions may closely reflect the simple model. For example, cases regarding the defence of duress for criminal liability, cases of information revealed under torture, or cases of forced marriage, where a girl or young woman is faced with threats of violence from her family if she does not marry someone they have chosen. These interactions involve one person making a threat to another, which violates their rights, in order to get them to do something. Moreover, in such cases, we can, having ascertained that coercion occurs, regard the person as wronged, or the contract void, or the person excused from moral responsibility, due to being coerced. The simple model has an important role. Yet, there are many scenarios that the simple model excludes as coercive. In some cases, this is because the central features of the simple model are absent. In other cases, it is because they are more complex than the simple model allows for. The simple model is unable to conceptualise such cases as coercive or not coercive.

This is not only true of the more marginal, or difficult, cases I am interested in; cases of coercive offers made in conditions of poverty. It also has implications for cases that are usually regarded as paradigmatically coercive, such as the coerciveness of law. It is not thought wrongful for a just state to limit the options of its citizens, nor is it evident who is a relevant coercing agent. Additionally, the simple model does not fit with cases of coercion that are especially pernicious, for example, blackmail. In some cases of blackmail, the blackmailer does not make a proposal that is independently wrongful, nor does the blackmailer make the other worse off than they would usually be, or are entitled to be. I shall say more about the case of blackmail in the next chapter. In the next sections, I will discuss two scenarios that are thought to involve coercion, which do not fit the simple model, both of which are frequently confronted in reality.

In the previous chapter, I argued for why we should not rule out the possibility of coercive offers. I argued that requiring that coercion take place by way of threats is one way in which the standard model of coercion is too limited. Instead, I argued that the defining, and morally significant, feature of coercion is that a person subjects another to their will. I claimed that this can occur in cases where one is made better off and not only when one is made worse off. At the same time, a person can be subject to the will of another even when a person merely finds the other in vulnerable circumstances, instead of creating these circumstances. This core feature can be drawn on here to build an account that goes beyond the simple model. This allows more complexity to the requirement for a coercer.

My argument is that we should include, as coercive, cases where a person's autonomy is undermined through being forced to be subject to the will of another, or others, even where there is no identifiable agent who is responsible for the person's lack of options. This approach includes many more cases as coercive, while excluding other cases of forced actions, which lack the interpersonal subjection and undermining of freedom as independence that is distinctive to coercion.

I have referred several times to cases which, though they do not fit the simple model, we would want to regard as coercive. Here I shall outline two such cases in more detail. First, I argue that the widespread belief that law is coercive is at odds with the position that coercion requires an identifiable coercer. Second, I discuss coercive sexual interactions, in which coercion operates through power relations that are partly grounded in contextual facts about the parties in the case. These cases, I argue, put pressure on the plausibility and usefulness of the dominant, simple account of coercion. I will propose that we need a more structural account.

#### The coerciveness of law

We discussed that the paradigmatic case of coercion is when the coercer A creates the circumstances that leads B to comply with A, usually by either making a threat, or removing B's options. Law is widely considered a paradigmatic case of coercion, yet it does not closely fit this model. If we find law coercive, though it does not meet the simple model, this may give us reason to question whether only interactions that fit the simple model should be considered coercive. Law is a combination of the actions of law makers, law enforcers, and many different agents. The coercive character of law is widely recognised. As Lamond writes '*law is coercive. This is part of the everyday understanding of law, one shared by most members of contemporary societies*'.<sup>161</sup> A foundational thought of distributive justice is that the coerciveness of the state needs to be justified through a fair distribution of benefits and burdens.<sup>162</sup> Moreover, this is why some insist that distributive justice is required within a state but not outside of it, where formal coercion is absent.<sup>163</sup> Yet, the law does not fit the paradigmatic model. Nor does it meet many of the conditions that coercion is thought to require. Therefore, our reflections on the coerciveness of law may lend plausibility to the idea of coercion in the absence of a clearly identifiable coercer.

First, the dominant account of coercion takes coercion to involve making threats that make one worse off than they have a right to be. This is clearly not the case in law. Rather than the law violating one's rights, it defines the scope of one's rights. There is a difference between legal rights and moral rights. At times, laws are objected to for undermining human rights. The laws of tyrannical states may lead to widespread human rights violations. Yet, for the most part, the laws of a legitimate state do not limit our options in ways thought wrongful.

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<sup>161</sup> Lamond (2000), p.39

<sup>162</sup> Rawls (2005)

<sup>163</sup> Miller, R. (1998), Blake (2001) Nagel (2005)

Second, if law is coercive, it is not clear who the coercing agent is. Most people comply with the law without encountering laws' enforcement measures. Coercion might be more apparent when one breaks the law and is subject to punishment. However, for most people the threat of punishment is present only in the background. Yet, it is still assumed that law is coercive, without excluding those who obey the law. If this is the case, however, it is unclear who the coercer is. Even when one does break the law and comes directly into contact with the coercive mechanism of the state, it is still not clear who counts as the coercing agent.

This is important as it reveals an inherent tension in theories, such as the libertarian position. Someone, such as Nozick, cannot easily hold both, that coercion requires a coercer, and, that taxation is coercion.<sup>164</sup> The assumptions that the state is coercive, and that coercion requires threats made by an agent which undermine one's rights, tend to go together in mainstream political theories such as libertarianism. However, there is, in fact, a contradiction between these two views.

If intention is supposed to be a condition of coercion, it is not clear that the law meets this criterion. It might be intended that citizens obey the law; however, it is not clear who holds this intention. There is not an agent whose attitudes and intentions form the basis of the law. Some writers acknowledge this but argue that other things than agents can be said to have intentions, for example, collective bodies, organisations, or committees.<sup>165</sup> Rather than taking intention to mean an active attitude, we can think of it more as an aim or purpose, which is presupposed by shared agency. This, however, is already, again, to go beyond the simple model. Moreover, some laws are not coercive in intent, for example, laws denoting benefits that citizens are entitled to. Other laws may regulate conduct, or require action, for example, taxation, or zoning laws. These are backed up by coercive measures, but this does not mean all of law intends to coerce.<sup>166</sup>

It is not obvious who would count as 'A' in a real-world analogue of the simple, paradigmatic model of coercion. If B is given a parking ticket by A, B can refuse to pay, and thereby is not coerced by A. But, since there are further laws against not paying parking ticket, B is sent a further, larger fine. If the fine is large enough to compel B to pay, who is the coercer in the situation? If B is imprisoned for a crime, is A the law makers? The police? The judges? The prison officers? Each may seem a coercive agent. But, for B to be effectively coerced through being imprisoned, each agent is needed. The judges cannot coerce B without the lawmakers establishing a law against the crime B committed. Likewise, the lawmakers do not coerce unless there are agents to enforce the law; the police and prison officers who physically restrain B's liberty.

Instead of referring to the various authoritative bodies, we might identify these as comprising the state. Perhaps the state, is a singular, coercing agent. However, this is not fully satisfactory as a

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<sup>164</sup> Nozick (1969), p.444 and Nozick (1974) p.170

<sup>165</sup> See Pettit (2002), Tollefsen (2002) and Velleman (1997)

<sup>166</sup> See Hughes (2013)

resolution. First, it is debated whether the state is an agent.<sup>167</sup> Second, if the state is an agent, it is a far more complex coercing agent than in the simple model. Regarding the state as the coercer is already to go beyond the simple model. There is not a consensus on how to define the state in the literature. According to some accounts, the state includes, not only the government or legislature, but the citizenry. This would make the state both the coercer and the coerced simultaneously.<sup>168</sup> The state is considered coercive in respect of the direct coercive interactions between law enforcers and citizens. But, additionally, some recognise that, as citizens, we all have coercive effects on each other by occupying positions of influence, and supporting institutions which have limiting effects on us.<sup>169</sup> It is thus hard to pick out a clear coercer from this picture of the coercive state.

Furthermore, the state is also comprised of institutions and bodies which shape economic arrangements in society. If we think that the law coerces, then we might regard the economic system in a society as coercive too. I maintain that it is not plausible to characterise the law as an agent, even if a collective agent. Instead it seems more sensible to weaken the requirement for a coercing agent, instead of trying to fit the case into the simple model.

This line of argument is not intended to show that one can be coerced in the absence of a coercing agent. It does make the point, however, that coercion does not only occur in the simple cases where A creates B's limited circumstances and gets B to act in accordance with his will. Drawing on the example of the law makes plausible the idea that coercion can take place when the agents, who create the constrained circumstances, and the agent whose will is complied with are different, or, even when there is no agent whose will is complied with. This is reminiscent of the coerciveness of poverty. Additionally, it may provide a way of putting pressure on those who would resist the thought that poverty can be coercive. For example, libertarians who object to taxation because it is coercive, are likely to take the simple view of coercion (to deny that poverty can be coercive) yet complain about the coerciveness of law.

Perhaps this argumentative strategy can be undermined by the objection that, contrary to popular belief, the law is not coercive. Some are keen to dispute this view that is widely taken for granted. One might suggest that many people do not experience the law as coercive because they do not obey the law to avoid punishment, but for their own independent reasons. For example, most people do not kill others, not because they would be punished by the law if they did, but because they regard it as wrongful to kill, or are strongly disposed against the idea of killing another.<sup>170</sup> The law against killing, may therefore, not be experienced as constraining. Against this view, however, it is implausible that even an upstanding citizen is never stopped from acting in a way they would wish because of legal restrictions. For example, even moral, conscientious drivers would likely park wherever there is space along a road were it not for parking restrictions.

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<sup>167</sup> See for example, Lawford-Smith and Collins (2017)

<sup>168</sup> *Ibid.*, p.2

<sup>169</sup> Nagel (2005), Julius (2006)

<sup>170</sup> Arneson (2005 p.148)

Such limits on freedom may not be morally significant. This may mean it is not coercion of a morally significant extent, but still coercion nonetheless.

Moreover, the law has such a pervasive effect over the way our lives are run, it is not even conceivable to imagine someone acting in a way that is not directed by the law. So even if we do not experience the law as impinging on us, we are, nevertheless, subject to it all the time. Even if there are people whose freedom is not restricted by law, there are others who do experience the law as placing constraints on their freedom. Of course, many laws are not restrictive at all but merely specify, for example, what counts as a valid contract, or which benefits people are entitled to. This again does not stop law being coercive. There remain many laws which do restrict us. Moreover, such prescriptive laws do govern our behaviour. They specify the terms according to which our acts will be valid or not, such that if we do not comply, we will not receive the benefit, or be permitted to enter into our desired transaction. This is coercive.

A further line of argument comes from William Edmundson, who argues that the law does not coerce. His central argument is that an implausible conclusion results when we apply the case of the law to the simple model.<sup>171</sup> In the paradigmatic case, A, the highwayman, coerces B, the passer-by, by threatening “if you do not hand over your wallet I will shoot you”. The traditional view takes the law to be the highwayman, and we, the citizens to be the passer-by. The law coerces us, it is thought, since, if we do not comply with the demands of the law, we will be punished. Edmundson introduces another case, in which B, instead of submitting to the highwayman’s threat, pulls out his own weapon and says, “if you threaten me I will shoot you”.<sup>172</sup>

Edmundson’s thought is that we would not say that B coerces A, the highwayman, by issuing his threat as a defence against the criminal behaviour of A. Therefore, we should not think that the threats of the law are coercive when they defend us against the behaviour of criminals.<sup>173</sup> This however, does not seem a strong enough argument to undermine the firmly held view that law is coercive. In the second case, B’s counter-threat is not necessarily coercive. It is not coercive merely to issue a threat. Coercion subjects one’s will to that of another. This involves serving the ends of another and having no other option but to do so. B, in issuing her counter threat, does not seem to be trying to get A to serve her ends. Rather, B’s threat is her only way of resisting A’s attempts to co-opt her into serving his ends. B has the aim of survival, but this is only a reaction to A’s actions, rather than a project or goal that B is trying to get A to serve.

More importantly, it is a mistake to impose the simple model onto law. It is true that law cannot easily fit the highwayman model. This, however, shows that the model is too restrictive, not that law is not coercive. The restrictions that law imposes, backed up by threats of punishment, may be justified, but that does not mean that they are not coercive. That the law does not seem coercive when we make an analogy with the highwayman case, is a result of our intuitions being distorted

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<sup>171</sup> Edmundson (1995)

<sup>172</sup> *Ibid.*, p.85

<sup>173</sup> *Ibid.*, p.86

by the inappropriateness of the model. The law is coercive because citizens have no option but to be subject to the control of the state. The highwayman model distorts this by placing the emphasis on a coercive threat and by separating out the state from the citizens. Instead, the state both, co-authors, and is subject to, the law.

The argument I have put forward is that the simple model of coercion is inadequate because it cannot accommodate cases, that we regularly confront in reality, which are considered important instances of coercion. The example of law supports the argument for rejecting the simple model of coercion. I have argued that the simple model is of limited use beyond straightforward two-party cases. Therefore, it is of limited application to many real-world cases which are often more complex, or nuanced. This includes paradigmatic cases of coercion such as law. It also includes cases that seem to raise urgent moral concern. One example is cases of sexual misconduct where no explicit threats are made. I discuss this example next.

### Coerced sex

Cases of coerced sex, in particular, cases of rape, involve normatively significant features that are more complex that can be accommodated by the simple model. I draw on cases of coerced sexual interactions to show that, even in interpersonal interactions between individuals, structural factors are pertinent features of the interaction.

First, it is important to note that cases of rape are not always conceptualised as cases of coercion. Most traditionally, in legal systems, rape is defined as sex without consent, and conducted through force; usually physical violence, or threats of violence.<sup>174</sup> However, we have reason to question whether the consent model and the force model is adequate.<sup>175</sup> First there is a question over whether consent refers to explicit consent, or consent as an internal state. If it is the former, we may worry that it is underinclusive of cases of problematic sex. Someone could expressly consent to sex without actual willingness. Where valid consent refers to an internal state, we might worry about this being overinclusive. X could fail to consent to sex because Y deceived X about something, whether intentionally or accidentally, which had X known, she would not have consented.<sup>176</sup> This could be as trivial a fact as Y's natural hair colour. To consider such a case as rape, or on a par with rape, seems implausible. If we would not consider this a case of rape, we require an explanation of what is present in a case of rape that is absent in this case. The issue of consent does not seem to do sufficient normative work.

Additionally, identifying rape in relation to a lack of consent seems not to get at why rape is particularly harmful to its victim, especially compared to other cases involving the lack of consent, such as theft of property.<sup>177</sup> Coercion, rather than a lack of consent, also better explains the

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<sup>174</sup> I have not discussed coercion through physical force given the focus of my argument on coercive proposals which make a person better off. Yet, given that I take coercion to involve having no option but to be subject to the will of another, I see no reason to exclude physical force from an account of coercion.

<sup>175</sup> See MacKinnon (1989), McGregor (1996), Burgess-Jackson (1996), Anderson, S. (2016)

<sup>176</sup> Dougherty (2013)

<sup>177</sup> Gardner (2003, p.3), Anderson, S. (2016, p.63)

gendered aspect of the crime.<sup>178</sup> There are ways of overriding consent in a sexual interaction that are available to women and men alike, for example, deception. Yet the crime of rape is overwhelmingly committed by men against women.<sup>179</sup> An explanation may be available, which is that the easiest way to extract compliance without consent is through physical force. Men, of course, are stronger than women. This, however, is not a fully adequate explanation. There are ways a woman is able to overpower a man, for example, through using weapons. This suggests that there is a power imbalance that goes beyond the respective physical capacities of men and women in an individual interaction.

The physical force model of rape is also inadequate as there need not be actual physical violence or force for a person to be raped.<sup>180</sup> A victim might freeze, or motionlessly comply, out of fear or helplessness, in response to the physical advances of a perpetrator.<sup>181</sup> Such cases might evade prosecution when there is a requirement for protest by the victim. This might also be the case when it is specified that force, beyond the physical sexual act, occurs, or explicit threats of violence are made by the perpetrator. A different reason for why a pure force account is inadequate is because conceptualising rape as involving a total lack of agency of the victim is not always an accurate representation of what takes place. The crime of rape does not necessarily involve treating a victim as merely a body that can be handled and used. Instead, perpetrators may target their victims as a subject with a will that must be manipulated or overcome. In fact, this is, in part, what makes rape such a pernicious crime. Rape involves turning a person's agency against oneself. It consists of subjecting a victim to such intimidation that, at times, they must override their own independent will, making it rational for the victim to go along with the act being forced upon them. Moreover, understanding that the victim does have agency in the interaction helps account for the feelings of shame that victims of rape tend to experience. It is important to recognise that sexual assault can proceed by way of coercion and not pure force.

I have discussed why rape might be best conceptualised as a particularly serious instance of coercion. The question is whether the simple model of coercion adequately explains the way in which cases of rape are coercive. It might be thought that traditional accounts of coercion fit the phenomenon of coerced sex. The dominant account, as expounded by Nozick, takes coercion to involve proposals or techniques that alter the intentions and will of the coerced agent to get them to accord with the will of the coercer. This seems to apply to the phenomenon of coerced sex that operates through manipulating the will of the victim, rather than pure force. Yet in other ways, the dominant account of coercion is too limited to adequately account for the character of coerced sexual encounters.

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<sup>178</sup> *Ibid.*, p.68

<sup>179</sup> ONS Report, 'Sexual offences in England and Wales: year ending March 2017'. There are of course exceptions, such as cases of same-sex rape, yet the tendency for perpetrators to be male and victims to be female is of note.

<sup>180</sup> McGregor (2005, 1996), Estrich (1987), Anderson, S. (2016)

<sup>181</sup> Anderson, M. (2005)

One important departure is that in many cases, no explicit threat need be made by the perpetrator to successfully coerce the victim into sex. Perhaps such cases still accord with the dominant view, which may not require vocal threats for coercion. The highwayman need not say 'your money or your life' to coerce, but may brandish a gun, which operates as a threat. We might define more broadly what constitutes a threat, for example, including implicit threats. However, it might seem strained to relate all interactions of coerced sex to threats, even if they are implicit. Moreover, there are cases where the perpetrator need not commit actual violence to make the victim submissive to their will. The possibility of violence, that B recognises, may be sufficient. Yet, this threat of possible violence may not only come from A, as I shall go on to explain. Even if we do identify all cases of rape as involving a form of threat, cases of coerced sex tend to involve important aspects of coercive power that the simple model leaves out.

What seems essential to cases of coerced sex, and other cases of coercion, is the exercise of power. The successful exercise of power does not require threats. At times, power imbalances within an interaction are related not merely to facts internal to the interaction, but factors external to it, namely, wider power relations in society that feed into individual interactions. What seems missing from the dominant account, yet integral to cases of coercion in reality, is the role of context. Even if we conceptualise cases of coerced sex as involving implicit threats, the implicit threat partly arises from contextual features. Scott Anderson argues that an understanding of contextual power both explains why it is that threats are successful when they are, and how it is that coercion can operate without the use of explicit threats.<sup>182</sup>

To understand a coercive situation requires us to focus on the reasons for *why* one is able to subject another person to their will, or their control. This explanation is located not merely in the content of the particular threat made. It also pertains to the context in which the interaction takes place, and the connection one interaction has with wider patterns of behaviour in society, or facts about past interactions. The context that surrounds cases of sexual interactions between men and women is that violence against women by men is widespread. It includes evidence that resisting a man's sexual advances can be costly and dangerous. Also, it is relevant that there is a culture of male entitlement to women's bodies, and an expectation of women to fulfil male desire.<sup>183</sup> Women can be sexually coerced by men, without the need for explicit threats, in light of this context.

The simple model misses this, since it takes B to be coerced by a threat made by A. Yet, more of an explanation is required to understand how A's threat is effective. For example, in a case of coerced sex, B is coerced, not merely due to A's threat, but in virtue of the actions of agents who do not feature in the case. B may submit to A, before A commits violence, to avoid possible violence. B's fear of A's violence, in part, may be based on her knowledge of perpetrators in past cases who have committed violence towards women who showed resistance to their sexual initiation. While the threat may be made by A, the power of the threat comes from facts about

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<sup>182</sup> Anderson, S. (2010)

<sup>183</sup> For a good survey of the sociological research on this see Toffanin (2012), and Fahlberg and Pepper (2016)

agents other than A or additional factors, such as cultural norms. The simple model is unable to take account of features beyond the bare propositional content of the interaction between the individuals in a specific case. Therefore, it fails to sufficiently explain what makes an interaction coercive.

A man might only need to demonstrate a minimal level of persistence for a woman to feel compelled to submit to him, in order to avoid possible violence if she resists, and thus, for her will to be invaded. To understand the crime of rape is to note that it is overwhelmingly committed by men. This is related to patterns of male dominance and violence in society, the subordination of women by men, and the societal expectations on women to fulfil male sexual desire.<sup>184</sup> As Anderson notes, '*Uses of force and intimidation in intimate settings rely on contextual features such as a background of male social dominance and a propensity towards violence.*'<sup>185</sup> Rape is based on this social dynamic; resulting from it, as well as contributing to it. This contextual understanding, which is absent from traditional, simple accounts, is integral to an understanding of the harm and wrong of coerced sex.

The traditional conceptions of coercion do not adequately account for cases of coerced sex. The contextual basis of coercive sexual interactions is rooted in structural factors. A structural perspective is missing from the dominant accounts of coercion. These accounts identify the normatively significant features as only those pertaining to the individual interaction. The simple model regards coercion as a matter of what one individual does to another. It does not recognise the relational aspect of coercion. By this, I mean the way in which the nature of the relations between the parties, has a bearing on how one is able to get the other to submit to their will. At the same time, coercion involves taking advantage of an unequal power relation. It is, therefore, itself, a way of treating someone unjustly, and type of unequal relation. I shall say more about this perspective later in the chapter and in the following chapter.

I have provided reasons for regarding the dominant accounts of coercion as unable to adequately accommodate cases of coercion drawn from reality. The standard accounts are not only unable to adequately conceptualise cases of rape as coerced sex. In addition, it seems unable to accommodate other important cases in which coercion operates through the exercise of power. For example, a recent law has been enshrined into UK law, which recognises the distinct crime of 'coercive control', in intimate contexts. This is a form of domestic abuse, which stops short of physical violence. It is specifically stated to involve a pattern of behaviour, rather than an individual incident. It includes not only threats, but any behaviour which exhibits or leads to having excessive power and control over one's domestic relation.<sup>186</sup> This departs from the simple

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<sup>184</sup> Ibid.

<sup>185</sup> Anderson, S. (2016, p.79)

<sup>186</sup> 'Controlling or Coercive Behaviour in an Intimate or Family Relationship: Statutory Guidance Framework' Home Office, December 2015, accessed <<https://assets.publishing.service.gov.uk>>

model. It seems, therefore, that the simple model is of limited use when we apply it to the sorts of cases of coercion that we encounter in reality.

The simple, or standard model is overly individualistic in its focus. The requirement of the simple model for an identifiable agent who intentionally constrains one's options in order to get one to comply with their will does not seem to fit the case of law. This would result in the radical conclusion that the state does not coerce its subjects. The focus of the simple model is on the actions of the coercing agent and not the wider context in which the interaction takes place. This means that it overlooks cases of coercion where power dynamics, existing between the parties, are operative in getting the weaker party to submit to the will of the stronger party; as in the case of sexual interactions operating against a background of gender oppression. I suggest that our understanding of the concept of coercion is enhanced when we attend to how structural factors play a role in constraining one's options and in creating or reinforcing power differentials which make some people more easily subject to the superior power of others. The character of cultural norms and the arrangements of social institutions influence how parties interact with each other.

There are different possible interpretations of the conclusion I aim to draw. As I have shown, the simple model of coercion assumes a dyadic structure, namely that B is coerced by A. One possibility is that we maintain the dyadic structure, but relax the conditions for what might fulfil the role of A. The coercing agent might be much more complex than usually assumed, for example, a multitude of agents, or a collective agent. This makes the case that coercion does require a coercer but expands what constitutes a coercer. Or, we might maintain that A is coerced by B, but identify A as the one to whose will B is subject. We might hold on to the dyadic structure but identify coercion in relation to the subjection of one's will, and not the imposed constraints. Alternatively, we might deny that coercion is dyadic in structure, and claim that B can be coerced without an A. This is to suggest that coercion does not require a coercer.

Instead my conclusion is best expressed in terms of a triadic structure. I suggest that when B is coerced, B is subject to the will of A in virtue of a set of circumstances C. Or, slightly more precisely, coercion is when the independence of B's will is undermined through being subject to A in virtue of C. Or, coercion is the invasion of B's will through being subject to A's power in virtue of C. What is key is that coercion is identified in relation to an effect on B's will through the role of A. What makes B subject to A's control need not be something that A does, but, might be by virtue of circumstances C. In the traditional, simple model, A creates the circumstances C, through which, B is coerced, for example, by making a threat. Instead, C might be a set of structural factors, such as capitalist economic arrangements, or poverty. C might be an emergency that B finds herself in, or a threat posed by a different agent. The situation might be additionally wrongful when A contributes to the set of factors C, which makes B vulnerable to being subject to A's will. However, this is not a necessary feature of the case to count as coercion.

I put forward an account of coercion which makes structural concerns central. A structural perspective, as exemplified by Iris Marion Young, helps us grasp the normative significance of cases which exhibit greater complexity than the simple model allows for, and makes sense of how, at times, there seems to be coercion without a coercer. I draw on Young's approach to put forward my *Structural Thesis*.

### Coercion and structural injustice

I introduce here the notion of structural coercion. This is based on the idea of structural injustice, according to which, justice and injustice are a matter of how institutional arrangements create certain outcomes for people positioned within them. Structural injustice identifies harms and wrongs that would be overlooked by traditional theories of wrong-doing, because they are not the product of the wrongful actions of identifiable individuals. Instead, certain forms of injustice arise from the actions of large numbers of agents together with the functioning of institutions.<sup>187</sup> The theory attends to wrongful outcomes which, otherwise, go overlooked, because they result from actions which adhere to prevailing norms of society. Generally, it is assumed that wrongdoing only emerges from actions which stray from accepted standards of behaviour.

Young illustrates the idea with a story, which, though hypothetical, is representative of reality.<sup>188</sup> Sandy, a single mother, faces impending eviction from her apartment which has been sold to developers. She is unable able to afford rented properties near her place of work, so must buy a car to manage the distance to her work from her prospective apartment. But, due to being unable to afford the three-months rent required up front as a deposit, having spent her funds on car payments, Sandy faces homelessness. If Sandy and her children become homeless, it seems that a wrong occurs. Yet, this wrong cannot be traced to her own blameworthy action, nor anyone else's. Instead, Sandy's unjust situation arises through a combination of structural factors. These include, the housing market causing the cost of housing to be prohibitively high and favouring dual-income families, the spatial mis-match of low-wage labour mostly located far from affordable housing, a poor public transportation system, and rental policies which require a substantial deposit upfront, or eviction in the event of failure to keep up with rent.<sup>189</sup> Sandy's homelessness, Young argues, should not be considered mere misfortune or bad luck, nor is it the product of unjust actions of specific agents. Instead, it is a case of systemic injustice; the wrongfulness of the outcome of institutional arrangements in society.<sup>190</sup>

Along these lines, I suggest that we recognise the existence of structural coercion. This is an aspect of structural injustice, whereby institutional arrangements are such that people are coerced, even in the absence of clearly identifiable coercers. The idea is that structural factors leave a person without any reasonable option but to submit to the will of another. This forms my Structural

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<sup>187</sup> Young (2011)

<sup>188</sup> *Ibid.*, p.44-45

<sup>189</sup> *Ibid.*, p.45

<sup>190</sup> *Ibid.*, p.47

Thesis; the view that people can be subject to the will of another due to structural factors, and not only through the intentional actions of identifiable individuals. As Young states:

Structural injustice...exists when social processes put large groups of persons under systematic threat of domination or deprivation of the means to develop and exercise their capacities, at the same time that these processes enable others to dominate or to have a wide range of opportunities for developing and exercising capacities available to them.<sup>191</sup>

We can make more explicit Young's concern with how the structure allows some to dominate and makes others vulnerable to domination. Social processes allow those who fare well under the structure to dominate those who do badly, since those who fare badly are often dependent on those who fare well to meet their needs. Additionally, due to how the structure shapes people's positions, certain people may simply be more vulnerable to interference and control by others. This need not specifically be control by those who occupy more advantaged positions in society.

In chapter five I will discuss how the poor are particularly vulnerable to being subject to the will of others. This arises, in part, through their situation of dependence. For example, people who face severe financial pressures are exceedingly dependent on their employer to sustain their income. The poor may be especially vulnerable to abuses of power as they lack the ability to easily walk away from arrangements, which, however disadvantageous, provide their livelihood. People in poverty are also exposed to high levels of control and power from authorities. For example, people who rely on social services, such as housing and welfare payments, must comply with strict terms to retain their entitlements. There are other groups in society who are particularly subject to forms of control within the system, for example migrants and people with disabilities.

These groups experience vulnerabilities that are structurally produced. Structural factors expose people in certain groups or positions to being subject to power, control and interference by others. People forced to be subject to the will of others due to structural arrangements experience structural coercion.

The notion of structural coercion may seem somewhat contradictory. This is because the focus of a structural explanation is on how people are forced into positions of inferiority through processes operating independently of individual actions and attitudes. Nonetheless, structural concerns are compatible with the idea of being subject to the will of another. This is because, although the structure is not reducible to intentional, individual actions or attitudes, there is still scope for individual and private actions within it. At times, such actions might be aimed at helping those who are in need, for example, setting up a homeless shelter, or giving money to charity. In other cases, actions may be intended to be exploitative - without amounting to illegality - such as, renting a home for the highest rent possible or offering a job, for a very poor wage, or in return for personal favours. There can be individual instances of being subject to the will of another, through the individual actions that people perform, against a structural background of

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<sup>191</sup> Ibid., p.52

deprivation, inequality and unequal power. This, then, is not a structural explanation through and through. The idea is that an individual action, when assessed in isolation, may not seem to constitute coercion. Yet, the same action, enacted against a particular structural background or context, does amount to coercion.

As an illustration we can elaborate on Sandy's situation. Let us imagine that Sandy finds a landlord willing to house her for rent she can just about afford. She later learns the landlord is renting out his garage to a family of illegal immigrants for an extortionate rent, and regularly threatens to report them to the authorities. While this constitutes straightforward coercion against the family, Sandy may be excused from moral responsibility for not reporting the landlord, due to the coercive nature of her situation. Sandy faces homelessness if she compromises her present living arrangement, even if the landlord is not currently threatening Sandy with homelessness. Here the causes of Sandy's inadequate options are structural. Yet, there is an interpersonal sense in which Sandy is subject to will of another. Sandy is subject to the will of the landlord due to the structural constraints that she faces.

We might give a different scenario which is less interpersonal. Sandy has been unemployed for months. She has gone into arrears and will have to take her child out of his school if she cannot find work. The only job she has been able to get is with a delivery company, which hires only on a zero-hours contract. Sandy is not granted sick leave or holiday pay and would fall short of her targets if she takes any non-emergency days-off, targets which are regularly reviewed as part of a decision of whether to keep Sandy as a worker for the company. Sandy accepts the job, but we can regard her as in a coercive relationship with her employer, even if she is never threatened directly with firing or suspension. Sandy knows she must perform impeccably and keep her employer 'happy', otherwise, she risks being jobless, which would be disastrous for her. Sandy must also neglect, to some extent, her own health needs, for fear that taking a day off would mean failing to meet her targets. Sandy has no option but to be subject to the will of her employer.

Structural coercion operates where individual interactions are, and appear, coercive, as a result of how institutional arrangements shape the positions of the transacting parties. As Young states, at times, '*institutional rules and social interactions conspire to narrow the options many people have*'.<sup>192</sup> For example, if A, the landlord, makes the proposal to B, the tenant, "sleep with me and your rent is free", B, who is in abject poverty, may have no reasonable option but to accept the proposal. The factors behind a person lacking options may be structural, rather than arising from the actions of specific individuals. This may involve a failure of a society to provide adequate options for all its citizens, so that a person cannot support herself without subjecting herself to the will of another. For example, the lack of welfare provision or a safety net, may leave a person unable to maintain a livelihood in the absence of decent employment. This is how coercion can

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<sup>192</sup> Ibid., p.34

take place without a coercer, in the sense of one who intentionally or otherwise, constrains one's options. A person becomes subject to the will of another due to their structural vulnerability.

Another example of how institutional arrangements may play the role of 'A' who limits B's, options is given by O'Neill. O'Neill discusses the structurally coercive aspects of sex work. She writes:

the outward transaction may be an agreement between consenting adults. But when we remember the institutional context of much (at least contemporary, western) prostitution, including the practices of pimping, brothel keeping, and various forms of social ostracism and consequent dependence on a harsh sub-culture, we may come to think that not all transactions between prostitutes and clients are uncoerced: but it may not be the client who coerces.<sup>193</sup>

O'Neill addresses the fact that some people are compelled to do sex work. A person may face such limited options, that sex work is their only route to a livelihood. Or, perhaps, a sex worker, due to the stigma attached to the work, and cycles of dependency that entering into sex work creates, may find herself without any alternatives, and therefore, forced to continue doing sex work. Such a person might be coerced in the sense that she is forced to work as sex worker, even if there is no identifiable coercing agent doing the forcing. She is coerced by virtue of the fact that she is subject to the will of another, the client, or perhaps her pimp, even if the client or pimp does not manipulate the sex worker's options to get her to become their sex worker. I take what O'Neill refers to as '*the institutionalized coercion of organized prostitution*' to be an argument for what I describe as 'structural coercion'. According to this view, women who do sex work are subject to the will of their clients, though their clients do not force them to submit to their will. Instead they are forced into being subject to their will due to a range of institutional arrangements and social norms.

The idea of structural coercion links back to Cohen's argument that I discussed in the first chapter. We can draw on Cohen's structural analysis to understand how one might lack freedom, in the sense that institutional arrangements limit one's possibilities, without any individual interfering with one's choices. The structure of capitalism is such that workers are compelled to sell their labour or starve. This makes them unfree at a structural level, even if their individual interactions do not appear to be coerced. It is the fact that capitalists own the means of production which leads to the proletariat being subject to their superior power. Young's analysis suggests how the freedom of individuals is undermined through structural arrangements and does not only remain at the structural level. Structural factors can make people unfree in the sense that they lack sufficient opportunities. Moreover, the structure can give rise to coercion on an individual level when disadvantaged individuals are forced to subject themselves to the will of another to meet

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<sup>193</sup> O'Neill (1985, p.268)

their needs. Such an interaction, through undermining one's independence, is a source of personal unfreedom.

Structural coercion is related to the power imbalances between agents that enable one to successfully coerce another. These power relations may explain why threats made by a powerful agent successfully coerce a weaker agent. Yet, these power relations also explain why coercion can also occur without the use of threats.<sup>194</sup> At times, power imbalances arise through features of the individuals' interaction. For example, A may successfully coerce B because A brandishes a gun. Yet, power imbalances may also relate to structural features. For example, A may successfully coerce B because B lacks the means for legal protection, or because there is a cultural expectation that people from B's social group should comply with the demands of people belonging to A's social group. As Anderson writes,

Tertiary powers, such as economic power over economic dependence or disability, can also be used to coerce; however, these powers also frequently depend on background institutions that regulate the use of force and violence and thereby prevent the weaker party from rationally and effectively resorting to force.<sup>195</sup>

Young's analysis also helps make this clear. Young attributes an equally important role to norms, habits and cultural assumptions, as to policies, rules and market forces in governing social processes, and shaping people's positions in society. Key to Young's notion of structural injustice are structural inequalities. Young writes '*Modern industrial societies are structured by such categorical inequalities, typically along lines of class or class fraction, race, gender, ability, and sometimes ethnicity.*'<sup>196</sup> The inequalities embedded in the structure reproduce and manifest themselves as inequalities between parties in individual interactions. These inequalities are operative in making some people vulnerable to being subject to the will of others.

We must note how structural features that contribute to or create a person's vulnerability may be taken advantage of by other agents. Also, we must address how structural features can make a person vulnerable, so that she has no option but to submit to the will of a more powerful agent. Therefore, a vulnerable person may be subject to the will of another, regardless of whether the latter intends to take advantage of her vulnerability or is even aware of her inferior position. It is incorrect, therefore, to identify coercion only when an agent is responsible for limiting a person's options, or in relation to a wrongful intention. The salient feature of a coercive situation, namely the undermining of one's independence through submitting to the will of another, is present even when no one is 'responsible' for coercing the agent. Taking a structural approach allows us to make sense of situations as coercive, where no individual coercer features, in the sense required by the dominant account. It views traditional approaches to coercion that require a coercer as

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<sup>194</sup> Anderson, S. (2016, p.77)

<sup>195</sup> Ibid., p.77

<sup>196</sup> Young (2011), p.60

symptomatic of the assumption that wrongdoing only occurs when there is an identifiable wrongdoer.

The structural injustice approach shows the weakness of this type of thinking, pointing to the ineffectiveness of traditional accounts of wrong-doing in cases of harms involving collective agents and complex chains of action, such as climate-change, homelessness, and global poverty. We can apply this approach to understand complex cases of coercion which relate to poverty. The structural approach illuminates how societal factors can limit a person's options, and engender power differentials, which leave a person with no reasonable option but to subject themselves to the will of another. The structural approach makes plausible the idea that poverty gives rise to coercive situations. It weakens the force of the objection which states that we cannot identify transactions as coercive, which take place against a background of poverty, because - since no agent is responsible for another person's poverty - there is no coercing agent. Above, I outlined a triadic structure of coercion: B is coerced when subject to the will of A in virtue of circumstances C. The structural approach provides the insight that structural arrangements, such as an economic system, may play the role of C.

However, perhaps one might raise a question about my account, regarding who plays the role of A. I have argued for an alternative model of coercion beyond the, overly individualistic, simple model. Instead of the simple model, which takes B to be coerced when A constrains B's options, so that B is subject to A's will, I suggested a more complex model. This takes B to be coerced when structural factors C constrain B's options so that B is subject to A's will. However, perhaps my account is vulnerable to the criticism I posed against the simple model. One might contest that this model is also too individualistic, as there must be an identifiable agent A to whose will B is subject. This seems problematic, since, in the cases that I discuss, such as law, or state coercion, it is hard to specify who A is.

However, my argument does not require us to identify an A to whose will B is subject. The notion of coercion is an interpersonal one, but this does not necessitate the specification of the relevant agent in the coercive relation. We can draw on the Marxist view that the structure of capitalism is coercive because, under it, workers are forced to sell their labour to a capitalist, even if not to any *particular* capitalist. A related idea is expressed by Onora O'Neill, who proposes that our focus should not be just individual interactions, but, the maxims that guide the wider system.<sup>197</sup> O'Neill suggests that institutions, and not just individual interactions, are grounded in maxims, and the maxim may be coercive. For example, the maxim of capitalism is to extract maximum surplus value, which on a practical level, amounts to the principle 'work for me or starve', which is coercive.<sup>198</sup> This is how O'Neill regards it as plausible to think of coercion as occurring at the structural level. The idea of institutions adhering to a particular maxim perhaps seems mysterious. However, we can draw from O'Neill the idea that a structure can be coercive because

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<sup>197</sup> O'Neill (1985), pp.273-8

<sup>198</sup> Ibid., p.275

it arranges things in such a way that people have no option but to be subject to the will of another. We can recognise the structure as being coercive for creating this coercive outcome, without needing to specify the identity of the 'other' to whom one is subject.

Perhaps the problem is not so much the need to specify the identity of A, the specific possessor of the will in a case, but more the suggestion that there is *any* agent who has a will. The idea that one is subject to the will of another through being coerced by the law, for example, might seem inappropriate. This would require us to specify who, within the system of the law, has a will to which we are subject. Or we might be compelled to suppose that the law, itself, has a will that we are subject to. However, my argument need not commit us to either of these. I have tended to use the terminology of being subject to the will of another, yet coercion may be identified in relation to the effect on one's will of being in an unequal relation of power.

Coercion is the invasion or subversion of one's will through being subject to an alien source of power. The key feature of coercion is the undermining of the independence of B's will when B is forced to adhere to the wishes, commands, or interests of A. This role of A can be occupied by the law or any other system which exerts control or power. At the same time, this still excludes natural circumstances from playing the role of A, though they may occupy the role of C. While natural circumstances can constrain a person's options, they do not exert control or power over another. The law is not like an avalanche; it is created by, and sustained through, human agency. Unlike the avalanche, structural coercion works through both intentional and unintentional *human* invasion of one's will.

A further point we might raise is that this human agency might make it appropriate to speak of being subject to the will of another in a more structural sense. The idea of the structural critique is that social processes operate independently of anyone's will. Yet we might be able to point to certain institutional arrangements and trace these, in part, to individual choice. Agents can contribute to structures. As Young says '*Structural injustice occurs as a consequence of many individuals and institutions acting to pursue their particular goals and interests, for the most part within the limits of accepted rules and norms*'.<sup>199</sup> This conveys that processes and institutional arrangements derive from each person pursuing their interests, rather than trying to dominate anyone else, and that when these actions combine, they take on a force, independent from any individuals' wishes or actions. Yet, Young, here, also makes clear that there are still individual interests and goals driving these processes at root.

Therefore, there may be coercing agents who subject others to their will through the creation of, and support for, certain structures through their actions. For example, perhaps we cannot simply attribute the existence of capitalism to the will of capitalists. Yet, the practice of extracting maximum profit, manifested, for example, in paying minimal wages, can be linked to the interests of capitalists. The preservation of capitalist arrangements, which may have harmful outcomes,

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<sup>199</sup> Young (2001, p.52)

might be traced to the intentions and wills of those in a position of power who benefit from such arrangements.

So perhaps, without suggesting that a structure can have intentions or exercise a will, we might suppose that there are agents who subject others to their will by creating or supporting certain structures which have this affect. One can be constrained or compelled by structural forces intentionally created, maintained, and enforced by many others. The force of the structural critique is to argue that harms arise through structural arrangements that are not the product of individual will. At the same time, the structural approach may not be incompatible with identifying, where relevant, aspects of institutional arrangements that do partly result from the actions, decisions or intentions of others, in particular, powerful agents exerting their influence to protect their interests.

### Conclusion

In this chapter I argue for my *structural thesis*, which claims that people can be subject to the will of another due to structural factors and not only through the intentional actions of identifiable individuals. I have argued here against what I refer to as the 'simple model' of coercion, which requires that coercion only occurs where there is a clearly identifiable coercing agent. The basis of the argument was that the core feature of coercion is the subversion of one's will, which occurs when one lacks any alternative but to be subject to the will, or power, of another. This relation can emerge whether or not another agent is responsible for constraining one's options. I argued that while most adhere to the simple, paradigmatic model of coercion, (where A makes a threat to B, so that B has no option but to comply with A), in practice, many important cases of coercion do not fit this model. I provided two different examples; law and coerced sex. I highlighted the case of law, since there is a widespread assumption that law is coercive, even among those who adopt the simple model of coercion, such as Nozick. I then offered a structural account of coercion, which strengthened the case for taking a broader, yet, more nuanced approach to coercion; one which does not only take notice of the bare facts of individual interactions but engages with the features of the context in which they take place.

The structural approach helps support the idea that coercion can occur, even where we are unable to easily identify a coercing agent. I have suggested why it is plausible to regard a person as coerced in the absence of a coercer, and why the insistence on this requirement has problematic implications. This further helps us to make sense of the thought that people in poverty - who lack sufficient options, and are compelled to being subject to the will of another - experience coercion. Whether we can identify a coercer or not, coercion is identifiable through the invasion of the will of the coerced in cases of poverty, as in cases of gender oppression or state coercion. Understanding coercion as a relation, which operates structurally, enables us to understand coercion as a feature of poverty. Thinking of coercion as a discrete transaction between individuals overlooks the connection between coercion and wider contexts of

disadvantage. We cannot deduce facts about the constraints a person faces, and what makes coercion morally significant, merely through attending to the facts pertaining to a coercive interaction in isolation. The next chapter addresses the significance of this point, arguing that this, contrary to what some have contested, is not merely of terminological importance.

## Chapter four: The relational wrong of coercion

My thesis, so far, has built on Cohen's argument that the structure of capitalism leaves workers without adequate options, making workers unfree in a structural sense. I developed Cohen's observation that workers under capitalism not only face limited options, but the option available to them, selling their labour power, subjects them to the will of the capitalist. I have argued that when one has no option but to be subject to the will of another, there is an invasion of one's will, which constitutes coercion. Being forced to sell one's labour can be considered coercive, even when offers of work make one better off. I also claimed that coercion, and not just unfreedom, operates at a structural level, when institutional arrangements and social processes leave one with no option but to be subject to the will of another.

The aim of my thesis is to give a credible account of the suggestion that people who lack adequate options, due to poverty, experience coercion when compelled by circumstance into relations that subject them to the superior power of another, even if this improves their situation. The previous two chapters aimed to provide responses to two objections for regarding such interactions as coercion. First, I addressed the assumption that an interaction which makes one better off is an offer, and offers cannot be coercive. I argued that the core feature of coercion is the subversion of a person's will, and not the constraining of options. I argued that even when an interaction serves one's interests, one's will can, nonetheless, be frustrated when one has no choice but to comply with the demands, wishes or commands of another. As one can be subjected to the will of another in cases of offers, and not only threats, one can be coerced, even when made better off.

The second objection I addressed is that one cannot be coerced unless there is an identifiable agent who constrains one's options, in order to get one to submit to their will. I argued that identifying coercion in relation to the subjection of one's will and not the constraining of options weakens the requirement to identify an agent who constrains one's options. It is sufficient for coercion that a person's will is invaded through being made subordinate to another or subject to their control. This can take place against a background of constrained options, which arise through structural factors, rather than intentional actions. Through providing responses to these two objections, I sought to strengthen the suggestion that poverty subjects people to relations of coercion.

However, a different sort of objection might be raised. Perhaps one might recognise the plausibility of my account of coercion. One might accept that it is coherent to refer to interactions, such as capitalist wage offers, as coercive. However, one might contest that using the concept of coercion in this way makes claims of coercion a matter of terminological interest only, rather than saying something morally significant. A proponent of the dominant account may contend that using the notion of coercion in this way rids it of the normative significance it has in its traditional usage. Accounts which identify coercion in relation to the undermining of rights, or the coercer's

wrongful intention, exclude cases that do not involve such features as coercive. Yet, while such accounts recognise a more limited scope of cases, where they identify coercion, they infer that the interaction is wrongful, at least *prima facie*. Coercion claims, on the dominant account, therefore, serve a useful function. My argument identifies coercion in relation to non-moral facts, namely, having no option but to be subject to the will of another. Identifying an interaction as coercive is not, therefore, to imply that the interaction is wrongful. I allow that B can be coerced in the absence of a coercing agent, or that A can subject B to his will, even when A intends no harm to B, or even when A does not intend to subject B to his will.

The objection one might raise against my argument is - even if it is possible to say that people in poverty are coerced when they are not made worse off, or when no one acts wrongfully - this is not a claim of moral importance. Proponents of the dominant conception of coercion might raise the objection that, although there is a sense in which one might be coerced in a broad spectrum of cases, if this does not involve wrongful coercion, we undermine the significance of the concept of coercion. There may also be a concern that regarding interactions, such as, working for someone for a low wage as coercive does not capture the gravity of the situation of those in poverty. This chapter addresses this objection.

The objection relates back to my discussion in the first chapter regarding the moral significance of Cohen's argument that workers under capitalism are forced to sell their labour. Cohen states that people are forced, merely if they lack any other reasonable option, even when they are not forced to do something bad. This raised the question - what is bad about being forced to do something that is not itself bad? This also suggested a worry that Cohen's argument does not tell us anything interesting about the situation of the proletariat; if the proletariat are not forced to do something bad then it may not matter that they are forced. I provided an answer to this criticism on behalf of Cohen. I suggested that, first, the proletariat are forced to do something bad, namely to become subordinate to the capitalist to whom they sell their labour, giving up control of their 'productive existence'.<sup>200</sup> Second, the fact that one is forced, *per se*, may, itself, be morally significant. I put forward the view that it is significant that the proletariat are forced to sell the labour, because this is the product of unjust relations of power within capitalist society.

We need to look at *why* a person is forced to understand the moral significance of this. For example, if A the highwayman demands of B 'give me your half-eaten sandwich or I will kill you', and, in fact, this saves B a trip to the rubbish bin as he was finished with the sandwich, B is still wrongly forced to give A his sandwich. Being forced can be wrongful, even if what one is forced to do is not particularly bad, or is something one might have done anyway. Here we can clearly judge B to be a victim of an unjust exercise of power. The suggestion that I have made is that unjust power relations can operate structurally and not only interpersonally. The fact that a person is left without sufficient options, even if no individual is responsible for constraining a

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<sup>200</sup> Cohen (1983, p.20)

person's options, is a morally significant fact about a person's situation. Additionally, that one exists in an unequal power relation is a significant feature of a person's situation. We may, thereby, recognise that a society which leaves people without sufficient options and gives rise to unequal relations of power is an unjust society. I will further develop these thoughts in this chapter as a route to answering the objection posed above.

I argue that interactions such as being forced to work for someone for a low wage constitutes a harm.<sup>201</sup> There is a relational harm involved in this subordinate relation. The harm is located in the frustration of one's will in being forced to submit to another, even when this serves one's interests. While this harm does not necessarily constitute a wrong, it is morally significant. The significance of such interactions emerges more clearly when we take a societal perspective and not merely an individualistic approach. A set of institutional arrangements, which gives rise to interactions characterised by these harms, is unjust. Unequal relations constitute a form of harm. This can be due to the consequences of inequality for a person, or because of the expressive harm of standing in an unequal relationship. I make sense of this in relation to the idea of respect for the moral status of a person as an equal. I draw on the literature of relational equality to suggest that relations of subordination and submission may constitute an injustice in a relational sense. Therefore, the identification of interactions as coercive draws attention to something of moral importance.

First, I set out the context of the objection by outlining the debate over whether coercion is best thought of as a moralised or non-moralised concept.<sup>202</sup> Then, I outline Michael Garnett's suggestion that we need not choose between the moralised and non-moralised conceptions of coercion. Instead, he proposes that we recognise two, separate, normative roles of coercion, pertaining to each conception, both of which are needed for a full understanding of the concept of coercion. The 'deontic' role, according to which, coercion is a type of wrong, corresponds to the

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<sup>201</sup> This is not to say that low-paid work, itself, constitutes a harm. There may be harms associated with low-paid work, such as failing to meet one's needs, feeling undervalued, or a constant sense of anxiety regarding one's financial situation. At the same time, there can be rewards. Perhaps one has chosen this work because they enjoy it, for example. My focus is on the confluence of being *forced* into doing something through a lack of sufficient options, and that what one is forced to do involves a subordinate relationship and/or being subject to a degree of control.

<sup>202</sup> I here clarify what the terms 'moralised' and 'non-moralised' refer to, given that different interpretations can be identified in the literature. In one sense of the term, to have a moralised account of X is to say that X is thereby wrong or at least bad. For example, we do not need to say that murder is wrong, as that is what is meant by 'murder'. So, a moralised account of coercion would take the claim that P is coercion to make the claim that P is *prima facie* or *pro tanto* wrongful.

A different interpretation prevalent in the literature takes a moralised account of X to define X in relation to moral considerations. A moralised account of coercion, on this interpretation, identifies coercion in relation to pre-existing wrongs. For example, it takes A to coerce B in virtue of the fact that A makes a threat which violates B's rights. Whereas, a non-moralised account, or an empirical account, defines coercion in non-moral terms. This type of usage tends to be referred to as the question of whether coercion is 'essentially moralised', or distinguished as the question of whether coercion rests on a moralised or non-moralised baseline. (Wertheimer 1987, Zimmerman 2002, Anderson 2011, Garnett 2018).

However, these two usages are linked. If we define X in relation to pre-existing wrongs, this also means that to identify something as X is to say X is wrong. We define murder as wrongful killing, which is why to say something is murder is to say it is wrong. Yet these interpretations also come apart. We might define X in non-moral terms, yet regard X as wrongful where it occurs. The second type of interpretation is the one I am concerned with. So, where I refer to the terms 'moralised' and 'non-moralised' this should be read as 'essentially moralised' and 'essentially non-moralised'.

moralised conception; coercion which involves the violation of rights. The 'eudaimonic' role, according to which, coercion undermines flourishing, attaches to the non-moralised conception; coercion as subjection to a foreign will. I further develop this second conception of coercion. I suggest, in light of theories of structural injustice and relational equality, that coercion as subjection to a foreign will has a moral significance that tends to go under-recognised.

### The wrong of coercion

A coercive interaction can be wrongful for many different reasons. A coercive scenario might constitute a wrong due to features that do not relate to the wrong of coercion as such. For example, if A kidnaps B in order to get B to do A's bidding, the wrongfulness of the kidnapping figures in the moral assessment of the scenario. Our evaluation of the moral wrong in particular cases takes in all the relevant moral facts, and not just the distinct wrong-making features of coercion alone. In some cases, the coercion involved may not strike us as the most wrongful aspect of the situation. In the highwayman scenario, the highwayman coerces the victim as he subjects her will to his own. However, it is the highwayman's means of achieving that - the gun he brandishes, and the terror of the victim - that may take centre stage in our moral assessment of the case. The wrong of coercion in some cases, may thus be over-determined. Perhaps to fully grasp the normative significance of coercion, we need to identify its core wrong-making feature qua coercion, rather than noting what seems to be wrongful in impermissible cases of coercion.

A further thing to note is that there is little consensus in the literature over what makes coercion a wrong. Most accounts of the wrong of coercion are offered by proponents of the moralised conception of coercion. The dominant approach identifies the wrong of coercion in relation to making a wrongful threat. On this account, when A demands of B, 'do X or I will do Y', B is wrongly coerced when Y would be wrongful to carry out. For example, Y would violate B's fundamental rights.<sup>203</sup> The view that the source of the wrong of coercion is the threat to carry out something impermissible, however, raises several questions. First, it can be permissible to threaten to perform an act that would be morally impermissible to carry out. One such case is nuclear deterrence.<sup>204</sup> Some think that the threat of detonating nuclear weapons helps ensure that countries operate on peaceful terms. However, we might reasonably doubt that the threat of nuclear warfare does not involve any wrongs.

A different scenario, which undermines this candidate explanation of what makes coercion wrong, is threatening a wrongful action that the agent would be unable to carry out. For example, if a small child accosts a heavyweight boxer and demands his wallet, threatening to beat him up otherwise, we would find this conduct, at worst, impolite. It is not plausible to regard the child as acting wrongfully or impermissibly. This suggests the need for greater complexity in our understanding of the normative significance of coercive demands. The coercer must wield power

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<sup>203</sup> Berman (2002)

<sup>204</sup> Anderson, S. 'Coercion' (2011)

over the coeree for his or her threats to be credible, and therefore, wrongful.<sup>205</sup> Wrongfulness cannot be ascertained merely from the content of a coercive demand. Whether a mere proposal to do something counts as wrongful depends on the positions of the parties in the interaction and the background context against which it takes place.

There are also cases where it is wrong to threaten what would be permissible to carry out, as in some cases of blackmail. Frequently, theorists refer to the ‘paradox’ or ‘puzzle’ of blackmail.<sup>206</sup> A standard case of blackmail in the literature is: A knows that B is having an affair and asks for £10,000 from B not to tell B’s partner about the affair. The puzzle is that it is morally permissible, though not obligatory, for A to tell B’s partner C about the affair. But, it is morally impermissible to threaten to tell C about the affair unless B complies with A’s demands.<sup>207</sup> To explain what makes blackmail wrongful we must identify something aside from the wrongfulness of the action that A threatens to do. It does not seem plausible to suggest that making a threat, itself, is wrongful, since there are such things as permissible threats, or trivial threats. It seems that only certain threats are wrongful and only in certain cases. The puzzle of blackmail is bound up in the question of what makes coercion wrongful, given that blackmail is usually categorised as a case of wrongful coercion.<sup>208</sup> Some theorists resolve the puzzle by giving a separate explanation of the wrong of blackmail within their normative accounts of coercion.<sup>209</sup> However, it would seem to count in favour of a normative explanation of coercion if it were able to accommodate the case of blackmail, rather than treat it separately. Such attempts in the literature, however, do not fully succeed, as I shall outline.

Other accounts of the wrong of coercion focus on how coercion undermines one’s normative powers, in particular, one’s power to consent, and thereby alter the ‘normative landscape’.<sup>210</sup> An innovative account, put forward by Japa Pallikkathayil, takes coercion to be wrongful because it impairs one’s normative authority.<sup>211</sup> The view is based on the thought that what is wrong with coercion is that it makes it impossible for one to consent to an action. It denies one this normative power, to which one is entitled. Pallikkathayil’s view is that when a mugger says, “your money or your life”, the mugger impermissibly constrains B’s options. B, therefore, should be entitled to a veto over A’s proposal, otherwise B has no alternative but to pursue one of the two options A leaves her. Due to B’s lack of power over the proceedings, B lacks discretionary authority. Given that B is entitled to her discretionary power, coercion is wrongful.<sup>212</sup>

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<sup>205</sup> Anderson, S. (2010)

<sup>206</sup> See Feinberg (1988), Owens (1988), Lamond (1996), Shaw (2012)

<sup>207</sup> Here I am putting aside the thought that it might be wrong to tell C about the affair, given that C might have preferred not to know. But still, even in this case, we might wrong C by telling C, but we do not wrong B by telling C, so as far as B concerned, it is permissible. We could, however, reframe the puzzle so that A wrongs C when she tells C about the affair, though not B, but when B demands money to not tell C, this wrongs B.

<sup>208</sup> Lamond (1996), Shaw (2012)

<sup>209</sup> Wertheimer (1987, pp.90-103), Berman (2002), note also that Nozick is unable to resolve the puzzle of blackmail in his account (1969, pp.452-3)

<sup>210</sup> O’Neill, O. (1985)

<sup>211</sup> Pallikkathayil (2011)

<sup>212</sup> Ibid.

This explanation of the wrong of coercion raises several questions. First, we might ask whether one's normative authority is only impaired where one's options are impermissibly constrained. It is by virtue of one's lack of power over the proceedings that I take one's will to be frustrated when one has no option but to submit to the will of another. Pallikkathayil does not make clear why, only when one's options are *impermissibly* constrained does one lack power over the proceedings. One's normative authority might be constrained in cases of offers that one has no option but to accept, as well as threats which one has no option but to comply with. Second, the account is, explicitly, parasitic on existing wrongs. Pallikkathayil takes it that coercion is wrongful because B is denied veto power in a situation where A impermissibly constraints B's options. Yet, this requires an account of when options are *impermissibly* constrained. There are cases where this is not straightforward. Again, blackmail is such a case. When A proposes to B that B give him £10,000 in return for A not revealing information about B, A denies B the option of keeping the information secret as well as B keeping his £10,000. Why is this impermissible? We must settle this question before we determine whether this counts as wrongful coercion.

Pallikkathayil suggests that blackmail is impermissible because it involves the commodification of private information.<sup>213</sup> This does not fully convince. First, it is not clear what is wrong with commodification. Second, we require an account of what counts as private information. Third, it seems controversial to claim that the commodification of private information is wrongful. The giving of personal interviews in return for payment would fall into this category, and most, I suggest, would not regard this as wrongful. The difficulty is that Pallikkathayil's account requires resolutions to these questions before we can deem such a case wrongfully coercive. Pallikkathayil is explicit about the aim of her argument, which is to account for the wrong of coercion in paradigm cases.<sup>214</sup> Yet, this leaves questions about important, wrongful cases of coercion which do not fit the paradigm. Even if we accept Pallikkathayil's account, there is still something further to explain.

The focus on the paradigmatic case of coercion, and the identification of the moral wrong in relation to it, leads to overlooking certain cases of wrongful coercion whose features differ, as well as failing to account for the marginal cases. I have mentioned blackmail several times as a case which does not necessarily involve pre-existing wrongs, yet, strikes most as wrongful. In the previous chapter, I discussed that cases of coerced sex do not fit well with the paradigmatic case of coercion. Here, again, I suggest that the dominant accounts of what makes coercion wrong do not do well at capturing what makes cases of coerced sexual interactions particularly wrongful. Straining to fit the case into a description of an impermissible threat obscures the wrongful subjection to power and connection to structural oppression that the case centrally involves, which accounts for its wrongfulness.<sup>215</sup> While some regard the moralised conception of coercion

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<sup>213</sup> Ibid., p.19 n26

<sup>214</sup> Ibid., p.2

<sup>215</sup> Anderson, S. (2016)

as better placed to account for the wrong of coercion, there are wrongful cases of coercion which the dominant moralised theories seem unable to explain.

So far, I have questioned whether dominant accounts of the wrong of coercion in the literature adequately include and exclude the right sorts of cases. I will now suggest that there are limitations to the moralised conception of coercion more generally.

#### Moralised and non-moralised conceptions of coercion

We might question whether a moralised conception of coercion sufficiently accounts for the normative significance of coercion. The moralised account of coercion identifies coercion in relation to pre-existing wrongs. It claims that a proposal counts as coercive when a threat makes one worse off than one is entitled to be. This means that to claim that B is coerced is to make a claim that B is wronged, or to say that A coerces B is to say that A wrongs B. As I have discussed previously, the moralised conception of coercion has an important function. For example, it enables us to make judgments in law that, if a transaction is coercive, it is rendered void. At times, it is important that we identify coercion in a way which deems the interaction *prima facie* impermissible.

The moralised conception also seems to account for our differing intuitions in cases that are similar, other than with respect to how rights and duties are assigned. For example, if A says to B 'I will examine you if you pay me £100', our intuition is that B is not coerced where A is a private doctor, entitled to charge his patients. Yet we intuit that B is coerced where A is an NHS doctor, whose patients have a right to be seen for free.<sup>216</sup> There are ways that we can account for the intuition that B is coerced in the second case but not the first, invoking non-moral considerations. However, the distribution of rights seems the most obvious way of explaining the difference. Another example of when the moralised account meets our intuitions about a case is just punishment. This would not count as wrongful coercion on the moralised conception of coercion, and most have the intuition that a person is not wrongly coerced when justly imprisoned.<sup>217</sup>

However, there are difficulties with the moralised account. First, a moralised account of coercion does not only regard just punishment as not wrongful, it rules out just punishment as a case of coercion at all. Given that one of the central applications of the concept of coercion is in relation to state power, this seems a highly revisionary upshot. While we might not regard state coercion as wrongful, a tenet of liberal political philosophy is that it stands in need of justification. Yet, the moralised account of coercion does not offer an understanding of why state coercion even requires justification.

Another limitation of the moralised conception of coercion, as its proponents acknowledge, is that it is unable to regard coercion as a basic wrong, where this means '*a wrong that we can identify*

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<sup>216</sup> This point and type of example comes from Garnett (2018, p.547)

<sup>217</sup> Assuming we only focus on whether punishment unjustly violates one's freedom and not on other grounds for objecting to punishment.

*without needing to identify any other wrong.*<sup>218</sup> This may be a limitation for several reasons. First, it seems at odds with the way in which there can be a meaningful debate about whether an act of coercion is morally acceptable or not. Instead, on the moralised account, such questions seem settled. However, this concern might overlook that a moralised account may take coercion to be prima facie or pro tanto wrongful, rather than wrongful all things considered. Perhaps, one can still debate whether an act of coercion is permissible on a moralised account, since coercion may be justified by other considerations.<sup>219</sup>

Nonetheless, there does seem to be an issue when coercion claims are presupposed by the sort of moral theory one adopts. If coercion is identified in relation to pre-existing wrongs, one must share the same moral framework to agree on whether a person is coerced. This also seems to undermine the way in which the idea of coercion and freedom play a foundational role in some of our central moral and political frameworks. Several important moral and political theories take freedom or the absence of coercion to be the grounding principle upon which the theory is built. Yet, on the moralised account, which grounds coercion in an existing moral framework, coercion and freedom cannot play this fundamental role.<sup>220</sup> Additionally, the moralised account is at odds with how, in practice, we often judge that, because an interaction is coercive, it is wrongful. On the moralised approach, we only identify an interaction as coercive in virtue of it already being wrongful. Therefore, it seems that on the one hand, the moralised account is well-placed to explain coercion as a morally weighty concept. Yet, on the other, the moralised conception of coercion seems to lack the practical importance that coercion has in our moral and political theorising.

Additionally, there seems to be a tension, at times, between the moralised account of coercion and our intuitions in certain cases. This is because the moralised account defines coercion in relation to pre-existing moral wrongs. However, our intuitions seem to be sensitive to something about coercion, per se, which makes an interaction wrongful. Even if one thinks that coercion only occurs when one's rights are violated, we seem to consider acts of wrongdoing that involve coercion more wrongful compared to wrongs that occur without coercion. We can compare the mugger case, where B hands over her money in response to A's threat to a case where A steals B's money without B noticing. Most would regard the former as worse than the latter. Perhaps it is the added fear here which makes the difference. However, we can note the particular resentment that people feel when duped out of their money, compared to having their money stolen. I suggest this alerts our attention to something particularly contrary to our moral sensibilities about our will being co-opted to make us worse off, rather than merely being made worse off. Our intuition is that there seems to be an additional, or special wrong in cases of wrong-doing which involve an invasion of one's will, compared to cases merely involving a violation one's rights.

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<sup>218</sup> Pallikkathayil (2011, p.8)

<sup>219</sup> Wertheimer (1987)

<sup>220</sup> Zimmerman (2002)

I suggested at the start of this section that in some cases, being subjected to the will of another seems less wrongful than other features of a coercive situation, such as suffering terror. At other times, being made subject to the will of another is what makes a coercive interaction wrongful, even in the absence of other wrongs. Even if the coercer does not violate a coercee's rights, or cause terror, we still think there is something wrongful about a coercive proposal, as in cases of blackmail. The case of blackmail shows why it is insufficient to conceptualise the wrong of coercion in relation to the violation of rights, or the making of an impermissible threat. This suggests that there is a wrong relating to coercion *per se*. While proponents of the moralised conception of coercion are well-placed to identify the wrong of a coercive situation, they are less well equipped to identify the specific wrong of coercion, as they take the wrong of coercion to be parasitic on other wrongs. Moralised accounts do well at accounting for the wrong of coercion in paradigmatic cases of coercion, such as the highwayman case. Yet, they are unable explain why cases, which are ruled out as coercion on the moralised account, such as state coercion, stand in need of justification. The moralised account also excludes cases of offers in which we have the intuition that one is coerced, as in the many examples offered in chapter two, and that this coercion is morally significant.

These limitations with the moralised approach suggest the importance of a non-moralised conception of coercion. However, the moral force of a non-moralised account of coercion is less apparent. As I have already noted, some argue that although it might be possible to identify coercion in the absence of pre-existing wrongs, such coercion claims lack moral significance. Wertheimer, for example, grants that there may be rhetorical use in referring to offer cases as coercive but insists that '*it is the moral force of a coercion claim that is of ultimate importance*'.<sup>221</sup> He claims that if we are to refer to offers as coercive, their coerciveness would be of limited moral interest.<sup>222</sup> The burden seems to be on proponents of the non-moralised conception to explain the moral importance of cases of coercion that do not involve pre-existing wrongs, such as the violation of the rights of the coercee, or a coercer's wrongful intention. Yet there are not many such accounts in the literature. One exception is Zimmerman's account, which gives a non-moralised account of coercion, taking the central normative feature of coercion to be the undermining of freedom.<sup>223</sup> However, I discussed the difficulties with this account in chapter two.

There seems to be a need for a non-moralised account of coercion that accounts for the intuition that some cases which do not involve wrong-doing *are* cases of coercion and are cases of moral significance. However, although there are difficulties with the moralised conception of coercion, this is not a sufficient reason to reject it. The moralised conception of coercion serves an important purpose, as I have discussed. This might give us reason to recognise a role for both a moralised and non-moralised conception of coercion. We need not embrace the moralised conception of coercion as having sole claim to account for the moral significance of coercion. Nor

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<sup>221</sup> Wertheimer (1987, p.232), (Berman 2002)

<sup>222</sup> *Ibid.*, p.232

<sup>223</sup> Zimmerman (1981)

must we reject it for being unable to explain the moral significance of every case of coercion. Yet, we also should not assume that the non-moralised approach lacks moral force. Instead, we might regard the moralised account as best equipped to explain one particular aspect of the normative significance of coercion. Whereas, the non-moralised conception draws attention to a different dimension of coercion's moral significance. This line is taken by Garnett, who argues that there are two different moral roles that the concept of coercion plays, and that both are integral to a comprehensive and rich understanding of the moral significance of coercion.<sup>224</sup> Garnett writes:

One is a weighty deontic role, the point of which is to help us to navigate within the moral law. The other is a primarily axiological or eudaimonic role, the point of which is to help to identify certain human goods and bads that contribute towards, or detract from, the flourishing of human lives'.<sup>225</sup>

What Garnett refers to as the 'deontic' role of coercion relates to the dominant view of coercion, best accounted for by the moralised conception of coercion.<sup>226</sup> In this view, coercion is identified in relation to the violation of one's rights, and is always prima facie wrongful. The deontic conception has an important moral force; to claim that A coerces B into doing X is to say that A acts wrongfully, or that A's actions are blameworthy, or that B is not morally responsible for doing X, and underlies the treatment of coercion in law.<sup>227</sup> Garnett outlines a second type of 'eudaimonic' or 'axiological' role that coercion plays, which has a different, yet still important, moral force to the deontic role.<sup>228</sup> This role captures the way in which, coercion, even where it is not wrongful, is a type of moral bad. Coercion, at times, is morally significant because it undermines one's flourishing, and makes one's life go worse.<sup>229</sup> Garnett argues that this latter analysis of coercion lends itself to cases in which the central normative feature is that the agent is subject to a foreign will, rather than that her rights are violated. To be subject to the will of another makes one's life go badly, and this is morally significant.

This is how Garnett responds to the challenge posed by theorists, such as Wertheimer, that only the moralised conception of coercion has moral force, and that cases, such as being compelled by poverty to sell one's kidney to another, are not coercive in any morally interesting way.<sup>230</sup> Garnett's suggestion that there are two different moral roles of coercion provides a possible resolution to the debate between proponents of the moralised and non-moralised accounts, by suggesting that both conceptions have their purpose.<sup>231</sup> Additionally, Garnett's eudaimonic conception of coercion explains the intuition that many have that a case constitutes coercion, even where there is no undermining of rights or wrongful threats, cases such as Nozick's *Plea Bargain*, and Feinberg's *Lecherous Millionaire*, as well as accounting for state coercion. It also

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<sup>224</sup> Garnett (2018)

<sup>225</sup> *Ibid.*, p.551

<sup>226</sup> *Ibid.*, p.547

<sup>227</sup> *Ibid.*, p.546

<sup>228</sup> *Ibid.*, p.550

<sup>229</sup> *Ibid.*, p.551

<sup>230</sup> Garnett (2018, p.549)

<sup>231</sup> *Ibid.*, p.546

provides an explanation for why cases of blackmail are wrongful, by focusing on the subjection of the victim to the blackmailer's power, rather than whether the blackmailer makes an impermissible threat. Moreover, this account explains the conviction that such cases of coercion are morally significant, even if the coercee cannot be regarded as having been wronged, or the coercer does not seem to act in a wrongful or blameworthy way. This is because such cases involve subjection to a foreign will, which is a way in which one's life can go badly.

This might help conceptualise the sorts of cases that my thesis is concerned with; involving people in poverty who, for example, are compelled into entering subordinating work relations in order to access a livelihood. Such a case constitutes coercion; it involves forced subjection to another. This, we can see, is of moral significance because it undermines a person's flourishing. Garnett's account helps draw attention to a relational aspect of the wrong of coercion. We can recognise the normative significance of relations of power and submission at the heart of coercion, which do not reduce to wrongful actions, intentions or consequences. Through this explanation, we can understand the victim of coercion as experiencing a relational harm.

Garnett provides a plausible account of the moral significance of coercion in cases where one concedes that the coercer does not act wrongly, or where the coercee is not wronged, in the '*narrow (rights-violating) sense*' of wrong.<sup>232</sup> However, we must also recognise the limitations of this 'narrow' understanding of wrongdoing. Relatedly, we must be careful not underestimate the importance of the eudaimonic role. Many cases of coercion cannot be considered wrongful, on the deontic account, because, however badly things go for B, there is not an A whose fault this is. There may also be no a feasible alternative in which B fares better, nor a right of B's that is undermined. But, this does not exhaust what it is for a wrong to occur. Garnett recognises that there is a sense in which interpersonal subjection is always *prima facie* wrong, as it is a form of harm, and it is always *prima facie* wrong to harm. However, he makes clear that this is not a wrong in the deontic sense.<sup>233</sup>

However, there is a prism through which to regard interactions as wrongful, even when they do not correspond to the deontic sense of wrong. Namely, a framework of relational justice. The relational harm that the eudaimonic role of coercion attends to, namely, subjection to a foreign will, at times constitutes a form of injustice. This, I shall discuss, emerges more clearly when we shift from an individual perspective to addressing relations of coercion on a societal level. This injustice is overlooked by the deontic role, as it does not arise through rights violations, nor individual blameworthy actions. That there can, nonetheless, be an injustice in the absence of these features becomes clearer when we turn again to a structural approach. This is, in part, what the structural critique intends to clarify.

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<sup>232</sup> Ibid., p.550

<sup>233</sup> Ibid., p.566, *fn.*52

### Coercion as an unjust relation

Returning to Young's example of Sandy helps illuminate that there is a sense in which an agent can be wronged, in a politically urgent way, without their rights being violated, or even when the acts that lead to one being wronged are morally permissible. We can recall the main facts about Young's situation:

A developer has bought the central-city apartment building where Sandy, a single mother, has been living with her two children.....she decides to look for an apartment closer to where she works....Sandy learns that there are few rental apartments close to her workplace.....The few apartments nearby are very expensive. Most suburban apartments in her price range are located on the other side of the city from her job; there are also some in the city but few that she can afford which she judges decent and in a neighborhood where she feels her children will be safe... the bus transportation to work is long and arduous, so she decides that she must devote some of the money she hoped would pay the rent to make car payments. She applies for a housing subsidy program and is told that the waiting time is about two years....Sandy searches for two months, with the eviction deadline looming over her. Finally she settles for a one-bedroom apartment a forty-five-minute drive from her job—except when traffic is heavy..... Sandy sees no other option but to take the apartment, and then faces one final hurdle: she needs to deposit three months' rent to secure the apartment. She has used all her savings for a down payment on the car, however. So she cannot rent the apartment, and having learned that this is a typical landlord policy, she now faces the prospect of homelessness.<sup>234</sup>

Sandy's rights are not violated, and there is no identifiable agent responsible for Sandy's plight, nor do any agents that Sandy encounters act illegitimately. Instead, moral responsibility for Sandy's situation is mitigated by the complexity and anonymity of structural processes. We seem unable to regard Sandy as wronged according to standard, individualistic notions of wrongdoing. Yet, as Young insists, Sandy's situation is wrongful nonetheless.<sup>235</sup> Her situation involves structural injustice. This is not to say that Sandy is coerced. This would require someone to make a proposal to Sandy which she is forced to accept. Yet, we can draw lessons about the wrong of structural coercion through understanding how it is that Sandy experiences structural injustice. However, while we can clearly regard this combination of institutional factors as leaving Sandy badly off, and recognise the existence of structural harms, does it follow that Sandy is necessarily wronged? On what basis do we regard Sandy as wronged, in the absence of a wrong-doer or blameworthy action?

One thought might be that Sandy's situation makes a claim on others for assistance, and if this goes unmet then Sandy is wronged. Young's focus is less on identifying the agents who are morally responsible for creating Sandy's situation, and more on arguing that there is a responsibility in a forward-looking, rather than backwards-looking, sense, to make institutional

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<sup>234</sup> Young (2011, pp.43-44)

<sup>235</sup> Ibid., pp.44,45

arrangements more just.<sup>236</sup> Perhaps we do not need to identify a wrong-doer, because it is not only wrong-doers who bear moral responsibility. Instead, it may be that anyone in a position to help has moral responsibility for alleviating a harm. Or, as Young argues, anyone 'connected' to unjust institutions may bear moral responsibility to rectify injustice.<sup>237</sup> To fail to fulfil this moral responsibility may constitute a wrong committed against those who suffer structural harms. This might be one perspective on the normative status of structural injustices, such as Sandy's situation. Perhaps then, identifying coercion in cases of poverty gives rise to a claim on all of us to resolve a person's background conditions. Failing to meet this claim may constitute a wrong.

However, I think we might regard Sandy as wronged by the institutional arrangements themselves. This might seem implausible at the outset. Some might consider it incoherent to use the language of wrongdoing, or injustice in the absence of individual agents who act wrongfully. Perhaps we must be able to point to agents who are causally responsible and thus morally responsible for wrong-doing. However, this seems an under-motivated assumption. I contest that the burden of proof is on those who insist on this individualistic requirement, rather than those who reject it. We can point to institutional arrangements that strike us unjust and not simply bad, that make it seem dogmatic to require the identification of a wrongful agent, for example, institutional racism, and slavery. Perhaps, however, in such cases we can identify blameworthy agents even if doing so is not straightforward. Although slavery was an accepted norm in certain societies, at certain times, this does not undermine its wrongfulness. Therefore, perhaps each agent who participated in perpetuating the institution - for example, each slave owner - committed a wrong.

In the case of institutional racism, perhaps each person holding prejudiced attitudes acts wrongfully. Yet some cases of institutional racism occur without specific individuals being prejudiced. One type of structural injustice may be, for example, the hiring decisions that lead to low numbers of senior black employees, due to employers favouring white applicants, based on false beliefs about their superior skills and attributes. We can compare this to educational policies such as standardised testing which make it harder for black students, who are more disadvantaged, to succeed, based on the mistaken beliefs that such a policy treats people equally. Both count as forms of institutional racism, though only the former involves the holding of wrongful attitudes, or wrongful actions.

Even if it is not plausible to attribute blame to every person involved in a system, we might be able to regard certain people as more appropriate targets of blame than others, for example, those in charge of policy. However, while this might be possible, it seems implausible to insist that we identify the relevant agents before diagnosing a situation as wrongful. For example, we can deem slavery a grave moral wrong regardless of, and prior to addressing, who we can hold responsible

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<sup>236</sup> Young (2006)

<sup>237</sup> Ibid.

for slavery. On the other hand, given that slavery is straightforwardly wrong, perhaps, as suggested above, any agent who intentionally perpetuates slavery acts wrongfully.

The more pertinent question is whether an outcome can be wrongful where no one acts in a way that involves wrongful attitudes. Unlike the case of slavery, in Sandy's case, people are not acting in order to maintain the institution of homelessness. Rather, homelessness is an unintended consequence of other policies or innocuous actions, for example, high demand among young professionals for housing in urban centres pushing up prices. Yet, the absence of agents intending to perpetuate a wrongful set of institutions does not exclude the unintentional outcome from being wrongful. We can point again to institutional racism, as an example, or the gender pay gap.

While we might be able to identify individuals that are to blame, or can be held morally responsible for structural wrongs, this, in fact, seems to miss the point. I contend that identifying individual wrong-doers does not clarify the nature of a structural wrong, but, in fact, obscures it. Certain wrongs are more accurately regarded as an indictment of society, rather than specific individuals. Structural wrongs tend to result from a society focusing on the interests of some and excluding those of others. Wrongful outcomes need not be traced to intentional actions. This is particularly the case, since, unintentional wronging arises through the neglect and exclusion of certain interests and voices from the decision-making domains of society. This may, itself, constitute a wrong, but, again, this is not a wrong that can be traced to the actions of identifiable individuals.

The structural perspective helps illuminate the nature of the wrong of coercion, which the individualist perspective obscures. Though there may be no individuals who act wrongfully, a society which leaves some of its members in a situation where they have no option but to submit to the will of others and cannot escape this situation, is an unjust society. The concern here is not merely with sufficiency. While leaving people without sufficient means for an adequate life is a wrong, there is a further wrong involved when people are under the power of others. There is a structural wrong with how institutional arrangements leave people badly off, which Young's approach helps illuminate. There is, at the same time, a relational harm involved in having one's will invaded through being subject to the will of another. This is also an issue of justice; a society constituted by unequal power relations is an unjust society.

This is a perspective towards which relational egalitarians have been gesturing. I shall say more about this shortly. My claim is that people who are forced to be subject to the will of another, due to lacking options, as a result of structural factors and institutional arrangements, suffer a structural harm. I suggest that this better accounts for our disapproval of such interactions. This goes beyond merely a failure of agents to act virtuously or failing in one's duty to help. The harm involved here is a form of structural injustice, and, therefore, counts as a wrong. Therefore, I suggest the need to explicitly recognise the extent to which the eudaimonic role of coercion may

ground a substantial moral set of claims. Otherwise, the moral significance of coercion as the subjection to a foreign will may go under-recognised.

This can be illuminated in reference to Rawls' concept of the social bases of self-respect. For Rawls, a society is just when it fairly distributes the primary goods. Of these, self-respect is '*perhaps the most important*'.<sup>238</sup> The social bases of self-respect are aspects of institutions that are necessary to secure a citizen's sense of self-worth, and confidence in their ability to carry out their plans of life.<sup>239</sup> Rawls, famously, only gives sparse details regarding this aspect of his theory, leaving much open to interpretation. I suggest that we may plausibly interpret institutional arrangements that force people to be subject to the will of others as undermining the social bases of self-respect, and therefore, as unjust. Rawls states that self-respect '*implies a confidence in one's ability, so far as it is within one's power, to fulfil one's intentions*'.<sup>240</sup> This implies a concern with independence. Being dependent on others to meet their interests undermines one's confidence in being able to fulfil one's own plans.

This is one reason for thinking that being subject to, and thus dependent on, the will of another is incompatible with self-respect. Moreover, if the independence of one's will is undermined by subjection to another, this might make it harder for one to be regarded by others, (or indeed oneself) as an equal - which undermines self-respect. On Rawls' account of justice, a just society respects each person's moral status as free and equal.<sup>241</sup> Being forced to be subject to the will of another is incompatible with being free and equal. Therefore, a society characterised by institutional arrangements, under which citizens are forced to be subject to the will of others, is an unjust society.

Rawls' approach, by drawing a link between justice and self-respect, helps illuminate the moral significance of being forced to be subject to the will of another. The subordination of one's will to another undermines self-respect. Therefore, the invasion of one's will by another can be an issue of justice. At the same time, I suggest the need to go beyond Rawls' approach for several reasons. First, we might regard being subject to the will of another as wrongful, without relating this to the undermining of self-respect. We might have a concern about the nature of this relation, aside from its harmful consequences. The invasion of one's will through being subject to the will of another is, itself, a type of harm. Being subject to the will of another might, itself, constitute a problematic inequality. Second, Rawls is primarily concerned with how distributions of income and wealth affect one's self-respect. I am concerned with poverty as one key reason why people lack adequate options, and are compelled to subject themselves to the will of another, to meet their needs. However, there are other relevant facts about society, for example, unequal relations of power, or social norms that shape society. For example, even the cultural norm that younger people should defer to older people may have a bearing on how one person is subject to the will

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<sup>238</sup> Rawls (1971), p.440

<sup>239</sup> Ibid., p.440

<sup>240</sup> Ibid., p.440

<sup>241</sup> Ibid., pp.13, 19.

of another, in a case where there is an age differential between the parties. Structural factors, beyond inequalities in wealth, help explain why some people have no alternative but to be subject to the will of others.

Additionally, famously, Rawls is only concerned with the basic structure of society as the subject of justice. Yet, we might also regard it as unjust that people are subject to the will of others in interpersonal contexts. With this in mind, I suggest that turning to the relational equality approach helps us to understand the normative significance of the relation at the heart of a coercive interaction (in which one person's will is subverted by being subject to the will of another).

### Relational justice

Justice is traditionally understood as a question of the unequal distribution of a relevant currency of justice among people in society. Generally, we identify injustice in cases where a person lacks freedom or opportunities due to having an unequal share of income and wealth. The sorts of cases we have looked at - where one faces insufficient options and, therefore, opts into a relation which subjects one to the will of another - may suggest a link between coercive interactions and injustice. The fact that one lacks sufficient options may be the consequence of an unjust society. The paucity of adequate routes towards meeting one's needs suggests that wealth and income is not distributed in a way which enables sufficient freedom and opportunities. Wertheimer notes that this may be a reason for regarding cases of coercion, which do not involve rights violations, as having some sort of moral force. Wertheimer writes *'by referring to hard choices as coercive we may signal that there is a (rebuttable) case for the mitigation of B's background conditions. That is one sort of moral force.'*<sup>242</sup> Though Wertheimer insists that this is not the sort of moral force that we are interested in, I regard this as one reason for regarding coercion claims as morally significant.

Yet, there is a further way in which coercive interactions relate to injustice. It is not only that the existence of coercive interactions may be a product of an unjust distribution of wealth within society, I suggest that coercive relations themselves comprise injustice. To understand this, we must turn from a distributional approach to justice towards a relational one. There has been growing attention to a different way of conceptualising justice; not as a matter of what people have, but in terms of how people are treated. This approach puts relations at the centre, rather than measures of resources. I suggest that addressing this aspect of justice helps us recognise the full extent to which the eudaimonic role demonstrates the moral significance of certain cases of coercion.

According to the theory of relational equality, whether a society is just or not depends on the nature of relations between people. It focuses on how people are treated, rather than on a fair

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<sup>242</sup> Wertheimer (1987, p.234)

distribution of the relevant currency of justice, such as primary goods, welfare, or resources. The relational approach is influenced by Young's argument that structural arrangements manifest harms such as oppression, and that this is a form of injustice.<sup>243</sup> Relational equality conceives of a just society as a 'society of equals'.<sup>244</sup> The view is motivated by the observation that luck egalitarianism's focus on holding people responsible for their choices and correcting for people's unfortunate circumstances is not compatible with an attitude of equal respect. Moreover, a fair distribution of goods is still compatible with domination, oppression and prejudice.<sup>245</sup> Distributional measures may not reflect such features of society. It is possible, for example, for someone to be wealthy but a victim of racial prejudice. Generally, distributional and relational inequalities tend to coincide, with distributional inequalities tending to give rise to relational inequalities. Additionally, relational inequalities often produce distributional inequalities. Accordingly, I address the relational harms of poverty in the next chapter. Yet, the argument of relational egalitarians is that it is the unequal relations that constitute injustice. Therefore, even if distributions have a bearing on relations, it is fetishistic to care about distribution without attending primarily to relations.

Relational equality is concerned not only with distributional discrepancies among people, but with relations such as disrespect, discrimination, and social hierarchies, particularly among people belonging to groups who face oppression based on their gender, race, religion and class.<sup>246</sup> Whether a person is treated as an equal does not only pertain to the interpersonal context, but to how people are treated by institutions.<sup>247</sup> Institutional arrangements and social processes can be regarded as expressing certain attitudes. Where this treatment expresses an attitude of disregard or disrespect, which can range from hostility, to contempt, to neglect, this constitutes relational injustice.<sup>248</sup> As Schemmel writes '*expressive considerations, focusing on the attitudes that institutions express in their treatment of individuals and groups, play an irreducible role for justice that is overlooked by purely recipient-oriented views*'.<sup>249</sup>

Having outlined the relational approach to justice, I argue that there is an important link to draw between the theory of relational equality, and the sorts of deleterious interactions that I have identified in the thesis as cases of coercion. This, I argue, is how we might understand the moral significance of coercive interactions. To be subject to the will of another constitutes an unequal relationship; a type of relational harm. A society which is characterised by unequal, or harmful relations is a relationally unjust society. There is thus a possible wrong which operates at the structural, or institutional level. It also pertains to the interactional level, in the context of interpersonal relationships. My argument is that while not all cases of coercion involve a material harm, there seems to be a *relational harm* within all coercive interactions. Coercive interactions

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<sup>243</sup> Young (1990, 2011), Anderson specifically notes Young's influence (1999, p.312)

<sup>244</sup> Scheffler (2015), Anderson, E. (1999)

<sup>245</sup> Anderson, E. (1999), Wolff (1998)

<sup>246</sup> Anderson, E. (1999)

<sup>247</sup> Schemmel (2012, p.133)

<sup>248</sup> Ibid., p.134

<sup>249</sup> Ibid., p.142

that do not undermine one's rights, or where the coercer does not act in a blameworthy way, raise moral concern. This is because to be subject to the will of another is to exist in an unequal relationship.

However, questions remain regarding this analysis. It might seem too quick to conclude that being subject to the will of another is to experience a relational wrong. We cannot assume that an unequal relationship constitutes a *wrong*. It may, instead, be merely a form of *bad*. The dichotomy that Garnett identifies repeats itself in the relational equality debate. We can identify an axiological or eudaimonic explanation of the normative significance of relational equality, as well as a deontic conception.<sup>250</sup> One way of regarding the moral significance of unequal relations is that they are bad for a person.<sup>251</sup> Being subject to the will of another may be intrinsically or instrumentally contrary to one's interests.<sup>252</sup> At the same time, relations which are expressive of equality may be an aspect of what makes a person's life go well. Equal relationships might be regarded as contributing to a person's flourishing, and participating in fraternal relationships might be an important aspect of a person's well-being.<sup>253</sup>

However, the moral significance of unequal relations might go beyond the concern that they make a person's life go worse. We might regard unequal relations as a form of wrong. One reason for considering unequal relations to be wrongful is that they have harmful effects on a person. For example, a person who understands that securing their needs is dependent on the arbitrary will of another, might experience feelings of inferiority, which undermines their self-respect and self-esteem.<sup>254</sup> We might also regard unequal relations as inherently wrongful or unjust. As Schemmel writes; '*social egalitarians object to inegalitarian relations in their own right, independently of their negative effect*'.<sup>255</sup> Why might inegalitarian relations be inherently wrongful? One suggestion is that they undermine one's moral status as an equal.<sup>256</sup> One perspective on this is that equal treatment simply follows from what it is to regard people as equals. People should be treated equally, not only because equality is good for us, but because our moral status as equal demands that each of us be treated as an equal.<sup>257</sup> This applies to individual interactions as much as how we are treated by institutions. Therefore, perhaps being subject to the will of another is itself an unjust - because unequal - relation.

The thought applies beyond the relational egalitarianism framework. Being subject to the will of others might also be regarded as Kantian concern, which regards being under the power of others as wrongful as such.<sup>258</sup> There is also a parallel line of thinking in Raz's approach. Raz writes,

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<sup>250</sup> Miklosi (2018), pp., 131-132, see *fn 38*

<sup>251</sup> Scheffler (2005), pp.18-19, O'Neill, M. (2008), Gheaus (2016)

<sup>252</sup> For a survey of views on this point see Tomlin (2015 pp.164-8)

<sup>253</sup> Scheffler (2005, p.19), O'Neill, M. (2008, p.130)

<sup>254</sup> Schemmel (2011, p.366)

<sup>255</sup> Schemmel (2015, p.152)

<sup>256</sup> The notion that human beings share a fundamental moral status as equals grounds the liberal idea of equality reflected in Rawlsian ideas of justice, as well as the relational equality approach to justice. See also Locke [1690] (1980) Dworkin 2000

<sup>257</sup> Anderson, E. (1999, p.313)

<sup>258</sup> Kolodny 'Being Under the Power of Others', (*forthcoming*)

coercion '*expresses contempt for the will of a person, as it involves replacing it with that of another, a relationship of dominance, this shows disrespect for a person.*'<sup>259</sup> This is an inherent wrong, again, as Raz says, '*often coercion is wrong primarily because it is an affront or an insult and not so much because of its more tangible consequences*'.<sup>260</sup> The wrong of disrespect for a person is what I take to lie at the heart of coercion. We might regard being subject to the will of another as an inherently wrongful relation, because it manifests an attitude of disrespect and disregard. It may therefore, itself, constitute an injustice.

Being subject to the will of another might be seen as a way of a person's life going badly, or as a moral wrong, either inherently, or due to the consequences of unequal treatment for a person. The relational equality approach regards unequal relations as giving rise to injustice. This is argued by theorists who conceive of unequal relations as a form of bad, as well as those who think they are inherently wrongful. On either understanding, we can regard being subject to the will of another as a form of injustice, which is, generally regarded as a deontic notion. It follows that coercion claims are morally significant even when we do not base these claims on accusations of wrong-doing.

Let us take stock of the argument so far. This chapter responds to the possible objection that coercive interactions that merely involve being subject to another's will, but do not involve wrong-doing are morally unimportant or uninteresting. I have, in contrast, suggested that being subject to the will of another might be understood as a type of relational inequality. Furthermore, where this arises through institutional arrangements, I view it as a form of structural harm.

However, this might draw a premature conclusion. One may question whether all inequalities necessarily constitute injustices. The assumption that being subject to the will of another is an unjust relation may be too strong a position to hold. It may not seem that any instance of being subject to the will of another expresses an attitude of disrespect. Moreover, to deem subjection to the will of another as wrongful, as such, would make wrong-doing implausibly widespread. We do not want to regard every citizen as wronged simply by existing in a coercive state. It is not my view that coercion is always *pro tanto* wrongful. Yet, I do take coercion as being consistently of moral significance.

I suggest that that the way to understand the moral significance of coercion is as a relation with an expressive function that undermines, to some extent, the idea of equality. Even if not every case of subjection to another's will expresses attitudes of disrespect, it is still incompatible, on the face of it, with the idea of relating as equals. This provides a route to understanding what is wrong with coercion when it is wrong, even when this does not involve such moral features as the violating of rights. I suggest that the unequal relation of being subject to the will of another makes coercion morally significant. We might, then, identify *further* factors that makes this

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<sup>259</sup> Raz (1986, p.154)

<sup>260</sup> *Ibid.*, p.156

sometimes unjust. Perhaps there are grounds along which to distinguish wrongful unequal relations from mere inequalities.

One scenario - when a relational inequality might seem wrongful - is when a relational inequality increases the vulnerability of an already disadvantaged group. To apply this to the issue of being subject to another's will, we might think that in cases where B belongs to an already oppressed group, merely being subject to the will of A, is wrongful. The coercion of people belonging to certain groups, perhaps, reinforces inequalities, which increases their vulnerability to coercion. There is also an expressive wrong; the sustained subjection of some people to the wills of others, perhaps, normalises the idea that these people *should* be subject to the will of others. It may perpetuate the notion that some people are inferior to others and, hence, rightly subjected. Yet, in cases where B is merely subject to the will of A, but B is not a member of a disadvantaged group, this may not constitute a wrongfully unequal relation.<sup>261</sup>

Young's theory of structural injustice is informative here. According to Young, the structure of society is characterised by power dynamics that are perpetuated by, and, in turn, perpetuate structural inequalities. Disadvantage in a society exists along gender, class, race and ability lines.<sup>262</sup> These social groupings give rise to inequalities of opportunity, as well as differentials in status. These translate into social positions, with people from more privileged groups, more frequently, occupying roles of greater social power. We might regard as unjust the situation whereby those who experience deprivation under certain social structures must submit to the will of those who occupy a position of relative power.

The relational analysis of coercion's wrong lets us note that some instances of coercion are more wrongful than others, as a result of how they reinforce, and exacerbate problematic power relations within structures. We might regard the coercion of members of particular oppressed groups as *always* wrongful in a way that the one-off coercion of a particular person is not, since it always carries the expressive wrong of reinforcing unequal status. This is why the wrong of coercive interactions must be assessed within their particular context, taking into account structural factors. The moral significance of a coercive interaction cannot be ascertained merely through the facts of the specific interaction. For example, in a case where A tells B, "sleep with me or I'll fire you", and B, lacking other job prospects, sleeps with A, I would argue that if A is male and B is female, this case is more wrongful than if A were female and B male. One might think that the issue of gender relations is only relevant in assessing how coercive the proposal is, but I

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<sup>261</sup> I use 'merely' subject to the will of another here to make clear that I am only talking about cases where being subject to the will of another does not involve a violation on one's rights. For example, an obvious counterexample to the claim that one is not wronged in cases where one is subject to the will of another, in a way which does not involve structural vulnerability, seems to be the paradigmatic highwayman case. This involves the subjection of one's will to another, and is wrongful, even if the highwayman's victim is not disadvantaged in relation to the highwayman other than because she lacks a weapon. However, there are other ways to account for why the subjection in this case is wrongful. My purpose, in this chapter, is to identify what is wrongful in cases where one is subject to the will of another without one's rights being violated, or any wrongful intentions being involved.

<sup>262</sup> Young (2011, p.59)

suggest, this also affects the moral status of the interaction. The former interaction represents and reinforces gender oppression in society, and carries this additional wrong.

We might also make distinctions among various forms of coercion. Cases may raise particular moral concern when one is subject to the will of another in a particularly severe way, such as being someone's slave rather than employee. I also suggest that being subject to the will of another seems wrongful where this creates an inequality of status and denotes positions of inferiority and superiority. For example, B may have no option but to work for A, and so is subject to A's will. But, if the work that B is forced to do for A is rewarding, allows B opportunities to flourish, and to have independent control of the work, this coercion may not be wrongful. If, however, the work B does subjects B to a high degree of control by A, is regarded as low-status and involves a particularly invasive use of B's faculties or body, then it may be. There might be certain social meanings attached to different forms of work or service. So, the extent to which we regard the relation of being subject to another's will as wrongful may depend on the historical or cultural significance of the specific interaction. Even across forms of work that involve service to another and that, on the surface, may appear similar, there can be differences in status. For example, we can contrast midwifery to sex work, or being a butler compared to being a scullery maid. Being subject to the will of other may be wrongful by virtue of whether the social meanings of the interaction denotes low status and inferiority.

More generally, we may regard some instances of coercion as more wrongful than others, where additional wrongful features are present. The subjection of one's will to another can be identified as the core, morally significant, feature of coercion. Yet, a coercive interaction may be additionally wrongful due to other features of the case. For example, coercion may be more wrongful where one intends to subject another to their will, or where one subjects another to one's will in order to extract benefits for oneself. This might explain why blackmail, for example, seems particularly wrongful. It involves subjecting another to their will, but also involves wrongful intentions. Yet, we are able to identify the wrong of coercion qua coercion in relation to mere subjection of the will to another.

The relational approach enables us to understand why cases of coercion stand in need of justification, and at the same time, why some cases of coercion are justifiable. While our moral status is characterised by the idea that we are free and equal, we also have capacities for suffering, basic needs and essential interests. This means that it may show more respect to coerce a person at times, as in cases of justified paternalism, out of concern for their welfare, instead of assuring their autonomy. For example, if A demands to B 'stop hanging around with that crowd or I will report you to the police', B might be coerced by A, his family member, into abandoning his new crowd of criminal friends. B's will is frustrated through being forced to submit to A, but A subjects B to her will out of concern for B. This is what makes the coercion justified and, therefore, not wrongful. Yet, the coercion may be wrongful if A acts on different motivations. Cases must be judged on their own merits or otherwise.

This perspective might help in understanding the moral status of state coercion. One reason for state coercion is to protect one from harm by others. In a society, there is a need to respect each person's moral status, needs and interests, which is why personal freedom may be permissibly curtailed through state coercion. Nonetheless, state control stands in need of justification. This is underlined by the fact that subjection to the coercive power of an unjust state would be wrongful. Being under the power of another, moreover, increases one's vulnerability to *further* invasions of one's independence. Given the possibility of one's interests conflicting with the policies of a state, while lacking sufficient influence in policy decisions, it seems more plausible to regard state coercion as justified, than not even standing in need of justification. Perhaps state coercion may also be justifiable if one has sufficient or equal participation in the institutional arrangements to which one is subject, and the state is sufficiently geared towards protecting one's interests.

Alternatively, if one has an extensive enough role in an institution to which one is also subject, perhaps we might not regard this case as subjection to the will of another. Part of what it means for B to be subject to the will of A is that B's own independent will is overwhelmed, that B is subject to an alien will; and that A's will is, thus, not directed at meeting B's interests. If a person has sufficient opportunity to exert their will over institutional arrangements in the state, or if institutional arrangements are sufficiently attuned to one's interests, one's freedom may not be undermined through being subject to its control. This relates to the idea that being subject to the law might amount to obedience to one's own will, when one has sufficient participation in democratic processes.<sup>263</sup> This might give a reason for thinking it possible that certain members of a society are coerced through structural arrangements, such as a disenfranchised member of a minority or a marginalised group, whereas others are not, such as the powerful, or members of the 'elite' in society.

Suggesting that coercion stands in need of moral justification because it could constitute a wrongfully unequal relationship, or a relational harm, is, perhaps, another way of formulating Garnett's idea: *being subject to the will of another is not necessarily wrongful, but bad for a person.*<sup>264</sup> As Garnett reminds us, it is still morally significant for a person's interests to be set back in this way. However, this perspective needs the associated recognition that the moral significance of a case of subjection to another's will may not be fully grasped in an individual case, without attending to the societal context. Perhaps an individual or one-off case of being subject to the will of another is not unjust. However, a society, in which some people face such constrained options that they must enter into relations which subject their will to another, is an unjust society. A society characterised by harmful, unequal relations is an unjust society. As theorists, such as Rawls and Young, help illustrate, a society can be structurally unjust even when it is not made up of individual unjust actions. A society which is unjust wrongs its members. We may not regard being subject to the will of another as inherently wrongful. Yet, I maintain that

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<sup>263</sup> Rousseau (2012 [1762]), Neuhausser (1993)

<sup>264</sup> Garnett (2018)

coercion, which does not arise through wrongful actions, but is related to broader, structural injustice may be wrongful in a way which goes unrecognised.

Perhaps one might still contest that, even if coercion is at times unjust, it still does not constitute a deontic wrong in the sense of deeming a coerced interaction impermissible or blameworthy, or a coerced transaction to be void. Nonetheless, to regard coercion as a form of injustice goes beyond the normative significance attributed to it by critics of the non-moralised conception of coercion. This perspective seems particularly significant when applied to the context that I am concerned with, namely, people in poverty forced into unequal relations. Being forced into relations - which undermine the independence of one's will and equal moral status - is a way of one's life going badly. Where this is because institutional arrangements in society leave one without adequate options to avoid poverty, being forced into these unequal relations is to suffer a form of injustice. When we identify people as coerced through such circumstances, we identify people as victims of injustice. This is surely not a claim of negligible moral significance or interest. Hence, we have a response to the objection posed at the start of the chapter.

### Conclusion

This chapter focused on the normative significance of coercion in relation to the on-going debate in the literature over whether coercion is an essentially moralised or non-moralised concept. On the one hand, proponents of the moralised account seem more able to account for the moral significance of coercion. Identifying coercion in relation to pre-existing wrongs, such as rights violations, enables coercion to be identified as wrongful, or impermissible, and thus to play a useful function, for example, in testing the validity of a transaction. On the other hand, the moralised account is unable to explain intuitions that interactions which do not involve pre-existing wrongs are coercive, and, indeed, coercive in a morally significant way, (such as accepting subordinating employment offers in order to avoid poverty). Moreover, the moralised conception conflicts with the assumptions, fundamental to our dominant liberal political theory, that even a just state coerces its citizens, and that this stands in need of justification. I suggested that dominant, moralised accounts of the wrong of coercion seem problematic, especially since they neglect significant cases. The primary focus of the chapter was to offer an account of the moral significance of a relational conception of coercion as the forced subjection to the will of another. I presented this not as a rival, but as an additional account. Following Garnett, we might find a place for both the moralised and non-moralised conceptions to help explain two different moral roles of coercion: a deontic role and a eudaimonic role.

The argument in this chapter provided a response to the possible objection to the central argument of my thesis. My argument is that people in conditions of poverty frequently have no option but to be subject to the will of another, in order to access their livelihood, and thereby experience coercion. The objection contends that, even if we agree that such people experience coercion, the fact that they are subject to the will of another does not make a claim of any

significance. It does not undermine their rights, does not invalidate any transactions they enter into, and does not deem the person whose will they are subject to as acting wrongfully or in a blameworthy way.

My response to the challenge centred on Garnett's claim that being subject to the will of another has normative significance as a relation that makes life go worse for a person. I suggested that this unequal relation, at times, constitutes a form of injustice. This helps us account for the moral status of the more complex cases of coercion that I discuss in this thesis, such as wage offers against a backdrop of poverty.

The next chapter builds on this further. Here, I have given a relational account of the wrong of coercion. I suggest that to regard coercion as a relation that is at times wrongful, enables us to notice that the wrong of coercion is one aspect of what is wrong with poverty. That poverty gives rise to relational harms is part of what makes it wrong. If we think of coercion as only involving harms that violate one's rights, or make one materially worse off, and if we assume that harms must arise from the intentional actions of identifiable agents, we fail to notice how coercion arises from a situation of poverty. This leads us to ignore the morally significant relationship between coercion and poverty.

At the same time, we need to take a relational approach to poverty to infer that one of the ways in which poverty is wrongful is that it generates harmful interactions - such as coercion. This tends to be eclipsed by the more immediate wrongs of poverty, such as extreme material deprivation. This oversight is the topic of the next chapter. I shall look at how poverty makes the poor subject to the will of others. This is one significant wrong of poverty. I also address similar relational harms produced by poverty. I will consider the way in which dominant approaches to poverty fail to sufficiently attend to these.

## Chapter five: Poverty and Unfreedom

In the first chapter I discussed that Cohen shows how the proletariat, under capitalism, are collectively unfree. This is due to the structure of capitalism, which does not allow all members of the proletariat to escape their class. I postulated that, to fully consider the significance of Cohen's argument, we need to go beyond the scope of his analysis with respect to two matters. First, we require an account of how unfreedom at the structural, collective level, bears on individual unfreedom. Second, given that implicit in Cohen's view is a concern with poverty, we need to address the significance of poverty directly. We could formulate Cohen's argument as showing that capitalism works to maintain a class that is relatively poor, and while some are able to escape their poverty, not all are. Therefore, the poor suffer from structural unfreedom, as they are forced to sell their labour. Yet, if there is a group that are forced to remain poor, is it a significant aspect of their poverty that they are forced to sell their labour? This chapter aims to pursue both of these further questions with an argument that responds to each concern. In this chapter, I argue that the poor are not only structurally unfree, but unfree in an individual sense. Poverty is a form of unfreedom. This is recognised by theorists such as proponents of the 'Capability Approach'. Yet, I argue that poverty undermines freedom in a relational sense. This aspect tends to go overlooked. The poor are subject to the will of those in a position to alleviate their poverty. In this way, the poor are forced to sell their labour in an individual sense, as well as a structural sense. Moreover, in selling their labour they are subject to the will of their employer, which is a form of relational harm.

The thesis so far has drawn a link between coercion and poverty as it addresses the idea that people are coerced, in the sense that they are subject to the will of another, even when this improves their material situation, because they lack sufficient options due to poverty. I suggested that the fact that a person is made better off through an interaction does not mean that it is not coercive. Additionally, coercion does not require the identification of an agent responsible for one's constrained circumstances. I drew on the approach of Iris Marion Young, who focuses on how structures give rise to deprivation, to suggest that structural forms of constraints make a person vulnerable to being subject to the will of another. I suggested that understanding coercion as a type of relation both helps us make sense of what counts as coercion, as well as why it is wrong. I aimed to demonstrate that focusing on cases of coercion through poverty helps us develop a richer account of coercion, able to accommodate cases that do not fit the dominant, simple model of coercion.

This chapter addresses poverty directly. It extends the structural and relational approach. The structural perspective is particularly relevant to poverty, since poverty results from multiple, complex factors, rather than the intentional or wrongful actions of individuals. This chapter addresses the other side of the link between coercion and poverty. The first part of the thesis

addressed the context of poverty to understand something about coercion. This chapter draws on our richer notion of coercion to understand something about poverty, that often goes overlooked, namely, that poverty gives rise to relational harms, such as coercion. I suggest that this should be part of an understanding of what poverty involves and what makes it wrongful.

This builds on the discussion in the previous chapter regarding the moral significance of coercion. I suggested that coercion is morally significant because it constitutes an unequal relation, which undermines one's moral status as an equal. I argued that a society comprised of such unequal interactions is an unjust society, therefore coercion raises issues of justice. Here I build on the thought that a society which leaves people so badly off, that they must submit themselves to the will of another, is unjust. I suggest that this is an essential aspect of what makes poverty wrongful, which tends not to be acknowledged. I will discuss that poverty is wrong because it gives rise to relational harms such as coercion, as well as other forms of harmful relations. In addressing the relational harms of poverty, coercion becomes one of several considerations rather than being the central focus. Yet the chapter draws on our understanding of coercion to deepen our grasp of the wrongs of poverty and the implications this has for resolving poverty.

### Introduction

*Jo lives — that is to say, Jo has not yet died – in a ruinous place known to the like of him by the name of Tom-all-Alone's. It is a black, dilapidated street, avoided by all decent people, where the crazy houses were seized upon, when their decay was far advanced, by some bold vagrants who after establishing their own possession took to letting them out in lodgings. Now, these tumbling tenements contain, by night, a swarm of misery. As on the ruined human wretch vermin parasites appear, so these ruined shelters have bred a crowd of foul existence that crawls in and out of gaps in walls and boards; and coils itself to sleep, in maggot numbers, where the rain drips in; and comes and goes, fetching and carrying fever and sowing more evil in its every footprint than Lord Coodle, and Sir Thomas Doodle, and the Duke of Foodle, and all the fine gentlemen in office, down to Zoodle, shall set right in five hundred years – though born expressly to do it. Twice lately there has been a crash and a cloud of dust, like the springing of a mine, in Tom-all-Alone's; and each time a house has fallen. These accidents have made a paragraph in the newspapers and have filled a bed or two in the nearest hospital. The gaps remain, and there are not unpopular lodgings among the rubbish. As several more houses are nearly ready to go, the next crash in Tom- all-Alone's may be expected to be a good one.<sup>265</sup>*

Describing the fictional London slum 'Tom-all-Alone's', central to the story of *Bleak House*, Dickens brings out several aspects of poverty in Victorian Britain. The poor are forced to dwell in insanitary, dangerous conditions, segregated away from 'decent people'. The book describes the proximity of the slum to wealth and bureaucratic parts of the city, thus depicting both the physical closeness yet separation of rich and poor worlds. The passage also gives a sense of the attitude

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<sup>265</sup> Dickens, *Bleak House*, Chapter 16 pp. 182-183

towards the poor; not just forced to live in dangerous conditions, but themselves perceived as dangerous, not human, and insect-like. Additionally, poverty is depicted as a form of evil. This conveys the moral judgments attached to poverty at the time. Poverty was regarded as largely due to individual fault; due to indolence. More sympathetically, where a person was unable to work due to disability or illness, poverty was regarded as misfortune. This formed the distinction between the deserving and undeserving poor. The response to the former was charity, to the latter, the workhouse, usually involving punishing forms of work and hazardous living conditions, which were intended to act as disincentives to relying on the state. In both cases the poor were regarded as 'other', as inferior, as not worthy of respect. Responses to poverty tended to be out of self-interest, rather than altruism; the poor were a source of disgust and regarded as a threat to the physical health and social decorum of society. The attitude was that the poor needed to be dealt with, rather than helped. There was no consideration of poverty as a form of injustice, or a structural phenomenon, arising from anything other than individual circumstance, and thus not the responsibility of society to address.

Of course, this picture is not representative of today's western societies. Yet much of the above is familiar. Though there is some awareness of structural causes of poverty, it remains largely thought of as an individualist phenomenon. Negative attitudes towards the poor are prevalent, perpetuated by politicians and the media. Moral criticism is widespread, in particular, ideas of people who live in poverty as lazy, as having a poor work-ethic, making bad choices in life and engaging in socially harmful behaviour. Perhaps what remains most similar is the way in which poverty is regarded as an urgent social evil, and yet seems not fully understood or adequately conceptualised. This is particularly in respect to what the wrong of poverty is, which itself relates to how we should respond to it. Many questionable assumptions run through social attitudes, policy responses, as well as philosophical conceptions of poverty. Thinking about poverty invites the puzzling observation that anyone can agree that poverty is bad, and can recognise serious cases of poverty, yet, disagreement in various fields persists regarding what counts as poverty and what makes it wrong. It seems that, on the one hand, the evils of poverty are plainly obvious and simple, and on the other hand, are highly complex.

The puzzle that poverty poses is not merely conceptual. It is often remarked that given the wealth at the disposal of most developed countries, and in the hands of individuals, and indeed the vast sums that have been spent on combatting poverty, it is surprising and dismaying that severe poverty persists as a global phenomenon. It is also proclaimed as shocking that in countries with developed economies, democratic governments, and welfare systems, poverty exists as a phenomenon, for example, in the USA and UK. The causes of poverty are complex, and my focus is on the philosophical understanding of poverty, rather than an empirical investigation of why

poverty exists and persists. Yet, it is also my view that these questions are related. We cannot expect to take effective action against poverty without a thorough understanding of what it is.

My argument is that there is a particular aspect to poverty that goes under-recognised, which leads to insufficient understanding of these issues. Dominant views of poverty, both within social policy, and philosophy have focused on a particular conception of poverty. The mistaken view, which has pervaded attitudes towards poverty over time, perhaps most apparent in Victorian times, but sustained to the present day, is that poverty is an individualistic phenomenon. This includes ideas about the nature of poverty and the causes of poverty. There is a common perception that poverty is the fault of the individual, and that it is the responsibility of the individual to get out of poverty.<sup>266</sup> Less pernicious, but still a related mistake is the thought that we understand the nature of poverty, what is it and what is wrong with it, by looking at the situation of individuals in poverty. Poverty is regarded as a feature of the individual, typically their resource set. What is wrong with poverty is thought to be that one does not have enough to meet one's needs, or that one lacks sufficient opportunities. This is a significant element of what constitutes poverty and why it is wrong. But this overlooks the social aspect of poverty.

Poverty is also a matter of the nature of the relations one stands in, and not just a person's set of resources or opportunities; this is part of what poverty is. Additionally, these relations are part of what makes poverty wrong. Failing to note this means that eradicating the wrongs of poverty appears to be a matter of making a person better off. Yet, given that this may not transform the nature of a person's relations, the wrongs of poverty may remain. In particular, wrongful relations such as coercion, exploitation, domination, subordination, or vulnerability to these, which characterise poverty, can persist even when one is made materially better off. Moreover, the individualist approach diminishes the way in which poverty is a structural phenomenon. Again, this means that resolving poverty is not simply a matter of making individuals better off, such as through employment, or distributional measures. A comprehensive approach to solving poverty requires addressing the nature of social structures, and institutional arrangements. We must attend to the relational and structural aspects of poverty as part of an attempt to combat poverty. Yet, aside from the pragmatic importance, we need to look at the relational aspects to grasp what poverty is, and why it is wrong. This chapter puts forward the *relational thesis*. This is the claim that the normative significance of poverty is located, in part, in the nature of relations between people operating against a background of poverty, and not just in the effects of poverty on individuals. The view I put forward is that poverty involves a complex range of relational harms and wrongs, and to adequately account for these, we must posit a relational approach to poverty.

I will first discuss the current, dominant conceptions of poverty; I claim that while a distributional focus is part of an understanding of poverty, so is the relational aspect, which often gets ignored.

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<sup>266</sup> We must note that there is an emerging body literature which takes an opposing view, recognizing the structural nature of poverty. See, for example, Lister (2004), Rank (2004)

I then address the capability approach.<sup>267</sup> The CA is rooted in Sen's criticism of distributive approaches to poverty, namely, that measures of income and wealth do not capture what is important about how a person's life goes.<sup>268</sup> Sen characterises poverty as a lack of freedom. He argues that we should be concerned with what people are able to be and do, not what they have. Both Sen and Nussbaum suggest that instead of income and wealth, we should assess well-being in terms of a number of important capabilities.<sup>269</sup> The CA therefore goes much further in its concern with how people actually fare than distributional approaches.

However, I will discuss why, despite the concern with how deprivation undermines freedom, it does not adequately attend to the relational aspect of poverty. There is also a relational aspect to freedom that the CA overlooks. Freedom does not only relate to a person's opportunities; what they can do and be. Freedom is also a matter of the nature of one's relations with others. I have discussed that poverty forces people into relations which involve the subversion of one's will through being subject to the will of another. This relation not only undermines equality, but also freedom. Submitting to the will of another undermines one's independence, and as I have discussed, an independent will is a fundamental aspect of freedom. A concern with how poverty undermines freedom requires that we attend to how poverty creates relationships that undermine freedom, in a relational sense, as well as in the sense of undermining opportunities.

Following my discussion of the capability approach, I turn to an examination of the relational harms which poverty involves. This builds on my focus, in previous chapters, on the coercive aspects of structural forms of deprivation. In chapter three, I drew on Young's structural explanation of deprivation as a form of structural injustice, to put forward a notion of structural coercion. This is how structural deprivation forces one to enter into a subordinate relationship with another, in which one is subject to their control. The structural arrangements which cause poverty can force a person into relations which undermine the independence of their will.

This chapter puts the spotlight on forced relations of subjection to another as one important way in which poverty is wrongful. I also extend this to look at related forms of harmful relations associated with poverty, namely dependence and social exclusion. I discuss that these relational harms constitute ways in which poverty undermines freedom. Relations of subjection, powerlessness, and dependence undermine the independence of one's will, which is a fundamental aspect of freedom. Social exclusion is, perhaps, the lack of the social conditions of freedom. In examining the relationship between poverty and social exclusion, I discuss a different type of concern with relational aspects of freedom. Poverty does not only create harmful relations which undermine freedom. It also deprives one of positive relations which enhance freedom. I relate this to Rawls' notion of the social bases of self-respect. I discuss that relational harms are part of what is wrong with poverty and what it is to be in poverty. At the end of the chapter I

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<sup>267</sup> Henceforth abbreviated to CA

<sup>268</sup> Sen (1999)

<sup>269</sup> Nussbaum (2000)

discuss how these insights have implications for how we should seek to effectively resolve poverty.

#### A distributional conception of poverty

Poverty is most often regarded as a distributional matter. Poverty, essentially, is when one does not have enough to live. There are different ways of fleshing out what constitutes having 'enough', and what it is that one should have enough of.<sup>270</sup> Poverty might be defined in relation to certain needs or goods, for example, not having shelter, nutrition, or access to essential medicines. Or, poverty might be defined by the level of available income: for example, living on less than a dollar a day. Distributional approaches most often relate to measures of income and wealth. Absolute poverty is when one's income and wealth are insufficient to meet one's needs, understood in a minimal sense. Absolute poverty is therefore more relevant to developing countries where 'the state' does not have a social welfare system that provides support for their poorest citizens, to ensure that they can meet their most basic needs. Even in developed countries where there is a social welfare system in place, people living in developed economies may also suffer absolute poverty. Generally, poverty is regarded as a lack of resources. What is considered wrong with poverty is that one's needs go unmet, and one is not able to lead a fully human life.

Yet it is widely thought that absolute poverty is not the only form of deprivation that raises moral concern. Even if a person is able to meet their essential needs, if they lack the means for a decent life, they may still be in poverty. There are important aspects of life that go beyond the essentials of food, water, shelter and basic health. The way of fleshing out what counts as a decent life is usually in accordance with a life typical of a particular society. This is relative poverty.<sup>271</sup> Relative poverty is normally defined as not having enough resources for what constitutes living a normal life. The notion of relative poverty thus also applies to people in wealthy countries. In the UK, relative poverty is measured as having less than 60% of the median income.<sup>272</sup> What is thought wrong with relative poverty is that a person is not able to meet their non-essential but important needs, or to live the kind of life expected of someone in their society.

There may, however, be reasons to resist the thought that a relative poverty approach is a separate and illuminating conception of poverty.<sup>273</sup> First, one might contest that there is no need for a separate category of relative poverty, as what we are really concerned with is inequality. However, this objection might be due to failing to distinguish relative poverty from merely having less than others. Inequality may be a concern with merely having less than others, but relative

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<sup>270</sup> Hull (2007), Joseph Rowntree Foundation (2009, p. 19), Wolff et al (2015), Wolff (forthcoming)

<sup>271</sup> See Townsend (1979, p.31), Joseph Rowntree Foundation (JRF) (2009), Wolff (forthcoming)

<sup>272</sup> JRF (2009)

<sup>273</sup> See Wolff et al (2015 pp.29-30)

poverty involves falling below a threshold level of resources which allows one to lead a typical or adequate life in one's society.

Second, one might reject the need for two separate categories, doubting that there is a clear distinction between relative and absolute poverty. Perhaps it is, in fact, artificial to make a distinction between not having enough and having less than others. There are categories that seem to sit in between what is thought of as relative and absolute poverty. For example, we might define a person as in poverty if they lack access to goods which, though not essential, are part of what a decent life involves. The giving of gifts, or the means to afford personal beautification are possible examples. Lacking means for these would not constitute absolute poverty, as they are not basic necessities. Yet, this might not constitute mere relative poverty. This is because lacking the means for such things might constitute one as poor in *any* society, and not only one's own. A third reason for regarding relative and absolute poverty as not fully separate is that relative poverty often leads to absolute poverty. As Brian Barry states '*Becoming relatively worse off can make you absolutely worse off in terms of opportunity and social standing*'.<sup>274</sup>

I suggest an alternative reason to question how far a relative poverty approach adds to our understanding of poverty. The concern is that relative poverty remains a distributive conception of poverty. Relative poverty, like absolute poverty, is a question of a person's resources falling below a certain threshold. The difference is that the threshold is determined in relation to the standards of a particular society, rather than an objective set of needs. There are two aspects to this criticism. One regards relative poverty as too distributive; the focus is only on levels of income and wealth, which is not an adequate indication of how lives go. The other criticises relative poverty for being too individualistic; the relative poverty approach overlooks the importance of relations. I am primarily concerned with the second objection. I will argue that conceptions of poverty must attend to the ways that poverty involves relational harms. One might, however, regard relative poverty as a relational approach to poverty, as it assesses how well a person fares in relation to others. Moreover, relative poverty is often conceptualised as social exclusion; a form of relational harm. Relative poverty can be defined not merely as a statistical measure, but in terms of what is required to fit in, or to avoid shame, which are inherently relational concerns. I will say more about this later.

The distributive objection, which claims that income and wealth are too limited as a measure of whether a person's life goes well, is what motivates the capability approach.<sup>275</sup> The capability approach provides a different reason for rejecting the separate category of relative poverty. It is not that an absolute measure is inappropriate, according to the CA, but rather that the currency of poverty is too limited. The CA looks at several different manifestations of deprivation, beyond

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<sup>274</sup> Barry (2005, pp. 172-3)

<sup>275</sup> Sen (1999), Nussbaum 2000)

just income and wealth. Yet, it takes people to be *absolutely* deprived in these ways, and not merely relatively deprived.

First, Sen regards income and wealth as of merely instrumental value. He considers other goods to be of primary, or intrinsic, importance and, therefore, more relevant to determining how well a person's life goes.<sup>276</sup> Second, Sen recognises that there are other factors about a person's situation which means that income and wealth can do more or less for people. Therefore, measures of income and wealth do not reflect how well someone's life goes, nor does this enable meaningful comparisons among people. For example, a person with physical disabilities may require more resources than someone without disabilities for mobility.<sup>277</sup> In light of these considerations, Sen and Nussbaum, propose that well-being cannot be measured by a distribution of income and wealth. Instead, they put forward a conception in terms of having the capabilities for a range of important functionings.

Within economics, as well as within philosophical debates, a wealth and income-based sufficiency conception of poverty is still overwhelmingly favoured. However, some economists, influenced by Sen, argue that relevant assessments cannot be reflected in income and wealth measures alone. Instead, some recognise that we require a normative explanation of poverty that captures what is wrong with poverty and what is required for a life to go well.<sup>278</sup> A multidimensional approach, which more comprehensively addresses what constitutes an adequate life, is increasingly favoured in the context of global development. Development programmes to lift people out of poverty rely on more multi-focused data. For example, the UN adopts the Human Development Index to measure development, which addresses criteria such as, education and life expectancy within a population.<sup>279</sup> This outlook is influenced by the capability approach. However, this measure still does not account for other important aspects of well-being, such as empowerment of citizens, a sense of secured access to meeting one's needs, and inequalities between people. Moreover, global poverty remains measured by the traditional 'dollar a day' measure. Specifically, poverty is defined by the World Bank as having less than \$1.90 per day.<sup>280</sup> Thus, there remains insufficient attention paid to inherently relational aspects of society, which are relevant to the question of how well people fare.

So far, I have discussed what is wrong with understanding poverty merely in terms of distribution of income and wealth. Next, I will say more about how the capability approach aims to resolve these problems, by instead, conceiving of poverty as lacking certain substantive freedoms. I shall argue that although the CA is not merely concerned with income and wealth, it remains a distributive approach, according to which, the relevant distribution is a sufficient set of

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<sup>276</sup> Sen (1999, p.87)

<sup>277</sup> Ibid., p.88

<sup>278</sup> Alkire (2002), and see the UN's Multidimensional Poverty Index (MPI), see "Global Multidimensional Poverty Index." *Oxford Poverty and Human Development Initiative*. <[www.ophi.org.uk/multidimensional-poverty-index/global-mpi-2017/](http://www.ophi.org.uk/multidimensional-poverty-index/global-mpi-2017/)>

<sup>279</sup> Human Development Report, 1990

<sup>280</sup> The World Bank (2018) 'Poverty' <<http://www.worldbank.org/en/topic/poverty/overview>>

opportunities. It also remains an individualistic approach, conceiving of poverty as a matter of individual opportunities. The capability approach remains insufficiently attentive to relational concerns.

#### A lack of poverty as freedom

Freedom is at the centre of Sen's approach to poverty. According to Sen, freedom has intrinsic and instrumental importance. It is both what is required to eradicate poverty, as well as the ultimate goal of development.<sup>281</sup> The relevant dimension of well-being is what a person is able to do and be, not what they have. A good life is one which involves several important functionings. Sen and Nussbaum are concerned with whether people have the *possibility* of achieving the functionings, rather than whether people actually achieve them. For example, a person may not opt for a life involving religious practice, but it is important the person has the capability to practice religion. A person's substantive freedoms, or opportunities, what Sen calls 'capabilities' range from basic capabilities, such as the ability to be nourished, to more complex capacities such as self-respect, or participation in the free market. Sen does not give a complete list, but mentions important freedoms, such as access to health, education, political participation, economic entitlements, and a social safety net. These are things that are valuable in themselves and also of instrumental importance, because they help secure the overall freedom of people to live the life they choose.<sup>282</sup> As Sen writes:

the capabilities approach starts with the assumption that the freedom to lead a life according to one's own choices and values – which is conceptualized via a person's capabilities – is a basic ingredient of a flourishing human life. Being poor, in this perspective, does not only mean a lack of income or material goods but also being in a situation where basic freedoms, which are prerequisite for making choices one has reason to value, are crucially limited. As a consequence, poverty is defined as the deprivation of certain crucially important capabilities, which is tantamount to asserting that it must be understood as the limitation of freedom.<sup>283</sup>

Sen primarily conceives of freedom in the sense of *opportunities*; the freedom to achieve certain diverse outcomes. Yet, Sen also places some emphasis on freedom in a *process* sense. This means having a role in decision-making in one's society, such as voting and participating in the market.<sup>284</sup> This requires the protection of political and civil rights. The process conception of freedom has instrumental importance, as societies tend to do better in a range of outcomes when they are democratic and have greater social equality. Additionally, individuals are better off when they have a voice in their society and have influence in the political process. Yet process freedom is also of intrinsic importance. Democracy and human rights, according to Sen, are constitutive aspects of development. Related to this is Sen's attention to human agency; the idea that people

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<sup>281</sup> Sen (1999)

<sup>282</sup> *Ibid.*, p.38

<sup>283</sup> *Ibid.*, p.87

<sup>284</sup> *Ibid.*, p.17, p.291

are not merely passive recipients, but in charge of their own well-being, and responsible for how they use their capabilities.<sup>285</sup> Again, having control over one's life is a means to achieving the capabilities, but is, itself, an important aspect of human freedom.

The CA identifies one as poor when they are lacking absolutely in a range of extensive and varied capabilities. Sen discusses that it might be appropriate to take a relative poverty approach to the sphere of commodities. But he insists that our concern should not be with people's commodities, but with their capacities, or needs, and to this we take an absolute approach.<sup>286</sup> For example, a child in a developed country might have access to more resources than one in a developing country. However, if more resources are needed for education in the developed country, such as access to a computer, then a child in a developed country who lacks access to a computer may be deprived of the means for education. Both may be deprived in the absolute need of access to education, even if the child in the developed country has more resources than the child in the developing country. This example helps bring out the point that absolute deprivation cannot be captured by overall measures of income and wealth.

Sen's view that income and wealth does not reflect the relevant aspects of deprivation applies in the case of both developing economies and affluent societies. In the case of developing countries, serious forms of deprivation, such as premature mortality, undernourishment, and gender-specific forms of deprivation are often not reflected in income and wealth measures. In affluent countries, there can be significant deprivation which, again, is not captured by income and wealth levels. For example, the financial impact of employment is mitigated by social security provided by the state. Yet, unemployment also causes people to suffer in social and psychological ways, such as experiencing low self-esteem, lack of self-respect, and social exclusion.<sup>287</sup> Such impacts go ignored by distributive frameworks. This comes close to my central set of concerns.

According to the CA, the lack of freedom is core to what poverty is and, also, constitutes its normative significance. The CA regards poverty as wrongful because it involves the lack of freedom from pain, freedom from hunger, as well as the lack of freedom to participate in society, and to pursue the life one chooses.<sup>288</sup> The capability approach does much better than traditional, distributional approaches at capturing what poverty is and explaining its normative core. Yet, it raises several questions. First, the capability approach is not strictly a conception of poverty. It may be more accurately regarded as the view that our concern should be with capability deprivation and not poverty. Sen is more concerned with 'an impoverished life' rather than 'poverty'.<sup>289</sup> Sen's version of the capability approach does not distinguish among reasons for lacking capability deprivations. For example, a lonely, but, reasonably wealthy, elderly person would count as suffering a capability deprivation according to the CA, but would not count as

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<sup>285</sup> Ibid., p.288

<sup>286</sup> Ibid., p.89

<sup>287</sup> Ibid., p.21

<sup>288</sup> Ibid., p.4

<sup>289</sup> This way of putting it was suggested to me by Jonathan Wolff in conversation.

suffering poverty according to traditional accounts of poverty. Sen thinks that there is nothing morally distinctive about poverty.

Indeed, if our concern is with how poverty involves relational harms such as coercion, oppression, and stigma, we might draw attention to other sources of relational harms. One can be ostracised due to having mental health issues, or stigmatised for being homosexual. However, it would not be coherent to regard such people as in poverty. Yet, this raises the question whether there is anything distinctive about poverty. For Sen and Nussbaum, poverty is only one of several sources of capability deprivation. Hence, they take capability, and not poverty, to be the relevant moral concept. I share the thought that there is nothing morally distinctive about poverty as a source of relational harms and wrongs. Yet, I deny that we should dispense with poverty as a special category. Instead, I regard it as important to maintain a category of resource deprivation. At the same time, we should recognise that there is a distinct aspect of deprivation which involves relational harms.

There are several reasons to maintain poverty as a distinct concept, even if it is not *morally* distinctive.<sup>290</sup> First, it is a historically significant term, and has current important use in policy debates. Our philosophical analysis should seek to enable a deeper understanding of the concept, which can inform debates, rather than advocating for different terminology. Second, there are reasons to focus on relational harms and capability deprivation that are associated with resource deprivation in particular. Not only is a lack of resources a significant cause of deprivation and relational harms, but it has additional political importance. We might think it is a source of harm that the state has a special responsibility to alleviate. This could be because poverty is a result of institutional arrangements within the state, or because it is an appropriate target for state action. So, my argument is not that there is something morally distinctive about poverty, but that we should focus on the relational harms associated with poverty because, first, there is a particular failure to recognise these relational harms and wrongs as an aspect of poverty. Second, because poverty is a source of relational harms that firmly falls within the remit of the state to address.

Even if poverty is only one source of capability deprivation, we still are in doubt over how to identify poverty according to the capability approach. If poverty consists in lacking capabilities due to insufficient income and wealth, we may question whether one needs to lack only one capability or a number of capabilities to be in poverty. We may also question to what extent one must lack the capability. Perhaps the capability approach is not best implemented as a measurement of poverty, or as a way of identifying poverty. Nor should it be used as a tool for making comparisons between how different people fare. Rather, it helps capture the different meanings and normative significance of deprivation. The capability approach is much more effective than rival theories in addressing the wrong of poverty. It offers the idea that, given that we care about income and wealth in so far as it determines what we can do and be, this should be

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<sup>290</sup> Wolff, Lamb, and Zur-Szpiro (2015)

our direct concern. Poverty not only causes human suffering, but undermines individual freedom, and that is why it is a significant wrong.

This, however, brings me to my main objection against the capability approach. The CA's concern with individual freedom makes the theory overly individualistic. Though individual freedom is of paramount importance, there are aspects of unfreedom that get overlooked if we take a predominantly individualistic and opportunity-based approach to freedom. I have previously discussed that, according to the republican conception of freedom, freedom is not merely a question of what a person can do. To be free, one must also not be subject to the possible arbitrary interference of others.<sup>291</sup> In the second chapter, I outlined Raz's conception of autonomy, and discussed the requirement for an independent will as an, often, overlooked condition of personal freedom.

I have also drawn on Kant's conception of freedom as the independence of one's will. In his *Doctrine of Right*, Kant defines freedom in a relational way; he writes, '*Freedom (independence from being constrained by another's choice)....is the only original right belonging to every man by virtue of his humanity.*'<sup>292</sup> While the capability approach is right to focus on how poverty undermines freedom, there is a relational aspect to freedom that the CA overlooks. Meaningful freedom is not only about one's opportunities; what one is able to do and be. We must also attend to whether one's interactions and relations respect one's status as free and equal.

It may seem, however, that the capability approach accommodates the concern with how poverty bears on social relations. We might identify four possible responses a proponent of the capability approach could offer. First, Sen includes opportunities such as, participation in social activities, and the means to enjoy meaningful relationships, among the various relevant capabilities.<sup>293</sup> Nussbaum gives an even more explicit place to relational considerations in her version of the capability approach. First, she includes 'Affiliation' as one of the ten main capabilities in her list.<sup>294</sup> Affiliation means:

- A. Able to live with and show concern for others, empathize with (and show compassion for) others and the capability of justice and friendship. Institutions help develop and protect forms of affiliation.
- B. Able to have self-respect and not be humiliated by others, that is, being treated with dignity and equal worth. This entails (at the very least) protections of being discriminated on the basis of race, sex, sexuality, religion, caste, ethnicity and nationality. In work, this means entering relationships of mutual recognition.<sup>295</sup>

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<sup>291</sup> Pettit (1997)

<sup>292</sup> Kant (1996) [1797] 6:237, p.30

<sup>293</sup> Sen (1999, p.71, p.75)

<sup>294</sup> Nussbaum (2000, pp.79-80)

<sup>295</sup> Ibid.

Nussbaum also references relational concerns in discussing the other capabilities, for example, the capability of '*Control Over One's Environment*' includes '*entering into meaningful relationships of mutual recognition with other workers*'.<sup>296</sup>

Second, Sen shows a concern with social exclusion. Sen discusses that taking part in the life of one's community might require certain resources which one may lack access to due to sufficient income, for example, modern equipment such as a television. This can result in social exclusion.<sup>297</sup> Sen also discusses the idea that relative deprivation can result in absolute capability deprivation. In particular, varying levels of resources may be needed in different societies to achieve the capability of avoiding shame. Sen references Adam Smith's idea that certain items, such as a linen shirt, or leather shoes, though not strictly necessities, are, nonetheless, required to avoid experiencing shame in public.<sup>298</sup> Feeling shame in public is an inherently relational emotion. It involves a negative attitude at the thought or awareness of how one is perceived by others. Additionally, Sen addresses that social exclusion, and not only lack of income, is one of the negative consequences of unemployment.<sup>299</sup>

Third, Sen's concern with process freedom relates to a person's role in society. Sen emphasises the importance of playing a part in public decisions. He recognises the value of participating in the social, political and economic life of the community: taking part in the market and in the political sphere.<sup>300</sup> Fourth, the capability approach is attuned to how institutions and social arrangements play a causal role in deprivation. Capabilities are related to the operation of a variety of social institutions, such as markets, administrations, legislatures, political parties, non-governmental organisations, the judiciary, the media and the community in general.<sup>301</sup> In turn, Sen recognises that institutional arrangements are influenced by people's participation in social choice and public decisions. Sen discusses how all these play a role in enhancing or sustaining individual freedoms. Yet, by this fact, they may also play a role in undermining one's capabilities. As Sen writes, the '*capabilities that a person does actually have...depends on the nature of social arrangements, which can be crucial for individual freedoms*'.<sup>302</sup>

A close analysis of the capability approach reveals engagement with relational concerns in several respects. However, we might question whether this is adequate. First, Sen and Nussbaum regard valuable relationships as an important capability, but only as one aspect of deprivation among many. Given the importance of social relations and relationships, we might question whether it is appropriate to count this as just one of the capabilities among all the others. Since neither Sen nor Nussbaum suggest a way of ranking certain capabilities as more important than others, we may remain concerned over whether relational considerations will receive sufficient attention.

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<sup>296</sup> Ibid., p.80

<sup>297</sup> Sen (1999, p.89)

<sup>298</sup> Ibid., pp.73-4

<sup>299</sup> Ibid., p.94

<sup>300</sup> Ibid., p.19

<sup>301</sup> Ibid., p.297

<sup>302</sup> Ibid., p.288

The relational harms of poverty, perhaps, require a more prominent place within a normative account of poverty.

Further, it is not clear to what extent Sen's notion of process freedom is a relational concern. On the one hand, playing a role in public decision-making can be an individualistic process, as with voting. On the other hand, it may mean much more than this, such as playing a part in debate, advocacy, and governance, which involves participating in social or communal processes. Moreover, participation in society may relate to having standing in one's community, which is a relational concern. However, while we may infer relational concerns from Sen's emphasis on participation, the importance of freedom-enhancing relations is not mentioned directly. Relational concerns are only obliquely considered. It seems that process freedom is no more than the opportunity for an individual to participate. Moreover, Sen emphasises the significance of process freedom in relation to the value and benefits this brings to the individual. Even here, Sen is mainly concerned with freedom in the sense of something a person can do; the approach remains an individualistic one. While the capability approach provides room for relational concerns, it does not do so to a sufficient extent. The issue of relations is only one concern among many, and only addressed indirectly.

The other main worry is that the capability approach does not recognise relational harms in the appropriate sort of way. Sen regards such things as social arrangements as important because they have an effect on individual capabilities. However, we might recognise unequal social arrangements and relationships as, themselves, wrongful, and not only in so far as they have negative effects on the individual. As Graf and Schweiger point out, in the capability approach, *'social and cultural aspects are never considered as intrinsically valuable, but are only taken into account insofar as they affect the opportunities and freedoms of individual'*.<sup>303</sup> Sen seems to underplay the normative significance of relations, themselves, as a source of justice or injustice in a society.

Moreover, as relations are inherently social, there is something contradictory about addressing relations only with respect to an individual's capabilities. For example, a phenomenon such as stigma only makes sense as a social relation. One person cannot be stigmatised on their own. Stigma could amount to several people having their capabilities curtailed due to a shared feature, which is a source of disadvantage. This, however, seems to get the explanation wrong. The locus of the injustice is the social relation. It does not seem that we can describe stigma in terms of effects on individuals. It is an irreducibly relational concept. We might miss what is really going on if we look only at the effects of relations on individuals.

Additionally, not every relational harm necessarily translates into a capability deprivation. This has the implication that certain relational harms may go overlooked. Some relational harms do not fit into the framework of capabilities. For example, stigma does not seem to deprive one of a

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<sup>303</sup> Graf and Schweiger (2014, p.261)

specific capability, other than, perhaps, the capability of not being stigmatised. We might try and frame relational harms as forms of capability deprivation, for example, 'the capability of not being subject to the will of another'. However, such attempts appear strained, and suggest that relations are not always reducible to the idea of a capability deficiency. Perhaps, one might question whether a type of relation that does not result in capability deprivation can count as a harm, or a source of injustice. Yet, relational harms may also be a source of *expressive* wrongs, even if this does not amount to deprivation of a capability. The fundamental point, however, is that there may be a genuine relational harm that, nonetheless, simply cannot be captured in terms of capability deprivation.

Moreover, in certain cases a person may have the necessary capability, while not being free from relational harms. A person may achieve a certain capability but still be subject, for example, to domination. An illustration is a person with mobility issues who is able to get around because she has support workers who assist her. This person might still be subject to domination as she is vulnerable to any of the people she depends on, arbitrarily, denying her the help she needs.<sup>304</sup> Sen may make sufficient provision for such a scenario by discussing the importance of a person's agency, and participation in their own capabilities. This, however, is not always possible. Additionally, by not providing a primary place for concerns such as vulnerability to relational harms, we worry that they go overlooked. Moreover, the capability approach misplaces the emphasis of the wrong of relational harms. Certain relations are intrinsically wrongful, or harmful. The concern is not merely that they have effects on which a person can do or be.

The capability approach gets certain things right. It is true that social and institutional arrangements play a causal role in poverty. This is something that often goes overlooked by traditional accounts of poverty. I will discuss this further as one reason why it is important to address the relational aspect of poverty. Yet, at the same time, it is also important to address the normative significance of relational harms, aside from their consequences. Again, I shall discuss this further shortly. Sen also points out the important relationship between deprivation and social exclusion. Sen recognises that having less than others, or not having enough, leads to the exclusion from valuable relations, as well as generating feelings of shame.<sup>305</sup> However, shame, though a social emotion, is not itself a type of relation.

Moreover, social exclusion is only one form of relational harm. I will discuss social exclusion and shame later. Yet, there is still much that goes overlooked by Sen's account. Sen recognises that unemployment brings about harms beyond low income, such as, psychological harm, and social exclusion.<sup>306</sup> Sen is attentive to how unemployment causes relational harms, aside from mere deprivation. I want to add to this perspective the idea that relational harms are, themselves, part

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<sup>304</sup> Alexander, J. (2008)

<sup>305</sup> Sen (1999, p.89)

<sup>306</sup> Ibid., p.94

of what deprivation consists in. Moreover, harmful relations may be intrinsically unjust, even when they do not reduce into effects on individuals.

Why take a relational approach to poverty?

So far, I have discussed that there is a relational aspect to poverty that is under-emphasised by the capability approach. This needs to be addressed as a fundamental dimension of poverty, instead of thinking of poverty as merely a distributional matter. However, one might question what taking a relational approach adds to our understanding of poverty. One might insist that poverty is primarily distributional. This might come into focus when we note that relational harms, such as shame, social exclusion and being ostracised arise for many reasons, for example, due to prejudice. We would not refer to an oppressive relationship as poverty. The relational harms of poverty are those that arise due to resource deprivation. Thus, a distributional element is still integral to poverty. However, although a distributional measure is part of what poverty is, it does not capture the full significance of poverty.

I will illustrate my argument with an analogy. We might ask, for example, what it is to be in poor health. A medical explanation seems central to this. We cannot explain ill-health without mentioning a physiological or psychological deficiency. However, this, alone, would be a limited understanding of what it is to be in poor health. Poor health also tends to involve such things as an inability to participate in social activities, pain, stress or misery, dependence on others to meet one's needs, and time expended on dealing with one's health. One might think of such things as consequences of poor health. But, as they are integral to the experience, we instead, should regard them as constitutive of poor health. This is made particularly apparent if we move from simply defining ill-health to addressing such questions as 'how should society respond to health problems?' or 'what is wrong with being in poor health?' Similarly, although poverty requires a distributional measure as part of its definition, we will not understand it fully without attending to the relational aspects.

The debate about conceptualising poverty might find echoes in the debate regarding models of disability. According to the medical model, disability arises because of a person's impairments. The social model of disability, however, conceptualises disability as a result of society not accommodating the merely *different* needs of people; socially excluding and oppressing people with atypical physical and mental characteristics. The social model places responsibility for inclusion on society. It understands the causes of impairment as structural, and not just individual. Yet, the social model is also criticised for oversimplifying disability, and going too far in underplaying the significance of individual impairments.<sup>307</sup> The current state of the debate

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<sup>307</sup> Shakespeare (2006)

recognises that disability is a complex, and varied issue, which cannot be neatly captured by any single model.<sup>308</sup>

Returning to poverty, it is obvious that an absolute or relative measure of one's resource level is central to a plausible conceptualisation. Also needed, however, is a qualitative description of its central features. Again, this is made clear when we ask not just 'what is poverty?' but 'what is wrong with poverty?' and 'how can we alleviate it?' We should not expect poverty to be adequately conceptualised by economic models, but nor should we go too far in discounting this aspect in favour of a relational approach. Poverty is a complex concept and cannot be conceptualised by any single model. However, given that the relational approach receives insufficient recognition, it is important to emphasise it, as I do here.

My main reason for focusing on the relational aspects of poverty is that this is an essential aspect of the wrong of poverty; we need to attend to relational harms to fully grasp the normative implications of poverty. Second, we might regard the relational harms as part of what constitutes poverty; an essential aspect of the conceptualisation of poverty. A third reason for focusing on the relational aspect of poverty is that relational harms play an explanatory role; an essential part of the understanding of why poverty arises and why it persists. I shall examine each of these in turn.

My discussion in the earlier part of the thesis informs this approach. Understanding coercion as a relation, which operates structurally, enables us to understand coercion as a feature of poverty. My *structural thesis* emphasised that coercion involves an imbalance of power, which arises due to how people are positioned in wider society. This can be because of how social and cultural norms advantage and disadvantage members of different groups relative to each other. Yet, coercion often results from institutional arrangements which leave people badly off so that they lack options and are forced into relations which undermine their independence in order to meet their needs. I also contend, though this is beyond the scope of my project, that such an analysis is appropriate for related concepts such as exploitation. No doubt there is such thing as structural exploitation, where structural factors leave a person vulnerable to others taking unfair advantage of them.

Such relations should be understood as part of the nature of poverty and as constituting its normative significance. This relates to my previous chapter which analysed the wrong of coercion in relation to structural injustice and relational harm. I discussed that coercion is a relational harm which can arise through poverty. In the previous chapter, I discussed this as one reason for thinking of coercion as wrongful. Here I discuss this as one aspect of what makes poverty wrongful. The coercive aspect of poverty constitutes an essential aspect of the harm of poverty,

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<sup>308</sup> Silvers (2003, p.477), Anastasiou (2013), Beaudry (2016)

and its wrongfulness. First, I shall clarify further what I mean by 'a relational approach to poverty'.

### The relational aspect of poverty

Above, I discussed that the dominant approaches to poverty, both in the philosophical literature, and in policy, primarily conceptualise poverty as a distributive and individualistic phenomenon. Poverty is regarded as distributive, as it is thought to be a state of lacking something, whether money or a range of capabilities. Poverty is thought of as individualistic; relating to what a person has, or what they can do. However, my argument is that this overlooks an essential aspect of poverty, which we might call the relational aspect. My claim is that poverty is also a matter of the relations a person stands in, which has a qualitative, and not merely quantitative dimension. Poverty makes one vulnerable to wrongful relations such as coercion, exploitation and domination. It also creates relations of dependence and subjection to control. Additionally, it involves social exclusion, stigma and shame.

Though a lack of income and wealth may be the primary reason for why one experiences these harmful relations, they cannot be conveyed by a purely distributional measure. Moreover, given the importance of these relational harms to the experience of poverty, they must be recognised explicitly as an aspect of poverty. An individualistic approach overlooks these, essentially social, relations. Unequal relations cannot always be expressed as something which has a bearing on what an individual can do or be. The normative significance of poverty may be located in the relation itself and not the consequences for the individual.

The idea of a relational approach to poverty takes its influence from the theory of relational equality. As outlined in the previous chapter, theorists such as Scheffler, Wolff, Anderson, and Schemmel define injustice in terms of unjust relations between people, rather than unequal distributions of resources.<sup>309</sup> The idea of equality, on this account, refers to forms of equal treatment. Central to the concerns of relational egalitarians, are unequal relations such as domination, oppression, power over others, and hierarchies. Drawing an equivalence with relational approaches to equality, I argue that we need to attend to the relational aspects of poverty, and not merely the distributional perspective. However, it might be considered implausible to make any such analogy. Relational egalitarians identify a wholly different meaning to equality compared to the distributional notion. Yet, it does not seem plausible to detach the concept of poverty from the idea of distribution altogether. Nonetheless, there is a parallel with the relational approach to equality. If we only understand poverty as a distributional matter, we miss why it is that we care about poverty.

What is important about inequality, and about poverty, is not the mere pattern of distribution among people, but the relations between them. If we are persuaded by the relational egalitarian

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<sup>309</sup> See Wolff (1998), Anderson, E. (1999), Scheffler (2003), Schemmel (2012)

view, that injustice is a matter of unequal relations, then, since poverty is an extreme form of injustice, we must explicitly recognise the relational harms of poverty as an aspect of what makes poverty unjust. I, therefore, use the language of a 'relational account of poverty' to make this link with relational accounts of equality, and to draw explicit attention to how poverty bears on the nature of relations in society. There is not only a parallel but a strong link between relational justice and poverty. As Wolff notes, poverty is a concern for relational equality theorists; as poverty is a source of relational inequality.<sup>310</sup> At the same time, relational inequality is a source of poverty.

My argument is that we need to look at the implications that poverty has for relations to fully grasp its normative significance. I will set out various forms of harmful relations to which poverty gives rise. I shall also discuss that routes out of poverty often perpetuate these relational harms. Therefore, the wrongs and harms of poverty persist even when one becomes materially better off. This is overlooked by individualistic and distributional accounts of poverty. I shall briefly discuss reasons for thinking that relational harms are not just part of why poverty is wrongful, but also part of what it is to be in poverty; what poverty means. This might require us to broaden what sorts of cases we count as cases of poverty.

I will further touch on the pragmatic importance of attending to relational harms. By this I mean that the relational aspect helps us understand why poverty exists and persists. My contention is that poverty is to experience unequal power relations and unequal standing in society, existing in, or being vulnerable to, relations of coercion, as well as other relational harms, such as exploitation and domination. As I have argued in previous chapters, coercion arises through poverty; this must be explicitly recognised as part of a conceptualisation of poverty.

That poverty gives rise to unequal relations is often brought out in the accounts of people describing their own experiences of poverty. For example, the following extract from *Voices of The Poor*, an extensive World Bank study of the lived experience of people in poverty across the world, contains passages such as the following:

Lack of voice and power is experienced not only in interactions with the state, but also in poor people's interactions with the market, landlords, bankers, moneylenders, and employers. Rich people in Tanzania, for instance, are described as "those who set the prices," while the poor are described as "those who are forced to accept the prices set by others" (Tanzania 1999). An Ecuador report (1996a) notes that poor farmers shoulder debt and therefore cannot afford to store their crops until they can get a good price for them on the market. Instead, farmers are forced to sell their crops immediately, when the prices are low, and in some instances they buy their own food back later at a higher price. In Togo (1996) the poor focus on the "power to buy raw materials without being exploited by wholesale traders." In Zambia (1997) poor farmers speak of being dependent on traders and those with transport for selling produce, being forced to buy inputs at high

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<sup>310</sup> Wolff, 'Social Equality, Relative Poverty, and Marginalised Groups', (forthcoming)

prices, and feeling powerless to do anything about late payments and fraud. In India, Uganda, Guatemala, Moldova, Thailand, Vietnam, and Ghana the poor speak of their inability to protect themselves from exploitation. The India report notes that "The poor have lost their bargaining power. The basis of dominance is control over productive resources and the basis of subordination is survival" (India 1998b).<sup>311</sup>

In this passage, relations of power against a backdrop of poverty are brought into central focus. The passage conveys how constrained circumstances force one into relations which undermine one's independence. Exploitation, subordination, and dependence are specifically mentioned here as characterising the lived experience of poverty. Those in the passage express clearly how a fundamental feature of their poverty is being forced to comply with the terms of those on whom they rely for their survival. Essentially, this describes being forced to be subject to the will of another. Poverty makes people particularly vulnerable to relations of coercion and domination. To be in poverty is to exist within unequal power relations. The poor - whether those who are destitute, or those just able to meet their essential needs - are not able to sustain themselves without dependence on others. As I have argued in previous chapters, this undermines the independence of one's will. This lack of independence constitutes a state of unfreedom.

It is notable that such features of poverty emerge in first-hand accounts. In fact, proponents of the relational approach often explicitly urge attending to what people in poverty themselves say of their experience of poverty. This is because subjective and relational aspects of poverty cannot be captured in distributional measures of poverty.<sup>312</sup> Additionally, first-hand perspectives may be required, since the conditions for relations such as disrespect, inferiority and powerlessness are context-specific; relating to the structures, and norms of particular societies. Therefore, we may not be able to specify, without learning from individual perspectives, what conditions give rise to relational harms.<sup>313</sup> We might also note that the relational and social aspects of poverty more commonly emerge in sociological or anthropological studies of poverty, which take individual testimony as their primary subject matter.<sup>314</sup>

On the other hand, individual first-hand accounts often emphasise such experiences as shame, and exclusion; relations felt by individuals. I also make the point that relational harms exist even when they are not experienced by the individual. The wrong may be located in the relation itself, not only in the implications for the individual. Relations, such as being subject to the will of another or domination, may not be as easily identified through first-hand testimony, nor by traditional accounts of poverty.

In discussing poverty, I refer to developing and developed countries together. However, I grant that there are important differences between them. For example, the relational harms of punitive welfare systems, that I will discuss, are specific to developed economies. Welfare systems in

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<sup>311</sup> Narayan et al, (2000, p.33)

<sup>312</sup> Deveaux (2016, p.232)

<sup>313</sup> Ibid., 232

<sup>314</sup> For example, see (Farthing 2014), Shildrick and Rucell (2015)

developing countries are either absent or only burgeoning. Additionally, the harms of coercion, exploitation and domination in work contexts are more relevant to developing economies where labour protections and laws are less robust. Nonetheless, such relational harms are still pertinent to developed countries. This is due to the emergence of modern forms of work with legal loopholes that deprive workers of entitlement to protections under the law. I will discuss this issue specifically in the following chapter.

I shall now focus in greater detail on several relational harms that are centrally linked to poverty. In the thesis so far, I have discussed the link between coercion and poverty. I offered an account of coercion which accommodates our conviction that coercion occurs where one is constrained by poverty, rather than a coercing agent. Here, I discuss why poverty tends to give rise to coercive relations, focusing on relations of unequal power. I then address dependence, which is a closely related form of relational harm. I then look at social exclusion which is, perhaps, a way of conceptualising poverty, and not only one of the consequences of poverty. I examine each of these relations as separate concerns, but as will be made clear, they are also interrelated.

*Coercion: being subject to the will of another*

In the thesis, I have stated that coercion involves being forced into being subject to the will of another. Here I shall specifically focus on why poverty tends to give rise to relations where one is subject to another. This is also connected to the relational harm of powerlessness. Being subject to the will of another is to be in a relation where one has superior power over another. This aspect of poverty is brought out in the extract mentioned at the start of this section:

Lack of voice and power is experienced not only in interactions with the state, but also in poor people's interactions with the market, landlords, bankers, moneylenders, and employers. Rich people in Tanzania, for instance, are described as "those who set the prices," while the poor are described as "those who are forced to accept the prices set by others" (Tanzania 1999).<sup>315</sup>

Forced subjection to control by another, perhaps, is most strongly seen in work relations that amount to forced labour, or modern-day slavery. These are outlawed by international law, yet still persist. In such cases, workers are often deceived into working for their employer in the first place, and then forbidden from leaving their work, by coercive measures, such as threats or by confiscating documents. Workers may also be subject to the will of their employer in less extreme cases. For example, due to financial pressures, a person takes a job which involves long hours, and is only able to take breaks when her employer allows. Workers tend to be subject to the will of their employer where the terms of work are not clearly specified, and the protections are minimal. This is common in under-regulated forms of work, such as domestic work performed by migrants, and 'gig economy' work. I shall say more about the latter in the next chapter. Here, the

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<sup>315</sup> Narayan et al, (2000, p.33)

issue might be *vulnerability* to abuse, exploitation and poor working conditions, even when these do not occur.

Such precarious forms of work are found not only in developing countries, but also developed economies, and often persist without being widely assumed to be wrongful. For example, it is increasingly common for large companies, such as delivery companies, to label their workers as 'self-employed'. In practice, this means that workers are denied the usual protections and benefits of traditional employment, such as sick-pay and holiday pay. At the same time, workers lack the control over their working patterns that is associated with genuine self-employment. Instead, workers are faced with threats, fines and termination for missing shifts, while also, often being denied guaranteed hours. Companies exercise a huge degree of control and power over workers. Workers, particularly in the industries characterised by such policies, are forced to accept these working-practices, and workers in the job are forced to comply with the demands of the companies, because these interactions take place against a background of limited options for employment.

In such cases, workers in these roles avoid the harms of destitution, but do not escape the relational harms or wrongs of poverty. This is because they are subject to the control of the companies for whom they work, and lack sufficient control over their lives. 'Zero-hours' contracts are seen as largely responsible for current reductions in unemployment in the UK, and thus might be considered an anti-poverty measure. Yet, these do little to combat feelings of anxiety, vulnerability, lack of control and inability to plan one's life, and the sense that one's livelihood is dependent on the decisions of another. These are the harms of poverty. Being in employment is seen as the primary way to escape or avoid poverty. However, this may not eradicate the fear of facing poverty, the vulnerability to poverty, nor the unequal relations that this gives rise to, such as dependence on the will of another, and subordination.

For those who do not have the option of employment as a way of avoiding poverty, an alternative means of support is unemployment benefits. The welfare state and social security is fundamental to the state's role in preventing poverty. It may be regarded as an essential aspect of a legitimate state. However, the way that the benefits system tends to operate involves a number of relational harms and wrongs. First, it must be acknowledged that being in receipt of benefits does not mean that one is not in poverty. However, my focus is how the harms of poverty, even if not poverty itself, persist when one is a recipient of benefits.

The benefits system engenders relational harms of lack of power, and subjection to the will of another, particularly in relation to benefit sanctions. It is increasingly common in this country for people to have their benefits stopped as a result of failing to comply with the conditions of receipt. People are penalised for such infractions as failing to attend, or being late for, appointments, failing to apply for the required number of jobs, or for leaving a job. In addition, the 'Help to Work' scheme requires people to attend an appointment every day and take on significant hours of

unpaid work to remain eligible for benefits. This involves significant unfreedom. People are held accountable on a daily basis for their activities and behaviour. Failing to act in accordance with the conditions set by those in power comes with punishment.

This approach to poverty alleviation seems incompatible with the idea of individual freedom. A person in receipt of benefits lacks options, but also lacks independence. They are, in effect, subject to the will of another. When the conditions are especially stringent, this may constitute a relational wrong. When people are forced to comply with terms, set by others, that significantly dictate their choices and daily activities, their autonomy is undermined. Furthermore, their moral status as free and equal is compromised. There are other parts of state welfare provision that also function in this way. Another example might be social housing policy. However, I shall take the benefit sanction system as a sufficient illustration for now.

In addition to state welfare, charity involves power and status imbalance. This is one reason why some global justice theorists argue that our duties to help the poor should be framed as duties of justice, rather than beneficence, especially where global poverty can be partly traced to the actions of wealthier countries.<sup>316</sup> Charity creates a relationship of emotional indebtedness, with the recipient put into a position of gratitude for the assistance. The interaction sets up the donor as superior, in a moral sense, as they play the morally virtuous role. More to the point, this relation makes the donor superior in terms of an unequal relation of power. The donor is in a position to set terms and to determine what happens to the recipient. Through charity, people in need are subject to the superior power of the donor. The donor can decide whether or not to give, and also can prescribe how the recipient should act in return for assistance.

For example, within global aid, a common policy of both governments and NGOs is conditional cash transfers. This is when financial assistance is given on the condition that the recipient act in a prescribed way, for example, sending their children to school, or getting vaccinations. One might regard these sorts of requirements as beneficial courses of action that are necessary to make the recipients better off. Perhaps it is not wrong for donors to set terms that stand to benefit recipients. Nonetheless, this might undermine the independence of recipients, since these conditions are imposed by another. It is a familiar point that paternalistic action, though perhaps respectful of a person's welfare, is disrespectful of a person's status as free and equal. Though charity can help people escape the worst effects of poverty, it does not solve the relational harms and wrongs associated with poverty. Charity can involve relations of dependence, power

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<sup>316</sup> Barry (1982, p.249), Pogge (2002)

imbalance and an inability to engage on equal terms, as well as subjecting the recipient to the will of the donor.

### *Dependence*

I shall now turn my attention to the relation of dependence, though there is inevitably some overlap with the considerations discussed above. Dependence is a fundamental feature of being in poverty. This is another way in which one can lack freedom through not having an independent will. Dependence per se may not appear problematic. Everyone is dependent on others to some extent to meet their needs. Some theorists note that dependence characterises societal life.<sup>317</sup> Dependence might be an appropriate feature of intimate relations. In virtue of living in social communities we may be dependent on others, generally, to some degree. Such dependency relations tend to offer some form of social good. However, we might recognise a distinct category of problematic or wrongful dependence. This might be where one is forced by unjust circumstances into a dependent relation. As I discussed in chapter three, one might be left in a state of dependency due to structural injustice. Wrongful dependence might also be where the dependence is particularly constant, or arbitrary, or where there is unequal dependence; where some are dependent on others, who are not in turn dependent to a similar extent. As Kant writes, innate freedom involves innate equality, namely, '*independence from being bound by others to more than one can in turn bind them; hence a man's quality of being his own master*'.<sup>318</sup>

Relations of dependence may be particularly apparent in the context of charity. Charity, while performing a valuable function, can involve one asserting their will over another. Kant, though requiring charity as a duty, albeit an imperfect one, addresses the way that charity involves a wrongful relation of dependence. As Ripstein states '*The problem of poverty, on Kant's analysis, is ...that: the poor are completely subject to the choice of those in more fortunate circumstances*'.<sup>319</sup> This emphasises that dependence can amount to being subject to the will of another. Moreover, it reiterates the point made in my previous chapters, that being subject to another need not arise through intentional actions but through conditions of inequality. Even if the donor exhibits a virtuous motive, or makes the recipient better off, the dependency relation can make the interaction, in one way, wrongful. Kant even goes so far as to make an analogy between charity and slavery.<sup>320</sup> What they have in common is that the person who gives charity, like the slave owner, regardless of their moral character, is able to determine what happens to the other person. In both cases one is dependent on the discretionary choices of another. Kant thinks that this dependence renders a person's status akin to a thing.<sup>321</sup>

Yet dependency is not only a condition of poverty, but often a feature of employment relations. If one is dependent on their job to avoid poverty - perhaps because one's prospects of employment

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<sup>317</sup> MacIntyre (1999), Kittay (2003), Nussbaum (2006)

<sup>318</sup> Kant (1996 [1797] 6:238, p.30)

<sup>319</sup> Ripstein (2009, p.274)

<sup>320</sup> Ibid., p.281

<sup>321</sup> Ibid., p.282

generally are low, perhaps due to one's skills, or age, or the scarcity of jobs in the economy - one is dependent on their employer. Financial deprivation makes the poor excessively powerless in employment relations. An example of this might be a recent case of a worker so dependent on their income that he missed essential hospital appointments in order not to be fined for missing work.<sup>322</sup> This is wrongful dependence. While most people are dependent on their source of income to preserve their livelihood, dependence requires accountability in order for it not to be wrongful. In this case, the worker lacked a means to hold his employers to account.

Kant gives a series of examples where one is subject to the will of another; not because a person is in poverty, but because they are dependent on the will of others to avoid poverty. Kant makes a series of comparisons regarding people who are dependent in different ways:

The woodcutter I hire to work in my yard; the blacksmith in India, who goes into people's houses to work on iron with his hammer, anvil, and bellows, as compared with the European carpenter or blacksmith who can put the products of his work up as goods for sale to the public; the private tutor, as compared with the schoolteacher; the tenant farmer as compared with the leasehold farmer.<sup>323</sup>

In each case, the latter is protected by having a livelihood secured by the market, whereas the former is dependent on particular individuals for their livelihood. We might be sceptical that access to a market for one's goods and services is sufficient for one's livelihood to be fully secure. However, there is a distinction between these and the other cases that Kant highlights, where, as Kant states, '*they have to be under the direction or protection of other individuals*'.<sup>324</sup> Kant also includes in this category minors, women, domestic servants and '*anyone whose preservation in existence (his being fed and protected) depends not on his management of his own business but on arrangements made by another*'.<sup>325</sup> The distinction between a tenant farmer and leasehold farmer, or a manual labourer who works for another, compared to one who sells to the general public, might seem subtle. Yet it has significance. The people in the former category are not sufficiently independent to be considered active citizens, according to Kant. This means that such a person lacks freedom, not only in their economic relations, but is denied the important further freedom of having a voice in society. Perhaps we can draw from Kant an awareness of how relational unfreedom compounds disadvantage, since a lack of political participation tends to lead to one's interests going overlooked.

Kant also brings out how one's level of freedom is not merely a question of their material wealth. It might be, for example, that a private tutor earns more than a school teacher. But, it is the private tutor who is considered unfree due to their dependence on particular individuals. It is the nature of one's relations, rather than merely one's access to resources that determines the extent to which one is free. In addition, Kant also shows that wrongful dependence need not only arise out

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<sup>322</sup> Booth, R, 'DPD courier who was fined for day off to see doctor dies from diabetes' *The Guardian*, 5<sup>th</sup> February, 2018

<sup>323</sup> Kant (1996 [1797] 6:315, p.92)

<sup>324</sup> *Ibid.*

<sup>325</sup> *Ibid.*

of wrongful relations. Ripstein writes that, according to Kant, '*A serf or slave does not share a united will with his or her lord or master, so these forms of relationship are inconsistent with a rightful condition. Yet the same relation of dependence can arise through a series of rightful actions.*'<sup>326</sup> As I have argued in previous chapters, we should not require the identification of a wrong-doer in order to regard resulting harms as wrongful. Wrongful relations, such as dependence and coercion may arise even where no individual acts wrongfully.

### *Social exclusion*

Above, I discussed that relative poverty is increasingly prominent within policy and theoretical discussions of poverty. Moreover, it is commonly regarded as akin to social exclusion. For some, relative poverty is to lack the goods that are necessary to enable one to fit in to their society.<sup>327</sup> The notion of fitting in is inherently relational. An example is provided by testimony in a recent report of a woman describing her son: '*He had two invites to go to parties in the Whacky Warehouse and the Jolly Jungle and he couldn't go because I couldn't afford a present for his friend.*'<sup>328</sup> Gifts, whether for one's own family or for others, are not an essential need. However, they are an integral aspect of social convention. In the scenario referenced, where the gift is not for one's own child but the child of another, and therefore might be considered even less of a necessity, it clearly counts as constituting a significant instance of deprivation. The importance of gift-giving as an aspect of social etiquette means that not being able to conform to this practice can force one to withhold their participation from a social activity. This illustrates how having less than others, or less than what is expected for a member of a given society, can lead to one being excluded from central aspects of societal life.

Relative poverty often gives rise to social exclusion. When one lacks the resources that allow one to fit in, one is socially excluded, and unable to participate. At the same time, the importance of fitting in can be a source of poverty. People may suffer absolute poverty in order not to go without such goods which are integral for social participation, or social respect, such as certain clothes, goods, or taking part in activities, such as drinking with colleagues in a pub. Rowntree refers to this as 'secondary poverty'.<sup>329</sup> Secondary poverty is the phenomenon whereby people who can afford to meet their basic needs but nothing more, fail to meet their basic needs, instead spending what they have on these secondary goods. The importance of participation, relating to others as equals, and not experiencing shame and humiliation, often compel people to meet these secondary needs instead of their essential needs such as nutrition.

For some people, it is more important to avoid the appearance of poverty, than poverty itself. Therefore, people may prioritise things that are more outwardly perceivable, such as appearance, and participating in social activities, and opt to neglect needs which, though essential, are less

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<sup>326</sup> Ripstein (2009, p.274)

<sup>327</sup> Wolff, (forthcoming)

<sup>328</sup> Sharma (2007)

<sup>329</sup> Wolff (forthcoming)

visible, such as health or nutrition. People may also refuse welfare benefits so as not to be marked out as impoverished and thus 'other', or socially inferior, further compounding one's poverty.<sup>330</sup>

Social exclusion can be regarded as a harmful relation or as the denial of valuable relations. The failure to fit in with the norms and expectations of society may lead one to suffer deprivation of valuable relationships, full membership and participation in society. This may occur in an attitudinal sense, with people in poverty simply not regarded by others as equal members of society. Poverty can also make it hard to maintain valuable relationships, as it leads to difficulties in participating in social or cultural activities. This is brought out in the *Voices of the Poor* study:

Poor people also speak about the pain brought about by their unavoidable violation of social norms and their inability to maintain cultural identity through participating in traditions, festivals, and rituals. Their inability to fully participate in community life leads to a breakdown of social relations.<sup>331</sup>

Social exclusion can also manifest itself as physical estrangement. This occurs particularly in relation to housing. For example, poor people can be vulnerable to being priced out of their area due to gentrification, leading to a loss of links with their neighbourhood and community. Relying on social housing makes one vulnerable to relocation. Wolff gives the example of a study from London in the 1950s, which recounts how, to improve the quality of life of people living in poor conditions in inner city 'slums', they were moved into higher quality, more pleasant council housing outside of the city. This improved their material position, yet *'removed people from the dense communities of kinship that had provided them with social meaning and material support'*.<sup>332</sup> This shows how being poor makes one vulnerable to the loss of important relations through not having control and autonomy over one's life. Poverty can also damage relationships, particularly family relations, due to the stress and strain it involves and the resentment poverty gives rise to, even, at times, contributing to domestic violence.<sup>333</sup>

Social exclusion is closely linked to shame and stigma. The example, of the child missing out on the birthday party due to lacking the means for a gift, is related to Smith's view that necessities are not only the goods that are needed to support life, but also those that, according to custom, are required to avoid experiencing shame when appearing in public.<sup>334</sup> If poverty is lacking the resources that enable one to avoid experiencing shame, a relational perspective is integral to our understanding of poverty.

Graf and Schweiger apply Axel Honneth's recognition theory to the concept of poverty to understand the wrong of poverty in relation to shame.<sup>335</sup> Recognition, in Honneth's theory, is the social condition of freedom and self-realisation. The idea is that recognition is necessary to have

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<sup>330</sup> Hull (2007)

<sup>331</sup> Narayan et al, (2000, p.26)

<sup>332</sup> Wolff (forthcoming)

<sup>333</sup> Lotter (2001, p.67)

<sup>334</sup> Sen (1999, p.71), Wolff (forthcoming)

<sup>335</sup> Graf and Schweiger (2014)

autonomy; to be able to pursue one's goals and live the life one chooses. Therefore, one must exist within networks of institutions and relationships that enable recognition. A lack of recognition leads to feelings of shame and humiliation. Graf and Schweiger discuss how poverty undermines recognition. A person in poverty is excluded from the types of relations and associations that give them recognition, and instead experience shame and humiliation. Shame and humiliation, which arises from the lack of recognition, should be counted among the central wrongs of poverty, according to Graf and Schweiger. It is not merely a subjective emotional harm, but an absence of the conditions for autonomy and freedom.<sup>336</sup>

This importance of the social conditions for freedom also invokes Rawls' notion of the social bases of self-respect. As I discussed in the last chapter, Rawls takes the social bases of self-respect to be the social conditions that enable one to have the confidence to pursue their plans of life.<sup>337</sup> Rawls places paramount importance on the social bases of self-respect because they are a precondition for pursuing one's opportunities and enjoying the worth of liberty.<sup>338</sup> They have a direct bearing on freedom. Shame and stigma can be regarded as conditions which undermine self-respect. Additionally, valuable relationships might be required for self-respect. Exclusion from such relations undermines one's social conditions for freedom. This also relates to the idea of 'relational autonomy'. Relational autonomy is an approach to freedom informed by the feminist critique of dominant, liberal conceptions of freedom as overly individualistic and solipsistic.<sup>339</sup> Instead, the relational perspective highlights the role of social relationships in supporting autonomy.<sup>340</sup> I have emphasised how some type of relations undermine autonomy, for example, relations of dependency and subjection. Another important thing to note is that certain valuable relationships are necessary for autonomy. Exclusion from such relationships deprive one of a valuable part of life as well as undermine the social conditions for freedom.

Shame and stigma are highlighted as integral to the experience of poverty. It is often emphasised by people in poverty, how it is not merely the suffering of going without, but the shame associated with this, that constitutes the harm of poverty. The following extract, again from *Voices of the Poor*, illustrates the experience of shame and stigma of poverty:

Poor men and women spoke about the shame, stigma and humiliation of poverty. In Latvia, 1998, spoke about the shame that children experienced in school when they were stigmatized because they receive free lunches, dress in shabby hand-me-downs, or have to use photocopied class materials. "Children who receive free lunches are served at a separate table, receive poorer quality food, and feel humiliated when other children claim they are eating from other people's money even though some parents do community work for the municipality to pay for the lunches" (Latvia 1998). In Ukraine, teachers said that it was very easy to distinguish between the children of the rich, who

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<sup>336</sup> Ibid. p.265

<sup>337</sup> Rawls 1971, (p.178, p440)

<sup>338</sup> Ibid., p.204

<sup>339</sup> Jaggar (1983), Friedman (1997)

<sup>340</sup> See Friedman (1997), Christman (2004), Nedelsky (2004)

were stylishly dressed, and the children of the poor, many of whom fainted during class from hunger (Ukraine 1996). In Armenia and Georgia, parents spoke about 32 children's psychological trauma of wearing old clothes and being so shamed that they refuse to go to school (Armenia 1996, Georgia 1997).<sup>341</sup>

Being in poverty is strongly associated with shame and stigma. This applies not only to suffering poverty, but to routes taken to avoid or escape poverty, in particular, relying on welfare. Shame and stigma characterise the experience of being in receipt of welfare payments by the state.<sup>342</sup> This might be particularly a result of portrayals of people, who receive benefits, in the media; perpetuating the perception of such people as lazy, or parasitic. This leads to stereotyping which itself might be regarded as a form of relational harm.<sup>343</sup> Though people who receive benefits may feel shame, this is not necessary for the relational harm to occur. It may be that society perceives such behaviour as shameful regardless of whether people themselves feel ashamed. We might recognise such a thing as social shame, which is the perception of certain behaviours as shameful according to the norms of one's society, which is a form of relational harm.

I have outlined three different forms of relational harm: subjection to the will of another, dependence and social exclusion, as illustrations of the relational aspect of poverty. There are other types of relational harm that are part of the experience of poverty, which I cannot take the space to outline here, for example, exploitation and domination. Such relational harms constitute part of the wrong of poverty. These relations undermine the independence of one's will, and thus, undermine freedom. If we only understand freedom in terms of what a person can do, we fail to attend to the full extent to which poverty undermines freedom. In an earlier chapter, I discussed Raz's conditions for autonomy, which includes possession of an independent will, as well as having adequate options. Our concern with poverty tends to focus on the latter. Poverty is regarded as wrongful because it leaves people deprived, not only of the means to life, but also of adequate opportunities. This is a fundamental aspect to understanding why poverty gives rise to coercion.

Yet, what tends to go overlooked is that poverty undermines one's independence. This is a separate dimension of how poverty undermines freedom. I also discussed that possession of an independent will is central to Kant's conception of freedom. Kant explicitly notes that poverty undermines independence. Yet, this goes under-recognised in our dominant conceptions of poverty. Instead, we must explicitly address the relation between poverty, independence and freedom.

My relational account is not, however, an individualistic analysis of the harms of poverty. This links to my structural notion of coercion that I presented in the third chapter. The way in which

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<sup>341</sup> Narayan et al, (2000, p.31)

<sup>342</sup> For evidence from UK see Baumberg (2012), 'This is how people on out-of-work benefits actually feel', *The Guardian*, April 2013

<<https://www.theguardian.com/commentisfree/2013/apr/03/how-people-on-benefits-feel>>

<sup>343</sup> Putnam (*forthcoming*)

poverty undermines freedom, through generating unequal relations, cannot be reduced to the actions of individuals. These relations are created and sustained by structural factors. We will misunderstand the nature of the relational harms of poverty if we regard them as something one person does to another. To be subject to the will of another does not mean that a given individual forces another person to comply with their will. Rather, this occurs through factors as social structures, institutional arrangements, and cultural norms.

A person may be in poverty due to a number of different factors, including structural inequalities in society. This might be coupled with the norms of society expressing the value of work, and hence, structuring the welfare system so that incentives to work are created and punitive measures against refusing work are enforced. Factors such as bureaucratic inefficiency, insufficient protection of rights, or access to advice or legal representation, may play a role in leaving people vulnerable to the relational harms of poverty. Through such factors, a person may be left without any reasonable alternative but to comply with the rules enforced by individuals that they encounter within the system, which undermines their independence.

Drawing on the approach of Iris Marion Young enables an understanding of how a person might be left in poverty, and a victim of wrong-doing, even if no one strays from the rules that govern their position.<sup>344</sup> Individual interactions may play a role in causing relational harms. For example, someone in a position of power might be particularly rude or demeaning to someone, but they need not be, for relational harms to ensue. Young's analysis helps us understand that relational harms result from how people's options are structured by institutional arrangements in society, and not just from individual actions. Additionally, Young helps us recognise that institutional arrangements and inequalities in power lead to resource scarcity. So, even where we are concerned with poverty as material deprivation, resolving poverty requires institutional change, rather than merely redistribution. Relational harms are both a result of and a cause of poverty. Rectifying such harms requires not simply making people materially better-off, but also enabling people to interact on equal terms with others in society.

Yet, at the same time, these relations have tangible effects on individuals. The relations, into which people in poverty are forced, undermine their individual freedom. This unfreedom does not only remain at the structural level. This brings an additional perspective to the argument put forward by Cohen that I outlined in the first chapter. My concern was that Cohen does not show how the structural unfreedom of capitalism bears on individual freedom. Here, I have provided such an explanation. We need to acknowledge the impact of unequal relations on individual freedom.

At the same time, we need to recognise that relational harms do not always reduce into tangible effects on individuals. In some cases, the harm is irreducibly relational. Dominant accounts of poverty tend to identify poverty only in relation to facts about an individual's life. As I have

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<sup>344</sup> Young (2011)

discussed, distributional accounts relate poverty to what an individual has. The CA conceives of poverty as a question of a person's opportunities. Poverty is also a matter of the relations in which people stand. Without addressing this, we fail to attend to cases where the harms of poverty occur, as well as failing to address the full extent and nature of the harms of poverty.

While some awareness is shown, particularly by the capability approach, of how poverty gives rise to experiences such as shame, and social exclusion, other relational harms tend to go overlooked. The relational harms of poverty are part of the wrong of poverty. They make it harder for a person to achieve their goals and pursue their own conception of the good. Moreover, they represent an affront to a person's moral status as free and equal. Absolute poverty is clearly wrongful for the suffering it causes; the physical pain, and emotional turmoil. These harms are less apparent in the case of relative poverty, or poverty which does not go as far as destitution. The wrong of relative poverty is more linked to relational harms. Yet, even without distinguishing between levels of poverty, the relational harm is part of the wrong of poverty in all cases.

I have discussed how the relational aspect of poverty is integral to understanding the normative significance of poverty. However, we might additionally regard the relational aspect as relevant to the conceptualisation of poverty; what poverty means. The relational aspect might be constitutive of poverty.

#### Relational harms as constitutive of poverty

The relational aspects of poverty might connect to the question of what poverty is. One reason for holding this is that to be poor may be to be regarded by others as being poor. As Woolf writes, historically, *'the poor were poor because they were judged so by the elites'*.<sup>345</sup> Being poor was not simply an economic condition, or the result of economic change. The poor were defined as much by their social status as their wealth, and largely defined in accordance with the attitudes of those in higher classes.<sup>346</sup> For example, Woolf describes that to be poor in Victorian era Britain was to be lacking in *'independence of the family, social position and influence'*, the values considered central to the orderly functioning of society.<sup>347</sup> Additionally, to be poor was to be expected to display behaviour to compensate for these deficiencies, in particular, public displays of deference, meekness and gratitude.<sup>348</sup> The social meaning of poverty is socially constructed, which informs how the poor see themselves, as well as how they are regarded by others. This is as true today as historically.

To be constituted as poor is inherently relational. It is a question of how one is perceived by others, and how one's social identity is created by others. Moreover, one can only be socially defined by those with power. Therefore, to be labelled as poor is to be subject to an exercise of power. Attitudes regarding who counts as poor may come to be internalised by those in poverty;

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<sup>345</sup> Woolf (1986, p.63)

<sup>346</sup> Ibid., p.50

<sup>347</sup> Ibid., p.63

<sup>348</sup> Ibid., p.63

a person may come to consider herself inferior to the rest of society.<sup>349</sup> This itself might involve a relational harm. The harm is that one's own self-perception becomes shaped by the judgement of others, and by the values and social norms of one's society. Moreover, these judgments tend to be negative, and therefore, the poor take on a harmful perception of their own identity.

As well as the question of *whether* one is poor, it also tends to be a matter of social judgement *how* one is regarded as poor. A person in poverty might be classified as a member of the 'deserving poor', or the 'undeserving poor'. This depends on how one is deemed by others to adhere to the social norms of one's society. For example, historically, in order to be perceived as the 'deserving poor' and thus, be granted charitable assistance, people were required to show deference and appear to value work and family.<sup>350</sup> We see this in the current day too; in the attitudes taken towards different people in poverty. This is reflected in language, such as 'hand-outs', to refer to state welfare provision, as well as in the criteria of who qualifies for welfare. Modern day attitudes to poverty are characterised by the idea that people must be unable to be in work, despite their best efforts, to be deserving of assistance.

Another reason for thinking that the relational aspect of poverty may have a definitional, and not just normative function, is that it plays a unifying role in identifying cases of poverty. Though we tend to define poverty with regard to a distributional measure, it might be that a relational aspect is a more appropriate basis. Since cases of poverty can vary from someone in destitution unable to provide for their basic needs, to a person in employment who struggles to maintain a lifestyle typical of their society, it is difficult to specify a single measure of poverty. Yet, given that relational harms are present across different cases of poverty, it may be the relational features that enable poverty to be thought of as a social category.<sup>351</sup> For example, Woolf takes it that having a deferential mentality, and a social relation of 'otherness', is what allows the identification of the poor as a distinct social group.<sup>352</sup> What links cases of poverty over time, and across different cultures and economies, may be a relational, rather than distributional, feature. While not all cases involving relational harms count as poverty, it may nonetheless be true that all cases of poverty involve relational harms. Therefore, the relational perspective may be integral to conceptualising poverty, and not only grasping poverty's normative significance.

We might also regard relational harms as constitutive of poverty, not because they are part of the definition of poverty, but because they are a significant aspect of the experience of poverty. Perhaps we cannot grasp what it is to be poor without familiarity with the relational harms that tend to accompany poverty. It may be so widespread for people in poverty to be vulnerable to

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<sup>349</sup> Ibid., p.63

<sup>350</sup> Ibid., p.63

<sup>351</sup> Ibid., p.50

<sup>352</sup> Ibid., p.50

exploitation, or to experience domination, or be perceived as inferior, that this is an inherent aspect of what poverty is, and not only what makes it wrong.

#### Causal relation between relational harms and poverty

Unequal relations also have a causal and not just normative role in understanding poverty. It is not just that poverty causes relational harms, but that relational harms play a role in causing poverty. This is particularly true for certain disadvantaged groups. For example, women in many countries lack access to sufficient resources, in part, as a result of patriarchal norms. Women can simply be denied opportunities on account of their gender. Such poverty cannot be resolved merely through redistribution of resources, but requires greater social equality. Relational concerns are part of an understanding of why poverty is persistent or prevalent among certain groups.

There is a relationship between poverty and various intersecting forms of potential disadvantage such as gender, disability, and other stigmatised characteristics. For example, in the UK, the levels of poverty among people with disabilities are much higher than the national average.<sup>353</sup> This is not only attributable to the higher cost of living for people with disabilities. It is largely due to barriers to employment, which is partly due to discriminatory attitudes. The lowest employment rates out of any group are experienced by those with mental health issues; a particularly stigmatised group.<sup>354</sup> The difficulties in seeking employment, and the poverty this results in, are suffered by other oppressed groups. For example, there is a known relationship between poverty and racism. As a recent Joseph Rowntree Foundation study states *'Racism, and the fear of it, restricts access to social networks, preventing people from making links which could lead to jobs, support for small businesses, training and other opportunities. It can prevent people from being promoted at work, wasting their skills and potential.'*<sup>355</sup> Disadvantages are not only encountered when seeking employment but begin at the earliest stages; *'Children's education is affected by low expectations among teachers and by racist bullying.'*<sup>356</sup>

As Sen addresses, people in poverty tend not to have an adequate voice in society and experience a lack of participation. This results from poverty; but is also part of its cause. The poor often lack influence within institutions and over decisions which directly bear on their interests. As a result, their needs and interests can go overlooked, which perpetuates their deprivation. This is, in part, why there have been calls for the inclusion of the voices of the poor in policy discussions, and a poor-led approach to theorising poverty in the public policy sphere.<sup>357</sup>

The importance of attending to relational aspects is made clear when we look at ways to reduce poverty. Without attending to relations, poverty often fails to be alleviated. The problem with

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<sup>353</sup> UK Poverty 2017, JRF, p.4

<sup>354</sup> Ibid.

<sup>355</sup> Barnard (2014), JRF

<sup>356</sup> Ibid.

<sup>357</sup> Deveaux (2016)

understanding poverty as merely a lack of resources is that it suggests that poverty is solved through raising income levels. One issue is that poverty often persists unless relational harms are addressed. Relational inequality is often an obstacle to increased income. Yet there is a further issue, which is that many of these relational harms continue, even if one becomes materially better off. This means that this aspect of the wrong of poverty - why it is that we object to poverty - remains. So even if we alleviate poverty, we do not alleviate its central wrongs. I shall discuss this further next.

#### Relational wrongs of avoiding poverty

I have discussed that our focus on poverty tends to be on what one is free to do and to have. This means that routes out of poverty are regarded, not only as making one better off, but as making one more free. However, because the relational aspect of poverty, and of unfreedom is overlooked, it is not recognised how routes out of poverty maintain relationships of unfreedom. This perhaps is brought out most clearly in the informal routes that people take to escape their poverty, for example, sex work. In such cases, it is easy to see that the fundamental relational harms persist; for example, low status, vulnerability to violence, and subordination. In fact, we might regard such cases, not as routes out of poverty in which the wrongs and harms of poverty persist, but as cases where the person remains in a state of poverty. Wolff writes:

if someone has access to resources only through a demeaning activity, such as begging or prostitution, or very reluctantly through criminal actions, it still seems appropriate to describe them, in certain circumstances, as poor, even if they meet their needs for health and socially acceptable activities.<sup>358</sup>

Whether or not one regards sex work as a demeaning activity, the point stands that it is not enough to *materially* escape poverty to count as not being poor.

Poverty is not merely a question of the resources to which one has access. If we are concerned with poverty, we must also attend to what one must do to acquire the resources one needs; including the sorts of relations one enters into to escape poverty. Some define poverty not only as lacking the resources one needs for a decent life, but as lacking secure and continued access to these resources.<sup>359</sup> If one's access is precarious, so that one is constantly on the verge of poverty, this might count as being in poverty. We might then extend this to regarding certain ways of escaping poverty, not as routes out of poverty, but as the persistence of a state of poverty.

There are, however, anti-poverty measures such as those pursued by democratic states, which are considered to help lift people out of poverty. These, however, may not rid people of the wrongful relations that characterise poverty. As I have discussed, many of the key measures for avoiding or escaping poverty involve the undermining of one's independence, and show a lack of respect for one's status as an equal. The most important route out of poverty is commonly

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<sup>358</sup> Wolff et al. (2015, p.49)

<sup>359</sup> Putnam, (forthcoming)

acknowledged to be paid work. Employment is regarded as a way of people having the means to support themselves and to be independent by having continued access to resources. Again, being in employment is not necessarily not to be in poverty. If wages are too low, or if one is underemployed, or if living costs are too high, one might remain in a state of poverty.<sup>360</sup> However, even if one earns enough to escape or avoid poverty, one may fail to escape the types of relations of unfreedom that also characterise poverty.

First, the fact that the threat of poverty forces one to work might undermine one's freedom. In a previous chapter, we examined Cohen's argument that workers under capitalism face the choice of starvation or selling their labour, and that therefore, workers are *forced* to sell their labour. This suggests that capitalism undermines freedom at a structural level.<sup>361</sup> However, Cohen hints at the idea that it is not just being forced to sell one's labour which undermines freedom, but the relations one exists within when one is forced to sell their labour.<sup>362</sup> The discussion here makes sense of how freedom is undermined through these relations at an individual level, and not just at a structural level. As I have discussed in this chapter, this relational unfreedom is evident in the relations of dependence, vulnerability, and subjection to another that we see in work relations, particularly when labour protections are minimal.

I have also discussed that charity and welfare involve various forms of relational harms. Given that the relational aspects of poverty tend to be largely ignored, it goes overlooked that, for example, a welfare system designed to lift people out of poverty perpetuates the sorts of relationships that characterise poverty, which are, in part, why we take poverty to be wrongful in the first place

A relevant comparison to the approaches discussed here to reducing or aiding people in poverty is the policy of a universal basic income. The relational harms pertaining to wage labour, benefits and charity are minimised in the case of being in receipt of UBI. There are two main reasons. First, the UBI is proposed to be at an adequate level; people would receive more money compared to welfare payments. There is a relationship between the amount of money one has and the relational harms to which one is vulnerable. A high enough basic income would negate the need to accept or keep one's employment, as it would provide a genuine alternative. This would improve the power balance between employer and employee. It would enable the employee to walk-away from a transaction, regardless of any other protections a worker may have, such as union representation.

Second, it is not only the extent of the income that makes a difference. The UBI need not necessarily make people richer to increase their freedom. The unconditional aspect of the income respects one's independence more than conditional welfare payments. There is greater relational freedom with UBI, since, one need not meet terms set by another; one need not fear punishment,

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<sup>360</sup> The phenomenon of 'in-work poverty' is presently increasing in the UK, Hick and Landau (2017)

<sup>361</sup> Cohen (1983)

<sup>362</sup> Ibid., p.30

nor shape their activities around meeting the conditions to receive an income. The UBI might be less stigmatising if it is given to every citizen. This brings it closer to an entitlement, which has an important expressive function. It would avoid the association of welfare payments as something given to those who have failed at being a contributing member of society. There is much that the UBI cannot address, for example, the higher status that comes with doing work valued by society. It also cannot correct gendered power imbalances between higher earning male members of households and females who still tend to take on a greater burden of domestic responsibilities.<sup>363</sup> However, the UBI seems an approach to poverty reduction that would minimise, instead of perpetuate relational harms.

### Conclusion

In this chapter I drew attention to an aspect of poverty that tends to go overlooked in dominant conceptions of poverty. The relational aspect of poverty has a fundamental role in our understanding of what poverty is, what is wrong with it, and why it persists. I outlined the capability theory, which does not merely conceptualise poverty as a distributional phenomenon, and puts freedom at its centre, I argued that the CA does not sufficiently address the relational aspect of poverty. This is because it focuses on an individualistic conception of freedom as opportunity, and overlooks the relational aspect of freedom as independence. I discussed that the fact that poverty gives rise to coercion, and related harms, such as dependence and domination, must be part of an understanding of why poverty is wrongful. Additionally, these harmful relations are an aspect of what it is to be in poverty. The focus on relational harms enabled the perspective that, when one is able to avoid or escape poverty, such as through low-paid work, or through benefits in a welfare system, one may still suffer coercion. This should be understood as part of the harm and wrong of poverty. Many of the dominant ways of avoiding or escaping poverty involve relations which undermine equality and independence, and therefore, freedom.

The motivation for the central argument of my thesis, in part, is the observation that while coercion is particularly relevant to poverty, dominant accounts of coercion fail to adequately account for cases of poverty. This chapter demonstrates why poverty is particularly relevant to coercion. Namely, poverty tends to give rise to interactions in which people are forced to be subject to the will of another. I discussed that this is wrongful in a relational sense. This gets overlooked by dominant accounts of coercion, and poverty, which focus their concern on the material effects on an individual, such as being made badly off, or having one's rights violated.

This chapter crystallises why it is plausible, and important, to recognise that the structural constraints of poverty, at times, operate in place of an intentional coercing agent, as I discussed in chapter three. It clarifies why insisting that coercion requires a coercer obscures an important phenomenon, which is not adequately captured in our dominant theoretical frameworks. This is how people in poverty are forced into relations which undermine their freedom through forced

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<sup>363</sup> Robeyns (2001)

subjection to the will of another. In this chapter I emphasised that part of what makes poverty wrong is the relational harms to which it gives rise. This built on my argument in chapter four, that coercion is morally significant because it is a type of relational harm. The present chapter also developed my argument regarding Cohen's view that workers under capitalism face constrained options due to structural arrangements and are, therefore, forced to sell their labour, which makes them unfree. Here, I addressed how the way that people's options are limited by institutional arrangements does not only remain at the level of the structure, but also involves unfreedom at the individual level. My discussion here also responded to the worry, articulated in the first chapter, that Cohen's focus on being forced to sell one's labour ignores the significance of being in poverty. My argument in this chapter conceived of being forced to sell one's labour, not as a separate focus to the wrong of poverty, but as part of an understanding of it. That people are forced into relations of subjection and submission is constitutive of what poverty is and why it is wrong. Attending to such relations does not, therefore, overlook or obscure the wrongs and harms of poverty but, rather, deepens our understanding of them.

In the final chapter, I present an application of the argument that background constraints of deprivation force people into relations through which they suffer relational harms. I give a modern-day application of Cohen's argument that the structure of economic and labour arrangements under capitalism forces people into relations which undermine their freedom. My focus is the tendency for people who face limited options to engage in forms of precarious work. Specifically, I focus on the emergence of the 'gig-economy'. I further draw on relational conceptions of freedom and equality to argue that people in precarious work arrangements, despite being made better off, suffer relational harms. I will discuss how background inequalities mean that interactions which, ostensibly, treat parties equally, in practice, engender relational harms. The example of precarious work in the gig-economy illuminates what is required for transactions among people, who are situated unequally, to respect freedom as independence and one's moral status as an equal.

## Chapter six: Relational Unfreedom in the 'gig economy'

The project of my thesis takes off from Cohen's argument, presented in chapter one, that members of the proletariat under capitalism experience unfreedom and are forced to sell their labour as their only option to avoid poverty. The fact that workers fare better by selling their labour than not having this option does not stop them being forced. Nor does the fact that, some workers have the option of entering the petty bourgeoisie, mean that they are not forced to sell their labour. Cohen argues that, since not all workers have this option, workers, as a plurality, are unfree in a structural sense. The previous chapters of the thesis developed this argument. I aimed to explain the significance of structural freedom for individuals. In chapter two, I built on Cohen's thought that workers, when they sell their labour to capitalists, submit to their will. I gave an account of coercion that takes being forced to be subject to another's will as its central feature. The view I put forward is that when individuals face the choice of poverty or being under the control of another, (whether through working, or being dependent on charity or welfare), they experience coercion. Coercion operates through a combination of a lack of reasonable options, and one's best option involving subjection to the will of another.

In chapter three, I put forward my *structural thesis*. I suggested that the lack of options that forces B to be subject to the will A, need not be created by the intentional actions of A, nor the intentional actions of any identifiable agent. Instead this might arise due to structural factors, such as institutional arrangements. Structural coercion occurs where structural arrangements force one to be subject to the will of another. In chapter four, I suggested that this conception of coercion has a moral significance which tends not to be fully recognised. Namely, this constitutes a harmful relation, which is a form of injustice. Being subject to the will of another may undermine one's moral status as an equal. Additionally, being subject to the will of another erodes the independence of one's will, which undermines freedom. In chapter five, I looked more closely at how poverty gives rise to relational harms, in particular, coercion. I submitted that this relational harm and source of unfreedom constitutes a fundamental aspect of the wrong of poverty. Moreover, these relational harms persist even where one escapes or avoids poverty, when, for example, one enters into work relations which subject one to the will of another.

This chapter brings together the arguments from the previous chapters, applying them to a current issue which raises moral concern. I discuss how, in today's economy, people who face poverty enter into precarious labour relations, known as 'gig' work. Such work makes one materially better off, yet worse off in a relational sense. Since, for many workers, gig work is their only reasonable option for earning a livelihood, they are forced into these relations. Moreover, this form of work involves control, subordination and inequality. I will analyse these labour relations in light of the sort of perspective offered by Cohen and O'Neill, mentioned earlier, regarding capitalist wage offers. Such theorists note that the character of individual interactions

have the appearance of a free transaction, since the capitalist does not force the worker to work for him. Yet, from a structural perspective, the worker is forced to sell her labour to the capitalist. Cohen's argument is that although, individually, workers are not forced to sell their labour, the structure of capitalism is such that workers, collectively, are forced to sell their labour.<sup>364</sup> O'Neill focuses on the sense in which workers are coerced because they are forced to choose among options to which they have not consented. They are forced to sell their labour, since, the structure of choices under capitalism, or as O'Neill puts it, the 'maxim' of capitalism, is coercive.<sup>365</sup>

Here I discuss a parallel concern. Namely, that interactions in the gig economy have the appearance of being entered into freely, but, due to background conditions, undermine freedom. The worry I raise is not that such interactions are not consented to, but that the character of the interactions undermine the independence of the will of the worker, undermining her freedom. The nature of work in the gig economy may superficially express the idea of worker and customer transacting as equals. However, given background inequalities, as well as the way that transactions are structured, the worker's disadvantaged position makes her subject to the will of her more powerfully situated 'employer'.<sup>366</sup>

I focus on how work in the gig economy is perceived to enable workers to transact in the manner of an 'independent' contractor, enabling flexibility and control over their working life. Yet, due to workers' constrained circumstances they are forced to enter into relations with customers on unequal terms. Moreover, the nature of this work involves a great deal of servility and control. Therefore, the independence of the worker is greatly undermined. This perspective gives an urgency to the type of argument presented by Cohen, which perhaps might be thought to rely on a historical picture of capitalist work relations. Our modern economy is more complex than the structure of capitalism that Cohen describes; in which capitalists own the means of production and the proletariat sell their labour. Yet, I aim to demonstrate the continued relevance of Cohen's arguments by outlining that concerns regarding the unfree nature of work remain.

Though institutional arrangements in today's capitalist society are more complex, they still, at times, compel disadvantaged workers to subject themselves to the will of more advantaged members of society. The labour relations that I discuss are not necessarily more coercive than standard working arrangements of modern twentieth-century capitalism. Yet, I focus on gig work as it is reminiscent of the unequal relations which characterised mass industrial wage-labour, as well as Victorian-era piecework labour. Developed economies towards the late twentieth century saw the growth of workers' protections, benefits and security, through the activity of unions.

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<sup>364</sup> Cohen (1983)

<sup>365</sup> O'Neill, O. (1985)

<sup>366</sup> I put employer in inverted commas since one of the fundamental features of the gig-economy is that workers are not considered 'employees', and are hired as 'independent contractors'. Therefore, it is not strictly correct to refer to a company as the worker's 'employer'. I refer to the terms 'worker-employer', 'employee-employer' loosely, and with the awareness that this might not accurately describe the relations in the gig economy. The lack of clarity over how to characterise the relations in the gig economy is one of the very issues at stake here. However, I use the terms 'employer' and 'employee' because this captures the relevant feature in question, namely the inferior role the worker occupies within a hierarchy, in a workplace context. However, I acknowledge that people in the gig economy are not technically 'employed' by those for whom they work.

There were also attitudes of perceived loyalty between worker and firm. Work in the gig economy seems to undermine much of this progress, returning to a model of work which embodies deep inequality. The gig economy is striking for reverting to a model of precarious labour, which, though never having disappeared, tends to be regarded as a thing of the past. Additionally, I concentrate on the gig economy, as it is more coercive than tends to be perceived. Advocates of the gig economy insist that gig work has a liberating effect on the worker. Developing and developed economies contain working relations far worse than those which typify the gig economy, such as modern-day slavery and forced labour. Yet such work tends to be illegal and widely condemned as wrongful. I focus on the gig economy to illuminate a wrong that often gets obscured.

I will draw on the framework of relational equality, as outlined in chapters three and four, to capture the moral significance of the relational harms that gig work involves. Relational equality provides the tools to analyse harms that go overlooked by traditional theories of poverty and standard theories of justice. At the same time, this framework points towards the sort of approach that we might take to correct relational harms. Relational equality is a way of approaching the structural dimension of the coercive aspect of poverty, of which gig work is an example. At the same time, applying the theory of relational equality to the example of gig work helps give detail and clarity to the approach, the details of which have not yet been fully worked out in the literature. This case study also portrays how the relational harms that result from measures taken to avoid or escape poverty are part of what makes poverty wrongful.

In the previous chapter, I discussed that there is an important, overlooked, relational wrong of poverty; people in poverty experience various harmful relations. Relational harms are also incurred by those *at risk* of poverty. Such harms include dependency, inferior social status, and being subject to the will of another. These may arise when people take on subordinating forms of work to avoid falling into poverty. This situation not only applies to historical cases of poverty, such as in Victorian Britain, or in cases involving developing countries, but also in today's developed economies. The example of people forced into precarious forms of work in modern economies illustrates how the threat of poverty compels people into relations which undermine the independence of their will.

In arguing for structural coercion as an integral aspect of poverty, I have largely referred throughout my thesis to examples, such as capitalist wage offers, as well as labour relations that tend to be regarded as problematic, such as sweatshop work or sex work. The motivation for my argument, in part, was to make progress in highly contested debates over the moral status of such forms of work. Additionally, the argument is intended to provide a framework in cases where there is a distinct phenomenon which raises moral concern, which seems insufficiently conceptualised within prevailing moral frameworks; cases where the nature of wrong is difficult

to specify, or gets obscured. Given this latter purpose, work relations in the gig economy provides a useful case study.

There is a moral concern at the heart of these relations which, perhaps, due to the *recent* emergence of such work relations, or because of the often positive rhetoric around gig work, goes under-theorised and overlooked. So, while the case acts as a useful example for crystallising the central argument in my thesis, I also use the conceptual framework that my thesis develops to understand better the moral issues posed by gig economy work relations.

I will first give an account of the 'gig economy'. I then discuss how relations in the gig economy are an example of structural coercion. Following that, I discuss why the relational approach is more helpful than other conceptions of equality in identifying what is wrong with the arrangements of the gig economy. I next discuss why relations in the gig economy are of particular interest, beyond the problems raised by work relations generally. I conclude with some tentative suggestions for how the gig economy could be made more equal.

#### What is the gig economy?

Let us imagine that I write this chapter as I sit at home whilst a cleaner, who I have hired using the app Handy, cleans my flat. After she is finished I rate her on my phone out of five stars, and then request a different cleaner for next time. Shortly after, a young man on his bike hands me the food I have ordered from Deliveroo from a restaurant down the road. I work for a while longer then summon a driver on my phone through Uber, who drives me to my destination. After rating my driver on my phone, I meet the guy who has spent the morning queuing for me to get tickets to see the sold out show I have wanted to see, whom I hired using TaskRabbit. Before going in, I leave a review of his service on the website on my phone. This is a possible typical day in the life of a participant in the gig economy. A life of convenience for me, the customer, made possible by the workers at my disposal, whom I can hire, rate, and dispense with when no longer needed.

The gig economy is the phenomenon that has emerged in recent years for people to hire others for one-off or short-term jobs. Often, this takes place through the mechanism of an app, which acts as a platform through which customer and worker enter into a labour relationship. Some examples are Uber, which enables customers to hire a taxi driver, Handy, through which customers hire cleaners, on a one-off, temporary, or long-term basis, and Task Rabbit, which enables customers to hire people to perform any manner of personal job.

I distinguish the gig economy from what is referred to as the 'sharing economy'. This is the different trend of people allowing other individuals to make use of their personal resources for commercial gain. For example, AirBnB allows people to hire out their home to renters on a short-term basis, or Justpark, enables people to hire out their driveways to other drivers. What I refer to as the 'gig economy' is often included under the label of the sharing economy. However, I make

a distinction between the sharing economy and the gig economy. The sharing economy is based on the use of people's assets, whereas, the gig economy is built on people's labour.

My focus is on workers, who offer themselves as a service, in an on-demand way, with no fixed contract or employment. I am primarily interested in types of gig work where workers are hired and monitored by *individuals*, such as with Uber. Yet, I will also discuss examples of gig work which adhere more closely to the traditional employer-employee model. Here, workers are hired by companies, yet classified as 'self-employed contractors', instead of employees. Delivery workers for companies such as Hermes and DPD are prominent examples.<sup>367</sup>

I now outline the key features of the gig economy. First, companies act as platforms, facilitating employment between customer and worker, rather than workers being employees of the company. Companies in the gig economy take on workers as 'independent contractors', who have self-employed status. Such workers are not owed the usual employment benefits and protections such as sick pay, paid leave, pension contributions and social security. Second, there is no fixed contract, no minimum or maximum hours. There is flexibility in that workers choose how much they want to work and their hours (though some are required to perform a minimum number of jobs), and in that the companies are not obligated to guarantee a minimum number of hours for the workers. Third, there is no salary for this work; workers are paid per job, or 'gig'. Fourth, there is minimal involvement through the company; minimal training, vetting, and intervention. Instead, there is a reliance on a rating system carried out by both the worker and customer.

I am not attempting to pick out necessary and sufficient conditions for something to qualify as the 'gig economy'. None of the categories of work mentioned here are precise, wholly distinct, or novel. Instead, I mention key features and draw on paradigmatic examples to illustrate the particular phenomenon I aim to capture. These are the integral features of the gig economy.

There are also some contingent features. For example, work in the gig economy is primarily low-skilled. In theory, any sort of work could comprise the gig economy, and it may be heading in that direction. For example, there is an 'Uber style' company in the USA that provides doctors. Additionally, a zero-hours contract model is increasingly being used for university lecturers. For the most part, however, the gig economy is dominated by 'low-skilled', low-paid forms of work.<sup>368</sup>

The gig economy is perceived by many as a positive trend. The benefits for the customer abound. The main benefits for workers are considered to be greater flexibility and greater autonomy. Additionally, interactions between individuals, supposedly, operate on a more equal footing than between an individual and a large company. At the same time, concerns have been widely

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<sup>367</sup> 'Hermes courier: 'I felt pressured to work while caring for my dying son', *The Guardian*, January 2017  
<<https://www.theguardian.com/business/2017/jan/26/hermes-courier-i-felt-pressured-work-while-caring-for-dying-son>>

'Hermes case shines light on precarious employment of Britain's workers', *The Guardian*, October 2016  
<<https://www.theguardian.com/law/2016/oct/20/hermes-couriers-working-status-investigated-hmrc>>

<sup>368</sup> I say low-skilled to refer to work that has been referred to as such, while recognising that this itself is a prejudiced term, with much of 'low-skill' work requiring high levels of skill.

identified. Criticisms have focused on the lack of protections that come with informal work. The biggest worry is that companies use the 'self-employed' status of workers to permissibly deny them protections and benefits, and to off-load costs and risks onto them. These practices are rightfully receiving political attention.

What goes overlooked, however, is the nature of the relationship between the hiring customer and the gig worker. I suggest that rather than promoting autonomy and independence, the relations of the gig economy make workers subject to the will of customers. Given the background inequalities that interactions in the gig economy take place against, though workers are in theory as free as the customer to enter into or opt out of the transaction, in reality, workers have no reasonable option but to enter into these transactions. The character of these transactions undermines the independent will of the worker. The work arrangements generate relations of subservience and dependence on the will of the customer to ensure the worker's continued access to her livelihood.

#### Structural coercion in the gig economy

My argument is that workers in the gig economy are forced to be subject to the will of customers, and that this constitutes structural coercion. Despite the perception that the degree of flexibility that workers have over how much work they do and when, enhances their independence and autonomy, I will argue that gig work is a form of precarious labour which undermines freedom.

First, I look at how the work arrangements involve unequal power relations, due to the context in which they take place. The current practices in the gig economy and the background conditions that these interactions take place against, entrench inequality. These background circumstances are a combination of long term historical factors and recent causes. First, the decline of industry and manufacturing has created a shortage of secure, low-skilled work. Instead, job-growth has been centred on higher-skilled service industries. Second, the global economic crash in 2008 and subsequent global recession and UK recession created high unemployment.<sup>369</sup> This creates a situation where people are increasingly at risk of unemployment. Third, unemployed people are increasingly worse off. Government cuts are creating a less generous welfare state.<sup>370</sup> There is a real and growing threat of poverty among people of working age in developed economies.<sup>371</sup> With the number of 'good', secure jobs falling in the low-skilled labour market, against a rising population, there is increasing competition for work. Lower-skilled work has shifted towards

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<sup>369</sup> Unemployment has been falling in recent years, but this is largely attributed to the rise of part-time, self-employed, precarious forms of work. Work in the gig economy still makes up a small portion of work, but much more prevalent are zero-hours contract jobs. This has created new norms of insecure work as acceptable, and encouraged more firms to operate in this way. However, firms employing workers on zero-hours contracts have come under heavy criticism recently.

<sup>370</sup> 'Benefit freeze to stay for working people costing typical family £300 a year', *The Guardian*, November 2017 <<https://www.theguardian.com/society/2017/nov/27/benefit-freeze-to-stay-working-people-costing-typical-family-300-a-year>>

'Half a million more people in poverty if Government maintains benefits freeze' JRF, October 2017 <<https://www.jrf.org.uk/press/half-million-more-people-poverty-if-government-maintains-benefits-freeze>>

<sup>371</sup> For example, 58.5 percent of Americans, between the ages of twenty and seventy-five, are now expected to spend at least a year in poverty, Hacker (2006)

low-wage service sector jobs that provide fewer benefits and are often only temporary or part-time. These conditions create a situation whereby low-skilled workers are less able to reject work they might otherwise find unsuitable. This goes some way to explaining the proliferation of jobs, and workers' dependence on them, in the emerging gig economy.

Second, I highlight a common, distinct feature of work in the gig economy that contributes to the problematic nature of relations in the gig economy: the rating system. Many companies within the gig economy use a rating mechanism through a digital platform. The idea is that the customer rates the worker on their performance, and in turn, the worker is able to rate their client, the customer. This would seem to give worker and customer an equal standing in the relation. One function and effect of the practice is information sharing. Ratings of workers gives customers more assurance that the worker is trustworthy. Ratings of customers provides workers with reassurance that they are transacting with reasonable customers. Another purpose of the rating system is to replace the extensive work of vetting, trialling and supervising prospective and new workers. Instead, it is cheaper and simpler to rely on the customer to assess workers' standards. The rating system is used to create incentives for the worker to keep to a high standard of service and pressure to perform, by threatening punitive action if the rating falls below a certain standard. The customer, theoretically, is kept in check by the fact they are rated by the worker in turn.

However, instead of putting both worker and customer on an equal footing, the rating system, in fact, entrenches inequality. I highlight three main ways. First, the companies use the ratings to inform their decisions about firing workers. This means the rating system is not a mechanism utilised by worker and customer on an equal basis. Instead, it is used by companies to enforce their authority in as much a top-down way as traditional forms of work. The difference is that instead of a formal firing process, the companies often merely deactivate the worker. Decision-making in the gig economy tends to be impersonal, with little chance of appeal or redress. Second, there is an explicit asymmetry in the rating system. The standard below which a worker must fall to face punitive action is much higher for the customer. Uber for example, blocks drivers from the app if their rating falls below a certain level.<sup>372</sup> Given that this level tends to be high, this puts workers under a huge amount of strain and pressure to meet these standards. Additionally, there are other grounds for exclusion. For example, if the worker does not accept enough jobs, he may be barred, which certainly undermines the idea of gig workers as self-employed, able to work the hours they choose. A customer, on the other hand, will not be blocked merely as a result of persistent low ratings, or lack of use. This is an unequal relationship at the outset.

The third way in which the rating system contributes to inequality relates to how, while workers are in intense competition for work, customers in the gig economy have a pool of people to choose from. Customers are able to be selective and distinguish one worker from another by their rating.

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<sup>372</sup> 4.6 out of 5 is the widely quoted figure below which a driver is at risk of deactivation

This means that a worker who receives a low rating may be vulnerable to not receiving many or any jobs. This is potentially catastrophic for workers. Workers in the gig economy usually face very limited employment options, they are, therefore, dependent on the ratings of customers for their assured livelihood. Customers who receive low ratings are unlikely to be passed over by workers, when supply of labour is greater than demand. Moreover, customers would not face disastrous consequences were they to be excluded. The services comprising the gig economy are not essential, whereas the employment is essential for workers at a time of limited employment opportunities.<sup>373</sup> Workers and customers are situated unequally with respect to what they stand to lose or gain from the transaction. This gives rise to a power imbalance.

The inequality of background conditions of the worker and customer creates a situation of dependency. The worker is dependent on the customer for their livelihood. Further, exacerbating this is the fact that the rating system is not a precise mechanism. It is vulnerable to the whims of the customer. There are no accepted criteria given to the customer on how they are supposed to rate the worker, which makes the worker vulnerable to the arbitrary judgments of the customer. This also means that the worker faces uncertainty and insecurity. This subjects the worker to the will of the customer. Instead of customers rating workers on the quality of their service, there are accounts of workers receiving low ratings due to customers taking out their private frustrations on the worker. For example, Uber drivers report being given low ratings due to bad traffic, or for refusing to break road traffic rules when the customer was in a rush. Additionally, studies of ratings of workers in the gig economy indicate that ratings are affected by conscious or unconscious biases with respect to race and gender.<sup>374</sup> These arrangements, therefore, can exacerbate the oppression of certain groups.

Customers wield unprecedented levels of power over the worker, since their ratings can have drastic effects on the worker. The rating system makes the worker deferential to the customer. It may not be sufficient to simply perform the job specified; to receive a high rating, the worker may have to go the 'extra mile'. The worker must, perhaps, show deference towards the customer, or make his company enjoyable to the customer; taking on the additional burden of what may be referred to as 'emotional labour'.<sup>375</sup> This further erodes the status and standing of the worker. The customer is not similarly required to please the worker. One-sided relations of deference and dependence undermine the possibility of interacting in a way which shows equal respect towards the customer and the worker.

Furthermore, there is no procedure for contesting the operation of the rating system. In the gig economy, the worker is not only vulnerable to the arbitrary assessments of the customer. The worker also lacks sufficient opportunities to challenge customers' feedback or the firing decisions of the company. This set of arrangements is particularly at odds with the idea of transacting on

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<sup>373</sup> This is a contingent fact. The gig economy could extend to essential services, for now this is not the case.

<sup>374</sup> Rosenblat (2017)

<sup>375</sup> Hochschild (1985, p. 7)

equal terms. There is no opportunity for debate or discussion between the worker and the customer, or the worker and the company. These assessments and decisions are frequently carried out through the use of technology, without even a face to face interaction.

I have described the way that the specific features of work arrangements in the gig economy creates inequalities between the position of worker and customer. At the same time, pre-existing inequalities in circumstances mean that worker and customer have unequal bargaining power. These inequalities conspire to make the worker subject to the will of the customer. One issue is that the worker is dependent on the customer for their livelihood. Yet on top of this, the structure of the work arrangements in the gig-economy, particularly, the functioning of the rating system, forces the worker to specifically please the customer in order to retain their employment. Given the lack of options available to low-skilled workers, they are forced into such transactions to avoid poverty. This means they are forced to be subject to the will of another; which is coercion.

This constitutes structural coercion, as the workers' options are not constrained by the customer. Instead background conditions, namely, economic inequalities, as well as the mechanisms of control that characterise the gig-economy, play this role. Therefore, contrary to the notion that workers operate as 'independent contractors', relations in the gig economy deprive workers of their independence. The gig worker is forced by economic necessity to sell their labour, despite their formal freedom to choose their own working hours. Moreover, the independence of the worker's will is undermined through the extent to which the customer has power over the worker in the work relation.

The example of precarious gig work emphasises the importance of recognising the dimension of freedom as independence. It highlights the inadequacy of basing a definition of free labour on a conception of freedom as non-interference. The customer need not deprive the worker of options, nor interfere with the worker's options to subject the worker to their will. The awareness a worker has of their precious employment status, and the risk of an economically costly restriction to their income makes the worker dependent on customers. The relational harms of dependence persist even if the worker manages to sustain a sufficient income overall. The worker's lack of recourse to contest decisions taken by the customer or employer company, and their limited options for alternative employment means that workers do not have the ability to walk away from transactions. The worker is, thus, subject to the will of the customer, even if the customer does not intend to worsen the worker's situation, for example, by giving them a bad review, or opting not to hire them again. The fact that workers are subject to the will of the customer, itself, undermines the freedom of the worker, regardless of how a particular customer chooses to interact with the worker. Therefore, the undermining of freedom that the worker suffers is not reducible to the idea of interference.

Taking a structural perspective is essential to understanding the denial of freedom that gig workers experience. The worker is subject to the will of the customer in virtue of how the

interactions are structured between worker and customer. For example, the fact that workers' ratings are public and customer ratings are not, is a structural feature of the transaction, which makes the worker disadvantaged relative to the customer. The worker and customer are situated in unequal positions of power, making the worker subject to the will of the customer, regardless of how the customer acts.

We must also note the effect of the market norms that characterise the gig economy; of flexibility and competitiveness. This forces precarious workers to be constantly concerned with their performance. This induces vulnerability, as well as psychological harms, such as anxiety. This is part of what makes precarious work in gig economy problematic. Yet, these norms are not reducible to the actions or motives of particular agents. The vulnerabilities that are operative in making workers subject to the will of their customers are structurally caused. Workers' constrained circumstances are due to factors such as the changing nature of industry in developing economies, or the unequal distribution of wealth in society, rather than the intentional actions of individuals.

It is important to recognise these elements of structural coercion which makes precarious work a form of unfree labour. Despite the claim that work in the gig economy supports workers' freedom, we must acknowledge how the system of norms, and institutional arrangements that underpins precarious work undermines independence, and should be recognised as a source of structural coercion.

#### The moral significance of structural unfreedom in the gig economy

In response to my claim that work relations in the gig economy constitute structural coercion, one might question the moral significance of this analysis. First, one might point out that work relations are inherently unequal. It might be too strong to determine that work relations are always wrongful. Perhaps there is no moral concern raised by the mere existence of an inequality. I shall discuss this shortly. One might also pose the objection discussed in chapter four. The question may be asked - why is it of moral consequence that work relations in the gig economy involve the subjection of the worker to the will of another, if this does not make the transaction impermissible? My argument is that gig work undermines the independence of the worker. Yet, I do not claim that these relations violate the worker's rights, or invalidate her consent to the transaction. Therefore, one might doubt that there is a genuine moral problem. Here, I propose, as in chapter four, that drawing on the framework of relational equality helps us grasp the moral significance of the analysis here.

Relational equality, as I outlined in previous chapters, posits that justice requires people to be treated as equals. Theorists of relational equality argue that injustice is a matter of the nature of the relations people exist within, rather than their share in distributions of resources. The approach has a persuasive appeal. However, the details of the theory remain largely unworked out. Proponents of the theory do not spell out which specific relations are to count as unequal and

which unequal relations are unjust. I suggest that the way to flesh out the theory is by applying it to possible cases. I further submit that the case of work relations is a strong candidate for a case study. So, while I advocate that applying the theory of relational inequality to the gig economy helps clarify the wrongs involved in this form of work, at the same time, I propose that the case of the gig economy helps us get a firmer grip on the relational equality framework.

One reason for regarding the relational inequalities that the gig economy generates as unjust is in virtue of their negative effects. The gig economy encourages the emergence of a 'two-tier' economy, with work increasingly being divided into low-status, low-skilled, low-paid work on the one-hand, and high-status, well-paid, secure, high-skilled professional work on the other. This creates a status division as workers in the latter category of work have higher status than those in the former. Moreover, much work in the former involves serving the needs of workers in the latter category. The gig economy largely consists of companies who offer services aimed at making life more convenient for people who are well-off. The gig economy creates a situation where people are increasingly able to outsource work they would rather not do to someone else, who is worse off than them. The main examples I have discussed here, Uber, Handy, and TaskRabbit, make it possible for people, respectively, to save time on transport, on household chores and on any given task. The advertising of the latter two companies explicitly promote the idea of 'let us do the work so you don't have to'. This creates an inequality as the wealthier are more able to outsource their unwanted tasks, which frees them up to pursue more valuable activities.

This might be thought of as a distributive inequality. However, the issue is not only that resources and free time are distributed unequally between the more and less well-off, but that the less well-off take on the work of the better-off. This sets up a society-wide, group inequality, as the least well-off are in the service of the best-off; forming an inequality in status. We might also note how the gig economy, particularly companies such as TaskRabbit, increases the scope of what can be made into work. As long as someone needs something done and can pay, and someone else is willing to do it and needs the money, there is no limit to what forms of labour exchanges may be entered into. This situation promotes inequality, as only the wealthy have the means to command what becomes work for others.

A second reason for describing relations in the gig economy as unjust, is that, aside from their bad consequences, relations in the gig economy have an expressive function which is at odds with the ideal of a society of equals.<sup>376</sup> Work arrangements in the gig economy are based on enabling agents to 'hire' people and 'fire' them at will, to take people on only for the length of time required to complete a certain task. This creates the perception of people as disposable and dispensable. This invokes Cohen's diagnosis of what is problematic about being forced to sell one's labour, namely, that this involves putting oneself '*at the disposal*' of another.<sup>377</sup> The gig economy

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<sup>376</sup> See Schemmel (2012) for the idea of expressive harms of institutional arrangements

<sup>377</sup> Cohen (1983, p.20)

manifests this idea, not only in the sense of people being made use of, but also as being disposed of when no longer useful. The possibility of being dismissed at any time is significant for the effect this has on the worker. It engenders a sense of insecurity, causing the worker to feel beholden to the customer they work for. But this feature is also important due to what it signifies. It sends the message that workers in the gig economy are not valued employees, and that their work is not regarded as essential. A delivery worker in the gig economy was recently quoted as saying that carrying out his service for customers left him with the '*sense that [he] was as disposable as the plastic bag the parcel was in.*'<sup>378</sup>

Similar concerns apply to the absence of protections and benefits attached to gig work. Workers experience disadvantages through lacking these benefits, such as the loss of livelihood in the event of illness. The deprivation of these benefits also has an expressive function. It creates the sense that workers are not valued. It suggests that there are some people that the state is not interested in looking after, and that people in this category are of lesser importance or worth. This, itself, constitutes an injustice. Furthermore, this may have harmful effects on the worker, through undermining their self-respect.

The work relations that characterise the gig economy are not mere inequalities but constitute injustice. That is why they are morally significant. However, one may raise two further questions regarding this argument. First, one might suggest that this injustice is captured adequately by the distributive approach. Second, one might doubt whether the gig economy poses concerns beyond those of work relations generally. I shall address these next.

#### Distributive injustice in the gig economy

Perhaps one might argue that while the gig economy exacerbates inequality in society, distributive justice approaches adequately recognise this. I discussed how the unequal power relations between customer and worker, and company and worker, are particularly severe. This is because of the workers' vulnerable background conditions; the fact that workers are badly off in material terms and have weak bargaining power. Distributive justice is concerned with inequalities between the better off and worse off and regards excessive material inequality between rich and poor as unjust. Additionally, a fundamental principle of distributive justice is equality of opportunity; the requirement that positions and offices are open to all.<sup>379</sup> This ensures that while power is not distributed equally among all roles in society, all people have an equal chance of occupying any given position.

However, while the framework of distributive justice can address problematic aspects of work relations, it leaves much overlooked. One reason for judging relational equality best placed to diagnose the problems of work relations in the gig economy is that it is better suited to addressing

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<sup>378</sup> 'Life as a Hermes driver: "They offload all of the risk to the courier"', *The Guardian*, July (2016)  
<<https://www.theguardian.com/money/2016/jul/18/life-as-a-hermes-driver-they-offload-all-the-risk-on-to-the-courier>>

<sup>379</sup> Rawls (1971)

inequalities in work relations generally.<sup>380</sup> I shall outline several reasons for taking this view. First, only strict egalitarianism rules out any inequalities between people. Rawls' difference principle permits inequalities as long as they maximise the position of the worst off.<sup>381</sup> Distributive egalitarianism is still compatible with a situation where workers have weaker bargaining power than their employers. Rawls' liberty principle ensures that people maintain their basic freedoms. Yet weaker bargaining power may leave a person forced to be subject to the will of a person with greater power, without constituting a rights violation. Rawls' liberty principle is compatible with some level of relational unfreedom and inequality. Competition for jobs is also not contrary to distributive equality. Therefore, while distributive equality would take issue with the inequality in income and wealth in the gig economy, a distributive approach alone cannot correct the problem of people being dependent on others to ensure their livelihood.

Second, the problem is not just with the distribution of positions, but with respect to the quality of the relations between people who occupy superior and inferior roles. Opportunities for powerful roles may be open to all fairly, but it is compatible with distributive equality for people in these roles to dominate, control and intimidate people in lesser positions. While a distributive approach can object to one group of people being worse off than another, it overlooks the ways in which the worse off and better off interact. The worse off often occupy roles that *serve* the better off. This produces status divisions between different groups or classes within society.

Additionally, distributive justice approaches formally rule out institutions privileging people over others based on their gender, race, religion or class. However, the oppression of certain groups is often maintained through people's individual prejudices and attitudes.<sup>382</sup> Forms of oppression along racial or gender lines are often manifested in the job market. In practice, positions may be formally, but not effectively, equally open to all. Rawls recognises that formal equality is insufficient, as inequalities in starting places makes people unequally situated to achieve higher positions in society.<sup>383</sup> Yet this problem occurs also with respect to inequalities that are not merely linked to wealth, such as racial oppression. These inequalities may not be correctable through formal liberties or distributive equality. The distributive justice approach only concerns itself with whether institutions are formally just. It does not require attitudes or relations that express a justice-based ethic among individuals.<sup>384</sup> Therefore, some sources of inequality in society are excluded from the scope of distributive justice. A relational equality approach, however, takes account of such inequalities.

Third, the distributive justice approach does not attend to the expressive dimension of inequality.<sup>385</sup> As I have discussed, in the gig economy workers work short term, or one-off jobs, performing services for people without an on-going relationship. They are required to please the

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<sup>380</sup> Néron (2015)

<sup>381</sup> Rawls (1971)

<sup>382</sup> Young 1990

<sup>383</sup> *Ibid.*, p.84

<sup>384</sup> See Cohen 1997

<sup>385</sup> Schemmel 2012

whims of the customer, and receive no protections or benefits from their employment. These arrangements ensure that workers are easily dispensable, and have the effect of creating the perception of workers as disposable. Relational equality takes a just society to consist of relations of value and respect. Relations of oppression, deference, and a lack of respect towards the worker are not directly addressed by a distributive justice approach.

Problems pertaining to work relations in the gig economy tend to be overlooked in the political conversation due to the distributive preoccupation. For example, it is widely stated that unemployment has fallen in the last few years, which suggests a positive improvement within society, and for individuals. However, much of the increase in employment levels is due to the rise of these part-time 'flexible' positions, gig work, and zero-hours contracts.<sup>386</sup> Income levels may not be falling but the level of insecurity, stress, and domination people experience are higher.<sup>387</sup>

#### Are relations in the gig economy more unjust than others?

I have outlined key reasons for regarding relations in the gig economy to be incompatible with the idea of a society of equals. However, one may note that these features are present in work relations generally. One may question whether there is anything of greater concern in the case of gig work compared to traditional forms of work. Work arrangements tend to involve unequal relationships. The worker defers to the customer in most cases of traditional work arrangements, and the employee is usually inferior to the employer. An employer routinely assesses their employees, and customer feedback is often gathered to determine performance standards of workers. Of course, unequal work relations are not new; there are few instances where a worker is not required to pander to their employer in a fiercely competitive job market. Relational equality is the idea that a just society is a society of equals, however, relational equality is compatible with some inequalities.

Certain hierarchical relationships, such as those between managers and employees, perhaps are unavoidable in modern life.<sup>388</sup> Yet we might identify reasons for deeming some hierarchies particularly problematic and others less so. However, to clarify, my argument is not that the gig

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<sup>386</sup> The UK is in fact alone amongst developed countries in seeing decent economic growth since the 2008 crisis whilst seeing real wages fall. Many people credit the fact that Britain is unique in having so much gig, part-time, flexible work, as the reason.

'How wages fell in the UK while the economy grew' *The Financial Times*, March 2017

<<https://www.ft.com/content/83e7e87e-fe64-11e6-96f8-3700c5664d30>>

'Some praise our gig economy flexibility. I call it exploitation', *The Guardian*, April 2018

<<https://www.theguardian.com/commentisfree/2018/apr/26/gig-economy-flexibility-exploitation-record-employment-low-wages-zero-hours>>

<sup>387</sup> Moreover, wages are indeed low, people are often required to expend time at work for which they are not paid, and must work longer hours to maintain an adequate income level. Wages in the UK have stagnated since 2008, and are predicted to fall further. Moreover, the sustained fall in wages is linked to the growth of self-employment.

'The Return of Falling Real Wages', *The Centre for Economic Performance*, May 2017

<<http://cep.lse.ac.uk/pubs/download/rwu006.pdf>>

Globally, involuntary part-time wage growth is blamed for bringing down wage growth in all developed economies.

'The Disconnect Between Unemployment and Wages' *IMF Blog*, September 2017

<<https://blogs.imf.org/2017/09/27/the-disconnect-between-unemployment-and-wages/>>

<sup>388</sup> Schuppert (2015, p.112)

economy exhibits worse relations than other forms of work. Rather, I focus on the gig economy out of a concern that the problems here are more likely to go unnoticed. Nonetheless, there are some reasons for regarding the gig economy as raising particular concern.

First, the way in which workers are monitored and subject to arbitrary control seems particularly problematic in the context of the gig economy. It may not be wrongful that one's terms of work involves being subject to appraisal or supervision. Yet where this is excessive this may be morally objectionable. Workers in the gig economy are scrutinised on a constant basis, whether by the customer or their employing company. The extent of their monitoring wrongfully undermines the independence of their will. Moreover, workers in the gig economy lack adequate recourse or sufficient opportunities to contest decisions. The authority of a person to dismiss another from their role may not be wrongful. However, where dismissal can occur with impunity, this is unjust.

Additionally, in more traditional work arrangements there is more of an expectation that every role is subject to some degree of review. Though not always the case, those who occupy higher positions within an organisation may be evaluated by those whom they manage. This is more compatible with the idea of equality. Such a feature is absent from gig work. While in some cases, such as Uber, workers have the opportunity to rate their customers, as I have discussed, this operates in an unequal way. Where people are hired as zero-hour workers or 'contractors' by companies, workers are subject to control and scrutiny by their superiors, yet themselves have no voice within the company, given that they are not regarded as employees of the company.

Second, in traditional employer-worker obligations, there are legal standards the employer has to meet for how they treat workers. In the gig economy, things are designed so that the employer need not interact directly with the worker. Instead, through the use of technology and by placing the customer in an employer-like role, the companies are able to track their workers' performance without face to face interaction. By making the role of the employer negligible in regulating interactions, the worker is exposed to control by the customer. This control is not governed by laws or policies to the extent that the role of traditional employer is. This makes the worker vulnerable to mistreatment. Additionally, this makes the worker subject to an alienated form of control, devoid of personal interaction or even the semblance of an on-going relationship. The worker may never even meet their employer.

Third, while traditional forms of work involve unequal relations, they usually have benefits, which are absent in the gig economy. For example, there is usually greater job security, and benefits such as holiday pay, or medical cover. Workers may receive training, which may provide them with transferable skills. This also makes them less likely to be dismissed as easily as workers in the gig economy, as this involves the employer investing in their workers. These benefits might seem to bestow value on workers. Traditional work arrangements, more often, exhibit some form of a reciprocal relationship, than in the gig economy. Workers, in return for their obedience,

receive benefits from their employers.<sup>389</sup> Traditional forms of work, despite usually being highly hierarchical, are perhaps, contrary to perception, more relationally egalitarian than work in the gig economy.

I have discussed different types of work arrangements in the gig economy. In some cases, there are traditional companies who employ workers on the terms of independent contractors. The ‘contractor’ works *for* the company, yet without the benefits or securities of traditional employment. I have also discussed the emergence of new companies who harness technology to facilitate transactions between individuals and workers, such as in the case of Uber. I regard the latter type of interaction as raising a unique concern. Namely, that there comes to be an ‘employer-employee’ relationship between individuals. There may be an unavoidable inequality in the employee-employer relation. The idea that certain roles are inherently unequal may not be in conflict with the idea of people sharing equal moral status. Yet, we might think that ordinary members of society should occupy equal positions of power relative to each other. The gig economy distorts the idea of a society of equals. This is because the gig-economy actively encourages the practice of individuals hiring others to work for them, by making this simple, and affordable. This is particularly a problem as the terms of these transactions subordinate the worker to the customer.

This is of significance for two main reasons. First, there is a greater expectation that relations should be equal if they are between individuals. We may subject hierarchical inequalities, such as between a worker and a company, to greater scrutiny than private transactions between individuals. There may be a greater risk that problematic inequalities go unchecked in the case of transactions between individuals. Second, unequal work relations between individuals may subvert the idea of a society of equals to a greater extent. They may do greater harm to a person’s self-respect than in cases where people exist in an unequal relation because they occupy different roles in society. The gig economy raises moral concern because it generates the proliferation of undesirable employee-employer relations into everyday society between ordinary individuals.

One might also contest that the transactions between individuals that comprise this part of the gig economy are not new. Individuals have always hired other individuals to perform tasks for them. However, the issue is that workers in the gig-economy are not genuinely self-employed. Individuals who work for themselves and are hired by other individuals may face many of the problems we have discussed such as insecure pay, short-term jobs, a lack of protections and benefits. However, these may be offset by the advantages of being self-employed, such as choosing one’s own hours, selecting which jobs one does, not having to answer to a superior. More importantly, arrangements between a self-employed worker and a customer are genuinely

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<sup>389</sup> This is not to over idealise the nature of employment. While there is some form of reciprocity, most forms of work, traditional or non-traditional, involve a lack of freedom of the worker and severe relational inequality. Moreover, it is worth acknowledging that within traditional forms of work, workers are not always entitled to these benefits.

between individuals. They are not, unlike in the gig economy, mediated through a company. This means that there is a genuine relation, and the two parties transact on more equal terms.

#### A more egalitarian gig economy

I have discussed several negative aspects of the nature of work in the gig economy. However, it must not be ignored that many, including gig workers themselves, insist that the gig economy offers real advantages. My critique of the relations in the gig economy need not compel us to reject the possibility of a form of flexible work which truly respects autonomy and the independence of the worker. Efforts should be focused on restructuring work arrangements to realise these values in a meaningful way.

The gig economy might be diagnosed as an attempt to create a more utopian vision of work, absent the background arrangements needed to make it work. Individuals contracting with each other, making arrangements that best suit the needs of both customer and worker, is a more ideal vision of work. The gig economy has the potential to be more egalitarian than conventional work arrangements. However, because of the context in which these arrangements take place, in many ways, it increases inequality even further. It might be suggested that the problem is not the gig economy per se, but the fact that it operates as a facet within a wider capitalist society. Perhaps the capitalist context means that the gig economy operates in a way which undermines workers' freedom. Partly, this is because people transact against a background of inequality.

This is also in virtue of the gig-economy being constructed by profit-oriented platform companies. These companies distort what could be an equal relation between worker and customer by rigging things in favour of the customer. Companies who dominate the gig economy also design transactions to maximise their own profits. Perhaps if the gig economy were an element within a full-scale sharing economy, or took place within an equal society, where people were both worker and customer alike, the gig economy would better respect the independence and autonomy of workers. However, partly due to the background conditions, and partly because of the aims and policies of those leading the creation and growth of the gig economy, the gig economy exacerbates inequality and undermines freedom.

We might point to some suggestions as to how the relations in the gig economy could be made more equal. The fact that people cherish being their own boss, at the same time as feeling undervalued and mistreated by the customers and companies they work for, indicates that there is something valuable about this idea, but that it is not truly realised within the present arrangements of the gig economy. Flexibility, independence and autonomy are significant values of work. Work arrangements that better meet the ideals of relational equality would maintain the emphasis on these but in a meaningful way. Perhaps there is the possibility to move towards a

free, cooperative system that gives each worker shared ownership and control of productive resources.<sup>390</sup>

First, the companies could set the same standards for both worker and customer. Even if workers are, in practice, more dependent than the customer on the transaction, the arrangement need not have in-built inequality. For example, the rating threshold that must be met to avoid exclusion from the platform could be the same for both worker and customer. The ratings could also be made public for both worker and customer, or the rating mechanism could be abolished altogether. Another alternative is for the rating system to accompany an opportunity for feedback between the customer and worker, or channels for the worker and customer to substantiate, or, if need be, contest their feedback.<sup>391</sup> Second, the worker's status could be given greater legal protections, so that even if the worker's arrangements are not truly flexible and autonomous, they receive similar protections to traditional forms of work. This is already starting to happen.<sup>392</sup>

Third, work could be much closer to self-employed contracting. Platforms could aim to facilitate the independent relationships of individual customers and workers. They could play a role in enabling the initial interaction and then step away. Fourth, worker-owned cooperatives could harness the technology hitherto only in the hands of companies and develop their own app-based platforms. If work relations were made more equal, despite the economic constraints that workers contracting in the current labour market face, workers need not experience a lack of freedom in a relational sense.

Lastly, of course, we could aim to improve the background conditions against which workers transact. Society could offer workers in the gig economy greater employment options and more robust welfare protections, so that they have stronger bargaining power. This would make them less dependent on customers to maintain an adequate livelihood. This is less a matter of changing work arrangements and more an issue of the state generally improving the situation of the less well-off in society.

## Conclusion

In this chapter I have tied together the arguments of my thesis by presenting the case study of work relations in the gig economy. I discussed the background context of this work; the changing nature of work in globalised economies, which has seen the erosion of secure, manufacturing work and the rise of precarious, service sector work. Coupled with the shrinking of welfare provision, workers face an ever-growing risk of poverty. This threat forces people into what work they can find, which increasingly takes the form of gig work. I discussed that this work involves the worker being subject to the will of the customer or employing company. This is virtue of the

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<sup>390</sup> 'TfL is right. Now's our chance to make an employee-owned Uber', *Wired*, September 2017  
<<https://www.wired.co.uk/article/transport-for-london-uber-ban-create-a-new-app>>

<sup>391</sup> Schuppert (2015, p.115)

<sup>392</sup> 'Uber loses right to classify UK drivers as self-employed' *The Guardian*, October 2016  
<<https://www.theguardian.com/technology/2016/oct/28/uber-uk-tribunal-self-employed-status>>

power imbalances which are created by the structure of work arrangements and practices, as well as background inequalities. As workers are forced into these relations, given their economic necessity, we can regard this as a case of structural coercion. The case draws on my previous argument that a transaction can involve coercion even when it makes a person better off. Gig economy work is an example of a coercive offer. It involves the forced subjection of one's will to another, while, nonetheless, making the worker better off in a material sense.

The case also demonstrates the importance of the structural perspective. The worker has no option but to be subject to the will of the customer, not due to the actions of the customer, but as a result of the structure of the work arrangements in the gig economy, as well as the workers' background constraints. This also illuminates the importance of a conception of freedom as independence. Workers are unfree in the gig economy. This is not because their transactions are not voluntary, nor in the sense that their options are constrained by anyone. Instead, the character of work relations involves the subjection of their will, which undermines independence.

This helps illuminate the problematic nature of these interactions. These relations tend to be, mistakenly, perceived as enhancing workers' autonomy and independence, in virtue of the, merely, formal freedom that workers have over their working hours. I further conceptualised the nature of the wrong at the heart of these relations in reference to the framework of relational inequality. I argued that these inequalities constitute a form of injustice. I also suggested that the ideas of relational equality not only help us critique the situation of work in the gig economy, but point to possible routes to improving the situation. At the same time, this case study is useful for crystallising the details of the relational inequality framework.

Examining the case of the gig economy helps show how the risk of poverty forces people into relations which subjects their will to another, which, as I discussed in the previous chapter, is part of what makes poverty wrongful. This argument helps characterise what goes wrong in cases where, though we might not regard the interaction as morally impermissible, our conviction is that there is a wrong, which is hard to conceptualise in our dominant moral frameworks.

## Conclusion

My thesis addressed the relationship between poverty and coercion. It proposed a notion of coercion that helps make sense of how poverty gives rise to coercive interactions. At the same time, it applied the outlined framework to aid our understanding of what poverty is, and why it is wrong.

Part of the motivation for the thesis was a concern that our dominant approaches to coercion, grounded as they are in simplified, hypothetical scenarios, are not well-equipped to explain the more complex cases of coercion that we encounter in reality. When we look at the sorts of cases of coercion that receive attention in the public domain, they seem to demonstrate a common theme. For example, on a given day, a search of news stories about coercion offered cases involving domestic abuse, sexual coercion, psychiatric patients, and immigrants. The common feature in all these cases is that they involve vulnerable people. Coercion tends to occur in interactions where there is a pre-existing power imbalance between the parties. This perspective is missing from dominant accounts. Such an observation is not necessarily at odds with traditional conceptions of coercion as involving a threat. The dominant approach identifies coercion in relation to a threat that succeeds in making its target compliant. Vulnerabilities that give rise to power imbalances make threats effective. The vulnerability of an agent may, therefore, explain her susceptibility to coercion. However, these vulnerabilities are relegated to the role of potential reasons for why threats are operative, within dominant theories of coercion, rather than addressed directly. There is insufficient engagement with the sorts of factors and reasons for why people tend to become subject to the superior power of another. As a consequence, we fail to understand adequately how coercion operates in reality, and not only in the simple, theoretical cases that feature in our moral theorising.

The dominant account of coercion only focuses on unequal power relations in the sense that one agent creates a vulnerability in another agent through intentional interference with her options. This may not be due to an assumption that this is the *only* way of getting someone to comply with their will. Instead, the preoccupation with constraining one's options may be because this is a *wrongful* way of subjecting another to one's will. The dominant account may be aimed at explaining coercion as a wrongful type of action or behaviour. The approach assumes that for coercion to be wrongful, one must create the vulnerability in the other person that gets them to submit to one's will. My thesis takes a different approach. There are other reasons for regarding coercion as morally significant beyond thinking of it as something that one person can do to wrong another. In focusing only on individualistic interactions of coercion, in isolation of a wider context, we attend to only a narrow scope of the sorts of cases that raise moral concern when one is under the power of others.

While it is worth addressing these forms of coercion, it is also important to address relations of unequal power that exist beyond the discrete actions of individual actions. Control and power are features of our world. In particular, a feature of our unequal world. Poverty gives rise to relations where some come under the control of others. We need to go beyond the simple accounts of coercion in the literature to understand both, the mechanics, and the normative significance of this. An analysis of coercion should be sensitive to how relations of power are created through structural factors, such as institutional arrangements and cultural norms. This requires going beyond cases where one person does something to another which makes the other worse off. At the same time, an adequate understanding of the moral implications of poverty requires looking at the consequences of deprivation on human relations. We must address how this shapes the nature of our society, and not only consider what poverty does to individual lives. My thesis looks at poverty and coercion as aspects of our social world.

I first addressed the structural perspective of freedom through Cohen's argument that the proletariat are forced to sell their labour. Cohen shows how one can be forced to sell their labour, even if not forced by the one to whom one sells their labour. The source of unfreedom that the proletariat suffer is the structure of capitalism; the fact that the capitalists own the means of production. The limitation I identified in Cohen's argument is that it shows how the proletariat, as a collective, are forced to sell their labour, but not how the structure of capitalism undermines individuals' freedom. I suggested that we can understand that, since the capitalists own the means of production, the structural unfreedom of the proletariat makes each proletarian subject to an unequal relation of power. I argued that individual unfreedom, and not merely collective unfreedom, arises through capitalist labour relations. Not only is the proletariat class subject to the superior power of the capitalist class, but this imbalance of power feeds into each interaction between capitalist and worker. While the capitalist does not force the worker to sell her labour to him, the worker is subject to the superior power of the capitalist with whom she transacts. The content of the transaction does not make the worker unfree, but the nature of the relation undermines the worker's freedom. This gets obscured when we focus only on freedom as non-interference. Instead, my thesis put the spotlight on a different dimension of freedom; freedom as independence. This chapter introduced one of core premises of the central argument in my thesis, namely, that relations which undermine the independence of one's will undermine freedom.

I suggested that the puzzles we encounter regarding how one can be unfree, even when one is not made unfree by another person, arise through assuming a conception of freedom as interference. This is the basis for the *coercion thesis* I put forward in chapter two. I argued against Nozick's account of coercion, which characterises the 'dominant' conception of coercion in the literature, regarding it as overly restrictive. Identifying coercion only in relation to threats, defined as proposals which make a person worse off relative to a baseline, gives rise to the puzzle of the coercive offer. I demonstrated that the dominant account of coercion lacks an adequate solution

to this possible paradox. The chapter focused on the dimension of freedom as independence, which I illuminated with reference to Raz's conditions of autonomy. According to Raz's account, autonomy is not only a matter of having capacity to choose and sufficient options to choose among. It also requires independence of one's will. I argued, following Raz, that independence is undermined through coercion, and coercion involves the subjection of one's will to another. Yet, contrary to Raz, I focused my attention beyond the operation of threats as the way in which one's will is subjected to another. Instead, I suggested that one can be forced to be subject to the will of another given one's *existing* vulnerabilities. I offered an account of what it is to be subject to the will of another, which showed that one can be subject to the will of another, even where one is made better off.

I also clarified why my account of coercion does not collapse the distinction between coercion and exploitation. I argued that my account of coercion, which focuses on having no option but to be subject to the will of another, makes it plausible to include more cases under the scope of coercion. These 'marginal' cases are not adequately conceptualized by the dominant account of coercion, nor by an alternative framework, such as exploitation. At the same time, the account manages to capture what goes on in central cases of coercion. This enabled a solution to the puzzle of the coercive offer. My argument in chapter two elucidated that coercion is a type of relation. It is a way in which two parties stand in relation to one another, and not merely something that one person does to another. With this analysis I suggested that we can regard the worker, forced to sell their labour to the capitalist, as subject to the will of the capitalist, and, therefore, as coerced.

Next, I turned to my *structural thesis*, which follows from my coercion thesis. In chapter three, I showed how defining coercion in relation to being subject to the will to another, rather than having one's options interfered with, means that coercion need not occur through the intentional actions of an agent who limits one's options. I argued that we should reject the individualistic requirement for a coercing agent held by the dominant account. I further questioned this individualistic assumption by discussing that the requirement for a coercing agent obstructs our understanding of certain cases as coercive, giving the example of law. I also argued that we fail to grasp the significance of other sorts of cases if we do not attend to structural factors and only identify coercion in relation to the actions of identifiable agents, illustrating this concern with the example of sexual coercion. I drew on the approach of Iris Marion Young to discuss how a structural perspective enables us to attend to normatively significant features of interactions that, otherwise, go overlooked. One aspect of the structural account is that it shows how wrongful outcomes occur in the absence of the intentional, wrongful actions of agents. I drew on this perspective to suggest a notion of structural coercion, which is where coercion takes place in the absence of intentional, wrongful actions committed by identifiable agents. Instead I suggested that structural factors might limit one's options, or create a vulnerability, which makes one subject to the will of another.

Having put forward my account of coercion, I anticipated a possible objection that one might raise at this point. Chapter four responded to the challenge that my account of coercion enables us to identify more cases as coercion, but not in a way which says something morally interesting or significant about these cases. I suggested that proponents of the dominant account may allege that defining coercion in relation to a wrongful threat, or the violation of rights, attaches the concept with moral weight. Whereas, given my view that coercion can take place in the absence of wrong-doing, to say that an interaction is coercion is not to suggest that it is wrongful or impermissible, and therefore of negligible moral importance. I rejected this possible objection. I argued that while classifying coercion as a forced relation of subjection is not to claim that coercion is *prima facie* impermissible, it is nonetheless to make a claim of moral significance. My argument drew on Garnett's suggestion that there are two different moral roles performed by the concept of coercion. Garnett suggests that, in some cases, coercion is best conceptualised as subjection to a foreign will. This has a eudaimonic moral role, according to which coercion undermines a person's flourishing.

I developed the eudaimonic role of coercion. I argued that being subject to the will of another is an unequal relation. Drawing on the framework of relational equality, I argued that, at times, to stand in an unequal relationship is to suffer an injustice. I recognised that an individual coercive interaction may not, itself, seem problematic, if one is not treated unjustly by the individual to whose will one is subject. However, if institutional arrangements in a society leave one without any option but to be subject to the will of another, one may be the victim of an unjust society. Additionally, unequal relations are constitutive of an unjust society. I suggested, therefore, that the moral significance of coercion may emerge more clearly when we take a societal perspective, instead of focusing on individual transactions in isolation.

I further motivated the need for an additional account of the normative significance of coercion beyond the main dominant accounts by pointing out that these accounts are unable to explain the wrong of certain cases of interaction, such as blackmail. Additionally, the moralised account fails to identify cases, not only as wrongful coercion, but as coercion at all, such as law, which we generally take to stand in need of justification.

With this analysis I hope to have provided a serviceable account of coercion, which accounts for how poverty give rise to coercion and undermines freedom, without necessarily making a person worse off, in a way which is morally significant. At this point the focus of thesis switched. The first part of the thesis aimed to understand something about coercion, through the prism of cases involving poverty. From this, I developed my structural, relational account of coercion, based on a conception of freedom as independence, rather than non-interference. In chapter five, I addressed directly the issue of poverty, which up until this point served to illuminate the concept of coercion. Here, I drew on this richer notion of coercion to appreciate something about poverty, which tends to go overlooked. In earlier chapters, I argued that coercion is a type of unequal relation that arises due to underlying vulnerabilities. In chapter five, I argued that we should

recognise that the tendency for poverty to give rise to relational harms, such as coercion, is a fundamental aspect of what it means to be in poverty, and what makes it wrong. I suggested that this gets obscured because the more urgent and stark harms of poverty present themselves more obviously.

I argued that the relational aspect, moreover, gets ignored since our dominant conception of poverty is overly distributive and individualistic. Prevailing accounts define poverty and explain its normative significance in relation to how much a person has, and the consequences for the individual of not having enough. I addressed the capability approach, which deepens our understanding of poverty by relating poverty to the notion of freedom. According to this account, poverty involves lacking important freedoms, called capabilities. I argued that while the capability approach addresses how poverty undermines freedom in an opportunity sense, it does not address freedom as independence and ignores the relational aspect of poverty.

The view I put forward is that poverty, in part, is wrongful because it gives rise to unequal relations in society, which are unjust. These cannot be reduced to effects on individual capabilities, therefore, we must take an explicitly relational perspective. Earlier in the thesis, I discussed that noting how poverty forces one into relations where one is subject to the will of another is useful for understanding the dynamics of coercion. My argument in this chapter was that attending to how poverty gives rise to harmful relations, such as coercion, is also essential to grasping what it is to be in poverty and what makes it wrong. While my focus was on coercion, I also addressed related harms such as dependence and social exclusion. I argued that a society characterised by poverty is unjust, not only in the sense that it leaves people badly off, from a distributional perspective, but because it gives rise to relations which undermine equality and freedom as independence. I further suggested that it is important to attend to the relational aspect of poverty to understand what is required to avoid or escape the ills of poverty. Avoiding absolute poverty through interactions which subject one to the will of another is not to escape the harms of poverty.

The final chapter built on this idea further and provided an application for the arguments in the thesis. I illustrated that the background constraints of poverty can force one into relations, which subject one to the will of another, by looking at labour relations within the 'gig economy'. I argued that we can understand these relations as an example of structural coercion. I suggested that this sort of work is a modern-day analogue for the sorts of concerns that Cohen presented regarding wage labour in capitalism. I analysed the significance of these relations through the framework of relational injustice.

My thesis was motivated by the need to conceptualise cases which raise moral concerns that are not easily captured in our existing dominant moral frameworks. Attending to cases with greater complexity than those that typify our dominant moral theorising, leads us to scrutinise and refine these moral frameworks. Through this, we may also uncover links between concepts that might

otherwise be treated as independent phenomena. Taking a relational and structural approach to coercion, in order to conceptualise cases of coercion through poverty, brought into focus the relational and structural aspects of poverty. This helped us attend to the harms and wrongs of coercion and poverty, as well as the links between them, that may, otherwise, go overlooked by the dominant individualistic, interactional approaches to moral theorising.

At the same time, there is much scope for further research to develop the themes I have introduced in the thesis. First, an extension of the project would apply the structural, relational analysis to concepts related to coercion such as exploitation, manipulation and domination. There is more to say about how these concepts compare to the notion of coercion. Additionally, I propose that highlighting the links between these concepts and poverty would be a fruitful project. Second, my thesis was a theoretical project, more concerned with how we conceptualise cases and understand their normative significance, and less about what to do. Yet, I suggested that the relational perspective on poverty is an important approach to take in devising policy that truly enables one to escape the harms of poverty. I suggest there is scope for further research on this. Third, in response to my line of criticism regarding dominant approaches to moral theorising as overly individualistic, it might be noted that a more relational and structural approach to understanding coercion and poverty is found within sociological and anthropological literature. Further work on this topic would benefit from a multi-disciplinary approach, drawing more on these disciplines.

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