
Cultural Accommodation and Domination

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Abstract

When should burdened social practices be granted special accommodation? One issue of concern—raised by Okin and others—is that some social practices involve domination, and so the accommodation of those practices might (inadvertently, perhaps) support social injustice. Suppose one wants to take this concern very seriously. Starting from the assumption that freedom from domination is an especially important value, this article examines whether cultural accommodation would ever be advisable. Approaching the problem of multicultural accommodation from this point of view greatly clarifies the debate and yields some interesting results. In particular, the discussion concludes that there are circumstances under which the goal of minimizing domination itself would be furthered by policies of special accommodation.

Keywords

domination, accommodation, multiculturalism, social practices, civic republicanism

All theories of social justice must eventually respond to the fact of diversity. This is true no less of nonliberal theories that do not officially recognize toleration as a central value than of liberal theories that do. Across the wide range of existing social practices, there will inevitably be many that a theory of social justice will happily accommodate, and others that it will aim to discourage or even forbid. The question of where to draw the line between these cannot, in the long run, be avoided or ignored.

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The challenge of responding to diversity commonly presents itself today in the following manner. On one hand, there is an existing social practice; on the other, there are principles of social justice or other normative considerations which, when strictly applied, would place that social practice under a more or less severe burden. Supporters of the social practice (often, but not always, its participants first and foremost) request that the burden be relieved in some specified way, so as to accommodate the social practice's continuation. The question, from the point of view of the relevant theory of social justice or political doctrine, is whether or not to accommodate the social practice as requested, and, if so, how and under what conditions.¹ In the contemporary literature on what is called "multiculturalism," this problem has most thoroughly been discussed in the context of conflicts between (broadly speaking) liberal policies or principles on one hand, and (again, broadly speaking) illiberal social practices on the other, especially when the specific burden relief requested is some sort of group-differentiated right. The challenge of responding to diversity is, however, a perfectly general one, and it can, to some extent, be profitably addressed in general terms, as I shall aim to do in this article. While I will refer to specific examples by way of illustration, my interest here primarily lies with a few general normative issues, and not with the empirical details of any particular case.²

The normative issue of particular interest to me is the following one. There has recently been expressed, in reaction to the multiculturalism literature, a concern that efforts to relieve otherwise burdened social practices from the full rigors of social justice might support—inadvertently, perhaps—domination within some groups. To give a standard example, the traditional gender values of many cultures are severely patriarchal. Accommodating the social practices of groups strongly committed to such patriarchal values might thus indirectly support the domination of women within those groups. I will call this the *in-group domination objection*.³ It is an objection that should be taken very seriously, in my view. Of course, freedom from domination is not the only thing worth caring about, but it is something that (quite reasonably) many care about rather strongly. This might be because, like Philip Pettit or Quentin Skinner, they regard it as the central tenet of an attractive civic republican political doctrine; or it might be because they believe that domination presents a serious obstacle to human flourishing; or, perhaps, it might be for some other reason.⁴

In this article, I will pursue the following thought experiment: Suppose, for the sake of argument, that one *is* especially concerned with freedom from domination, above other things. Holding this view, naturally, will have many implications, across many areas of public policy and institutional design.

Here I will explore only a small subset of these. Specifically, if one takes domination minimization as one's primary aim, what then would be the appropriate bounds of toleration? Under what conditions should diverse social practices be accommodated? Would there ever be grounds for group-differentiated rights? Some, apparently, believe it is possible to have it both ways: merely by ensuring that individuals can exit their cultural groups or by promoting democratic rights within those groups, they believe, one can accommodate without encouraging domination.⁵ In my view, this dodges the main issue. If these rights are merely formal, they will do nothing to ease legitimate concerns about in-group domination; but an insistence on more robust rights, sufficient to ease such concerns, would constitute an example of precisely the sorts of burdens initially at issue. I will thus assume here that the in-group domination objection must be faced head-on. By addressing the challenge of diversity in this way I do not, of course, expect to resolve the multiculturalism debate. But whatever conclusions I do reach, they will have at least one significant merit—namely, that they will have been arrived at while taking the in-group domination objection as seriously as possible. It will thus especially interesting if, as indeed I will attempt to show, there are some circumstances under which the goal of reducing domination itself would be *furthered* by policies of special accommodation.

The discussion in this article will be organized as follows: the first two sections will attempt to prepare the ground for my argument by imposing some conceptual rigor on the multiculturalism debate; the middle section will rehearse the existing arguments for accommodation and explain why they have failed to overcome the in-group domination objection; finally, the last two sections will together present a case for certain sorts of special accommodation on the grounds of domination minimization itself.

Social Practices and Culture

When discussing diversity, it is usually assumed that *cultural* diversity is meant. It is often rightly pointed out, however, that “culture” is a poorly defined concept—that cultures are rarely homogenous, integrated wholes; that they are never discrete and self-contained; that they are always changing and evolving; and so on.⁶ For these, and other perhaps more important reasons explained below, anyone interested in such questions would do well to start with a different unit of analysis: specifically, what I will call a *social practice*.⁷

By a *practice* I mean simply an observed pattern of behavior or way of doing things. A person might continue to do things in a particular way merely

because she happens to have stable preferences, as for example someone who always prefers chicken to beef. When a person repeatedly acts on such preferences reflexively, without thinking much about it, we might call the observed pattern of behavior a *habit*. Somewhat more firmly, a person might deliberately adopt a rule for herself, as for example “always go running on Tuesdays and Thursdays,” such that the rule itself becomes a reason for her doing things in that particular way (in the sense that she would feel bad about her commitment to the rule if she were too lazy to run on some Thursday in particular). These, however, are merely individual practices. Groups of persons might happen coincidentally to observe the same individual practices (many people might prefer chicken to beef), but by a *social* practice I mean something a bit stronger still. A pattern of behavior or way of doing things shared by a group of persons is a full-fledged social practice when the members of the group view their participation in that practice as actually connecting them in some valuable or otherwise significant respect—especially, as providing a (perhaps partial) basis for collective self-identification.⁸ This connection often supplies additional reasons for continuing in the practice. Sometimes, this might simply be because the sense of connection itself would be lost if people ceased to participate in the practice. But often social practices develop informal or formal supporting sanctions as well: by informal sanctions I mean public approbation and disapprobation as expressed by one’s fellow participants and others; by formal sanctions I mean rules of law or policy, backed by explicit rewards and punishments.

Unlike cultures, social practices are reasonably discrete and easy to identify. This is not, of course, to deny the reality of culture. One might loosely define a *culture* as comparatively thick, overlapping bundle of social practices. If, for example, individuals *A* through *M* generally participate in many of the same social practices, while individuals *N* through *Z* generally participate in a different set of social practices, one might reasonably say that the two groups have two different cultures. Note, however, that even within each group, participation in any particular social practice need not be universal, and many social practices might draw participants from both groups. Indeed, there may not be a single social practice uniquely shared by all the members of either group. Cultural boundaries are fuzzy, to say the least. That said, overlapping social practices can be mutually reinforcing: when people participate in many of the same social practices with one another, the total value and significance of those practices taken together will often (at least for the members of that group) seem greater than the value or significance of each considered separately. In this way, one might say, a culture is more than the sum of its constituent parts.

When considering the significance of a particular social practice, it is important to keep this last observation in mind; nevertheless, there are good reasons for regarding the individual social practice as the primary unit of analysis. One is that it will often be important to keep the set of voluntary participants in a social practice conceptually distinct from the set of all persons affected by it. Periodic terror lynching has been, from time to time, an active social practice of the members of the Ku Klux Klan, but it would be perverse to count their *victims* among the practice's voluntary participants. Few would confuse the two sets in that context, but it is unfortunately common to confuse them when both sets happen to be composed of persons who share in the same overarching culture. Consider, for example, the home-schooling practices of the Roma (Gypsies) or religious fundamentalists: while young children certainly are affected by these practices, and might be described as participants after a fashion, they are not *voluntary* participants merely because they happen to share in the culture of their parents. This confusion is a clear example of the fallacy of composition, and it is often encouraged by an excessive focus on whole cultures rather than the social practices of which they are composed.

Another example (highly simplified, of course) might be instructive here. Consider the practice, shared by many Muslim women, of wearing head scarves. First imagine that wearing a head scarf is generally regarded as a matter of personal choice; in this case, the only participants in the social practice are those Muslim women who do, in fact, choose to wear them (and not all Muslim women, nor all Muslims). Next suppose, however, that Muslim women who do not wear head scarves are subject to social disapprobation or other sanctions: they do not thereby become *participants* (unless, of course, they decide to start participating), but they do join the ranks of persons *affected* by the social practice. Finally, suppose that the social disapprobation or other sanctions are carried out, at least in part, by Muslim men. In this case, *they* are participants—even though they do not themselves wear head scarves. This is because the complete description of a social practice encompasses not only the primary activities themselves but also any secondary activities whose point is to support or enforce the primary activities.⁹

As per the working assumption of this article, our special concern is with people's freedom from domination. Now some, but certainly not all, social practices involve domination. Let us provisionally stipulate that a person or group is subject to domination to the extent that they are dependent on another person or group holding some measure of arbitrary power over them.¹⁰ In principle, it is a matter of descriptive fact whether or not some particular social practice involves domination, though this fact is not always

obvious or easy to see without a detailed understanding of the specific case. The social practices of slavery and terror lynching, presumably, obviously count as practices of domination; the social practices of keeping kosher, say, or of celebrating Bastille Day obviously do not. But the social practice of wearing of head scarves is far from obvious one way or the other: the issue depends on whether, and to what extent, the practice creates or maintains relationships of dependency, imbalances of power, opportunities for wielding that power arbitrarily, and so forth. Clearly, determining such a question in the head scarf case would require a detailed empirical investigation far beyond the scope of discussion here.¹¹ Fortunately, no such determination is necessary given the limited aims of this article—namely, to work out a few general normative principles as clearly as possible.

Burdening and Accommodating Social Practices

In the introduction, I described a standard dilemma: on one side lie certain policies or principles of social justice, while on the other lie existing social practices that would be burdened by their strict application. Having defined social practices with some precision, I hope, I would next like to say a bit more about the sorts of burden that might be placed on them and the sorts of relief that might be called for.

Now the burden might only be hypothetical, either because, practically speaking, no one is in a position to put the relevant policies or principles of social justice into effect, or else because the policies or principles of social justice in question are (or were) not generally supported in the relevant community. The former is the case with respect to the conflict between contemporary Western notions of sex equality and many social practices in conservative Muslim countries; the latter was the case with respect to the conflict between those same principles and traditional Anglo-American family law and custom. Actual conflicts arise most commonly with respect to the conservative social practices of some minority groups living in contemporary Western nations broadly committed to liberal principles. These are, of course, the cases most thoroughly discussed in multiculturalism literature. As Will Kymlicka rightly observes, however, from a normative point of view it hardly matters whether the question is actual or hypothetical. Other things being equal, if one ought to accommodate (or not) a social practice abroad, one ought to accommodate it (or not) at home, and vice versa. Whether one is in a position to do something about it is neither here nor there, and the mere fact that one *is* in a position to do something about it is not, in itself, a reason for doing so.¹²

Existing social practices might be burdened (actually or hypothetically) in either a direct or an indirect manner.¹³ The burden is direct when a strict application of the relevant policies or principles would require one thing, while the existing social practice requires another contradictory thing. An existing social practice is indirectly burdened when the respective commands of the practice and the policy or principle are compatible, but the observance of both would in some respect constitute a hardship. For example, existing social practice requires that Sikhs wear turbans, but it does not require that they ever ride motorcycles. Thus, a law requiring that anyone who rides a motorcycle wear a crash helmet indirectly burdens the practice: while it is certainly possible to comply with both requirements, doing so limits one's opportunities to choose a mode of transport. This is, of course, a relatively light burden, but even indirect burdens can be quite severe. No one lies under an obligation to work in an office, strictly speaking, but if all office jobs in the country carried the requirement that one not wear a head scarf while on the job, Muslim women would thereby lie under a considerable burden—albeit an indirect one.

In order to relieve actual burdens (or forestall potential ones), the supporters of existing social practices might present a variety of claims. Some of these claims might be described a *opportunity enhancing*, in the sense that the claim, if put into effect, would make it easier for individuals to participate in the practice, if they so choose. For example, Sikhs might request that they be exempt from the law requiring that motorcyclists wear crash helmets: this would provide them with a larger opportunity set than they would have in the absence of such an exemption.¹⁴

Claims for accommodation might enhance opportunity sets positively as well as negatively. This is the case, for example, with requests for the public provision of multilingual ballots or multilingual education. These policies would make it easier, for those who choose to do so, to continue in the use of a traditional language; they are opportunity enhancing, however, only to the extent that they are not combined with requirements that the members of certain groups avail themselves of those options. French Canadians would like to preserve the social practice of using the French language in Quebec, which they fear lies under numerous burdens. The establishment of French-language public schools in Quebec would, by itself, enhance the opportunity of the French-speaking parents to preserve that social practice by choosing to have their children educated in French. However, the additional demand has been made to *require* French-speaking parents to send their children to French-language schools, and this brings us to a second set of claims that might be described as *opportunity reducing*.¹⁵ These are policies that aim not

merely to make participation in a particular social practice easier but more firmly to prop it up or buttress it in some respect by reducing other options. Some of these policies would, as in the example given, primarily reduce the opportunities of participants in the social practice themselves; others would instead reduce the opportunities of nonparticipants; and still others would reduce both. As an example of the second possibility, Indigenous Canadians have requested rules restricting the settlement of white Canadians in their territories (so as to preserve a Indigenous majority); as an example of the third possibility, French Canadians have requested a rule requiring that all companies in Quebec conduct their business in French.

Accommodation policies of either an opportunity-enhancing or an opportunity-reducing character aim to directly relieve the burden placed on an existing social practice. The supporters of an existing social practice might, however, take a different approach: rather than (or in addition to) demanding such policies, they might demand a greater share of political instruments for better securing those same policies. For example, they might demand special representation rights for the members of their groups, or increased devolution and self-government powers. On a variety of grounds, I will ignore this third sort of claim. For one thing, the merit of such claims is really an issue concerning the fair distribution of political resources generally speaking. Groups might demand special representation or self-government rights for many different reasons, and only sometimes are these connected with the aim of preserving existing social practices. (American blacks, for example, might seek greater political representation not so as to preserve some distinctive set of social practices but rather in the hopes of improving their socioeconomic prospects.) Moreover, the question of how to distribute political resources must to some extent hinge on what groups are likely to do with their allotted share, and thus on substantive judgments regarding the underlying social practices they might use those political resources to support. (Who would defend affirmative action for neo-Nazis?) And finally, even if one does choose to increase the political resources available to certain minority groups, the original question of accommodation will simply turn up again with respect to minorities within those minorities. The interesting normative issue, it seems to me, is the primary one of whether an existing social practice should be accommodated or not.

Familiar Arguments for Accommodation

Suppose then one is faced with the question of whether to take positive measures to accommodate an existing social practice that, actually or potentially,

lies under a burden. First, let us consider a number of commonly discussed positive arguments for accommodation.¹⁶ (I will leave aside merely negative arguments from moral skepticism or relativism; and also strictly prudential arguments from nonmoral considerations.¹⁷) Although these arguments are familiar, it is not often observed the extent to which they are incomplete, and thus impotent against the in-group domination objection.

One way to defend accommodation is to argue that a diversity of social practices itself has value and that, it follows, one ought to be as accommodating as possible to as wide a range of social practices as possible. Why might the fact of diversity itself have value? It might, perhaps, have a sort of quasi-aesthetic intrinsic value. Our world might simply be a better or more interesting place, so to speak, if it contains a richer diversity of social practices—much as our world is a better place for having impressionistic paintings in it. I do not doubt that this is true, so far as it goes, but the mere aesthetic value of diversity cannot carry much weight in questions of public policy. The world was, perhaps, a more aesthetically interesting place when dueling was common among the upper classes, but that would (by itself) hardly have been a good reason for allowing the practice to continue. The stronger arguments for the value of diversity are thus instrumental—that is to say, arguments to the effect that people's lives actually go better, in some concrete sense, by virtue of there being greater diversity in the world.

One instrumental reason for valuing diversity might be that people enjoy more personal freedom when there are more substantively different ways of life to choose from.¹⁸ The choice between the Amish way of life and the non-Amish way of life is a real choice, one might think, and not one whose value can be made up for—supposing it were lost—by expanding the number of toothpaste flavors or varieties of automobile. Alternatively, even if deep diversity of this sort does not offer people with actionable choices (participation in social practices is rarely a simple matter of choice), the different existing social practices might at least provide living examples of differing shared conceptions of the good life. Social practices represent arguments, so to speak, in the quest for ethical knowledge, and to reduce their diversity is, in effect, to curtail ethical debate.¹⁹

Further arguments for the instrumental value of diversity, of course, might also be imagined. Although there are certainly problems that remain to be worked out with these (and other) arguments, again I do not doubt that each contains at least some element of truth. The difficulty, however, is that the question of whether diversity itself has value is not decisive. Suppose it does have value, for whatever reason you like. The decisive issue remains unresolved, namely, why should this value be given *more weight than* the value

of freedom from domination? Why is it more important that a person be exposed to a wider range of substantively different ways of life than it is that she not directly suffer under domination? If one wants to take the in-group domination objection seriously, it is not enough to show that diversity has value, unless or until one can further show this value is more important than the value of protecting people from domination. To assume that it has greater value is, to say the least, controversial.²⁰

Nor is it sufficient to admit the question is controversial, but refer it to the free choice of individuals. Suppose we assume (in many cases dubiously) that active participation in social practices is strictly voluntary. One might then argue, in the case of a social practice subjecting individuals to domination, that those individuals legitimately express, by the fact of their voluntarily participation, their belief that freedom from domination is less important to them than the value of the practice. Fair enough. But this argument only goes through in cases where the set of persons affected by the practice is coextensive with the set of its voluntary participants, and this is far from always the case. Indeed, in cases where a social practice subjects people to domination, I suspect it is rarely the case. That this fact is not so easily seen is often due to the earlier mentioned composition fallacy of assuming that when people happen to share a culture, each must also be a voluntary participant in all of the social practices characteristic of that culture.²¹ It does not follow, for example, from their membership in the Pakistani tribal culture that individual women sentenced to be gang-raped in punishment for the alleged crimes of their familial relations are voluntary participants in the practices of panchayat justice.²²

Thus, the standard sorts of arguments for accommodation from the value of diversity cannot, I think, overcome the in-group domination objection. This is because they offer no considerations tending to show when and why the value of diversity should take priority over people's freedom from domination.

Apart from diversity-based arguments, the most significant line of reasoning advanced in defense of accommodation is that associated especially with the writings of Joseph Raz and Will Kymlicka.²³ Although both this line of reasoning and its flaws are well known, it will perhaps be useful to rehearse briefly why it fails—specifically, why it fails in the face of the in-group domination objection—so as to highlight the ways in which my subsequent argument for the accommodation of some social practices will be different.

Roughly speaking, Raz and Kymlicka begin with the observation that an individual's enjoyment of autonomy rests on certain preconditions: these include, for example, the availability of a range of meaningful options on one hand and the capacity to comparatively evaluate those options on the other. Only cultures, however, can provide these preconditions. That is to say, it is

only within the context of a particular culture that meaningful options are available to individuals in the first place, and the comparative evaluation of them must likewise take place against some cultural backdrop. This might be called the *cultural context thesis*. It would seem to follow from the cultural context thesis that, if someone is at all interested in promoting the autonomy of individuals, she must thereby be committed to ensuring that everyone enjoys membership in a sufficiently vibrant culture.

On this view, the issue of accommodation arises when the bundle of social practices defining some particular culture lies under a burden, such that, unless special measures are taken, the ability of that culture to serve as a context for the enjoyment of autonomy will eventually be undermined. (Most often, Kymlicka suggests, this situation will arise in the case of small national minorities like the Native Americans living within large, multicultural societies like the United States.) Of course, it is sometimes open to the members of the endangered minority culture to jump ship and sign on with the majority culture, within which they will presumably be provided an adequate basis for the enjoyment of autonomy. But there is something mean-spirited about insisting that they do this if they would prefer to remain in their culture of origin, especially when the majority culture itself was historically responsible for (usually unjustly) bringing about precisely those circumstances that now endanger the minority. The alternative is to undertake measures that specially accommodate the endangered minority culture—or even, if necessary, to artificially prop it up.

The appeal of this argument for accommodation is that it rests on the pre-eminently liberal value of individual autonomy—thus, it is described as a “liberal” theory of minority culture rights.²⁴ But how does it fare in light of the in-group domination objection? Let us assume the cultural context thesis is sound—that is, that membership in a culture is a precondition to the enjoyment of individual autonomy. Cultures, I have argued, are constituted by bundles of (usually imperfectly) overlapping social practices. Suppose that some culture is partially constituted by social practices that subject individuals to domination: would the cultural context thesis then supply reasons to accommodate *those* practices in particular? (Notice how the focus on cultures rather than social practices can obscure the real issue here.) First, one would have to show that preserving those specific practices is necessary in order to preserve the culture as a whole. Nor would it be enough simply to observe that, in the absence of those particular practices, the culture would be *different* than it was before: on the Raz–Kymlicka view, one should be interested in preserving cultures only as contexts for the enjoyment of autonomy, and not in preserving cultural difference as such. Thus, the advocate for

accommodation in such cases would have to show that the loss of those specific social practices would lead to a progressive unraveling of the entire culture, to the point where it could no longer serve as a context for the enjoyment of autonomy. This, of course, might be difficult to do.

Suppose it were done, however. The argument is still not complete. One might still wonder (as Susan Okin explicitly does) why those specific members subject to domination would not be better off if they were to join another, more hospitable culture.²⁵ Now of course, it is not always so easy to leave one's culture of origin, for reasons that will be discussed further below. But is this not precisely an argument for refusing to accommodate those social practices subjecting people to domination? Raz and Kymlicka cannot, it seems to me, have it both ways. On the one hand, if switching cultures were simply a matter of choice, then there would be no argument for propping up an endangered culture when others are available that can equally well serve as the context for the enjoyment of autonomy. But if, on the other hand, people are to some extent stuck in or committed to their cultures of origin, then this is precisely why their freedom from domination should be particularly valued. Now it might be that eliminating those social practices subjecting people to domination would lead to an unraveling of the culture of which those practices are a part. One would then have to claim that preventing the loss of one particular cultural context for the enjoyment of autonomy (keeping in mind that others are available) is more important than promoting freedom from domination. But why should this be? The cultural context thesis, as presently developed, provides no answer.

Domination and Permissible Accommodation

In this and the following section, I consider whether the aim of promoting freedom from domination would ever itself supply reasons for accommodating burdened social practices. I will argue that, at least under some circumstances, it might.

The first step in my argument is the frequently made observation that social practices often have *subjective* value. This is quite apart from the fact of their being good, bad, or indifferent from an objective normative point of view. A social practice has subjective value for a person if her life would go less well were the practice to disappear. This is no different from the phenomenon of subjective value generally: a simple finger painting done by a young child may hold subjective value for the child's mother, in that she would be somewhat less happy if the painting were lost (even if, from an objective point of view, perhaps, it is artistically worthless). Social practices

might hold weak or strong, positive or negative, subjective value for a wide range of people. For example, a social practice might hold a weak subjective aesthetic value for a large number of people who believe the world is a more interesting place for having that practice in it; and it might simultaneously hold a small negative aesthetic value for another large number of people who believe, on the contrary, that the practice is distasteful. Social practices might hold somewhat stronger subjective value for those individuals directly affected by them, even if they are not participants in it; they will value the practice positively or negatively depending on whether they happen to like those effects or not. What is most important for the purposes of my argument, however, is the fact that social practices often hold substantial, positive subjective value for the participants in those practices themselves.²⁶

There are many reasons that a social practice might hold positive subjective value for its participants. First, they might value it simply out of habit, and the unpleasant chore of learning a new way of doing things. Second, they might value it because the practice benefits them or serves their interests in some way (men might value various patriarchal practices for this reason). Third, they might value it ideologically, in the sense that it plays some significant role within a distinctive conception of the good or comprehensive doctrine (e.g., keeping kosher holds this sort of value for many Jews). Fourth, they might value the associational benefits of participating in a practice together with others—the sense of community, so to speak. Fifth, participation in a social practice might partly constitute one's sense of identity (e.g., part of what being Jewish means might include “a person who keeps kosher”), such that, where the practice to disappear, its participants would lose to some degree their sense of self-respect.²⁷ These are not mutually exclusive reasons, of course; indeed, they will often overlap and reinforce one another in various ways. And to reiterate, these are reasons that the participants in a social practice themselves might subjectively value it, in the sense that their lives would go worse in some respect were the practice to disappear. They are not necessarily reasons for believing that the social practice *actually has* value, from an objective normative point of view. Slavery in the American South was preeminently a terrible and unjust social practice involving considerable domination, but this is consistent with its having been subjectively valued by those who practiced it. (Why else would they have fought so hard to preserve it?) The phenomenon of subjective value is here being regarded simply as empirical data, so to speak.

Suppose then that some existing social practice lies under an (actual or hypothetical) burden. The burdensome policies or principles might be supported by considerations of social justice, or they might be supported by

other normative or prudential considerations consistent with social justice (recall that we are assuming the correct account of social justice or political doctrine is not at issue). Further suppose that this social practice holds significant positive subjective value for its participants (for any of the reasons given above). The question is, does this provide a sufficient reason to accommodate that burdened practice? Not necessarily.

Some social practices involve subjecting individuals to domination. Slavery, I have said, is a clear example. Patriarchal social practices involving the domination of women—those practices of particular concern to many critics of multicultural accommodation—are, no doubt, another. Assuming that one regards the promotion of freedom from domination as a priority, one would not want to accommodate such practices: on the contrary, one would aim to bring them to an end as quickly as possible, *despite* any subjective value they happen have for their participants.²⁸ This might not always be feasible, of course, but that is neither here nor there from a normative point of view. Furthermore, it is important to observe that the strategy best suited (on pragmatic and normative grounds) to this aim will depend on the context of the particular case. Sometimes, for example, it may be better to remove barriers to exit from a group, or to promote democracy within a group, than to directly attack social practices of domination to which a group is strongly committed.²⁹ This does not detract from the main point, however, since (when not merely formal) these are not properly understood as policies of accommodation.³⁰

Many other existing social practices, of course, do not themselves involve subjecting individuals to domination. Should one accommodate *those* practices, at least? Again, not necessarily. Suppose someone is dutifully promoting policies of domination reduction in her society generally. It might happen that certain existing social practices—not in themselves involving any domination—would be burdened as an unintended side effect of those policies. If domination reduction were her primary aim, this should not deter her. Of course, depending on the nature of the practice in question and its merits or demerits on other grounds, this might be an occasion for regret. For example, maximizing freedom from domination perhaps entails the replacement of autocratic monarchies with representative democracies, but one by-product of this might be that no more sumptuous royal palaces will be built. Or again, maximizing freedom from domination perhaps entails an extensive public provision for the basic needs of all citizens, but one by-product of this might be that there will be fewer opportunities for the practice of voluntary charity. In these and other cases, people might legitimately regret the eventual loss of the latter social practices, but this is not in itself a sufficient reason for their abandoning policies that would substantially reduce the suffering of domination.

In all remaining cases, however, the accommodation of a burdened social practice is at least *consistent* with the goal of promoting freedom from domination. This is not to say that accommodation is always a good idea, of course—only that it would not fall afoul of the in-group domination objection. The advisability of accommodation in such cases will depend on the relative strength of considerations such as those discussed in the previous section on one hand, and the normative or prudential considerations underlying the policies or principles giving rise to the burden on the other.

Domination and Required Accommodation

Finally, in this section I will consider two possible situations in which the goal of minimizing domination itself not only *permits* accommodation but might actually *require* it. Given the assumptions I have made in this article, these are the most interesting cases.

The first situation has been remarked on by others, though not from within the same theoretical framework.³¹ Suppose that some group of persons participate in a number of partially overlapping social practices. (Whether the bundle of shared practices is thick enough to count as a “culture” does not matter for the moment.) These practices carry positive subjective value for their participants, as we have seen; indeed, the combined value of those practices might be greater than the value of each considered separately, through the interaction effects noted above. Now suppose that some of the social practices in this overlapping bundle come under a severe burden. In response to the perceived hostility of the imposing authority, many persons in the relevant group might *strengthen* their commitment to other practices, so as to buttress and defend their sense of shared identity. (Historically, for example, many immigrant groups in the United States have become more strongly committed to their traditional practices here than they were in their society of origin.) The difficulty arises when those latter practices happen to be ones involving domination. Let me explain with some hypothetical examples, loosely based on familiar real-world cases.

Consider the bundle of social practices shared by many Muslims recently immigrated to France or other Western societies. Some of these shared social practices might involve domination, and others might not. Let us imagine that a detailed study of the relevant practices is undertaken. This study reveals on one hand that the practices of discouraging women’s education, restricting women’s employment opportunities, and so forth, together generate severe patriarchal domination; but on the other hand, it also reveals that the practice of wearing head scarves specifically does not. (Perhaps this is because the

latter practice is genuinely voluntary, or because it is maintained nonarbitrarily, or for some other reason.) Nevertheless, the head scarf practice might fall under a burden. The Western society in which the Muslim immigrants now live might, for example, aim to encourage secular values by restricting the display of religious symbols in public spaces. (For the sake of argument let us assume that this is a legitimate—or at any rate, permissible—public policy aim under the best available account of social justice or political doctrine.) When the head scarf practice is burdened, the members of the immigrant group might predictably strengthen their commitment to other shared practices that, unfortunately, effectively reinforce in-group patriarchal domination. These practices of domination, of course, should not be accommodated, but it might turn out that combating them would be easier if the burden placed on other more benign practices shared by many of the same people—in this hypothetical case, the wearing of head scarves—were lessened. In a situation like this, it would seem, the goal of reducing domination itself requires some measure of special accommodation for the latter practices.³²

Note that, although I have been using the term *group* as a shorthand here, the idea of cultural groups performs no actual work in the argument. Rather than use this shorthand, one might simply observe that persons 1 through 100 participate in social practice *A* (which involves domination), while persons 10 through 110 participate in social practice *B* (which does not involve domination); and that many persons 1 through 100 would strengthen their commitment to *A* were *B* to fall under a burden. This then would generate an argument for accommodating social practice *B* in particular. Employing social practices rather than cultural groups as the primary unit of analysis, one can more easily avoid the danger of drawing overbroad conclusions—as for example, that whole cultures should be accommodated in order to prevent internal conservative reaction.³³

Indeed, by focusing on social practices, one need not limit the scope of their analysis to minority versus majority cultures, cultural versus ethnic or groups, and so on. For instance, an analogous situation might arise within the dominant societal culture itself when a society for various reasons attempts to adopt new policies or institutions. Suppose that a progressive political party has two aims: first, to reduce economic domination through the introduction of a public provision for basic needs; and second, to eliminate some traditional social practices in the dominant societal culture offensive on other normative grounds—perhaps the restriction of marriage to heterosexual couples, and some others. Both projects, let us assume, are perfectly worthy aims on the best available account of social justice or political doctrine. Imagine,

however, that placing too many traditional social practices under direct or indirect burdens will provoke conservative reaction, and thus undermine efforts to reduce economic domination. If one regards domination reduction as having priority, this would argue for accommodating, at least for the time being, at least some of the traditional social practices.³⁴

So much for the first situation in which the goal of domination reduction itself might require accommodation. The second is rather different. Let us again start with the observation that existing social practices carry subjective value for their participants. Now in certain situations, this might create particular vulnerabilities. Consider by way of parallel a worker who has training and experience in a particular industry, which subsequently enters into irreversible decline. Now it is true that this worker could retrain for work in a new industry, but this might not be very easy to do. Her training investment in the first industry is a sunk cost, so to speak. This makes her economically vulnerable to exploitation: if the hurdles to retraining are great enough, she might voluntarily choose to trade away some of her freedom from domination in order to obtain work with whatever skills she already has. If one is interested in reducing domination, one might want to temporarily prop up the declining industry until this danger can somehow be eased. Note that the reasons for doing this have nothing to do with any intrinsic value placed in the industry itself, but strictly in a desire to protect workers from potential domination.

Sometimes persons attached to social practices distinct from those of the broader society can find themselves in an analogous position. Again, I will consider a hypothetical case loosely based on familiar real-world situations. Imagine some Mexicans who travel to the United States in search of work. Their assimilation into the dominant societal culture will not be instantaneous, in part because they are understandably attached to many of the social practices acquired in their communities of origin. During this transitional period, their situation is analogous to that of specialized workers in a declining industry: just as a specialized worker cannot easily change industries, a recent immigrant cannot always assimilate without substantial effort. Cultural differences are “sunk costs,” so to speak. For example, if the Mexican immigrants do not adequately understand English, they cannot easily comprehend American laws and policies. This makes them vulnerable in a variety of legal and economic ways that can be exploited by their employers: perhaps they can be hired and fired arbitrarily, forced to accept substandard wages and unsafe working conditions, and periodically cowed with threats to report them to deportation authorities. For the sake of argument, let us assume that this situation amounts to domination. (Of course the situation would look

much the same if the persons under consideration belonged to a national minority, rather than a immigrant group: again, focusing on social practices allows us to avoid such problematic distinctions.)

What would be required in order to reduce the domination of these recent Mexican immigrants? Special public measures to help them overcome the problem of their sunk cultural costs. These measures might take the form of special exceptions to general rules and regulations, extra public legal assistance, and so on; as in the case of protected industries, it should be clear that these measures stem from a desire to reduce domination, not from a desire to protect some intrinsically valuable culture. Often, of course, measures of this sort are not taken. On the contrary, it is in the interest of those who would dominate recent immigrants to exacerbate their sunk cultural costs as much as possible, raising the barriers to assimilation. This is quite common.³⁵ (One way of doing this is by placing a great weight on completely involuntary characteristics like race or ethnicity by fostering discrimination: in a sense, this creates an unrecoverable sunk cost.) Thus, it is especially important that whatever forms of special accommodation one adopts in such cases, they do not have the unintended consequence of entrenching the very vulnerabilities they are intended to relieve. In the hypothetical example above, this perhaps suggests that one does not carry bilingual/bicultural education so far that it perpetuates the particular vulnerabilities of the Mexican immigrants.³⁶

My argument here with respect to the second situation might usefully be contrasted with an apparently similar argument from equality or fairness sometimes found in the multiculturalism literature.³⁷ The fairness argument begins with the thought that any feasible configuration of policies and institutions, even when broadly consistent with social justice, will inevitably burden the social practices of diverse cultural groups to varying degrees. This being so, considerations of fairness suggest that one mitigate through special accommodation such disadvantages as these burdens give rise to.³⁸ Thus, for example, since state business must be conducted in some language or other, special accommodations should be made for minority language speakers so as to level the playing field to some degree. (Note that this is not an argument for diversity: if similar social practices were shared by all, no one would be disadvantaged relative to anyone else by whatever burdens institutions and policies happen to place on those practices.)

The difficulty with the fairness argument is that it regards all social practices as more or less on a par. Suppose that some social practice involving domination—say, the practice exploiting migrant laborers—is placed under a direct or indirect burden. It may well be that some of the participants in that burdened practice will thereby be placed at something of a disadvantage

relative to nonparticipants (employers who do not employ migrant labor, say). But is this a reason for relieving the burden? Only if one regards the reduction of this relative disadvantage as having priority over securing greater freedom from domination. Nonparticipant victims of the practice (migrant laborers) certainly would not take this view. Neither, arguably, would participant victims (perhaps, migrant laborers who subcontract other migrant laborers). Many have struggled to free themselves from domination, even at the cost of giving up their familiar ways of doing things.³⁹ Accommodation in such a case would provide a clear benefit only to the agents of domination themselves. This does not seem right.

The argument I have presented, by contrast, takes domination reduction (not equality or fairness) as its starting point. This entails sorting social practices into two groups: those that do, and those that do not, involve domination. Certainly, no accommodation of those social practices that permit or encourage domination would be acceptable. Concerning the rest, on my view, one might permissibly choose to accommodate some on fairness or equality grounds, but accommodation would be required only where the burdening of a particular social practice would create new opportunities for domination.

In the two situations I have discussed, the goal of minimizing domination itself may actually *require* special accommodation. Obviously, the exact nature of the accommodations called for must depend on the empirical details of the case, and it is beyond the scope of this article to investigate such details. It is also beyond the scope of this article to consider whether and to what extent domination reduction should, in fact, take priority over other normative considerations. Certainly, freedom from domination is not the only thing worth caring about, even if it is very important. Assuming it should take some sort of priority, however, there will be grounds for the special accommodation of burdened social practices whenever this is necessary to advance that very aim, and such accommodations thus cannot fall afoul of the in-group domination objection. This, it seems to me, is an interesting conclusion.

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Notes

1. It is important to distinguish between the claim that a theory of social justice or political doctrine is *false* because it would burden a particular social practice and the claim that a generally acceptable theory or doctrine should make room for a social practice it would otherwise, if strictly applied, burden. Only the second of these is really a claim about accommodation.
2. The tangled and confusing literature on multiculturalism has suffered, in my view, from an excessively concrete attention to the details of particular cases. In this respect, it is almost unique in the field of contemporary political theory, which tends rather as a rule to suffer from excessive abstraction.
3. This objection is posed most famously by Susan Moller Okin, *Is Multiculturalism Bad for Women?* ed. Joshua Cohen, Matthew Howard, and Martha Nussbaum (Princeton, NJ: Princeton University Press, 1999). But also see Leslie Green, "Internal Minorities and Their Rights," in *The Rights of Minority Cultures*, ed. Will Kymlicka (Oxford, UK: Oxford University Press, 1995); Susan Moller Okin, "Feminism and Multiculturalism: Some Tensions," *Ethics* 108 (1998): 661-84; Ayelet Shachar, "Group Identity and Women's Rights in Family Law: The Perils of Multicultural Accommodation," *Journal of Political Philosophy* 6 (1998): 285-305, "On Citizenship and Multicultural Vulnerability," *Political Theory* 28 (2000): 64-89, and *Multicultural Jurisdictions: Cultural Differences and Women's Rights* (Cambridge, UK: Cambridge University Press, 2001); Brian Barry, *Culture and Equality: An Egalitarian Critique of Multiculturalism* (Cambridge, MA: Harvard University Press, 2001), and "Second Thoughts—and Some First Thoughts Reconsidered," in *Multiculturalism Reconsidered*, ed. Paul Kelly (Cambridge, UK: Polity, 2002), 204-38; Clare Chambers, "All Must Have Prizes: The Liberal Case for Interference in Cultural Practices," in *Multiculturalism Reconsidered*, ed. Paul Kelly (Cambridge, UK: Polity, 2002), 151-73; and Rob Reich, "Minors within Minorities: A Problem for Liberal Multiculturalists," in *Minorities within Minorities: Equality, Rights, and Diversity*, ed. Avigail Eisenberg and Jeff Spinner-Halev (Cambridge, UK: Cambridge University Press, 2005), 209-26. Many have tried to answer the in-group domination objection; their views are noted when relevant to the main discussion.

4. For examples of the first view, see Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford, UK: Clarendon, 1997); and Quentin Skinner, *Liberty before Liberalism* (Cambridge, UK: Cambridge University Press, 1998); in Frank Lovett, "Domination and Distributive Justice," *Journal of Politics* 71 (2009): 817-30, I advance a version of the second view. There are many grounds for objecting to domination, of course, and many instances of domination beside those that appear within minority cultural groups, but a complete discussion is beyond the scope of this article.
5. William Galston, "Two Concepts of Liberalism," *Ethics* 105 (1995): 516-34; and Jeff Spinner-Halev, *Surviving Diversity: Religion and Democratic Citizenship* (Baltimore: Johns Hopkins University Press, 2000), and "Autonomy, Association, and Pluralism," in *Minorities within Minorities: Equality, Rights, and Diversity*, ed. Avigail Eisenberg and Jeff Spinner-Halev (Cambridge, UK: Cambridge University Press, 2005), 157-71, for example, advance the former view, while Monique Deveaux, "A Deliberative Approach to Conflicts of Culture," in *Minorities within Minorities: Equality, Rights, and Diversity*, ed. Avigail Eisenberg and Jeff Spinner-Halev (Cambridge, UK: Cambridge University Press, 2005), 340-62, and Anne Phillips, *Multiculturalism without Culture* (Princeton, NJ: Princeton University Press, 2007), advance the latter.
6. For recent critiques of culture as a useful analytic concept, see Philips, *Multiculturalism without Culture*, chap. 1-2; and Sarah Song, *Justice, Gender, and the Politics of Multiculturalism* (Cambridge, UK: Cambridge University Press, 2007), chap. 2. Neither, however, suggests an alternative, as I shall attempt to do here.
7. The account of social practices that follows is not meant to be original; among others, it was influenced by Jon Elster, *The Cement of Society* (Cambridge, UK: Cambridge University Press, 1989), esp. chap. 3, 5-6; H. L. A. Hart, *The Concept of Law*, 2nd ed. (Oxford, UK: Clarendon, 1994), esp. chap. 5-7; and Joseph Raz, *Practical Reason and Norms*, 2nd ed. (Oxford, UK: Oxford University Press, 1999), esp. chap. 1-2.
8. Of course, unconsciously *shared* practices might easily convert into consciously *social* practices when some public event highlights previously unnoticed connections between the participants. Shared practices might thus be considered latent social practices.
9. In our example, a full description of the rule constituting the social practice would be something like this: "If you are *A*, then ϕ , and criticize other *A*'s who do not ϕ ; if you are $\sim A$, then criticize *A*'s who do not ϕ ." All persons who follow this rule are participants in the social practice.
10. See Thomas E. Wartenburg, *The Forms of Power: From Domination to Transformation* (Philadelphia: Temple University Press, 1990), chap. 6; Pettit, *Republicanism*,

- chap. 2; and Frank Lovett, "Domination: A Preliminary Analysis," *Monist* 84 (2001): 98-112. None of the arguments in this article hinge on how precisely one defines domination: on any attractive conception, some social practices will involve domination, and others will not.
11. A detailed investigation can be found, however, in Cécile Laborde, *Critical Republicanism: The Hijab Controversy and Political Philosophy* (Oxford, UK: Oxford University Press, 2009), esp. chap. 5-6.
 12. Will Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights* (Oxford, UK: Clarendon, 1995), 163-70.
 13. The various distinctions noted in this paragraph are discussed more thoroughly in Barry, *Culture and Equality*, chap. 2.
 14. Their opportunity set would be larger in the trivial sense in that it would then contain one more option than it did before: the option of riding a motorcycle without a crash helmet. This is of course distinct from the issue discussed in Barry, *ibid.*, 45, of whether Sikhs and non-Sikhs enjoy an *equality* of opportunity in the normative sense.
 15. Again, such requirements are opportunity reducing in the trivial sense in that they remove an option previously available to French-speaking parents: namely, the option of sending their children to English-language schools. Any extracurricular opportunities their children may or may not have to learn English of course remain constant.
 16. Again, it is important to distinguish a genuine argument for accommodation from an argument against a theory of social justice or political doctrine as such. Any theory or doctrine will happily permit a range of practices consistent with its mandates. If one's demand is that some practice should be tolerated because it is not, in fact, normatively problematic, then one's complaint is with the theory or doctrine itself. I am interested in what happens once reasonable people agree on a theory of social justice or political doctrine and then wonder whether they should accommodate any of those practices that the theory or doctrine (correctly implemented) would place under a burden.
 17. Prudential considerations are obviously beyond the scope of a normative discussion, but why ignore the argument from skepticism or relativism? Because it is not an argument at all. Even if there is no truth with respect to the value of diverse social practices, this is, in itself, no more a reason to accommodate them than it is to not accommodate them. This point is made by both William Galston, *Liberal Purposes: Goods, Virtues, and Diversity in the Liberal State* (Cambridge, UK: Cambridge University Press, 1991), 89-97; and Barry, *Culture and Equality*, 133-34.
 18. Something like this reasoning is proposed in Joseph Raz, *The Morality of Freedom* (Oxford, UK: Clarendon, 1986), chap. 15; Galston, "Two Concepts of Liberalism"; Spinner-Halev, *Surviving Diversity*, chap. 2; and Robert Goodin, "Liberal Multiculturalism: Protective and Polyglot," *Political Theory* 34 (2006): 289-303.

19. This view is defended by Chandran Kukathas, "Cultural Toleration," in *Nomos 39: Ethnicity and Group Rights*, ed. Ian Shapiro and Will Kymlicka (New York: New York University Press, 1997), 69-104, and *The Liberal Archipelago: A Theory of Diversity and Freedom* (Oxford, UK: Oxford University Press, 2003). J. S. Mill presents similar arguments in *On Liberty*, ed. Elizabeth Rapaport (Indianapolis, IN: Hackett Publishing, 1978), chap. 3, but his discussion concerns the diversity of individual practices only; Kukathas applies the argument to social practices.
20. The same challenge can be posed to arguments from the value of respecting the claims of religious or moral conscience. Even if respect for the claims of conscience has some value, as certainly it does, why should this value trump the importance of protecting people from domination?
21. Note that I am less concerned here with the thought that participation might be involuntary in the sense that a person's culture determines her actions than with the thought that participation might be involuntary in the sense that formal or informal sanctions are attached to nonparticipation. Phillips, *Multiculturalism without Culture*, chap. 4, rightly casts doubt on the first possibility, but apparently does not appreciate, or else largely ignores, the second.
22. As reported in the *New York Times*, "Account of Punjab Rape Tells of a Brutal Society," July 17, 2002, A3.
23. See Joseph Raz, *Ethics in the Public Domain: Essays in the Morality of Law and Politics* (Oxford, UK: Clarendon, 1994), esp. chap. 7; Will Kymlicka, *Liberalism, Community, and Culture* (Oxford, UK: Clarendon, 1989), *Multicultural Citizenship*, and *Politics in the Vernacular: Nationalism, Multiculturalism, and Citizenship* (Oxford, UK: Oxford University Press, 2001).
24. A variant of this argument relies not on the value of autonomy in particular but on the importance of living within a vibrant culture to well-being in general: see Avishai Margalit and Joseph Raz, "National Self-Determination," *Journal of Philosophy* 87 (1990): 439-61; and Avishai Margalit and Moshe Halbertal, "Liberalism and the Right to Culture," *Social Research* 61 (1994): 491-510. The objections to this variant are more or less the same.
25. Okin, "Feminism and Multiculturalism," 676-84.
26. Often, but not of course necessarily: it is certainly possible for a social practice to persist despite its being detested by its very participants, for example, when eliminating the practice would require overcoming difficult collective action problems. This may be rare, however.
27. This last reason was argued most famously by Charles Taylor, "The Politics of Recognition," in *Multiculturalism: Examining the Politics of Recognition*, ed. Amy Gutmann (Princeton, NJ: Princeton University Press, 1994), 25-74, but there is now an extensive literature arguing more or less the same point.

28. I assume here that attempts to discourage social practices involving domination would not introduce significant new domination at the hands of the public authority attempting the discouragement. This, of course, may not always be the case.
29. For some advocating these strategies, see note 5 above; Laborde, *Critical Republicanism*, 157-61, proposes "educational paternalism" as yet another option. In some special cases, it might be that because a practice holds strong subjective value for its participants, the most expedient way to bring about its end would be to compensate the participants in some way. This raises difficult moral questions beyond the scope of this article.
30. As has correctly been recognized by others—e.g., Seyla Benhabib, *The Claims of Culture: Equality and Diversity in the Global Age* (Princeton, NJ: Princeton University Press, 2002); Reich, "Minors within Minorities;" Suzan Moller Okin, "Multiculturalism and Feminism: No Simple Question, No Simple Answers," in *Minorities within Minorities: Equality, Rights, and Diversity*, ed. Avigail Eisenberg and Jeff Spinner-Halev (Cambridge, UK: Cambridge University Press, 2005), 67-89.
31. See, e.g., Raz, *Ethics in the Public Domain*, 170-71; Shachar, "On Citizenship and Multicultural Vulnerability," 73, and *Multicultural Jurisdictions*, 35-37, 60-61; and Jeff Spinner-Halev, "Feminism, Multiculturalism, Oppression, and the State," *Ethics* 112 (2001): 84-113, and *Surviving Diversity*, esp. chap. 5.
32. The analysis here differs significantly from that in Laborde, *Critical Republicanism*, esp. chap. 5-7. On her view, the practice of wearing head scarves *does* constitute a form of domination. However, she requires as a side constraint that efforts to reduce domination be "self-emancipating," which rules out such direct methods of discouraging the practice as banning it. On my view, such a side constraint is not warranted as a matter of general principle, though something like it might apply in particular cases for pragmatic reasons.
33. This danger is to some extent illustrated in the discussions of Raz and Spinner-Halev (see note 30 above). Shachar is certainly more sensitive to the in-group domination problem, but her work is addressed primarily to the problem of self-government rights, an issue I have left aside in this article; the "joint governance" approach she advocates is thus not well suited to the questions of accommodation at issue here.
34. There might also be cases in which accommodating social practices involving domination in the short run (or in one community) might enable a greater reduction of domination in the long run (or in another community). I leave such difficult cases aside for the time being because their resolution depends on our views about consequentialism more broadly.
35. Indeed, in some cases this may be encouraged by the leaders of those minority groups themselves, when they have incentives to increase the dependency of a captive clientele.

36. Barry, *Culture and Equality*, 212-20, presents an argument to this effect.
37. See, e.g., Kymlicka, *Multicultural Citizenship*, 108-15; and Song, *Justice, Gender, and the Politics of Multiculturalism*, 61-67.
38. Note that it is obviously the equality of the members of diverse cultures, and not of cultures as such, that we should be concerned with.
39. The expressed or implied consent of participant victims in social practices of domination is, of course, unreliable, due to potential intimidation and preference adaptation: many women, for example, have often *seemed* to consent to patriarchal domination. In such cases, our best response might be to provide robust democratic or exit rights, as others have suggested (see note 5 above). Again, this would be to burden, and not to accommodate, the social practice in question.

Bio

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