

EDITED BY BANU BARGU AND CHIARA BOTTICI

FEMINISM, CAPITALISM, AND CRITIQUE

ESSAYS IN HONOR OF NANCY FRASER



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Editors

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This book was born as a surprise. The original idea came from Eli Zaretsky, who proposed that we edit a book to celebrate the seventieth birthday of our New School colleague and friend Nancy Fraser. As we gladly accepted his invitation, it became immediately clear to us that such a *Festschrift* would also be a window to our political present – and not simply the celebration of an illustrious intellectual past. For reasons that we elucidate in the Introduction and that we hope will become clear to any reader of this book, we think that Nancy Fraser’s work is today more timely than ever.

We are therefore very grateful to Eli Zaretsky for sparking the initial idea and for helping us keep track of the many scholars who have been in conversation with Nancy Fraser throughout her career and whom we tried to gather for the occasion. His diligent skills as an intellectual historian, along with his privileged position as Nancy Fraser’s partner, proved to be particularly helpful to solicit the contributions in this volume. Among his many virtues that we are grateful for, we should also add his impeccable discretion, which was absolutely crucial to maintain the project as a surprise.

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Introduction

Banu Bargu and Chiara Bottici

Since the financial crisis of 2008 and its devastating consequences around the world, interest in capitalism has come back with a vengeance. A palpable need has emerged for a fresh, systematic, and compelling critique of capitalism, one that can offer both explanations of the multiple and complex problems that we face in every sphere and solutions to address these challenges. Scholars from a multitude of disciplines have begun to tackle the reasons behind the crisis, specifically, and to analyze the workings of capitalism, more generally. Philosophers, political theorists, economists, and sociologists have turned their attention back to the economy, inquiring into its relationship with political power, social practices, cultural forms, experiences of domination, and different forms of knowledge. Neoliberalism is now being scrutinized as a historical phase, governmental rationality, ideological form, and a set of institutions and practices that constitute the dominant modality of capitalism in the present. From climate change to violent conflict, from an upsurge in authoritarian tendencies to stagnant economies, from the increasing

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gap between the rich and the poor to racism and xenophobia, the diverse array of problems that confront the world has prompted scholars to take up capitalism as their main object of analysis.¹

What has followed is a veritable revival of research on different aspects of capitalism (see, for example, Piketty 2013; Stiglitz 2013). While the movement away from the predominantly culturalist perspectives toward the register of materiality has been welcomed by many, this turn to the material sphere has not exactly been a return to classical Marxism, whose orthodox frame for the study and critique of capitalism is now largely considered inadequate. Rather than a purely economic or economicist analysis, novel perspectives today stand out for their incorporation of feminist, anti-racist, and ecological perspectives. It has become crucial to understand how capitalism is linked not only with forms of economic exploitation but also with forms of gender domination (for example, see Arruzza 2013; Cudd and Holmstrom 2010; Federici 2012; Floyd 2009; Mojab 2015; Vogel 2014; Weeks 2011), racial and ethnic discrimination, as well as the increasingly irreversible destruction of the environment (for recent examples, see Harvey 2014; Moore 2015). Current scholarship is now much more attentive to the complex and multifaceted interaction between economic and non-economic spheres, resulting in rich analyses that tackle the nexus between various forms of economic inequality and social and political domination.²

On the one hand, our goal is to speak to this revival by re-examining the relationship between three terms that we consider to be highly significant for grasping our present situation: capitalism, feminism, and critique. On the other hand, our goal is also to celebrate the work and life of a thinker, activist, scholar, and critic who has done the most to address this nexus: Nancy Fraser. Her innovative scholarship, original perspective, clarity of thought, erudition, and remarkable systematicity all distinguish her as one of the most prominent thinkers of our time. In honor of her seventieth birthday, this collection brings together scholars from different disciplines and theoretical approaches, both to address the current crisis of capitalism and to evaluate Fraser's lifelong contributions to theorizing it. This collection echoes what we consider to be the spirit of Fraser's work; namely, the weaving together of a strong commitment to feminism with an equally strong commitment to the critique of capitalism and an egalitarian politics. We could not think of a better way to honor her than by continuing her legacy of critique while also reflecting on her path-breaking contributions to the tradition of critical theory.

FEMINISM AS CRITIQUE

Inspired by Fraser's insights and the interdisciplinary attitude of critical theory, this book creates a space of dialogue for scholars of diverse disciplines to explore the numerous ways in which a feminist perspective can be mobilized to understand capitalism, to subject it to a thorough critique that has as its aim the goal of advancing social justice, and to study what political implications may follow from this critique. Scholars from philosophy, political science, sociology, history, and gender studies, each representing a wide range of competencies and expertise, are assembled here to shed light on how feminism allows for an updated and extended critique of capitalism. Going beyond disciplinary distinctions, all the contributors to this project share a deep commitment to understand *critically* the connection between capitalism and a transformative politics attentive to sex and gender.

There are two principal reasons why exploring this connection is crucial today, both for academics and for a more general public debate. First, there is the role that capitalism plays in the context of the globalizing world. There is a destructive side to this role, one that the experience of "crisis" most painfully reveals, linking different countries and regions around the world by production chains and infrastructures as well as financial markets and speculative movements, wreaking havoc on the daily lives of ordinary citizens, with market fluctuations, plant relocations, cheapening labor prices, and worsening living and working conditions. The rapid destruction of the environment and climate change have brought about a further level of public awareness of the fragility of our situation. But there also exists a countervailing aspect to this situation, one that brings to light the deep, hitherto unprecedented interconnectedness of the world, tying the east to the west and the north to the south in mutually constitutive ways. Hence, any critique of capitalism today cannot afford to be Eurocentric but must instead address the planetary nature of the system. Similarly, the Westphalian framework, which allowed for the study of the operation of largely bounded national economies and their corresponding institutions, is no longer adequate to understand either the complex interrelations between these economies that are irreducible to histories of colonialism and imperialism alone or the generation and reproduction of injustices that spread across national borders. A global perspective is necessary in order to measure up to the challenge of capitalism itself. This collection recognizes the necessity of such a widened perspective in critical theory and is

inspired by Nancy Fraser's work toward theorizing the post-Westphalian framework of analysis and the role of feminism within it (Fraser 2005).

Second, the experiences of the twentieth century and the theoretical shortcomings of dominant forms of critique have by now revealed that a purely economic perspective is far from sufficient for meeting the challenges of conceptualizing capitalism as a system or for developing alternative economic forms of social organization commensurate to its complexity. Such a perspective limits our theoretical attention to the distribution of goods and welfare and constrains the practical energies of struggles against capitalism to a class-based politics (Fraser 2009). Nevertheless, the social problems and injustices experienced, even within Westphalian frameworks but also beyond them, are hardly limited to class inequality, nor can they simply be reduced to different cultural expressions of class inequality. This is where the perspective of feminism offers a crucial contribution, resisting the "androcentrism" both of capitalism and of its dominant critiques. As Fraser has argued, the construction of the "ideal-typical citizen as an ethnic-majority male worker—a breadwinner and a family man" (2009, p.100)—has been an important focus of feminist struggles in tackling the particular injustices faced by women. Feminist critiques have also been crucial for problematizing the sexism and gender discrimination that have permeated the class-based politics of the Left, where the dominant tendency was to relegate sex and gender issues to secondary or derivative status, when they were not altogether ignored.

For the feminist critique of capitalism advanced in this collection, the question, therefore, is not limited to mapping the specific ways in which women are exploited in capitalism—especially by way of their unpaid carework that is crucial for the reproduction of labor-power and through their participation in production processes where their labor is often differentially valued and whose differences are often exacerbated along a north-south divide. A whole generation of socialist feminist scholars has cogently argued these points, showing how capitalist exploitation is crucially dependent on the unpaid or underpaid labor of women or gendered bodies in general. The question of an anti-capitalist feminism today is to move further in the inquiry of why gender roles are pivotal in sustaining capitalism's subordination of social reproduction to the production process and to examine how specific forms of sexual difference and gender domination are predicated on the social organization of capitalism and in turn perpetuate and reproduce its functioning, both on a global scale and, at the same

time, most intimately, within the realm of social relationships. It is to confront the imbrication of gender with sexuality, race, ethnicity, religious, and class identities, and to note the complexity of its lived experience in domains largely invisible to purely economic analyses and yet crucial for everyday life (Fraser 2009, p.103). The recognition of this entanglement between capitalism and patriarchy, between exploitation and non-economic forms of domination, then, is what this collection aims to register and unpack.

When we look at Nancy Fraser's work longitudinally, we see a progressive widening of its horizons, particularly in these two directions. Setting out in the field of Western socialist feminism (Fraser 1989, 1990), Fraser's work has fruitfully expanded toward a broader critique of capitalism, which has moved beyond a Westphalian framework, on the one hand, and complicated its focus on gender domination by an attentiveness to capitalism's structural dependence on racism, imperialism, and an exploitative relationship with nature, on the other (Fraser 2014, 2016). This movement of her thought, guided by her unwavering commitment to social justice, has led her to be a vocal critic not only of state-organized capitalism and its class and gender injustices but also of second-wave feminism and its reconfiguration with the rise of neoliberalism (Fraser 2009, p.110).

We believe that this intellectual trajectory is not accidental. In contrast to a tendency among some social theorists to treat gender as an appendix or afterthought, Fraser has never entertained the possibility of formulating a general social theory "supplemented" by an analysis of gender. Rather, since the very beginning of her scholarship, a feminist perspective has figured prominently in her challenge to dominant frameworks. From her critique of Habermas's theory of the public sphere (Fraser 1991) to her critique of the additive model (Fraser 2013), Fraser has always been at the forefront of showing how the critique of gender domination entails the critique of an entire social order, and vice versa. In this sense, the most important lesson of her intellectual trajectory consists precisely in showing that the oppression of women, and thus the cause of feminism that opposes it, is not simply a woman's question, but rather an inevitable step in any form of social critique. "Feminism as critique" is thus not just the title of the collection edited by Seyla Benhabib and Drucilla Cornell to which Fraser has also contributed (Benhabib and Cornell 1987). Rather, it may aptly be used as the catchphrase for any form of critical theory that sees in the subjection of women more than just another problem to be

fixed in capitalist societies, but instead sees it as one of the very cornerstones of such societies.

At the same time, Fraser's rooting in a robust yet nuanced Marxist theoretical framework has also enabled her to keep distance from a feminism that has largely been limited to claims of inclusion and recognition, catapulting identity to a prominence that occludes any attention to class and the struggles over redistribution. This framework has also informed and guided her critique of feminist currents that have focused women's energies on achieving upward mobility, greater economic security, and social status within the opportunities afforded by the spirit of neoliberalism and, in fact, in an uncomfortable complicity with it (Fraser 2009, pp. 107–13). Fraser has thus remarkably held onto both gender and class, without ever giving up on their mutual irreducibility or falling into the temptation of reductionism.

If capitalism essentially relies on both the separation between the sphere of production and the sphere of reproduction and the subordination of the latter to the former, then feminism must confront the gender injustices that arise from the continuous and systemically necessary undervaluation of the work of women and gendered bodies in the sphere of reproduction. To this effect, Fraser insists on the need to supplement the analysis of production with a focus on social reproduction:

Social-reproductive activity is absolutely necessary to the existence of waged work, the accumulation of surplus value and the functioning of capitalism as such. Wage labor could not exist in the absence of housework, child-raising, schooling, affective care and a host of other activities which help to produce new generations of workers and replenish existing ones, as well as to maintain social bonds and shared understanding. Much like “original accumulation,” therefore, social reproduction is an indispensable background condition for the possibility of capitalist production. (Fraser 2014, p. 62)

This is not only meant to register the fact that capitalism has historically been accompanied by a division between the spheres of production and reproduction. Much more insightfully, Fraser argues that such a distinction is a product of capitalism itself and, moreover, that it is structurally, rather than contingently, gendered. In this way, Fraser recovers a whole tradition of Marxist feminists who have been problematizing the traditional association of production with men and reproduction with women,

thereby assuring domination of the latter by the former, given that, in a system where money is the primary medium of power, those who do unpaid work in the domestic sphere are inevitably subordinate to those who earn wages outside this sphere (Fraser 2014, p. 62). Yet, Fraser's work has also been able to go beyond the simple binary division of men and women, thereby making space for the possibility of accounting for a multiplicity of gender identities. Although the latter may vary, according to specific contexts and historical phases, the central idea is that a capitalist mode of production cannot exist without a gendered organization of social reproduction.

But a feminism that is truly critical of capitalism must also confront a feminism that focuses solely on personalized subjection to male domination and fuels the desire for advancement within neoliberal capitalism. Fraser's critique of microcredit is instructive in this regard. As is well-known, the discourse around microcredit was built on the narrative of "empowerment," "self-help," and "participation from below," and it often juxtaposed these values against state-directed programs to reduce poverty, programs criticized for high levels of bureaucratic management. The personal narratives of success have supported microcredit practices as policies effective in addressing women's welfare and emancipation. "What has been concealed, however," Fraser writes, "in the feminist hoopla surrounding these projects, is a disturbing coincidence: microcredit has burgeoned just as states have abandoned macro-structural efforts to fight poverty, efforts that small-scale lending cannot possibly replace" (Fraser 2009, p.112).

Fraser's worry that the important demands of second-wave feminism have been incorporated and reconfigured by neoliberalism in the service of justifying further marketization and the delimiting of the role of public power in addressing inequality thus complements her critique of capitalism. We therefore find the force of Fraser's critique in her call for feminists to "think big," (Fraser 2009, p.117), consistently pointing out the crucially gendered dimension of the division of labor, the organization of the economy, and the maintenance of social hierarchies, on the one hand, and insisting on the inadequacy of a solely gender-based perspective in reckoning with the transformation from state-organized capitalism to its current neoliberal configuration (Fraser 2013).

We also note that a critical feminist perspective focusing on addressing the role of gender as an integral ingredient of a capitalist social order would be remiss if it focused only on sex and gender, without noting how this order is also deeply imbricated with a system of differences and

dependencies among which race occupies a prominent place. Here, Fraser's most recent interventions in rethinking capitalism are particularly important, as they attend specifically to these imbrications. Moving toward theorizing race as a form of continued expropriation, Fraser's current work addresses how capitalism creates political subjectivities that are racialized by means of enslavement, dispossession, and myriad forms of coercion, and further, how these subjectivities are incorporated in processes of labor exploitation in ways that are both a precondition and, simultaneously, a consequence of capitalism as a social system (Fraser 2016). Critical theory has not done enough to address the manifestations of racialization, as well as the perpetuation of inequality, domination, and discrimination related to race, not only historically but also in the present.

By complementing a critique of the *exploitation* of free wage-labor with a critique of the *expropriation* of dependent labor and material resources, Fraser has been able to show how racism and the depletion of natural resources are structurally necessary to capitalism in all its different phases (Fraser 2016). As an economic system based on limitless expansion and extraction of surplus value, capitalism gives to the owners of capital a structural interest in acquiring labor and means of production below cost and even gratis (Fraser 2016, p. 167). From the originary moment of "primitive" accumulation to the recurrent problem of crises generated by the tendency of the rate of profit to fall, capitalism needs to supplant the *exploitation* of free labor with the *expropriation* of unfree labor, a confiscatory move that has all too often converged with the "color line" of race. As Fraser put it,

The link is clear in practices widely associated with capitalism's early history but still ongoing, such as territorial conquest, land annexation, enslavement, coerced labor, child labor, child abduction, and rape. But expropriation also assumes more "modern" forms—such as prison labor, transnational sex trafficking, corporate land grabs, and foreclosures on predatory debt, which are also linked with racial oppression—and [. . .] with contemporary imperialism. Finally expropriation plays a role in the construction of distinctive, explicitly racialized forms of exploitation—as, for example, when a prior history of enslavement casts its shadow on the wage contract, segmenting labor markets and levying a confiscatory premium on exploited proletarians who carry the mark of "race" long after their "emancipation." In that last case, expropriation combines with exploitation, whereas in the others, it appears to stand alone. But in all the cases, it correlates with racial oppression—and for reasons that are nonaccidental. (Fraser 2016, p. 167)

We find this new direction in Fraser's research trajectory extremely promising, not only due to its turn to attend to the specific forms of racial oppression brought forth by capitalism but also because it can put forth novel ways of conceiving the relation between racial subjection and gender subjection as forms of dependent subjectivities produced in and through processes of domination, exploitation, and expropriation. We think that it allows her work to speak more forcefully and broadly to third world, black, and anarcho-feminisms that have been crucial for the problematization of race in recent feminist discussions. This also constitutes a venue in which Fraser's critique of second-wave feminism's integration with neoliberalism merges with the critiques of second-wave feminism advanced by black and brown feminisms for being symptomatic of a kind of "white privilege." We would like to point out how these feminisms (south/black/anarchist, on the one hand, and Marxist/socialist, on the other) have more in common than is often acknowledged in advancing a systematic critique of capitalism and how Fraser's recent work could point to such a convergence.

OVERVIEW OF THE COLLECTION

To reflect both the evolution of Fraser's work and our belief that feminism must be understood as a form of critique of an entire social order, we have ordered the essays according to the triad that constitutes the title of this book, tracing a movement from feminism to capitalism through and as critique. In doing so, we hope to illuminate not only Fraser's intellectual path from her early militancy within socialist feminism to her current global critique of capitalism but also the intrinsic reasons why the former should entail and lead to the latter.

In the opening chapter, Richard Bernstein explores the trajectory of Nancy Fraser's development from socialist feminism to the critique of global capitalism by focusing on five closely related themes: (1) the critique of the public sphere and feminist concerns; (2) justice, redistribution, and recognition; (3) rethinking Polanyi's *The Great Transformation*; (4) prospects for a radical feminism; and (5) emancipation and the critique of neoliberal capitalism.

Focusing on Fraser's recent work on race, Robin Blackburn discusses the role of slavery and emancipation, race, and capitalism in the nineteenth- and twentieth-century Western world. He argues that the enslaving

and racializing dynamic of capitalism was located in civil society while abolitionism sought to challenge the expansion of “slave power.” However, it was the actuality or threat of revolutionary ruptures at the level of the state as well as slave resistance that gave abolitionism a chance to suppress slavery. Yet, the emancipatory project was fatally weakened by the success of armed white vigilantes in terrorizing blacks and denying them political rights. In his analysis, Blackburn puts Fraser’s work in dialogue with authors such as David Brion Davis, Thomas Haskell, Eric Williams, W. E.B. Dubois, Michael Dawson, and Frank Wilderson.

While continuing the exploration of the nexus of feminism and the critique of capitalism, Johanna Oksala focuses on the role of sexuality. She begins by explicating three different feminist formulations of the relationship between capitalism and sexual regulation: those of Alexandra Kollontai, Catherine MacKinnon, and Judith Butler. Subsequently, Oksala turns to Nancy Fraser’s thought and shows how Fraser can be read as providing a fourth alternative, one that avoids the problems of economic monism as well as reductive heterosexist conceptions of gender and sexual oppression.

On a similar path, Cinzia Arruzza offers a critical assessment of liberal feminism and its cooptation by capitalism, deconstructing the teleological narrative of progressive emancipation. Her work speaks to Fraser’s insistence on the necessity of resisting the neoliberal cooptation of feminist discourse and on combining the critique of gender inequality with the critique of capitalism. Arruzza accepts Fraser’s invitation to think again about the structural connection between gender and sexual oppression and capitalist social relations. She critically discusses the liberal feminist notion that capitalism has led, and can still lead, to greater emancipation from gender and sexual oppression and that the oppression of women and of sexuality is only a vestige of a pre-capitalist past. Because capitalism generates gender and sexual oppression in various ways and through new forms, these kinds of oppression cannot be considered simply as remnants from a pre-capitalist past, but instead must be seen as built into capitalism itself. Instead, Arruzza points to the benefits of rethinking feminism in light of possible post-capitalist futures.

Turning to examine the impact of Fraser’s work on theories of the public sphere, Jane Mansbridge offers an assessment of the long life of Fraser’s seminal essay “Rethinking the Public Sphere,” which brought the term “subaltern counterpublics” into critical theoretical discourse (Fraser 1991). Evaluating Fraser’s feminist rethinking of the public sphere,

Mansbridge points to how it provided an important corrective to Habermas and also enriched the tradition of deliberative democracy by drawing attention to how different subaltern groups can participate in a multiplicity of public spheres. Three particular themes developed in Fraser's essay, Mansbridge argues, have now become established in the discourse of deliberative democracy: (1) developments in the conceptual apparatus of deliberative democracy, including the shift from "reasons" to "considerations" (including emotional considerations) and from the common interest alone to the inclusion of self-interest when constrained by fairness; (2) developments in the meaning of the public sphere, from Habermas's unitary understanding to Fraser's plurality of contesting publics and later the inclusion of everyday talk; and (3) developments in understanding the relation between talk and power, including subtle forms of control and mechanisms, old and new, to combat such control. As this chapter shows, Fraser's early insights continue to illuminate each development in the theory of deliberative democracy, thus attesting to the vitality of her contributions.

Exploring the richness of Fraser's feminism, María Pía Lara considers how her work informs a general critique of capitalism and our responsibility vis-à-vis the current ecological crisis. In particular, this chapter deals with questions about responsibility, agency, and world-framing settings. First, it considers Iris Young's conception of collective responsibility in the face of capitalism and the environment and critically examines the shortcomings of Young's argument. Second, Lara discusses Joaquín Valdivielso's conception of collective responsibility toward ecology while pointing toward both the advantages and the disadvantages of his position. Finally, Lara argues that Nancy Fraser's approach represents a third model that helps overcome the shortcomings of the two previous models. In particular, Fraser is able to articulate a paradigm of agency and collective responsibility with a feminist approach that is strongly connected with her critique of capitalism. In this way, Lara argues that Fraser's project offers a new way of looking at certain problems related to agency and responsibility, or what she calls "critique as disclosure."

In the following chapter, William E. Scheuerman assesses Fraser's contribution to the field of legal theory. Critical theory, Fraser has recently claimed, is jettisoning its strengths for a narrow "legalism." Scheuerman wonders whether Fraser's worry may be overstated. In his view, critical theory needs to provide a nuanced account of law and rights as part of both its normative and socio-theoretical endeavors. Scheuerman argues

that Fraser implicitly recognizes this point in her powerful rejoinder to Axel Honneth. Yet, this chapter raises the question of whether Fraser's remarks provide an adequate basis for formulating a critical theory of law.

Further exploring the debate between Fraser and Honneth, Hartmut Rosa asks whether social critique should focus on the resources for a good life (redistribution) or on the quality of social relationships (recognition)—or on both. In particular, he argues that social criticism should focus on relationships, but not just on social relationships. As Fraser suggests, *parity of participation* is a useful tool for scrutinizing the nature and state of our relationships in and with the world. If the process of appropriation (through participation) fails, we end up in states of alienation. Once more, under capitalist and patriarchal conditions, there is high risk of such an outcome as a result of social acceleration, competition, and inequality.

Combining a legal perspective with an attempt to curb the absolute power of disembedded financial markets, Alessandro Ferrara investigates the role of the Polanyian narrative in Fraser's grammar of social resistance. Engaging Fraser's elaboration of Karl Polanyi's *The Great Transformation*, Ferrara argues that the current preponderance of finance over the "real economy," the resurgence of rent, and the virtualization of the economy lead to a new kind of "absolute power" exerted by disembedded financial markets, against which the remedies that once curbed absolute power prove ineffective. The prospect for resistance against neoliberal hegemony is discussed with reference to Fraser's views on social movements that are difficult to place within the Polanyian "double movement." Ferrara examines Fraser's articulation of a "triple movement" that combines elements of non-domination, negative liberty, and solidarity in new constellations. Attention is focused on the subjects of counterhegemonic resistance and the novel entwinement of the legal and the political as terrains of resistance.

The following chapters turn to the very notion of critique. Axel Honneth's contribution returns to the alternative between Hegel and Marx, while offering a reassessment of their respective social theories. In recent decades, a number of reinterpretations of Hegel's social philosophy and Marx's social theory have been carried out, enabling us to examine the relationship between the two thinkers within a perspective of fruitful complementarity. Honneth begins with a comparison of their respective philosophies of history, subsequently moving on to explore the advantages of Hegel's social theory vis-à-vis that of Marx. In a third step, however,

Honneth reverses the perspective and considers the merits of Marx's analysis of capitalism, before concluding with an analysis of the conditions under which the two approaches can be put into a relationship of productive complementarity.

Rahel Jaeggi also investigates the contribution of Marx's theory to the formulation of a contemporary critical theory project, this time, by focusing on the connections between critique, conflict, and crisis. This move is indicative of a methodological shift within contemporary critical theory, where the focus on crises supplements the focus on social struggles. The extent to which critical theory should be interested in the struggles and desires of the age can then be qualified as follows: critical theory is part of those struggles that are capable of thematizing and addressing the inherent crises of an age in an emancipatory way. In other words, through criticism and analysis, critical theory contributes to addressing these crises (which also give rise to regressive and non-emancipatory responses) in an emancipatory way.

In his investigation of the task of critical theory today, Rainer Forst raises the question, "What is critical about a critical theory of justice?" Forst analyzes the connection among philosophy, social theory, and social criticism through a reflection on the concept of justification as a theoretical device and as a social practice. In his view, getting this connection right enables us to de-reify various concepts of political and social philosophy, such as justice, democracy, and alienation. Forst importantly relates his argument for a critical theory of justice to Fraser's account of critical social theory.

In her contribution to rethinking critique, Amy Allen proposes a move beyond the current alternative between Kant and Hegel. Whereas much work in contemporary critical theory turns on the question of how to ground the normativity of critique, Allen builds an alternative strategy for grounding such normativity. Many critical theorists have followed Jürgen Habermas's lead and assumed that the available strategies for grounding critique are either Kantian or Hegelian or some combination of the two. By drawing inspiration from Fraser's early conception of "social criticism without philosophy," Allen develops an alternative approach to the normativity question, one that can take critical theory beyond Kant versus Hegel.

In conclusion, Eli Zaretsky proposes finding the red thread of Nancy Fraser's work in her search for a viable idea of equality. As Zaretsky argues, all of Fraser's work can be seen as a response to the crisis of the Left, which

emerged in the 1960s and climaxed after 1989. In this article, he situates Fraser's work in relation to the Left and to the evolution of critical theory, by combining his expertise as historian of the Left with his privileged position of observation as Nancy Fraser's partner.

As a collection of essays, we believe that this book is a testament to the actuality and pertinence of Nancy Fraser's ideas, her invaluable contributions to critical theory, and her inspiring example. By engaging with her work, we not only celebrate the accomplishments of an incredibly prolific, resourceful, and erudite scholar, but we also acknowledge and honor her role in inspiring each of us toward attaining a more sophisticated understanding of capitalism and a renewed commitment to struggle for justice.

NOTES

1. Nancy Fraser's discussion of these themes in her instantly classical "Behind Marx's Hidden Abode" (2014) speaks volumes about both the need for systematic analyses and her crucial role in advancing the critique of capitalism in the critical theory tradition.
2. Critical theory, too, has had its share of this revival. Not only is there a resurgence of interest in thinkers such as Karl Polanyi and Karl Marx but there is an increasing attempt to develop new concepts and categories adequate for the analysis of crisis and the possibilities of practical transformation. The recent edited collection on Marx's work, which gathers together intellectuals gravitating around the tradition of the Frankfurt School, is a case in point (Jaeggi and Loick 2014). But it is also significant that prominent figures of that tradition who have been working on alternative forms of critique, such as the Hegelian and the Kantian, are now devoting increasing attention to Marx and the critique of capitalism more generally (see, for instance, Forst 2014; Honneth 2017).

REFERENCES

- Arruzza, C 2013, *Dangerous Liaisons, Marriages and Divorces of Marxism and Feminism*, Merlin Press, London.
- Benhabib, S, and Cornell, D 1987, *Feminism as Critique: Essays on the Politics of Gender in Late-Capitalist Society*, Wiley, New York.
- Cudd, A, and Holmstrom, N 2010, *Capitalism. For and Against. A Feminist Debate*, Cambridge University Press, Cambridge.
- Federici, S 2012, *Revolution at Point Zero. Housework, Reproduction, and Feminist Struggle*, PM Press, Brooklyn, NY.

- Floyd, K 2009, *The Reification of Desire. Toward a Queer Marxism*, University of Minnesota Press, Minneapolis.
- Forst, R 2014, "Gerechtigkeit nach Marx" in *Nach Marx: Philosophie, Kritik, Praxis* (eds.) R Jaeggi and D Loick, 107–121. Suhrkamp Verlag, Berlin.
- Fraser, N 1989, *Unruly Practices. Power, Discourse and Gender in Contemporary Social Theory*, University of Minnesota Press, Minneapolis.
- Fraser, N 1990, "Struggle over needs: outline of a socialist feminist critical theory of late-capitalist political culture" in *Women, the State, and Welfare: Historical and Theoretical Perspectives* (ed.) L Gordon, 205–231. University of Wisconsin Press, Madison.
- Fraser, N 1991, "Rethinking the public sphere: a contribution to the critique of actually existing democracy" in *Habermas and the Public Sphere* (ed.) C Calhoun, 109–142. MIT Press, Cambridge, MA.
- Fraser, N 2005, "Reframing justice in a globalizing world," *New Left Review*, 36, 69–88.
- Fraser, N 2009, "Feminism, capitalism, and the cunning of history," *New Left Review*, 56, 97–117.
- Fraser, N 2013, *Fortunes of Feminism: From State-Managed Capitalism to Neoliberal Crisis*, Verso Books, Brooklyn, NY.
- Fraser, N 2014, "Behind Marx's hidden abode: For an expanded conception of capitalism," *New Left Review*, 86, 55–72.
- Fraser, N 2016, "Expropriation and exploitation in racialized capitalism: a reply to Michael Dawson," *Critical Historical Studies*, 163–178.
- Harvey, D 2014, "The new imperialism: accumulation by dispossession," *Socialist Register*, 40, 63–87.
- Honneth, A 2017, *The Idea of Socialism*, Polity Press, New York.
- Jaeggi, R, and Loick, D (eds.) 2014, *Nach Marx: Philosophie, Kritik, Praxis*, Suhrkamp Verlag, Berlin.
- Mojab, S (ed.) 2015, *Marxism and Feminism*, Zed Books, London.
- Moore, JW 2015, *Capitalism in the Web of Life*, Verso, New York.
- Piketty, T 2013, *Capital in the Twenty-first Century*, Harvard University Press, Cambridge, MA.
- Stiglitz, JE 2013, *The Price of Inequality: How Today's Divided Society Endangers Our Future*, W. W. Norton & Company, New York.
- Vogel, L 2014, *Marxism and the Oppression of Women: Toward a Unitary Theory*, Heymarket, Chicago, IL.
- Weeks, K 2011, *The Problem with Work. Feminism, Marxism, Antiwork Politics and Postwork Imaginaries*, Duke University Press, Durham, NC.

From Socialist Feminism to the Critique of Global Capitalism

Richard J. Bernstein

Even though the construction of the future and its completion for all times is not our task, what we have to accomplish at this time is all the more clear: relentless criticism of all existing conditions, relentless in the sense that the criticism is not afraid of its findings and just as little afraid of the conflict with the powers that be.

– Karl Marx (1967, p.212)

Nancy Fraser’s critical project spans forty years and is richly textured with detailed analyses. There is continuity and significant shifts in her thinking. I plan to focus on five closely related and interdependent themes in her work: (1) the public sphere and feminist concerns; (2) justice, redistribution, and recognition; (3) a rethinking of Karl Polanyi’s *The Great Transformation* (2001[1944]); (4) prospects for a radical feminism; and (5) emancipation and the critique of neoliberal capitalism. Fraser, like Marx, engages in constant self-critique in light of changing historical circumstances. There is, however, one *major* shift that distinguishes her most recent theoretical work from her earlier work. In the period roughly from 1945 to 1970, most theorizing

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about democracy and justice (including her own early theorizing) took for granted the Westphalian imaginary – or what she sometimes calls the “Keynesian-Westphalian frame.” The critical project must be rethought in our post-Westphalian era.

The phrase “Keynesian-Westphalian frame” is meant to signal the national-territorial underpinnings of justice disputes in the heyday of the postwar democratic welfare state, roughly 1945 through the 1970s. In this period struggles over distribution in North America and Western Europe were premised on the assumption of state steering of national economies. And national Keynesianism, in turn, was premised on the assumption of an international state system that recognized territorial state sovereignty over domestic affairs, which included responsibility for the citizenry’s welfare. Analogous assumptions also governed disputes about recognition during this period. The term “Westphalian” refers to the Treaty of 1648, which established some key features of the international state system in question. However, I am concerned neither with the actual achievements of the Treaty nor with the centuries long process by which the system it inaugurated evolved. Rather, I invoke “Westphalia” as a political imaginary that mapped the world as a system of mutually recognizing sovereign territorial states. My claim is that this imaginary undergirded the postwar framing of debates about justice in the First World. (Fraser 2013a, p.190n1)

This Westphalian imaginary shaped debates about critical theory, the public sphere, and “second-wave feminism.” The primary issues concerned what actions are required – and what social movements are needed – in order to bring about emancipatory change *within* territorial states. A major shift occurred in Fraser’s thinking when she began to question framing issues in this manner. She argues for the necessity of developing a new post-Westphalian imaginary – a new frame for considering issues of justice. This shift, as we shall see, affects *every* dimension of her critical project. Let us first consider her early as well as her more recent thinking about the public sphere.

THE PUBLIC SPHERE AND FEMINIST CONCERNS

Feminism has never been an isolated or parochial issue for Fraser. Her concern with feminism pervades her entire critical project, and her understanding of radical critique influences the way she approaches the changing issues that feminists must confront. We witness her shift from a

Westphalian to a post-Westphalian imaginary by comparing her early (1990) landmark article, “Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy” with her 2014 article “Transnationalizing the Public Sphere: On the Legitimacy and Efficacy of Public Opinion in a Post-Westphalian World.”¹ “Rethinking the Public Sphere” critically engages Jürgen Habermas’s discussion of the public sphere in his 1962 book *The Structural Transformation of the Public Sphere*. Although Fraser objects to Habermas’s limited understanding of the public sphere, she claims that the concept of public sphere is *indispensable* for critical theory.

[The public sphere] designates a theater in modern societies in which political participation is enacted through the medium of talk. It is the space in which citizens deliberate about their common affairs, hence, an institutionalized arena of discursive interaction. This arena is conceptually distinct from the state; it [is] a site for the production and circulation of discourses that can in principle be critical of the state. The public sphere in Habermas’s sense is also conceptually distinct from the official-economy; it is not an arena of market relations but one of discursive relations, a theater for debating and deliberating rather than for buying and selling. Thus, the concept of the public sphere permits us to keep in view the distinctions between state apparatuses, economic markets, and democratic associations, distinctions that are essential to democratic theory. (Fraser 1990, p.57)

Fraser sharply criticizes Habermas’s limited understanding of the public sphere. Drawing on feminist historians such as Joan Landes, Mary Ryan, and the work of others such as Geoff Eley, Fraser forcefully argues that Habermas fails to take seriously the issue of gender. He fails to emphasize the extent to which masculinist gender constructs were built into the very concept of the bourgeois public sphere and how it was based on the exclusion of women, the poor, slaves, and other marginalized groups. Habermas, she argues, fails to consider that there were conflictual *counter publics* (not a single public sphere). The bourgeois public sphere lacked (even in its idealized form) any serious commitment to participatory parity.²

We will see how important the principle of “participatory parity” is for Fraser; it is the key term in her understanding of the fundamental norm of justice. Fraser argues that a plurality of competing publics and even subaltern counter publics better promote the idea of participatory parity

in public life. Furthermore, she challenges any fixed reified distinction between the private and public – especially as this distinction has been used to dominate and oppress women. Feminists have insisted on the public discussion of sexism, sexual harassment, and marital rape – matters that once were (and in many places still are) taken to be “strictly” private matters. Fraser also challenges the idea of “weak publics” whose primary function is to *influence* the politics of the state. She advocates the need for “strong publics” that have the power to make political *decisions*.

Now contrast Fraser’s approach to the public sphere in her 1990 article with her analysis in “Transnationalizing the Public Sphere.” She begins this latter article by criticizing the way in which Habermas (and she) originally framed the issue of the public sphere. Fraser lists six tacit social-political-theoretical presuppositions that Habermas makes, which reveal the extent to which his conception of the public sphere was conditioned by a Westphalian frame of bounded political territories. She places her *own* 1990 critique of Habermas within this same *limited* Westphalian imaginary. “My own earlier effort to ‘rethink the public sphere’ was no exception [to thinking within the Westphalian frame]” (Fraser et al. 2014c, p.16). Indeed, far from challenging the Westphalian frame, it aimed to enhance the legitimacy of political opinion within it. Fraser remarks that even in her advocacy of “strong publics,” she neglected to challenge the Westphalian frame. “The thrust of my argument was, on the contrary, to enhance the efficacy of public opinion vis-à-vis the Westphalian state” (p.17).

Fraser does not abandon her early reflections of the public sphere; she doesn’t diminish the significance of the role that it plays *within* territorial states. After all, with all the talk of globalization and transnationalism, we still live and act within territorial states, but nevertheless we need to recognize the blind spot of the original theoretical formulation of public sphere theory – the failure to take account of “the epochal developments” that call into question the Westphalian frame. This raises some really hard issues. What are we talking about when we speak of a public sphere in a post-Westphalian imaginary? What does it mean to transnationalize the public sphere? Fraser is far more effective in pointing out empirical and theoretical limitations of the Westphalian frame – why and how it is breaking down – than in positively developing an alternative. We may agree with her that, “if public-sphere theory is to function today as a *critical* theory, it must revise its account of the normative legitimacy and political efficacy of public opinion” (p. 33). We may endorse her claim that such a critical theory “must envision new transnational public powers, which can be accountable

to new democratic circuits of public opinion” (p.33). But if we ask what precisely does this mean and how is it to be accomplished, Fraser does not provide us with much guidance. How are such transnational democratic publics to be institutionalized? We may be sympathetic with the central idea that inspires public sphere theory – that ordinary people throughout the world are political subjects who “deserve a decisive say in the matters that concern them in common; that they have the capacity to mobilize communicative power both as a means to effect change and as an end in itself” (p.155). But to use a Hegelian turn of phrase, this central idea is rather “abstract” and lacks concrete determination. I want to make it clear that in raising these issues, I am not faulting Fraser for emphasizing the importance of moving beyond a Westphalian frame. I agree that the most difficult and complex challenge that critical theory faces today is how to theorize, imagine, and advance global emancipation. But neither what this concretely means nor how it is to be effectively accomplished is clear.

JUSTICE, REDISTRIBUTION, AND RECOGNITION

In the Prologue to *Fortunes of Feminism: From State-Managed Capitalism to Neoliberal Crisis* (2013a), Fraser presents the drama of second-wave feminism in three acts³:

“[T]he movement for women’s liberation” began life as an insurrectionary force, which challenged male domination in state-organized capitalist societies in the postwar era. In Act One, feminists joined with other currents of radicalism to explode a social-democratic imaginary that had occulted gender injustice and technicized politics. (Fraser 2013a, p.1)

The height of this movement took place during the 1960s and early 1970s. But during the late 1970s and 1980s, the insurgency energies of Act One began to wane. “In Act Two, its transformative impulses were channeled into a new political imaginary that foregrounded ‘difference.’ Turning ‘from redistribution to recognition,’ the movement shifted its attention to cultural politics, just as a rising neoliberalism declared war on social equality” (p.1). More recently, Fraser argues, there are indications of a new development in second-wave feminism:

In an Act Three that is still unfolding, we *could* see a reinvigorated feminism join other emancipatory forces aiming to subject runaway markets to

democratic control. In that case, the movement would retrieve its insurrectionary spirit, while deepening its signature insights: its structural critique of capitalism's androcentrism, its systematic analysis of male domination, and its gender-sensitive revisions of democracy and justice. (p.1)

I want to concentrate on the transition from Act One to Act Two. (Later I will discuss Fraser's thoughts about Act Three.) This three-act drama is not only a narrative of the feminist movement but also a schema for understanding Fraser's own political and intellectual development. In an interview that Fraser gave in 2014, she speaks about her "generational experience as a 1968er."

People like me, who came out of the New Left, inherited a kind of Marxism that we found too restrictive, too orthodox, and we sought to develop alternative Marxisms that could make visible forms of domination and social suffering which orthodox paradigms occluded: issues of gender and sexuality; colonialism and postcolonialism; ecology and political exclusion and marginalisation. It seemed to me then, and still seems to me now, that to take in these matters requires not the rejection, but the reconstruction, of Marxism. (2014b, p.7)

Much of Fraser's early work – including her feminist critique of Habermas's conception of the public sphere – fits within this first act of an insurrectional socialist feminism. She never subscribed to a reductionist and economist version of Marxism. Many of her early writings focused on how state-managed capitalism deeply affects and distorts the lives of women as caretakers, welfare recipients, and poorly paid wage laborers. The negative economic consequences of capitalism on women's lives were at the center of her early feminist writings. Fraser never abandoned her concern with political economy and its deleterious consequences for lives of women. However, as she indicates, during the late 1970s and 1980s insurgency energies began to wane, and there was a shift to a concern with cultural discrimination and differences. During this period, the theme of recognition of differences – multicultural, ethnic, racial, and gender differences – gained a new prominence in Leftist circles. Cultural politics became dominant – a politics focused on fighting for the rights of lesbians, gays, transgenders, racial, and ethnic minorities. There were a variety of social movements demanding full recognition of marginalized and oppressed groups. These cultural movements tended to occlude more

traditional economic concerns about social and economic equality. In part, this was a result of the disillusionment with “really existing communism” and a turning away from the varieties of “orthodox” Marxism. In part, there was a growing awareness that cultural injustices were not simply *reducible* to economic injustice. A comprehensive critique of capitalism requires an analysis of the cultural manifestations of capitalism.

Fraser, of course, was sympathetic with the new types of cultural critique, but she was also wary of the shift away from an emphasis on economic redistribution to recognition. She argues that a robust critical theory must understand these two *inseparable* dimensions of social and political life as being *equiprimordial*. Fraser also felt the need to confront a fundamental issue that, according to her, Marx and the first generation of Frankfurt School thinkers did not adequately thematize. Namely, what is the normative basis for critique? What are the injustices that we need to confront and alleviate? What is to be the standard for justice? The practice of critical theory can never be satisfied exclusively with theoretical reflections on basic moral norms. It must also face the social-theoretical issues of class and status, as well as the political issues of how concretely to institutionalize democratic justice. In classic Marxist terms, theory must be oriented to *praxis*.

What precisely does Fraser mean by “redistribution” and “recognition”? Each of these expressions has a philosophical and a political reference. Philosophically, “redistribution” comes from the liberal tradition and plays a prominent role in such liberal thinkers as John Rawls and Ronald Dworkin. Both developed sophisticated theories of justice. Philosophically, the term “recognition” comes from Hegel and plays a prominent role in the political philosophical theories of Charles Taylor and Axel Honneth. Recognition designates a relation between individuals and groups where each treats the other as an equal peer – where individuals and groups achieve self-respect and self-esteem through mutual, reciprocal, and symmetrical recognition. However, in their more explicit political reference, “the terms ‘redistribution’ and ‘recognition’ refer not to philosophical paradigms but rather to *folk paradigms of justice*, which inform present-day struggles in civil society” (Fraser and Honneth 2003, p.11). These folk paradigms are typically associated with different social movements. “Thus, the politics of redistribution is commonly equated with class politics, while the politics of recognition is assimilated to ‘identity politics,’ which is equated in turn with struggles over gender, sexuality, nationality, ethnicity, and ‘race’” (p.11). Although Fraser appropriates the

term “redistribution” from the liberal tradition of political philosophy, this expression is potentially misleading. In liberal theory, distribution – or rather redistribution – presupposes a modified form of capitalism, but it does not call into question the basic structure of a capitalist society. However, given Fraser’s own Marxist legacy, she is calling for a much more radical transformation of capitalist societies.

Fraser is critical of how the focus on recognition, difference, and the “politics of identity” tended to neglect issues of social and economic equality. She argues that the opposition between recognition and redistribution is a “false anti-thesis.” We need a *unified two-dimensional* critical theory of justice that is oriented to participatory parity – a critical theory that encompasses both redistribution and recognition without reducing one to the other. This is what she calls “perspectival dualism.” Fraser clearly recognizes that, in the “real” world, redistribution and recognition are interdependent. Any change in redistribution will have consequences (both intended and unintended consequences) for recognition claims – and vice versa. Even though redistribution and recognition are entangled with each other, it is necessary to distinguish between these two perspectives for analytical purposes. Achieving participatory parity involves *both* overcoming the institutionalized economic inequality as well as overcoming cultural status hierarchies that are embedded in capitalist societies. Fraser, as I have already indicated, resists any suggestion that one of these perspectives is more fundamental than the other. She resists simplistic economic Marxist theories of base and superstructure, as well as inflated recognition theories that seek to swallow up issues of economic inequality. Redistribution and recognition are both *material* factors in human life.

Fraser also defends the principle of participatory parity as the normative basis for a critical theory of justice; it is the standard to which we appeal when struggling against economic and cultural injustices. We can no longer simply invoke Marx’s nineteenth-century critique of capitalism. We must revise Marxism in a way that integrates what we have learned from the Frankfurt theorists – that capitalism involves far more than economic inequality and class differentials; it involves status differentials and cultural exclusions. Furthermore, in the spirit of the critical-theoretical tradition, we must be alert; we must locate and specify the *real potentialities immanent in the current historical reality* – potentialities for fighting injustice and advancing human emancipation.

But there is also a deep problem about the way in which Fraser initially framed her unified theory of redistribution and recognition – a problem

similar to the one that she faced with the public sphere. Her “perspectival dualism” was developed within the Westphalian frame of sovereign independent territorial states. Economic redistribution makes sense if one presupposes a sovereign state apparatus that exercises economic control over a bounded territory. Furthermore, most emancipatory struggles for recognition, including gay, lesbian, transgender, and multicultural movements, have gained traction *within* territorial states. Toward the end of her most extended discussion of redistribution and recognition, Fraser acknowledges that questions about framing need to be raised:

Who are the social actors among whom parity of participation is required? Earlier, before the current acceleration of globalization, the answers to such questions were largely taken for granted. It was assumed, usually without explicit discussion, that spheres of justice were coextensive with the reach of states, hence that those entitled to consideration were fellow citizens. Today, however, the answer can no longer go without saying. Given the increased salience of both transnational and subnational processes, the Westphalian sovereign state can no longer serve as the sole unit or container of justice. (Fraser and Honneth 2003, p.88)

She confronts this issue of framing directly in “Reframing Justice in a Globalizing World” (the second edition of this article was published in *Scales of Justice: Reimagining Political Space in a Globalizing World*). Therein, Fraser writes,

Whether the issue is distribution or recognition, disputes that used to focus exclusively on the question of what is owed as a matter of justice to community members now turn quickly into disputes about who should count as a member and which is the relevant community. Not just the “what” but also the “who” is up for grabs. (Fraser 2009, p.15)

To meet this new challenge, Fraser now refines her “perspectival dualism” into a *three-dimensional* theory of justice. But Fraser doesn’t totally reject her earlier two-dimensional analysis of redistribution and recognition; rather, she now claims that it doesn’t go far enough.

Distribution and recognition could appear to constitute the sole dimensions of justice only insofar as the Keynesian-Westphalian frame was taken for granted. Once the question of frame becomes subject to contestation, the

effect is to make visible a third dimension of justice, which was neglected in my previous work – as well as the work of many other philosophers. (p.17)

She calls this third dimension “the political.” Initially this seems perplexing. After all, struggles for redistribution and recognition are political; they are contested political power struggles. But Fraser now introduces a more specific sense of “political.” She writes that it “concerns the constitution of the state’s jurisdiction and the decision rules by which it structures contestation. The political in this sense furnishes the stage on which struggles over distribution and recognition are played out” (p. 17).

This is not one of Fraser’s clearest statements. I believe that she intends to highlight new sorts of issues that arise once we call into question the Keynesian-Westphalian frame. Redistribution and recognition will mean one thing if we restrict ourselves to the frame of sovereign territorial states. However, once this frame is seriously called into question, issues of justice must be framed in a different manner. Critical theorists must ask *who* belongs and *who* is excluded from the community that we take to be fundamental. *Who* decides this? *What* are the boundaries of the political community? *Who* is to be represented and how are they to be represented? *How* is this to be determined? *What* are the rules (explicit and implicit) that structure public contests?

Matters now become much more complicated. The defining issue of “the political” is *representation*, and the characteristic injustice of “the political” is *misrepresentation*. Fraser distinguishes two different levels of misrepresentation. “Insofar as political decision rules wrongly deny some of the included the chance to participate fully, as peers, the injustice is what I call *ordinary-political* misrepresentation” (pp.18–19). However, there is also second level of misrepresentation.

Here the injustice arises when the community’s boundaries are drawn in such a way as to wrongly exclude some people from the chance to participate at all in its authorized contests over justice. In such cases, misrepresentation takes a deeper form, which I shall call misframing. The deeper character of misframing is a function of the crucial importance of framing to every question of social justice. Far from being of marginal significance, frame-setting is among the most consequential of political decisions. (p.19)

Thus, Fraser distinguishes three irreducible dimensions of justice: redistribution, recognition, and the political. And she identifies two levels of

political injustice: ordinary-political misrepresentation and misframing. However, there is still a *third* level where politics must aim to democratize the very process of frame-setting. Here we encounter some further distinctions.

The politics of framing can take two distinct forms, both of which are now being practiced in our globalizing world. The first approach, which I shall call the affirmative politics of framing, contests the boundaries of existing frames while accepting the Westphalian grammar of frame-setting. In this politics, those who claim to suffer injustices of misframing seek to redraw the boundaries of existing territorial states or in some cases to create new ones. But they still assume that the territorial state is the appropriate unit with which to pose and resolve disputes about justice . . . Thus, far from challenging the underlying grammar of the Westphalian order, those who practice the affirmative politics of framing accept its state-territorial principle. (pp.22–23)

The alternative to the affirmative politics of framing is a second approach, which Fraser clearly favors. She calls it a “transformative approach.” “For proponents of this approach, the state-territorial principle no longer affords an adequate basis for determining the ‘who’ of justice in every case” (p.23). A transformative approach is needed to deal with financial markets, “offshore factories,” investment regimes, information networks of global media, cybertechnology, and biopolitics of climate and biotechnology. It aims to change the deep grammar of frame-setting. Still, we want to know what a post-Westphalian frame might look like.

Doubtless it is too early to have a clear view. Nevertheless, the most promising candidate so far is the “all-affected principle.” This principle holds that all those affected by a given social structure or institution have moral standing as subjects of justice in relation to it. On this view, what turns a collection of people into fellow subjects of justice is not geographical proximity, but their co-imbriation in a common structural or institutional framework, which sets the ground rules that govern their social interaction, thereby shaping their respective life possibilities, in patterns of advantage and disadvantage. (p.24)⁴

What are we to make of this revised three-dimensional theory of justice and the three levels of the political? If one wanted to be ungenerous, it begins to look like a Ptolemaic world where Fraser keeps adding new epicycles. When she encounters a serious problem, she adds a new

distinction. A more hermeneutically generous approach should acknowledge the complexity of the issues with which she is struggling. Her arguments showing that critical theory can no longer be satisfied with presupposing a Westphalian frame are fully persuasive. One can admire the way in which Fraser makes theoretical adjustments in light of a changing historical reality as well as her intellectual and practical sensitivity to the significance of these changes. There is also uncertainty about what is now happening and what are the consequences (intended and unintended) of multidimensional capitalist globalization. Consequently, it makes good sense that a critical approach that seeks to be relevant and politically effective needs to be open to continual rethinking and revision.

RETHINKING *THE GREAT TRANSFORMATION*

In this task of rethinking, Fraser now focuses on the current crisis of neoliberalism; that is, how to make sense of it, how to criticize it, and how to locate real potentialities for radical transformation. Like a number of other Left thinkers, she has “rediscovered” the relevance of Karl Polanyi’s *The Great Transformation*. The crisis we are now experiencing shares a distinctive “deep-structural logic” with the one that Polanyi analyzed in his 1944 classic.⁵

Both [crises] appear to be rooted in a common dynamic, which he called “fictitious commodification”. In both eras, ours and his, free-market fundamentalists have sought to commodify all the necessary preconditions of commodity production. Turning labour, nature and money into objects for sale on “self-regulating” markets, they proposed to treat those fundamental bases of production and exchange as if they could be commodities like any other. In fact, however, the project was self-contradictory. Like a tiger that bites its own tail, neoliberalism threatens now, just as its predecessor did then, to erode the very supports on which capitalism depends. The outcome in both cases was entirely predictable: wholesale destabilization of the economic system on the one hand, and of nature and society on the other. (Fraser 2013b, p.119)

For all the similarities between the crisis of the 1930s and the crisis today, Fraser also argues that there are significant differences – especially in the political response. According to Polanyi, social struggles during the first half of the twentieth century involved a “double movement.”

On one side stood political forces and commercial interests that favored deregulating markets and extending commodification; on the other side a broad-based, cross-class front, including urban workers and rural land-owners, socialists and conservatives, that sought to “protect society” from the ravages of the market. As the crisis sharpened, moreover, the partisans of “social protection” won the day. In contexts as divergent as New Deal America, Stalinist Russia, fascist Europe and later, in postwar social democracy, the political classes appeared to converge on at least this one point: left to themselves, “self-regulating” markets in labour, nature and money would destroy society. Political regulation was needed to save it. (p.120)

But why do we not find a similar “double movement” today? Why, for example, do we not find a strong social movement for social protection that opposes deregulation of financial institutions and the dismantling of the welfare state? Fraser runs through several hypotheses, each of which contains some element of truth, but which she thinks, in the final analysis, fail to provide an adequate account of this difference.⁶

To ask why this double movement is not taking place in the twenty-first century is to ask the *wrong* question. Instead of focusing on what is absent or missing, we should ask what is *present*. She is referring to “the extraordinary range of emancipatory movements that erupted on the scene in the 1960s and spread rapidly across the world in the years that followed” (p.127). These movements, which include “anti-racism, anti-imperialism, anti-war, the New Left, second-wave feminism, LGBT liberation, multi-culturalism, and so on,” Fraser argues, do not fit either pole of Polanyi’s double movement (p.127). They do not champion social protection or marketization. They espouse a third political project, what Fraser calls “emancipation.” We need to revise Polanyi’s double-movement thesis and speak of a *triple* movement. This is an analytical device for parsing the grammar of social struggle in capitalist society.

However, there is another way in which Fraser significantly modifies Polanyi’s schema. Each of the three constituent poles of her triple movement – social protection, marketization, and emancipation – is “inherently ambivalent.” For example, social protection may afford relief from the disintegrative effects of markets upon communities, but it may at the same time entrench domination within and among them by reinforcing cultural hierarchies. We also find ambivalences in marketization as well as in emancipation. This emphasis on inherent ambivalences adds a new complexity to Fraser’s analysis of social movements. As we shall see in the next

section, Fraser's analysis of second-wave feminism, which was originally conceived as an insurrectionary emancipatory movement, has had the unintended consequence of reinforcing neoliberalism. Indeed, she speaks of a "dangerous liaison" between second-wave feminism and neoliberalism (see 2013a). Stressing the *ambivalence* of these three poles and exposing the ways in which they can conflict with each other may have disheartening consequences. We must be fully alert to how a specific emancipatory movement (for example, liberating women from patriarchal domination), while intending to overcome existing injustices, may have the consequence of reinforcing other injustices. It certainly complicates a critical analysis of contemporary capitalist societies. Emancipation can no longer be taken as a single all-inclusive name for all that is good. It can have extremely negative consequences. Nevertheless, Fraser thinks that her analysis of the triple movement suggests a political project for those (like her) who are still committed to emancipation.

We might resolve to break off our dangerous liaison with neoliberalism and forge a principled new alliance with social protection. In thereby realigning the poles of the triple movement, we could integrate our longstanding interest in nondomination with the equally valid interest in solidarity and social security. At the same time, we could reclaim the indispensable interest in negative liberty from the neoliberal uses to which it has been bent. Embracing a broader understanding of social justice, such a project would serve at once to honour Polanyi's insights and remedy his blind spots. (2013b, p.132)

These are stirring words. One may be enthusiastic about Fraser's call for a *new* political project. And yet – in a cooler moment of reflection – we see that her triple movement raises all sorts of unanswered questions and problems. *What* precisely is this "principled new alliance"? *Who* are the social agents of this project? *How* is such an alliance to be accomplished? *Where* will it take place? In a sense, we are led to the same (or similar) problems that resulted from the analysis of the trajectory of Fraser's thinking about the public sphere and about redistribution/recognition.

In each case, Fraser has been extremely incisive about the failures of past analyses (including her own analyses) that are limited to the Westphalian frame. In each case, one can admire the way in which Fraser has been sensitive to the recent changes in the development of neoliberal capitalism in its rapid ability to absorb new critical developments. In each case, she has

had the intellectual courage to complicate her analytic framework in order to adequately account for what is happening. But in each case she leads us to the statement of a project that is still extremely vague and abstract – lacking in concrete guidance about how a revised critical theory can guide us about *what is to be done*. I want to repeat what I have said before. A primary reason for this indeterminacy is the uncertainty about what is still in the process of unfolding. As Hegel has taught us, we are always in a better position to make rational sense of what has *happened* – both in its historical advances and regressions – than we are to make sense of the unknown future.

PROSPECT FOR A RADICAL FEMINISM

Earlier, I indicated Fraser's depiction of the transformations of second-wave feminism as a three-act drama. In Act Three, she emphasizes that "the urge to reinvent feminist radicalism may be reviving" (2013a, p.1). I want to explore her sharp critique of the consequences of the first two acts of second-wave feminism to set the context for her *hopes* for what feminists may yet achieve. We recall that in Act One (1960s) feminists joined with other New Left opponents of capitalism in a progressive coalition demanding that the excluded voice of women be heard. In Act Two, there was a demand for cultural feminist recognition. What were the results of this emphasis on recognition?

The results were decidedly mixed. On the one hand, the new feminist struggles for recognition continued the earlier project of expanding the political agenda beyond the confines of class redistribution; in principle they served to broaden, and to radicalize, the concept of justice. On the other hand, however, the figure of the struggles for recognition so thoroughly captured the feminist imagination that it served more to displace than to deepen the socialist imaginary. The effect was to subordinate social struggles to cultural struggles, the politics of redistribution to the politics of recognition. That was not, to be sure, the original intention. It was assumed, rather, by proponents of the cultural turn that a feminist politics of identity and difference would synergize with struggles for greater equality. But that assumption fell prey to the larger zeitgeist. In the fin de siècle context, the turn to recognition dovetailed all too neatly with a rising neoliberalism that wanted nothing more than to repress all memory of social egalitarianism. The result was a tragic historical irony. Instead of arriving at a broader, richer paradigm that could encompass both redistribution and recognition,

feminists effectively traded one truncated paradigm for another – a truncated economism for a truncated culturalism. (pp. 4–5)

Fraser’s judgment about the failures of focusing on recognition *alone* is quite harsh. “Today, however, perspectives centered on recognition alone lack all credibility” (p. 5). Of course, Fraser does not want to deny the concrete achievements of Act Two of second-wave feminism. But at the same time, she thinks that we need to face the stubborn fact that in helping to eliminate cultural stereotypes and furthering the ways in which (primarily middle-class) women were “freed” to assume roles in capitalist societies, this type of “liberation” reinforces “the new spirit of capitalism” which encourages women to take on new flexible roles in society and government.⁷

Fraser – always on the lookout for positive emancipatory potentials in the changing character of capitalism – outlines a *new project* for feminism today.

No serious social movement, least of all feminism, can ignore the evisceration of democracy and the assault on social reproduction now being waged by finance capitalism. Under these conditions, a feminist theory worth its salt must revive the “economic” concerns of Act One – without, however, neglecting the “cultural” insights of Act Two. But that is not all. It must integrate these not only with one another but also with a new set of “political” concerns made salient by globalization. (p.5)

There is something like a Hegelian *Aufhebung* in Fraser’s three-act drama of second-wave feminism. She is calling for a “return” to the economic concerns of Act One, mediated by the recognition insights of Act Two. Consequently, Act Three feminism should integrate the “truth” (while rejecting the one-sidedness) of the first two acts of second-wave feminism. “Struggling simultaneously on three fronts – call them redistribution, recognition, and representation – the feminism of Act Three must join with other anti-capitalist forces, even while exposing their continued failure to absorb the insights of decades of feminist activism” (p.5).

EMANCIPATION AND THE CRITIQUE OF NEOLIBERAL CAPITALISM

I want to return to a point that Fraser made in her triple-movement revision of Polanyi's analysis of the battle between marketization and social protection. This will provide the background for understanding her most recent work – a new multidimensional critique of capitalism. In proposing her revision, Fraser emphasized the “inherent ambivalences” of each of these movements: social protection, marketization, and emancipation. Each of these can give rise to social movements that conflict and collide with each other (and has in fact done so).

To speak of a triple movement is to posit that each of its three constituent poles is inherently ambivalent. We can already see, *contra* Polanyi, that social protection is often ambivalent, affording relief from the disintegrative effects of markets *upon* communities, while simultaneously entrenching domination *within* and *among* them. But the same is true of the other two terms. Marketization may indeed have the negative effects Polanyi stressed. But as Marx appreciated, it can also beget positive effects, to the extent that the protections it disintegrates are oppressive – as, for example, when markets in consumer goods are introduced into bureaucratically administered command economies, or when labor markets are opened to those who have been involuntarily excluded from them. *Nor, importantly, is emancipation immune from ambivalence, as it produces not only liberation but also strains in the fabric of existing solidarities. Even as it overcomes domination, emancipation may help dissolve the solidary [sic] ethical basis of social protection, thereby clearing a path for marketization.* (Fraser 2013b, p.129, my italics)

Fraser's critique of the consequences of Act Two of second-wave feminism illustrates her point. The politics of recognition in the feminist movement fostered emancipation of women from restricted patriarchal domination. But this movement has been ambivalent. According to Fraser,

[i]nsufficiently attuned to the rise of free market forces, the hegemonic currents of emancipatory struggle have formed a “dangerous liaison” with neoliberalism, supplying a portion of the “new spirit” of charismatic rationale for a new mode of capital accumulation touted as “flexible,” “difference-friendly,” “encouraging of creativity from below.” (p.130)⁸

Fraser introduces emancipation as a third type of movement in order to characterize the variety of social movements that have erupted since the 1960s – emancipatory movements that do not fit neatly into Polanyi’s double movement of social protection and marketization. These movements are uncoordinated and frequently collide with each other. We are confronted with a scene of fragmentation of different types of emancipatory movements that are inherently ambivalent and which are competing for public attention. There is plenty of energy that goes into these different social struggles, but little evidence of building alliances and fostering solidarity with other movements. Although there are victories, they do not seem to add up to a movement that would get at the root causes of the current crisis.

How can we rectify this situation? Fraser’s short answer is that what is now desperately needed is a new multidimensional critical-theoretical analysis of capitalism – one that reveals the interconnection of its different dimensions. We need to go beyond “orthodox economic” Marxist analyses and uncover the background conditions that make our contemporary form of capitalism possible. Marx, in exploring the core features of nineteenth-century capitalism, “looked behind the sphere of exchange into the ‘hidden abode’ of production in order to discover capitalism’s secrets” (Fraser 2014a, p.57). Fraser now seeks to probe deeper in order to discover the hidden abode *behind* production into realms that are even more deeply hidden. This is, without doubt, Fraser’s most ambitious undertaking; it also represents a synthesis of her work over the past forty years. Fraser has never lacked the courage and guts to take on the most difficult tasks. In “Behind Marx’s Hidden Abode: For an Expanded Conception of Capitalism” (2014a), she provides an outline of her expanded conception of capitalist society – one that contains not only an economic dimension but also much more. She opens her essay in a most dramatic manner:

Capitalism is back! After decades in which the term could scarcely be found outside the writings of Marxian thinkers, commentators of varying stripes now worry openly about its sustainability, scholars from every school scramble to systematize criticisms of it and activists throughout the world mobilize in opposition to its practices . . . What all the talk about capitalism indicates, symptomatically, is a growing intuition that the heterogeneous ills – financial, economic, ecological, political, social – that surround us can be traced to a common root; and that reforms which fail to engage with the deep structural underpinnings of these ills are doomed to fail. Equally, the

term's renaissance signals the wish in many quarters for an analysis that could clarify the relations among the disparate social struggles of our time, an analysis that could foster the close cooperation, if not full unification, of their most advanced progressive currents in a counter-systematic bloc. The hunch that capitalism could supply the central category of such an analysis is on the mark. (p.55)

I want to comment on three aspects of this passage. First, Fraser's conviction is that capitalism is the "common root" of the problems that she has been analyzing for the past forty years. Second, capitalism is not solely an *economic system*; it is multidimensional. One needs to do full justice to the economic, financial, ecological, political, and social dimensions of capitalist societies. Third, a comprehensive critical-theoretical analysis of twenty-first-century capitalism can clarify the relations among different social struggles and thereby enable greater cooperation and alliances among the most advanced progressive movements into a counter-systemic bloc. In this respect too, Fraser's most recent work represents a return to the "spirit" of her 1960s radicalism – but now mediated and informed by what she has learned since that time.

Fraser begins her analysis by reviewing four core economic features of Marx's analysis of nineteenth-century capitalism: (1) the role of private property in the means of production; (2) the "free labor" market; (3) "the strange song and dance of self-expanding value"; and finally, (4) the distinctive role of markets in capitalist societies (pp. 57–60). Marx looks behind the manifest sphere of economic exchange into the "hidden abode" of production. As Fraser interprets Marx, the elaboration of capitalism's economic logic is not the last word. She writes that this move "is followed by a move to another perspective, the dispossession perspective. This move to what is behind the 'hidden abode' is also a move to history – and to what I have been calling the background 'conditions of possibility' for exploitation" (p.61). There is something more that lies beyond or beneath exploitation. Economic production itself *presupposes* social reproduction. Fraser writes: "Wage labour could not exist in the absence of housework, child-raising, schooling, affective care and a host of other activities which help to produce new generations of workers and replenish existing ones, as well as to maintain social bonds and shared understandings" (p. 61).

Social reproduction is an indispensable background condition for the possibility of capitalist production. Consequently, a comprehensive critical

analysis of capitalism has to probe the conflicts, contradictions, and injustices of social reproduction and its relationship with economic production. While Fraser's early work on the conflicts and contradictions of social reproduction addresses some of these key issues, there are further and equally important background conditions – what Fraser now calls “momentous shifts in epistemic perspective, which direct us to other hidden abodes” (p.62). There is also the back-story about capitalism's free riding on nature, the way in which nature is made into a resource for capital. “Structurally, capitalism assumes – indeed inaugurates – a sharp division,” she writes, “between a natural realm, conceived as offering a free, unproduced supply of ‘raw material’ that is available for appropriation, and an economic realm, conceived as a sphere of value, produced by and for human beings” (p. 63). Finally, there is a last major epistemic shift – a third hidden abode that capitalism presupposes as a background condition. This is the domain of the political and legal conditions for the possibility of capitalism: the ways in which capitalism at once presupposes and structurally reshapes the political and legal framework.

Furthermore, the relations among these background conditions changes in different historical phases of capitalism. Fraser distinguishes three main historical phases of capitalism: *laissez-faire* capitalism, state-managed monopoly capitalism, and globalizing neoliberal capitalism. Each of these can be analyzed “as three historically specific ways of demarcating economy from polity, production from reproduction and human from non-human nature” (p.68). Summing up her analysis of the front-story and back-story of capitalism, Fraser proclaims:

An economic system defined by private property, the accumulation of self-expanding value, markets in free labor and in other major inputs to commodity production, and by the market allocation of social surplus, is rendered respectively with social reproduction, the Earth's ecology and political power. To understand capitalism, therefore, we need to relate its front-story to these three back-stories. We must connect the Marxian perspective to feminist, ecological and political-theoretical perspectives – state-theoretical, colonial/postcolonial and transnational. (pp.65–66)

Given Fraser's multidimensional analysis of capitalist societies, with its front- and back-stories, anti-capitalist struggle turns out to be much broader than Marxists have traditionally supposed. There are, she explains,

[not] just struggles between labour and capital at the point of production, but also boundary struggles over gender domination, ecology, imperialism and democracy. But, equally important: the latter now appear in another light – as struggles in, around and, in some cases, against capitalism itself. Should they come to understand themselves in these terms, these struggles could conceivably cooperate or unite. (p.72)

Fraser's hope is that with this new complex understanding of global neoliberal capitalism, participants in the diverse progressive struggles today will come to realize their common cause and *join together* in new emancipatory struggles to transform globalized capitalism. Even if we limit ourselves to the economic understanding of capitalism, we can no longer conceive of it exclusively in terms of what Marx calls "production."

I have presented a sketch of Fraser's outline of a new approach to capitalism that attempts to take account of its background conditions – a new critical-theoretical orientation that seeks to make sense of the variety of emancipatory movements with their inherent ambivalences. Indeed, her *practical* aim is to develop a critical-theoretical understanding of the crisis of global neoliberal capitalism. She seeks to encourage the alliances and cooperation required for the struggle to transform "really existing" capitalism in a manner that furthers the concrete realization of what Marx called "human emancipation."

All this is dazzling, heady, and extremely provocative. This latest phase of Fraser's work provides a framework for understanding and rethinking the various aspects of her critical analyses over the past forty years. Nevertheless, as I think she realizes, her "new" approach is at best just an *outline* of work that needs to be done. It behooves us to pause and reflect upon how complex and difficult it is to carry out the project she outlines. According to Fraser, each level of her background stories has its own logic and grammar. We need to reconstruct Marx's critical economic analysis of capitalism in order to make it adequate for the new neoliberal formation of capitalism. We can no longer focus exclusively on the struggle between labor and capital. It does not make much sense today to speak of "the proletariat" as the agent for the transformation of capitalism. If we take seriously her "three back-stories," we have to grasp the distinctive structure and dynamics of each of these back-stories. However, things get even more complicated. Just as Marx begins with an "abstract" analysis in *Capital* and then sets his "static" abstract categories in a concrete dynamical historical setting, so something like this is needed for Fraser's three

back-stories focusing on social reproduction, ecology, and political and legal structures. We need to grasp how these various dimensions of capitalist societies *interact* with each other in specific historical constellations. Fraser's project for developing a critical analysis of contemporary capitalist societies is far more ambitious in scope than Marx's economic analysis of capitalism (which took three thick volumes to explain). At best, Fraser's outline is only a *prolegomenon* for a new critical-theoretical analysis of global neoliberal capitalism. I believe that she fully realizes this. Nevertheless – even as an outline of work to be done – it helps to orient us. She makes us acutely aware that to analyze capitalism as a complex economic system is no longer sufficient. (Indeed, if we accept Fraser's three back-stories, an economic analysis of capitalism was *never* adequate.) Furthermore, she compels us to focus on the complex interactions between economic production and social reproduction. This requires the type of detailed analysis of the gendered distortions of social reproduction. Although she has not always thematized the role of ecology in capitalism, she now thoroughly appreciates the way in which capitalism shapes (and distorts) our understanding of nature. Finally, we can no longer think of economy and politics as if they were separate independent domains. For here too capitalism shapes the way in which we distinguish and relate economy and polity. Even as a beginning – as *prolegomenon* – Fraser's achievement is extremely impressive.

I have followed the trajectory of Fraser's critical theoretical and practical concerns from the 1970s to the present, focusing on the development of her feminism, her rethinking of the public sphere, her understanding of redistribution and recognition, her articulation of a normative conception of justice as parity of participation, her emphasis on the issue of framing in order to develop a post-Westphalian imaginary, her analysis of the ambivalence of emancipatory movements, and finally her outline of a multidimensional critique of global capitalism. This is an impressive achievement. She has never hesitated to revise her thinking to account for changing historical conditions. She has always been prepared to engage in sharp self-critique. But what I most admire is how she focuses on those *immanent potentialities* in the current crisis of capitalism that may be the occasion for a unified emancipatory movement for overcoming the multiplicity of current injustices. In the conclusion of her essay "Feminism, Capitalism and the Cunning of History," she writes:

I am suggesting, then, that this is the moment in which feminists should think big. Having watched the neoliberal onslaught instrumentalize our best ideas, we have an opening now in which to reclaim them. In seizing this moment, we might just bend the arc of the impending great transformation in the direction of justice – and not only with respect to gender. (2013a, p.226)

This clarion call to “think big” addressed to feminists is Fraser’s message for *all* Radical Left thinkers, regardless of whether they are concerned with political economy, social reproduction, ecology, the woeful state of contemporary politics, or – most fundamentally – the “common root” of the current crisis: global neoliberal capitalism. Having the courage and boldness to “think big” about hard issues – and to encourage others to do the same – and *never* to give up on what Marx called “human emancipation,” despite its ambivalences and obstacles, is Fraser’s true legacy.

NOTES

1. This article was originally published in 2007. It has been revised and published as the lead article in Fraser et al. (2014c). There is one major revision. Fraser substitutes what she calls “the all-subjected principle” for the “all-affected principle” as the standard for evaluating inclusiveness in the public sphere. For an explanation of this change, see Fraser (2009, ch.4).
2. In fairness to Habermas, it should be noted that, although he did not thematize the role of gender in *The Structural Transformation of the Public Sphere*, he did underscore Marx’s critique of the bourgeois sphere:

Marx denounced public opinion as false consciousness: it hid before itself its own true character as a mask of bourgeois class interests. His critique of political economy was indeed aimed at the presuppositions upon which the self-interpretation of the public sphere in the political realm rested . . . This critique demolished all fictions to which the idea of the public sphere of civil society appealed . . . The public sphere with which Marx saw himself confronted contradicted its own principle of universal accessibility – the public could no longer claim to be identical with the nation, civil society with all of society (Habermas 1991, p.124).

3. By “second-wave feminism” Fraser is referring to the feminism that has its roots in the 1960s and has continued to exist ever since that time. Some feminists distinguish different phases in this movement and speak about “third-” and “fourth-wave” feminism.

4. An earlier version of “Reframing Justice in a Globalizing World” was published in *The New Left Review* in 2005. In this article, Fraser uses the term “the all-affected principle”; however, by the time the article was reprinted in *Scales of Justice*, she had rejected the *all-affected* principle in favor of what she called the *all-subjected* principle. For an explanation of this change and the meaning of the “all-subjected principle,” see Fraser (2009, ch.4) and Fraser (2014c, ch.7).
5. When Polanyi’s book was originally published in 1944, one of his most enthusiastic readers was John Dewey. Dewey, who was in his eighties, wrote to Sidney Hook that Polanyi “gives the best interpretation of general trends in the 19th century history and 20th century up to date that I have ever seen. Without his using the phrase the net outcome is an argument, stated in factual concrete terms, for humanistic socialism.” Dewey felt that Polanyi had completely routed the argument of Friedrich von Hayek’s *Road to Serfdom* (1972[1944]); “a book that had, much to Dewey’s chagrin, generated a resurgence of enthusiasm for laissez-faire individualism.” Today, when once again there is a neoliberal resurgence of laissez-faire ideology and “canonization” of Hayek by conservative and neoconservative thinkers, Dewey’s judgment seems wistful and naïve. Dewey claimed that “[if] Hayek had ever read one chapter of [*The Great Transformation*] [...] I think he would have been ashamed to write his book – for it is a convincing proof that all the evils and objectionable problems Hayek builds on are products of the necessity of social protections against a market economy, but taken piecemeal and rather blindly, because without repudiation of the basic tenets and practices of the market economy and without a social system developed even in principle to replace the market economy” (Quoted in Westbrook 1991, pp.460–461).
6. The three hypotheses she examines are (1) a failure of leadership; (2) the fundamental change from a Fordist regime of accumulation to a post-Fordist regime dominated by finance capital; and (3) a crisis of framing – that is, the change from a Westphalian to a post-Westphalian framing of fundamental issues. See Fraser (2013b, pp.121–127).
7. For a damning critique of this “dangerous liaison” and how second-wave feminism has played into the hands of neoliberalism, and the call for a new radical feminism, see Fraser (2015).
8. For a fuller account of this “dangerous liaison between feminism and neoliberalism,” see Fraser (2013a, chs. 9 & 10).

REFERENCES

- Fraser, N 1990, “Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy,” *Social Text*, 25/26, 56–80.

- Fraser, N 2009, *Scales of Justice: Reimagining Political Space in a Globalizing World*, Polity Press, Cambridge.
- Fraser, N 2013a, *Fortunes of Feminism: From State-Managed Capitalism to Neoliberal Crisis*, Verso, London.
- Fraser, N 2013b, "A Triple Movement? Parsing the Politics of Crisis after Polanyi," *New Left Review*, 81, 119–132.
- Fraser, N 2014a, "Behind Marx's Hidden Abode: For and Expanded Conception of Capitalism," *New Left Review*, 86, 55–72.
- Fraser, N 2014b, "Crises and Experimental Capitalism: An Interview with Nancy Fraser," *Kings Review*, April 11.
- Fraser, N et al. 2014c, *Transnationalizing the Public Sphere*, (ed.) K Nash, Polity Press, Cambridge.
- Fraser, N 2015, "Feminism Where 'Lean In' Means Leaning on Others," *New York Times*, October 15.
- Fraser, N, and Honneth, A 2003, *Redistribution or Recognition? A Political-Philosophical Exchange*, Verso, London.
- Habermas, J 1991, *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*, MIT Press, Cambridge, MA.
- Hayek, F 1972 (1944), *Road to Serfdom*, University of Chicago Press, Chicago, IL.
- Marx, K 1967, *Writings of the Young Marx on Philosophy and Society* (trans.) L Easton & K Guddat, Doubleday & Company Inc., Garden City.
- Polanyi, K 2001 (1944), *The Great Transformation: The Political and Economic Origins of Our Time*, Beacon Press, Boston, MA.
- Westbrook, R 1991, *John Dewey and American Democracy*, Cornell University Press, Ithaca.

Debates on Slavery, Capitalism and Race: Old and New

Robin Blackburn

In what follows, I explore nineteenth-century abolitionism, twentieth-century racism and anti-racism, and the remaking of race in today's financialized capitalism taking cues from Michael Dawson (2016) and Nancy Fraser (2014, 2016). This exchange is itself part of a renewed debate on whether the manifold signs of a political system teetering on the edge should be seen as tantamount to a “legitimation crisis” of Western capitalism.

Many historians in the 1960s and 1970s were inclined to ignore or minimize the contribution of slavery to the rise of industrial capitalism. Eric Williams's classic study *Capitalism and Slavery* (1944) was regarded as exaggerated and outdated. Historians of abolitionism at this time often neglected black witness and black agency in the anti-slavery struggle. Most of the classic “slave narratives” were out of print, or only available in editions produced by Philip Foner, the redoubtable Communist historian. A debate on abolitionism launched by Thomas Haskell in the *American Historical Review* in the 1980s and 1990s incorporated nearly a thousand citations but no reference to Toussaint Louverture, C. L. R. James, Fredrick Douglass, Harriet Jacobs,

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Sojourner Truth or any black protagonists (Bender 1992). Yet the lives and witness of these extraordinary men and women had a large impact, including on white anti-slavery.

SLAVEHOLDER CAPITALISM AND BOURGEOIS HEGEMONY

David Brion Davis, whose work was the target of Haskell's critique in the *American Historical Review*, had established two important conclusions; firstly that slavery was not condemned by secular or religious authority until the 1760s or later, and secondly that it was during, and because of, the Age of Revolution that the institution was publicly challenged for the first time (Davis 1973; see also Hunt 2007). Davis himself saw this as the corollary of the emergence of a new and ambivalent bourgeois "hegemony," extolling free waged labor and striving to rectify the course of bourgeois revolution, breaking its prior alliance with slaveholders.

The American and French revolutions, with their doctrines of popular sovereignty, had created a "legitimacy crisis" throughout Europe, which was not laid to rest by the defeat of Napoleon (Clark 2014). The broad-but-narrow political participation of the "White Man's Republic" in North America was a powerful challenge to the European empires and monarchies (Saxton 1991). Official anti-slavery allowed the badly shaken imperial and monarchical states to lay claim to virtue and benevolence. Abolitionism boosted the self-esteem of rulers and met the challenge of the United States, described by John Quincy Adams as "the dangerous nation" because of its democratic and expansionist character (Kagan 2006). British abolitionism arose, in part, as a response to the victory of the American Revolution. Christopher Brown has shown how Britain's rulers believed that their role in acting against slave trade endowed them with "moral capital" and renewed belief in their right to rule (2006). The United States also ended slave imports in 1808 but without abolitionist fanfare and self-congratulation. The rulers of the US instead invested themselves in the "political capital" of republicanism, democracy and a spread-eagle "manifest destiny."

While there were no philosophical or theological challenges to slavery in early modern Europe, there was popular hostility to the entry of slaveholders in regions where slavery had disappeared. A late medieval "free air" doctrine offered enfranchisement to those who lived for a year and a day in such free cities as Bologna, Paris or Toulouse. However, the popular antagonism to slavery in Europe did not prevent European

colonial merchants buying African captives and transporting them to the Americas to become the principal labor force for the plantations. Roman law, Christianity and natural rights doctrine were invoked to justify this new institution. Enslavement saved the lives as well as souls of African captives, it was claimed. The captives had been legally acquired according to the laws and custom of African monarchs, argued Luis de Molina, the Spanish jurist (Tuck 1979, pp. 53–54).

Montesquieu broke new ground when he used irony to challenge racial enslavement in *The Spirit of the Laws* (1748). His lampoon ridiculed its absurdity rather than subjecting it to a serious critique. The subsequent three or four decades witnessed an extraordinary transformation, with attacks on the Atlantic slave trade and slavery itself by newly Enlightened philosophers, jurists and clerics such as John Millar, George Wallace, John Wesley, Abbe Raynal, Abbe Gregoire, Jean de Pechmeja, Diderot, Condorcet and many more. There had always been dispersed and particularistic refusals of enslavement on all sides of the Atlantic. The generalizing spirit of the Enlightenment prompted more sweeping denunciations of slavery (Muthu 2003). These repudiations were powerfully assisted by the emergence of abolitionist movements and the suppression of the Atlantic slave trade in Britain and the United States in 1808, which came soon after the triumph of the Haitian Revolution (1791–1804).

Thomas Haskell argued that the spread of market relations was equipping newspaper readers with long-distance vision and uneasy knowledge of the presuppositions of their world (Bender 1992). The Scottish jurist George Wallace and the English religious dissident John Wesley concurred in arguing that the African captive who was bought and sold was not a party to the contract of sale, which was accordingly void. Wallace went further, repudiating the claims of private property and advocating immediate emancipation. Condorcet's "free womb" approach was more cautious urging that existing slaves live out their term and freeing only those not yet born (Blackburn 1988, p. 50, pp. 100–3). Both conservatives and radicals distrusted the market and wished to "protect society" from its ravages. The distancing effect of market relations had allowed for the rise of slavery in an overseas sphere of injustice "beyond the line." Rival patriotisms – English and French, American and European – celebrated freedom not enslavement. They adopted the popular prejudice against slavery and saw no room for the slave trader in their imagined community. The patriot's conservative opponents were well aware of such contradictions and, like

Samuel Johnson, wondered why “we hear the loudest yelps for liberty from the drivers of Negroes” (Davis 1973; Brown 2006, p. 122).

It turned out that the New World slave systems, in what some are calling the “Second Slavery,” could thrive without an Atlantic slave trade. In North America, the slave population grew without new arrivals. And while slave imports from abroad were meant to cease, a large-scale domestic slave trade hauled the large numbers from old to new plantation zones (Tomich 2004). So long as slavery survived, it would foster new slave trades, legal or otherwise, whenever needed. The slave order was an entrenched and tenacious regime of white racial privilege, not to be vanquished by one blow, even “abolition.” “Emancipation” was a bit better but still not enough.

The history of slavery and abolition is often presented in ways that flatter national conceit, acknowledging the ugliness of racial enslavement but taking pride in the rectifying and redemptive actions of a Wilberforce, Schoelcher or Lincoln. It is easy to be seduced by a narrative of progress or national uplift according to which there is steady advance across longish periods of time. The major epochs in national life strike down what is backward and barbaric. All that is good in the nation vanquishes all that is bad in the nation, in and through such momentous events as the American Revolution, the US Civil War and the civil rights era. However, there are writers who challenge this narrative and present a more pessimistic account, which stresses the persistence of racial oppression within the larger story. The emergence of the “Second Slavery” was a massive reversal, as was the racial terror of white Southern “redeemers,” Jim Crow and a series of Supreme Court judgments that entrenched white supremacy. Saidiya Hartmann’s book *Scenes of Subjection* (1997) was a powerful challenge to the narrative of uplift, and it helped to inspire other dissidents and “pessimists” such as Frank Wilderson III (Wilderson 2003) and Aaron Carico (Carico 2016), as well as the exchange between Dawson and Fraser.

THE AMBIVALENCE OF EMANCIPATION

Fraser stresses the historic role of the concept of emancipation in the nineteenth and twentieth centuries: “one need only mention epochal struggles to abolish slavery, liberate women and free non-European peoples from colonial subjection all waged in the name of ‘emancipation’”

(2014, p. 232). Fraser is well aware of the ambivalence of the concept as applied to women. That ambivalence was also glaring in the case of the abolition of slavery since the colonial states, which were the immediate authors and agents of the emancipation decrees used pseudo-abolitionism to justify colonial conquests (Hussey 2013). The carve up of Africa at the Berlin Conference of 1883–1884 was carried out in the name of slave trade suppression and slave emancipation.

The idea of emancipation implies an emancipator (which is why Marx, in the foundation documents of the First International, spoke of “self-emancipation” of the working class). Moreover, many leading abolitionists shrank from immediate emancipation and full racial equality and citizenship. Suffragists and freedmen both struggled for the franchise, leading to an unfortunate clash – as possession of the vote by black men turned out to be incomplete and precarious (Davis 1987). Given the deep roots of racism, it is nevertheless interesting that in France and the United States freedmen won the vote prior to women, who had to wait until the twentieth century. Part of the reason lay in the military contribution made by black men. Once they had risked their lives as soldiers for the Republic or Union, it was more difficult to deny them citizenship.

Nancy Fraser has tenaciously pursued the way in which successive epochs have framed human inequality, participation and representation. The Atlantic slave trade and the boom in slave produce have sometimes been seen as integral to the first globalization, helping to create hidden abodes of slave expropriation and exploitation overseas, or concealed behind the parapets of “states’ rights.” Thomas Haskell was wrong to suppose that market relations would automatically reveal the real workings of the slave regimes and promote “recipe knowledge,” but if one takes account of resistance, clandestine information circuits and class struggle then, as the slave community matured, the Slave Power would become more vulnerable. Radical abolitionism promoted knowledge at a distance and undercut the arbitrage of slave owner and slave trader. It was a precursor to more recent attempts to expose the abuses hidden in the global supply chain.

THE PLANTATION REVOLUTION AND SLAVERY

The massive literature on New World slavery and abolition has often been oversimplified and romanticized, with not enough attention to capitalism and race. Recent work is beginning to change this, so it will be helpful to

preface my response by offering a thumbnail sketch of colonial slavery and its sequels.

The New World slave plantations were summoned into existence by mercantile capitalists in seventeenth-century Europe to supply such popular luxuries as tobacco, sugar, cotton and coffee. In a society increasingly gripped by capitalist agriculture and manufacturing wider layers of the population had the cash to pay for such exotic items, because they were earning wages and salaries or receiving rent. Rising demand for plantation produce created an acute labor shortage in the plantation colonies. The planters tried to staff their plantations with Native American captives and European indentured servants, but they were not available in adequate numbers and often lacked necessary skills and discipline. Captive Africans proved far more effective. They found escape more difficult; they were familiar with agricultural methods and were less vulnerable to the disease environment. The planters bought hundreds of thousands of captive Africans – eventually over ten million – and subjugated them to the relentless toil of the slave gang, invigilated by the slave driver with his whip. The rise of the slave plantation in the Americas gave enslavement there a more intense, permanent, menial and racialized character than had been seen in Ancient Rome or medieval Europe.

In his book *Black Odyssey*, the African American writer Nathan Huggins foregrounded the emergence of race from the practice of Atlantic traders: “The twentieth century Western mind is frozen by the horror of men selling and buying slaves and even more stunned at the irony of blacks serving as agents for the enslavement of blacks by whites. Shocking though it is, this human barter was truly the starkest representation of what modernism and Western capitalist expansion meant to traditional peoples. In the New World people became items of commerce, their talent, their labors and their produce thrown into the market place, where their best hope was to bring a decent price. The racial wrong was lost on African merchants, who saw themselves as selling people other than their own. The distinctions of tribe were more real to them than race, a concept that was yet to be refined by nineteenth and twentieth century rationalists” (1977).

Planters treated black skin as a convenient and indelible marker of race and enslavement. Racial slavery had initially stabilizing effects because (1) it allowed all white men, even if they owned no slaves, to claim respect and (2) it helped planters to establish a hierarchy within the plantation,

where elite slaves would enjoy some petty privileges. Huggins could also have mentioned religious and political identities because these also played a big role on all sides of the Atlantic in selecting who would be the victims of enslavement and who would be the beneficiaries. Note that the generality of non-slaveholding whites might enjoy the “wages of whiteness” (Roediger 1991), or might simply be relieved to find that the harshest toil was reserved for racialized others.

European authorities justified slaveholding and slave trading by urging that it was highly conducive to national prosperity, and that Africans were heathens and savages who needed coercion and restraint if they were to be useful to others or themselves. Aristotle had insisted that some were born to it and Noah, the “good man,” had condemned to enslavement the “sons of Ham” – an entire descent group. In the New World many slaveholders were to claim that black skin was the visible sign of this curse (Kidd 2006). Planters often enjoyed lording it over their slaves but the *raison d’être* of the plantations was commodity production since only the latter could cover the planter’s considerable costs. Moreover, the planters were locked into competition with one another, a fact that weeded out the less single-minded.

Nancy Fraser’s recent essay “Expropriation and Exploitation in Racialized Capitalism: A Reply to Michael Dawson” (2016) argues that “primitive” capitalist accumulation was not confined to some early, bygone phase. Successive phases of capitalism have continued to generate racism and other ideologies that justified the expropriation and super-exploitation of natives and the enslaved. This chimes in with a new emphasis on slaveholding capitalism and racialized capitalism in recent studies. The role of slave labor in the reproduction of the plantation resembles the role of unpaid domestic labor in the reproduction of labor power under capitalism.

Fraser helpfully itemizes the variety of social institutions that subject laborers to expropriation and super-exploitation – and in the spirit of her argument one could add the role of a “reserve army of labor” (the unemployed and marginal) in depressing labor standards. But is it the case that capitalism absolutely requires patriarchy, slavery and their various modern reincarnations? North American capitalism did not collapse in the 1860s when slavery was suppressed. The Jim Crow plus debt-bondage that followed was viciously racist but with its modest market and low productivity it was not the ideal partner for Northern capitalism (Canada was more deserving of such a title). The Republican abandonment of the

freedmen and -women was the more despicable in that more generous and principled policies simply required the political courage to take on the Southern racists and corporate bullies. Other major surges of capitalism show it certainly seeks out easy profits and disregards human or environmental costs. Progressive alliances with capital are invariably short-lived. But capitalism is often more productive when obliged to respect a socially regulated “free labor” regime. Marx supported the formation of trade unions and the agitation for an eight-hour day, seeing them as ways of promoting class formation. Dawson’s and Fraser’s justified emphasis on “expropriation” should not lead us to ignore the contradictory impulses at work in the accumulation process.

The original impetus to rural capitalism in sixteenth- and early-seventeenth-century England did not emerge from colonialism and slavery, though eventually it contributed to them. As Robert Brenner and Ellen Wood have explained, an agrarian capitalism arose from arrangements that encouraged incipiently capitalist farmers to hire waged workers and to commit to producing commodities by means of commodities (Brenner 1977 and Wood 2002). By raising cash crops tenant farmers could pay rent and purchase labor when needed. Faced with rising labor costs these farmers had an incentive to invest in labor-saving improvements. Of course, some English statesmen thought that the enslavement of English workers was the answer. When Protector Somerset tried to re-introduce slave labor in 1547, he found it impossible. The common people would not countenance it and the farmers did not need slaves because wage earners were available even if they had to be paid higher wages. More extensive commodification went hand in hand with raised productivity and more intense exploitation.

An important corollary was that the payment of wages – and of rents, fees and salaries – all helped to broaden the internal market and to stimulate demand for plantation products. And as Brenner also explains, “new merchants” arose in the colonial trade who bought the planters’ tobacco and sugar and used it to bait the hook of wage dependency in Europe. The very same merchants brought indentured laborers and African captives to sell to the planters (Brenner 1993). Hence, as Fraser notes, the complementarity of “free labor” at the core and enslavement in the periphery, with “race” as more consequence than cause of divergent institutional regimes of labor. Racism went into the making of New World slavery but it was not as focused, systematic and intense as the racism that subsequently emerged from it.

There were proto-racist elements in Tudor and Stuart culture mingled with seeds of criticism (such as Thomas Browne's debunking of the myth of Noah's curse). Shakespeare's flashes of humanism did not prevent the emergence of colonial racism in Ireland. The English settlers in Ireland, even poets like Spenser, justified "expropriation," leading Theodore Allen to identify the elaboration of the English regime in Ireland as the "invention of the white race" (1994).

But expropriation is a contradictory process, generating struggles over values and institutions, as it was to become clear in and after the Second World War. The impressive growth of capitalism in post-war Europe was accompanied by some historic defeats for racism, including great acts of decolonization, thanks to anti-colonial and anti-fascist movements. The post-war egalitarian impetus waned in subsequent decades as the Soviet challenge ebbed. During its recent time of troubles, Europe has witnessed the rebirth of racism directed at immigrants, white as well as black.

The ebb and flow of capitalism and racism is also seen in the ideologies that went into the making and unmaking of colonial slavery. Nineteenth-century racism acquired greater scope, feeding back into new racisms in the colonial empires and metropolitan regions. Walter Johnson has drawn attention to the mid-nineteenth-century ideology of "global white-manism," bringing together the racial conceits of North American slaveholders and European colonialists, the latter including white settlers, merchants, planters and managers portraying themselves as the bearers of civilization (Johnson 2013). Britain's gunboat abolitionism was targeted at the Atlantic slave trade but, as noted above, actively promoted British colonialism in Africa (Hussey 2013). In the early decades it also proved better at establishing European rule than at suppressing slavery in their African colonies. Africans were familiar with the institution of slavery, which could be very harsh but was also flexible and diverse. Enslavement was not necessarily permanent, as the captive often became a soldier or concubine. The fate of the slave in a New World plantation was overwhelmingly in menial employment and it was, as Huggins observes, highly racialized.

The slavery of the New World was also "chattel slavery." Slaves were property, and the knot of enslavement was tied by the sacredness of private property, the greed of capitalists, the seductions of consumerism and the blinkers of commodity fetishism. Religion established the category of the heathen, the unbeliever and infidel as well as just-so stories which urged that black skin was the result of tainted blood and incorrigible sin,

including the inheritance of curses by surviving descent groups (such as Noah's curse of perpetual enslavement pronounced against Ham's son, Canaan, because of his father's offence). Last but not least, rival national and imperial projects played a key part in promoting slavery expansion, and quarrels over who would appropriate the slaves' gigantic surplus product. However, armed conflict among the whites over the spoils of slavery unsettled the slave regimes. The Age of Revolution (roughly 1775–1848) created conjunctures, which proved favorable to anti-slavery breakthroughs, both in the plantation zone and in the metropolis. Egalitarian principles sapped the authority of the Old Order and laid the basis for the proclamation of the "Rights of Man."

I have noted that racial privilege gave whites who owned no slaves an incentive to support the slave order. White fear of the enslaved blacks was part and parcel of a slave regime, which many whites saw as a pause in a race war that could erupt at any moment. Jefferson explained that enslavement was like holding a wolf by the ears, it being impossible to keep him like that for long or to let him go. Over time the plantation and racial order generated countervailing social forces, in the shape of less atomized, more assertive, slave communities and a growing layer of free people of color. Free people of color played a major role in promoting anti-slavery and especially in challenging its racial underpinnings.

The history of anti-slavery is sometimes presented as if the institution was already doomed with the advent of modernity or the rise of capitalism and the market society. But the record shows that the eighteenth and early nineteenth centuries' surge of capitalism led to more slavery as the plantation owners and merchants struggled to keep pace with demand. But it is true that the rise of industrial capitalism also led to a more extensive class struggle and the emergence of a new proletariat. In Britain, France and the United States, the years 1815–1860 led to the emergence of early trade unions and workers parties that rallied to "free labor" doctrines and denounced the land hunger of the slaveholders. The defection of the "Free Soil" Democrats created the space for a party, the Republicans, that could win the presidency without any support from the South. This was a major factor in provoking the Confederate rebellion (Foner 1995 [1970]).

While it is wrong to deny the role of bourgeois abolitionism, it is just as important to register the broadening of support for abolition amongst native and immigrant farmers, tradesmen, artisans and general laborers. As with feminism in recent times, abolitionism reflected and fostered a new

subjectivity, with journals, novels and poetry playing a part. The narratives of those still enslaved, and of former slaves, contributed to the evidence of their own experiences. Journals and newspapers, educational bodies and literary societies fostered a new “public sphere” within which the wrongs of slavery could be addressed. For the slaveholder to be successfully challenged the institution had to be politicized and brought home to those living in metropolitan regions far from the sound of the whip.

The rise of the slave plantation had been rendered possible by a pro-slavery consensus and by a denial of the common humanity of the enslaved. The “market revolution” and advent of industrialism supplied powerful material incentives for slaveholders. But slavery was suppressed long before it entered into economic decline. The sea change in views about slavery was provoked as much by fear of the market as by its successes. Slaveholder capitalism threatened to grab land coveted by white settlers. The Second Slavery was also tested by a great wave of proto-abolitionist slave revolts in the Caribbean and South America. The slaveholders of the US South, Cuba and Brazil rode out the storm but were to be haunted by the specter of slave insurgency. Southern slaveholders became inordinately demanding and aggressive toward both neighbors in North America and domestic opponents, earning the South the label, the “Slave Power.” It was feared that the slaveholders would seize the main spoils of the war against Mexico and that at home they would require Northerners to turn into slave catchers as they assisted in the return of runaways. Such conflicts led to the Civil War, to a sudden enthusiasm for radical abolitionism and to the arming of 200,000 black soldiers.

As the great acts of emancipation succeeded one another, the cunning of history was not yet finished with abolitionism. As previously noted, the official anti-slavery of the leading states could easily engender the view that the virtuous West should take up the “white man’s burden” and undertake a “civilizing mission” vis-à-vis freed slaves and toward colonial and native peoples. In the US, Republicans, including many former abolitionists, grew weary of championing the cause of the Negro and, in 1876, eventually agreed to the withdrawal of federal troops from the South. The Reconstruction regime, with its concessions to freedmen and -women, proved short-lived, because it was expensive, because Northerners did not have the stomach for a new clash with the South, and because whites in both sections held blacks in contempt. However, the abolitionist current did not evaporate

entirely but re-emerged, albeit on a much smaller scale, in opposition to lynching, “imperialism” and the flouting of elementary worker rights by the “robber barons.”

Gender ideology played a role in the consolidation of New World slavery. Slaves were feminized and infantilized as well as racialized. Legally, like the *femme couverte*, the slave existed wholly inside the household of their owner. Mary Wollstonecraft was not the first, and certainly not the last, to point out the disturbing parallels between the status of the slave and that of the woman, whether daughter or wife. Nancy Fraser observes that “as eighteenth and nineteenth century political cultures intensified gender difference new, explicitly gendered senses of dependency appeared – states considered proper for women but not for men. Likewise, emergent racial constructions made some forms of dependency appropriate for the ‘darker races’ but intolerable for ‘whites’” (2014, p. 90).

WOMEN’S UNFINISHED REVOLUTION

The last half-century has witnessed a transformation in the rights and social recognition of women that – mutatis mutandis – can be compared with abolition. While true equality for women remains still quite distant, at least lip service is paid to it as a goal. Moreover, this second wave of women’s advance was critically assisted by the achievement of female suffrage by feminism’s first wave. This is sometimes downplayed because the granting of votes for women seemed, to begin with, to change little, since patriarchal assumptions and institutions were so deeply entrenched. The new voters made cautious use of their power. But wartime mobilization, Cold War competition, consumer capitalism and the size of the female vote eventually eroded patriarchal power.

The twentieth-century changes in women’s position were, of course, uneven and contested, with defeats and setbacks but within an oscillating and often-contested spiral ascent. The successes of first-wave feminism – the winning of the vote and elements of juridical equality – could at times seem like containment since deep-rooted ideologies and practices still excluded women or thwarted women in the public sphere, leading to confinement and frustration in the private sphere. But recurrent crises linked to war and revolution in industrializing capitalist societies impressed on male ruling elites the necessity of dismantling the exclusion

of women from the labor force. Here there is a parallel with abolitionism, which made its most dramatic gains when the whole social and political order was thrown into question. Crises of national existence – the Jacobin Republic in 1794, Britain’s Reform Crisis in 1832, the US Civil War in 1861–1865 – had favored anti-slavery as the contending parties searched for effective rallying cries. At such times the claims of property were weakened, racial animosity was muted and national identity redefined.

The eventual passage of slave emancipation in Britain, France, the United States, Spain and Brazil emerged from deep-seated crises and were seen as watershed moments in national life. Since the emancipated became free, and some became citizens, there was a transition to a new moral order. This moment is redolent of the passage between regimes of capitalism to which Fraser, following Luc Boltanski and Eve Chiapello, has drawn attention in the following passage: “In their important book *The New Spirit of Capitalism* [Boltanski and Chiapello] contend that capitalism periodically remakes itself in moments of historical rupture, in part by recuperating strands of critique directed against it. In such moments elements of anti-capitalist critique are re-signified to legitimate an emergent new form of capitalism which thereby becomes with the higher moral significance needed to motivate new generations to the inherently meaningless work of endless accumulation” (2014, p. 220).

Abolitionism and feminism both had immediate goals compatible with capitalist society, but both developed visions of equality and emancipation that reached beyond it. As is well-known, abolitionist women played a significant role in the birth of the movement committed to female equality and women’s suffrage at the Seneca Falls conference in 1848. Both movements were themselves in part responses to exclusions in the discourse of the “rights of man” characteristic of the Atlantic patriotic and democratic revolutions of the late eighteenth and early nineteenth centuries. In her book *Inventing Human Rights*, Lynn Hunt argues that anti-slavery – radical abolitionism and the Haitian Revolution – was foundational for the modern conception of human rights, including the rights of women (Hunt 2007).

Nancy Fraser’s tonic essay on feminism and neoliberalism (2014) spotted the affinity that sometimes developed between the neoliberal advocacy of labor market “flexibility” and the feminist critique of the patriarchal assumptions built into “family wage” or a number of welfare arrangements constructed for dependents (women and children) whose own contribution was hidden. Another example is Fraser’s argument that

expropriation and slavery does not just feed capitalism occasional super-profits but that this accumulation process has a systemic need to solve its own crises of profitability by appropriating cheap sources of labor, land and raw materials in a process she dubs “expropriation.” Thus the complex of appropriation rests on “the two exes,” expropriation and exploitation, with the former often being as important as the latter. Thus in the antebellum United States in 1860, the value of nearly four million slaves was far greater than the value of land, canals, tools and machinery in the whole Union.

CIVIL SOCIETY, STATE AND SLAVERY

Nancy Fraser develops these points with her characteristic lucidity and forcefulness, furnishing a pithy sketch of how mired capitalist accumulation has been in expropriation as well as exploitation. This is a valuable reminder and focuses on many forms of special oppression as well as modern slavery. But some empirical and conceptual issues remain and it is these that I now address. There is, I believe, tension between her insistence that capitalist exploitation required, and requires, ongoing “expropriation” and her claim that the origins of “race” and capitalism should be sought in the state rather than civil society. The new Atlantic imperial states did their damndest to profit from slavery but the slaveholders struggled to limit this and eventually established new states – the US and Brazil – that were highly decentralized. Without ever quite attaining it, their ideal was a self-governing civil society that would interfere as little as possible with slaveholder power (on which more below).

The claim that “cheap labor” is a boon to capitalists and helps them recover profitability is often questionable, even though the individual employer might see it like that. Robert Allen has argued that British manufacturing wages were higher than those of its competitors during the decades of industrialization of 1780–1840. High industrial wages gave manufacturers a strong incentive to invest in labor-saving innovations. These wages also expanded domestic demand and drew the wage earners into greater reliance on the market (Allen 2014). Complex machinery required skill to operate it. To begin with well-paid artisans might work together with super-exploited women and children but class struggle eventually brought regulation of the hours and conditions of labor. Labor reform had inherent limits but these were not nearly so narrow and fierce as those which confined the enslaved. The racial segregation of labor

markets relegated African Americans to low-wage sectors, but the time came when geographic mobility made them an advantageous labor force.

As for slave labor, it was often quite expensive as is reflected in the general tendency of slave prices to rise. Slavery permitted planters to open up new territory but in the antebellum period in the United States the Northern farms and factories expanded more rapidly than did the Southern economy, with its narrow internal market being a source of Southern weakness. Because slaves could be forced to grow their own food and make their own clothes, they helped to foster the problem of weak demand. Certain labor-intensive sectors (farming, textiles) to this day witness employers resorting to highly oppressive methods of labor recruitment and debt bondage. State regulators are meant to track down and prevent such practices, but often lack the resources that would enable them to do so effectively. In today's world, age as well as race render children vulnerable to such super-exploitation.

The phenomenal growth of China and Vietnam has lifted hundreds of millions out of poverty. It has been accompanied, sadly, by ruthless appropriation of village land, wholesale destruction of natural resources and brazen official looting. Zhao Liang's recent film *Behemoth* furnishes an awesome portrait of this hell and of the ghost cities it has created. Such expropriation has also been seen in Indonesia and Africa but without the growth, without autonomous industrialization and without Chinese-style ghost cities. State-orchestrated capitalism is part of the story here, but so is the fact that China and Vietnam had an educated and literate work force. Workers endowed with "social capital" and eager to improve themselves became phenomenal agents of growth. Such a population was soon bound to demand decent conditions and social rights, challenging the grim regime of state-sanctioned plunder and "expropriation."

In the conclusion of her response to Dawson, Fraser argues that the state played a key role in promoting colonial slavery and the plantation system. It was the state, she explains, which validates expropriation and which is responsible for a "political subjectivation" (2016). While this may have been the case in other social regimes, the state played a surprisingly modest role in the running of plantation slavery in the Americas, from its seventeenth-century origins to its nineteenth-century climax. The colonial state did recognize plantation wealth, but it was the competitive Atlantic context which gave freelance merchants and bankers their chance and which they perfected with the "Second Slavery" of the nineteenth century (Tomich 2004; Johnson 2013; Baptist 2014).

The colonial trading companies failed in the Americas. The plantation boom was the work of independent planters and traders, beginning as “interlopers,” practicing de facto free trade. These classic entrepreneurs carried millions of captives across the ocean. Traders, planters and factors learned from one another and devised many of their own laws in their own assemblies. The French colonial merchants insisted that they must have unfettered access to European markets and one of them – the merchant economist Thomas Le Gendre – invented the slogan *laissez faire, laissez passer*. The French royal authorities drew up the Code Noir, but colonial proprietors simply ignored any regulations they disliked. Racial slavery in the English American colonies was very much a product of civil society, not the state. John Locke was responsible in the 1690s for revising or approving colonial laws as director of the Southern department of the Board of Trade. But the great philosopher thought the colonial slaveholders were a valuable check on royal power so did nothing to weaken their position. This foundational moment saw a colonial institution – chattel slavery – accepted by the metropolis, not imposed by the metropolis on the colonies.

The US Constitution, in deference to planter wishes, provided for a minimal state with the lowest possible taxes (Einhorn 2008), with law and order being guaranteed by local militia and patrols not federal troops. The US Army numbered 18,000 in 1820, compared with over 400,000 state militia. And the Militia Act of 1792 explained that all “white men” were to be enrolled in it, an injunction that applied to the North as well as South. (The African American “pessimists” argue that the North/South “binary” on race is generally misleading.) The planters faced varied resistance but made their own security arrangements, which were quite effective down to 1860 – and again after 1877. Slaveholders everywhere in the Americas had a lively fear of meddling by metropolitan philanthropists and ignoramuses. In the United States in the 1850s, the Southern slaveholders were so alarmed by the prospect of a Republican president that they took the huge gamble of secession to avoid it. The slaveholders could maintain dominance within their own areas, but they had a horror of unreliable federal office-holders, of anti-slavery propaganda and of a fickle Northern public opinion. Fraser’s argument that the slaveholders needed the state because they needed “political subjectivation” would be very relevant here.

If we look at Jim Crow and the reconstruction of white supremacy in the US South, it showed similar ambivalence and was anchored in civil

society not the federal state. The main Southern demand was for “states rights” and Southern autonomy. The “expropriation” and terrorization of the former slave were guaranteed by patrols and militia organized by the slaveholders themselves. In some parts of the South, US occupation saw a challenge to planter power in 1868–77 but almost immediately the planter militias and patrols morphed into white vigilante groups, which reflected local white power structures.

Frank Wilderson is right to locate the racial dynamic of domination and capitalism close to the ground level. The subtitle of his article is “Whither the Slave in Civil Society?” (Wilderson 2003). Slaveholders needed the state, and they needed allies, but they were not confident that they could rely on either in a crisis. Wilderson draws attention to the ubiquity of planter patrols and militias in slave societies. After the failure of Reconstruction, the disciplinary function belonged to the local state. In more recent times the National Guard, police and vigilante groups directly inherit the role of enforcer of the racial order.

Yet, Radical Reconstruction bequeathed more of a legacy of autonomy and resistance than the “pessimists” allow. The freedmen and -women had participated in Black Conventions and endorsed a Declaration of Rights and Wrongs. They fought against lynch mobs and, in an innovative move, campaigned for the “public right” of equal access to public accommodation and transport. This approach was to overcome the abstraction and passivity of some varieties of “rights-bearing.” African Americans created schools, colleges, choirs and churches where a black community could take shape (Scott 2006).

When Reconstruction collapsed with the withdrawal of federal forces from the South, it was replaced by a decentralized regime of terror, which combined elements of spontaneity with the backing of former Confederate officers. The willingness of the authorities in Washington, DC, went along with Southern lynching and segregation from a mixture of fear and fellow feeling. Intervening in the South would be expensive and unpopular. The initiative still lay with such civil society actors as planters, landlords, storekeepers and bankers.

Fraser writes that “the United States perpetuated its ‘internal colony’ by transforming recently emancipated slaves into debt peons through the share-cropping system” (Fraser 2016). The way this is phrased does not sufficiently acknowledge the role of the Southern elite, which had its own agenda that it was often able to impose on Washington. It was a junior partner nationally but exercised a monopoly of power in its own region.

Moreover, its very existence rendered racism respectable throughout the Union. The North made huge concessions to the South because Northern Republicans feared the Southern elite and often shared their contemptuous views about blacks. Racism, like patriarchy, thrived because of its roots in civil society and the continuing weakness of the federal state. White supremacy was based on the facts on the ground, on armed bodies of white men.

WHERE DOES ANTI-RACISM COME FROM?

In her fascinating concluding sketch, Fraser has little to say about the historic defeats inflicted on racism in the mid-twentieth century – the defeat of Nazi Germany, the rise and fall of Imperial Japan, the founding of the United Nations, the Chinese Revolution, the anti-colonial revolutions, the civil rights struggle in the United States and the downfall of apartheid. Racism stubbornly survives, and the successes and failures of capitalism generate new varieties of racial oppression. But nevertheless, white supremacy and other forms of institutional racism have been deeply discredited. Indeed, the glaring contradiction between racial regimes and their official demise contributes greatly to the “legitimacy crisis” of today’s still-racialized capitalism.

The word “racism” acquired negative and critical connotations only very recently. As a critical concept it dates from the twentieth century and was only widely adopted in the anti-colonial and anti-fascist movements. The defeat of Nazi Germany and Imperial Japan did much to discredit racism, an ideology and practice that imbued European colonialism, US segregation and South African apartheid (Cox 1949; Kovel 1970). W. E. B. Dubois, the NAACP and the Harlem Renaissance helped to renew the tradition of black abolitionism and to transmit it to new generations. The emergent post-war world saw East and West competing for influence. According to the new human rights doctrine, white racists were enemies of progress because they denied the respect due to all members of the human race. The US tolerance of segregation and apartheid seriously weakened its international standing.

If we ask where the new anti-racist norms come from, then part of the answer would be, as Lynn Hunt has shown, the abolitionist and neo-abolitionist movements (Hunt 2007). They challenged racist doctrines and practices and fostered an alliance between anti-colonial and anti-apartheid movements and the struggle for racial justice in the United States. The emergence of national liberation movements and the

emergence of the “third world” directly inspired – and were inspired by – the indictment of racism found in the writings of W. E. B. Du Bois, Ruth Benedict, Oliver Cromwell Cox, Claude Levi-Strauss, Franz Fanon, Jean-Paul Sartre, Joel Kovel, and the work and the testimony of many other writers and activists. The rejection of Western racism and colonialism was an intellectual, cultural and political achievement of anti-colonial, anti-fascist, anti-apartheid and black liberation movements, each of which helped anti-racism to avoid false universalism and empty formalism. Western capitalism was nourished by a host of expropriations, but some currents of liberal and bourgeois thought and politics broke with colonial and racial paternalism and welcomed the UN General Declaration of Human Rights, the latter inspired by the neo-abolitionist NAACP.

While incomplete and flawed in various ways, the General Declaration furnished a key reference point for anti-racist mobilization. Attempts to portray the discourse of “human rights” as a purely bourgeois construction, as is sometimes claimed by both partisans and critics, are misguided. But the sorts of class struggle typically provoked by capitalist accumulation and appropriation – and most particularly by “expropriation” – often strive to combine anti-racist and anti-capitalist themes. Thomas Haskell claimed that “humanitarianism” was the result of horizons gradually enlarged by the spread of market relations (Bender 1992). There is a grain of truth in this, yet real advances arose at times of rupture and class struggle, and they reflected fear of markets as well as the broader connections they reveal. Anti-racism arose in the 1930s and registered few solid gains prior to the UN General Declaration of 1948. Prior to this, US New Dealers and European Liberals and Socialists were typically complicit with Southern or colonial racism. During the interwar period the international Communist movement was almost alone in campaigning against white racism and colonialism. The UN General Declaration arose from Eleanor Roosevelt’s response to the initiatives of W. E. B. Du Bois and the Soviet delegation (Hunt 2007, Blackburn 2011).

Fraser powerfully advances our understanding of the ways in which capitalism generates inequality and exclusion, thereby fostering and feeding racialization. The impetus here derives from civil society. However, the state certainly furnishes guarantees, legitimacy and powers to these social relations, a fact that becomes very visible at times of general crisis, war and revolution. At such times the ruling order was divided and the oppressed and excluded could make their presence felt. The test of war and revolution generates a need for mobilizing appeals that could

challenge oppression and gain wide acceptance. It furnishes points of rupture. However, vigilance is in order because state elites can be easily distracted and forces within civil society inimical to racial equality will undermine and falsify prior gains.

WHAT IS TO BE DONE?

Nancy Fraser's argument is rich in programmatic implications. She boldly calls for an alliance between the Sanders movement and Black Lives Matter. This prompts the question: "What measures could challenge the drive to expropriation, exclusion and exploitation and encourage cross-racial mobilization?"

Fraser has offered a compelling argument concerning the recurrent and persistent role of debt in condemning subject populations to expropriation and exploitation, which certainly should inform campaigning and policy formation. She has targeted the role of debt in financialized capitalism – something that should prompt research and debate on effective debt-forgiveness strategies. Debt now lies like a dead weight on the global capitalist order, both nationally and globally. It cruelly afflicts the poor but also oppresses the middle class. The crisis has revealed that the state still plays a key role in steering and coordinating the accumulation process. Globalization shows the need for central banks not their obsolescence. An effective way of bringing down personal debt would help to revive demand. Steve Keen has proposed that the new money minted by central banks should be re-directed. Instead of feather-bedding the commercial banks the new cash should give every citizen a dividend of, say, \$100,000 each, with the stipulation that, if indebted, they should pay off their debt before spending the money on anything else. This would be a counter-expropriation device for reducing poverty and reviving demand. If combined with a massive program of public investment in infrastructure, it would help revive demand.

The US Social Security system has withstood assault from both Republican and Democratic presidents because everyone contributes and nearly everyone benefits. As Nancy Fraser has shown, redistribution must be pursued on a global as well as national scale. Egalitarian and anti-racist movements should find ways to tackle yawning global inequalities, taxing the corporations and finance houses in order to pay a very modest global old-age pension and youth grant. It requires taxes on capital rather than labor, and levies that reach into the tax havens. The global poor are so poor that they could be helped by a pension or youth grant of no more

than a dollar a day. Because women live longer and have little opportunity to save, the great majority of the global poor are female. Even a dollar a day would help and South Africa has shown that a universal public old-age pension can be reliably delivered using fingerprints and mobile ATMs. The cash they need could be raised by a Financial Transaction Tax or share levy (Blackburn 2010).

A dimension of racial expropriation crying out for redress is the shockingly high US incarceration rate, its strongly racial character and its denial of civic rights to former inmates. As it happens, the US Constitution establishes a providential remedy in the shape of the presidential pardon, which could become the focus of a public campaign to release all those – white or black – who have been imprisoned for non-violent crimes. The parole service is said already to have drawn up a program for large-scale emancipation. President Obama has used the power of pardon very sparingly but may make more of an effort in his final opportunity to deliver a blow for elementary justice in 2017. But his successor could make amends by freeing successive waves of inmates at a rate that would halve the US prison population in four years. The presidential pardon, by quashing the original indictment, would also restore full citizenship to those pardoned. Of course, no president is going to carry out such a program unless there is a very strong movement urging such action. But the power to pardon is there and there is no constitutional limit to it. Even if successful to some degree, vigilance would be needed and a wider prison “abolitionist” perspective should be brought to bear on the results. Mass de-incarceration, like mass debt-forgiveness or a global pension, would probably be best pursued using a color-blind approach rather than by singling out for help members of one or other ethnic group.

With all its limitations the Lyndon Johnson era showed that it was possible to promote civil rights and social justice in ways that were complementary rather than antagonistic. Fraser’s earlier quoted observations on revolutionary rupture underline the point that great transformations tend to cluster. There is also a way in which structural change has a cumulative character such that what might start out as a modest and even naïve attempt to reach for racial justice within capitalism gradually turns into a cross-racial challenge to capitalism itself. Fraser is incisive when describing the racial character of “sub-prime” debt, but in a recent interview she vividly describes how the crisis, nevertheless, erodes the privileged niche of wide sectors of the white population too (Fraser forthcoming).

As cultural constructs, race and gender both seek to deny full humanity to those they target but ultimately this attempt provokes successive waves of critique and resistance. While there are certainly wide differences between abolitionism and feminism, they do supply encouragement to a progressivism that challenges social stereotypes and is neither euphoric nor fatalistic. Defeating racism will require the democratization of state and civil society with bold acts of political de-subjectivation, re-appropriation and class struggle.

REFERENCES

- Allen, R 2014, *Global Economic History*, Oxford University Press, Oxford.
- Allen, T 1994, *The Invention of the White Race*, Verso, London.
- Baptist, E 2014, *The Half Has Never Been Told: Slavery and the Making of American Capitalism*, Basic Books, New York.
- Bender, T (ed.) 1992, *The Antislavery Debate: Capitalism and Abolitionism as a Problem in Historical Interpretation*, University of California Press, London.
- Blackburn, R 1988, *The Overthrow of Colonial Slavery 1776–1848*, Verso, London.
- Blackburn, R 2010, *Age-Shock: How Finance is Failing Us*, Verso, London.
- Blackburn, R 2011, *The American Crucible: Slavery, Emancipation and Human Rights*, Verso, London.
- Brenner, R 1977, “The Origins of Capitalism: A Critique of Neo-Smithian Marxism,” *New Left Review*, 104, 25–92.
- Brenner, R 1993, *Merchants and Revolution: Commercial Change, Political Conflict, and London’s Overseas Traders 1550–1653*, Verso, London.
- Brown, C 2006, *Moral Capital: Foundations of British Abolitionism*, University of North Carolina Press, Chapel Hill.
- Carico, A 2016, “Freedom as Accumulation,” *History of the Present: A Journal of Critical History*, 6, 1–31.
- Clark, I 2014, *Legitimacy and the International Order*, Oxford University Press, Oxford.
- Cox, O 1949, *Caste, Class and Race: A Study in Social Dynamics*, Monthly Review Press, New York.
- Davis, D 1973, *The Problem of Slavery in the Age of Revolution: 1770–1823*, Oxford University Press, Oxford.
- Davis, D 1987, *The Problem of Slavery in Western Culture*, Oxford University Press, Oxford.
- Dawson, MC 2016, “Hidden in Plain Sight: A Note on Legitimation Crises and the Racial Order,” *Critical Historical Studies*, 3, 143–161.
- Einhorn, R 2008, *American Slavery, American Taxation*, Chicago University Press, London.

- Foner, E 1995 (1970), *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party before the Civil War*, Oxford University Press, New York.
- Fraser, N 2014, *Fortunes of Feminism: From State-Managed Capitalism to Neoliberal Crisis*, Verso, London.
- Fraser, N 2016, "Expropriation and Exploitation in Racialized Capitalism: A Reply to Michael Dawson," *Critical Historical Studies*, 3, 163–178.
- Fraser, N (forthcoming), "Expropriation as Racialization in Capitalist Society: An Interview with Nancy Fraser by George Yancy," In *35 Interviews of Philosophers on Race* (ed.) George Yancy, Oxford University Press, Oxford.
- Hartmann, S 1997, *Scenes of Subjection: Terror, Slavery and Self-Making in Nineteenth Century America*, Oxford University Press, New York.
- Huggins, N 1977, *Black Odyssey: The Afro-American Ordeal in Slavery*, Pantheon Books, New York.
- Hunt, L 2007, *Inventing Human Rights: A History*, W.W. Norton & Company, New York.
- Hussey, D 2013, *Freedom Burning: Anti-Slavery and Empire in Victorian Britain*, Cornell University Press, Ithaca.
- Johnson, W 2013, *River of Dark Dreams: Slavery and Empire in the Cotton Kingdom*, Harvard University Press, Cambridge.
- Kagan, R 2006, *Dangerous Nation: America in the World 1500–1900*, Random House, New York.
- Kidd, C 2006, *The Forging of Race: Race and Scripture in the Protestant Atlantic World, 1600–2000*, Cambridge University Press, Cambridge.
- Kovel, J 1970, *White Racism, a Psycho History*, Pantheon Books, New York.
- Muthu, S 2003, *Enlightenment Against Empire*, Princeton University Press, Princeton.
- Roediger, R 1991, *The Wages of Whiteness: Race and the Making of the American Working Class*, Verso, New York.
- Saxton, A 1991, *The Rise and Fall of the White Republic: Class, Politics and Mass Culture in Nineteenth Century America*, Verso, London.
- Scott, R 2006, *Degrees of Freedom*, Oxford University Press, New York.
- Tomich, D 2004, *Through the Prism of Slavery: Labor, Capital, and World Economy*, Rowman & Littlefield, Oxford.
- Tuck, R 1979, *Natural Rights Theories: Their Origin and Development*, Cambridge University Press, Cambridge.
- Wilderson, F III 2003, "Gramsci's Black Marx: Whither the Slave in Civil Society?" *Social Identities*, 9, 225–240.
- Williams, E 1944, *Capitalism and Slavery*, The University of North Carolina Press, Chapel Hill.
- Wood, E 2002, *The Origins of Capitalism: A Longer View*, Verso, New York.

Feminism, Capitalism, and the Social Regulation of Sexuality

Johanna Oksala

I have to say that I learned a lot in college and in graduate school, but if I had to single out one thing, my most important education was in my years of activism. And I think it's there, really, where I learned what "critical theory" was, even if I didn't really know what that phrase meant exactly

(Fraser 2015).

As neoliberal hegemony keeps magnifying the harms and injustices of global capitalism, feminist and queer theorists today are increasingly returning to the insight that “capitalist society” must constitute the critical frame for understanding contemporary forms of sexual subordination. Yet, it is in no way obvious that queer-feminism and Marxism make for natural bedfellows. One of the most contentious topics in the copious feminist critiques of Marxism has been sexuality: feminist thinkers from Alexandra Kollontai to Judith Butler have accused Marxism of a debilitating refusal to recognize the political significance of sexuality. My aim here is to show how Nancy Fraser’s thought can be read as

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an original contribution to these concerns: she provides important theoretical tools for the critical attempts to understand the mutual imbrication of capitalism not only with gender oppression but also with heterosexist oppression.

My discussion proceeds in two stages. I will begin by shortly introducing the problematic role of sexuality in critiques of capitalism by giving voice to three different feminist formulations of the relationship between capitalism and sexual regulation. I will show how Alexandra Kollontai, Catherine MacKinnon, and Judith Butler all foreground the political significance of sexuality in their critiques and represent three theoretically different ways for understanding its relationship to capitalism. This brief overview is necessarily schematic and its purpose is merely to introduce the interlocutors of the debate I am staging as well as to tease out the different theoretical grounds for sexual politics in capitalism. In the second section, I will turn to Fraser's thought and show how she can be read as providing a fourth alternative, which avoids the problems of both Marxian economic monism as well as reductively heterosexist conceptions of gender and sexual oppressions.

THE THREE INTERLOCUTORS: KOLLONTAI, MACKINNON, AND BUTLER

Engels's *The Origin of the Family, Private Property and the State* (Engels 1884) formed the unsurpassed starting point for the early Marxist attempts to theorize the role of gender and sexuality in capitalism. What makes Engel's approach revolutionary even from a contemporary point of view is the way he uncompromisingly denaturalized the family. Instead of being a universal kinship organization, the family organization was understood to be both historically and structurally dependent on the economic mode of production. For Engels, the historical shift from a matrilineal society to patrilocal residence and patrilineal descent became "the *world-historical defeat of the female sex*" (2010, p. 87). This shift was essentially tied to the emergence of private property and the need to produce legitimate offspring to inherit it. For Engels, gender oppression thus coincided with the advent of private property and the necessary class oppression that followed. Bourgeois marriage based on property rights and forced monogamy relied on the subordination of women and resulted in loveless relationships and the proliferation of prostitution. The socialist revolution would therefore eliminate not only class differences and private

property but also the oppression of women because intimate relationships would be motivated solely by sex-love and no longer by property and inheritance.

Engels's book thus poses the following question seriously: What form would and should such intimate aspects of private life as the family and sexual relations take in the future communist society? He already acknowledges the key feminist idea that the personal is political – to build a new communist political order based on equality requires transforming even the seemingly most intimate and private aspects of our lives. Since the familial and intimate relations are understood to be dependent on the economic modes of production, however, sexual politics remains of secondary concern for Engels in relation to the transformation of political economy. Engels was also unable to free himself from the Victorian prejudices of his time – his view on sexuality is embarrassingly homophobic. He argues, for example, that the degradation of women in Ancient Greece ended up degrading the men too “until they sank into the perversion of boy-love” (2010, p. 98). “Individual sex love,” taking the form of monogamous marriage, is raised above all other forms of sexual relationship and assumed as the most advanced form marking the highest development of civilization.¹

Early Marxist-feminist writers such as Alexandra Kollontai were much less convinced that the abolition of private property would automatically emancipate the women of the new Soviet Union.² Kollontai was also critical of the idea that marriage and monogamy were the revolutionary forms of love for the new communist society. Kollontai was acutely aware that for women, in particular, the impossible ideals of romantic love have functioned as oppressive ideologies. She nevertheless followed Engels in emphasizing the need for a fundamental change in the economic role of women and strongly criticized the marriage institution in capitalism. Marriage, she opined, is essentially an economic arrangement, a form of life-long prostitution that has nothing to do with love. For her, too, economic independence and the equality of the sexes were preconditions for true love. However, in contrast to Engels, Kollontai did not simply assume that the transformation of the economic mode of production would result in significant changes in intimate relationships. She writes: “if the sexual crisis is three quarters the result of external socio-economic relationships, the other quarter hinges on our ‘refined individualistic psyche,’ fostered by the ruling bourgeois ideology” (Holt 1980, p. 240). In other words, a new society also required a radical reform of

the human psyche, not just the overthrow of the capitalist relations of production (p. 241).

In the essay "Sexual Relations and the Class Struggle," Kollontai set herself and her Bolshevik comrades a strikingly bold and ambitious task: the creation of a completely new sexual morality corresponding to a new form of communist subjectivity. "Our task is to draw out from the chaos of the present-day contradictory sexual norms the shape, and make clear the principles, of a morality that answers the spirit of the progressive and revolutionary class" (p. 242). While most socialists at the time felt that the attempts to theorize sexuality were manifestations of bourgeois indulgence, Kollontai was ahead in recognizing that sexuality and sexual relations were important political issues. When her critics objected that all her preoccupation with sexual questions did not help Soviet Union to build better airplanes, she responded by insisting that "proletarian sexual morality" was not a secondary concern in relation to the economic base. Aspects of private life were essential in the reproduction of the processes and structures of domination inherent to capitalist social relations: "the way personal relationships are organized in a certain social group has had a vital influence on the outcome of the struggle between hostile social classes" (p. 240).

Hence, for Kollontai, it was essential to extend the arena of political struggle to private life because class relations could not be fundamentally altered without a radical reformation of our manner of relating to ourselves as well as to others. She lamented as unforgivable and hypocritical that "sexual problems are relegated to the realm of 'private matters' and are not worth the effort and attention of the collective" (p. 239). Sexuality, the organization of marriage and the family, and the nature of subjectivity itself were significant topics of political critique without which real emancipation from capitalism was impossible.

Kollontai wrote her most radical texts on the family and sexual relations in the first half of the 1920s, and they became increasingly subjected to attacks as the official party line became more conservative and hostile to feminist issues.³ At that time, she also had limited theoretical tools at her disposal for the attempt to provide a systematic theoretical account of how the "individualistic psyche" was reproduced by the ruling bourgeois ideology and operated as a key instrument in maintaining the capitalist social order. Psychoanalysis was at its infancy and emerged only much later as the complementary theoretical framework for the Marxist attempts to explain how the normatively gendered nuclear family reproduced persons in social

forms that served the interests of capital. As Alix Holt notes, the principles of Soviet morality as we have come to know them – the marginality of the questions of sexuality, the hostility of orthodox Marxism to psychological and sexual issues, and the emphasis on the need for disciplined, responsible family sex – came to dominate over the ideas expressed by Kollontai in her writing (Holt 1980, p. 204).

The Marxist-feminist theorists of the second wave continued to operate predominantly in the theoretical framework set by Engels. The debates centered on the question of the dependence of the family organization and gendered division of labor on the economic mode of production. Did the economic base really determine such social and political phenomena as forms of family and gender oppression? Did Engels's account of the origins of gender oppression turn out to be overly deterministic and one-sidedly economic when subjected to feminist critique? Was the family merely a historically changing effect of essentially economic developments or did kinship relations and gender hierarchies have an autonomous structure?⁴

It is my contention that radical feminism drastically shifted the terms of these debates by forcing the issue of sexuality at the center of feminist theory. As Catherine MacKinnon forcefully argued in her definitive article “Feminism, Marxism, Method, and the State: An Agenda for Theory” (1982, p. 532), sexuality had traditionally been the subject of religion and biology, or in modernity, of morality and psychology, but it had almost never been the subject of politics. What was sorely needed was “a feminist political theory centering upon sexuality: its social determination, daily construction, birth to death expression, and ultimately male control” (p. 529). It was not enough for feminists to move away from Marxism's narrow emphasis on production to a broader analysis that included reproduction. The ideas of “reproduction” and “family” were simply not adequate for capturing all or even the most significant aspects of women's subordination. In such a theoretical framework, “women become ‘the family’, as if this single form of women's confinement . . . can be *presumed* the crucible of women's determination” (p. 525). The Marxist-feminist idea that women's emancipation could be achieved by the reorganization of the realm of reproduction was simply too narrow and essentially economic. Feminists had to face up to the task of turning “Marxism inside out and on its head” (p. 544).

Similar to Kollontai, MacKinnon emphasizes the constitutive importance of sexuality: the regulation of sexuality and sexual desire form

gendered and sexual subjectivities. “The molding, direction, and expression of sexuality organizes society into two sexes – women and men – which division underlies the totality of social relations . . . Heterosexuality is its structure, gender and family its congealed forms” (p. 516). However, for her, this regulation cannot be understood by analyzing solely the capitalist political economy. Neither can it be analyzed in gender-neutral terms, “as if its social meaning can be presumed the same, or coequal, or complementary, for women and men” (MacKinnon 1982, p. 526). Men and women are constituted as gendered subjects in very different ways by the social requirements of normative heterosexuality, which institutionalizes male sexual dominance and female sexual submission. “Man fucks woman; subject verb object” (p. 541). MacKinnon’s radical conclusion, therefore, is that sexuality determines gender difference, and not the other way around (p. 531).

Socially, femaleness means femininity, which means attractiveness to men, which means sexual attractiveness, which means sexual availability on male terms. What defines woman as such is what turns men on . . . Gender socialization is the process through which women come to identify themselves as sexual beings, as beings that exist for men. It is that process through which women internalize (make their own) a male image of their sexuality *as* their identity as women. (p. 530–531)

According to MacKinnon, sexual objectification is thus essential for the subjection of women. Male domination means men having women as the objects of their sexual pleasure. This process of sexual objectification cannot be explained with purely economic motivations, such as the need for a gendered division of labor and for the reproduction of the labor force. It is essential to recognize sexuality, not just as a political issue but as the linchpin of gender equality.

The foregrounding of the question of sexuality in feminist theory by radical feminists, and also of the issue of race by black feminists, broke apart the Marxist-feminist attempts to use capitalist exploitation as the meta-frame for understanding different forms of oppression. When sexuality and race were forced to the forefront of feminist analyses, it became clear that while the economic logic of capitalism explained something, or perhaps even a great deal, about sexual and racial oppression, a variety of other critical and intersectional analyses were needed in order to grasp the complexities and the extent of these forms of

oppression. Also clear was the need for political struggle to remedy these forms of oppression.

Judith Butler's "Merely Cultural" (2008 [1997]), originally delivered as a lecture at the *Rethinking Marxism* conference, takes place at a time when such intersectional, post-structuralist analyses have come to dominate critical social and feminist theory, and when capitalism, understood as a system or an explanatory meta-frame, has been largely discarded as a totalizing notion. Butler reiterates a contemporary version of the argument that political questions concerning sexuality have been marginalized and depoliticized in Marxist theory and targets this critique specifically at Nancy Fraser. According to Butler, Fraser's book *Justice Interruptus* (1997) and the key conceptual distinction that centrally organizes it – recognition and redistribution – is the latest form that this marginalization takes. Fraser's distinction implies that while certain kinds of oppressions – class and gender oppressions – are recognized as part of political economy, other types of oppressions, such as those concerned with sexuality, are relegated to the exclusively cultural sphere and thereby made secondary to "the 'real' business of politics" (Butler 2008, p. 36).

Butler's key objective is to respond to the charge that the preoccupation with sexuality and sexual politics in queer theory and post-structuralism has led to the dead end of merely cultural politics. She does this by exposing the integral function that sexual regulation plays in the capitalist economic order. Her key argument is founded, first, on the radical feminist insight that normative gender and normative sexuality are inherently tied together and that both are essential for the reproduction of the normative family. Second, she reiterates the Marxist-feminist argument that the normative family is essential for capitalism and its way of organizing social reproduction. The upshot is that the social regulation of sexuality in capitalism is inherently linked with the necessary reproduction of persons/labor power. Butler's original contribution is the key insight of queer theory that the social regulation of sexuality requires the constitutive exclusion of the non-normative sexualities. In other words, Butler insists that the implication of sexual regulation in capitalism is not that queer forms of sexuality are simply left out. Rather, their suppression and exclusion is essential for the constitution and smooth operation of heteronormativity.

Marxist-feminists are thus right when they insist that the sphere of reproduction in capitalism is circumscribed by sexual regulation, but they fail to see that the proper sphere of reproduction is delineated and

naturalized through the mandatory exclusions of queer forms of sexuality. These abject forms of sexuality are essential, Butler contends, for maintaining “the stability of gender, the heterosexuality of desire, and the naturalization of the family” (2008 p. 42). This means that these non-normative sexualities cannot be excluded from a political and economic analysis of capitalism and relegated to a cultural sphere.

Given the socialist-feminist effort to understand how the reproduction of persons and the social regulations of sexuality were part of the very process of production and, hence, part of the “materialist conception” of political economy, how is it that suddenly when the focus of critical analysis turns from the question of how normative sexuality is reproduced to the queer question of how that very normativity is confounded by the non-normative sexualities it harbors within its own terms... that the link between such an analysis and the mode of production is suddenly dropped? (Butler 1997, 40–41)

For Butler, the Marxist-feminist framework can thus only get a grasp of sexuality and understand its political and economic role in capitalism if it adopts an expanded theoretical framework that takes seriously the contributions of queer theory. It must recognize that queer struggles are pervasively economic and connected to the sexual and gendered distribution of legal and economic entitlements. Butler cites such examples as when lesbians and gays are excluded from state-sanctioned notions of the family, stopped at the border, deemed inadmissible to citizenship, de-authorized by law to make emergency medical decisions about one’s dying lover or to inherit his or her property (p. 41). Such operations of homophobia are not merely cultural but central to the functioning of political economy – its sexual order and its mode of production. Homosexuality, bisexuality, as well as transgender, have to be produced as the sexually abject, Butler argues, because they constitute a fundamental threat to the workability of the capitalist political economy (p. 42). Capitalism essentially relies on the social reproduction of labor power and therefore, ultimately, on the reproduction of the heterosexual, normative family.

As we have come to see, while Kollontai, MacKinnon, and Butler are starkly separated in time and operate in different theoretical frameworks, they all refuse to see sexual politics as superstructural and instead emphasize the fundamentally constitutive role that sexual oppression plays in

capitalism. Theoretically, they represent three different approaches to theorizing the relationship between capitalism and sexual regulation, however.

I have cast Kollontai as a forerunner for those strands of critique that emphasize capitalism's ability to shape individuals, their sexual desires, and the forms of their subjectivity. This theoretical route has been developed further by theorists combining psychoanalysis and Marxism such as Herbert Marcuse (1955) and, more recently, by Marxist queer theorists such as Kevin Floyd (2009), who build on Foucault's (1990 [1976]) thought in order to show how the formation of gay identities is integrally tied to the disciplinary aspects of commodity consumption. The connection between capitalism and sexual oppression is formulated by turning to the examination of capitalist forms of subjectivity or the psychic life of the individuals and by arguing that the regulation of sexuality in capitalism is essential for the production of certain forms of the subject compliant with the needs of capitalism. The political role of sexuality can thus be reconciled with the analysis of political economy through a theory of the capitalist subject.

MacKinnon, by contrast, insists on the relative autonomy of sexual oppression in capitalism. She can thus be seen as a forerunner of those strands of feminist critique that insist that if feminists want to analyze gender and sexual oppression through the theoretical framework of capitalism and, at the same time, avoid economic reductionism, they have to go beyond the existing analyses of political economy and foreground their own analyses of other complementary or intersecting forms of oppression. While forcefully foregrounding the political significance of sexuality, MacKinnon operates with a strikingly rigid and monolithic conception of it, however. She fails to consider the various queer experiences and practices, in which heteronormative sexuality and dichotomous gender are blurred and undermined. This leads her to view women almost exclusively as passive victims and objects of male sexual abuse. Women's sexuality is defined by passivity and pervasive powerlessness to men.

Finally, Butler returns to the primacy of political economy, but instead of focusing on the formation of the individual psyche in capitalism, she makes a functionalist argument about capitalism as a system. Butler turns to Marx in order to argue that the regulation of sexuality is systematically tied to the mode of production proper to the functioning of political economy. Capitalism as an economic system relies on the social regulation of sexuality intent on reproducing the heterosexual nuclear family because

the normative family is essential for the social reproduction of the labor force. Sexual regulation is thus not just producing normatively feminine women and masculine men, but it is also producing non-normative sexualities as socially abject in order to maintain the stability of dichotomous gender, the heterosexuality of desire, and the naturalization of the family.

THE FOURTH VOICE: NANCY FRASER

In an interview titled “An Astonishing Time of Great Boldness” (2014a), Nancy Fraser is asked about the influences behind her thought and the feminist theorists who inspired her. She mentions thinkers such as Alexandra Kollontai and Catherine MacKinnon – thinkers with whom I have set her in conversation with – and notes that, despite disagreeing with them quite significantly, she admired their boldness: the idea that you could really change the world and introduce a whole new analytical perspective. She singles out her years of political activism before the academia as the most significant influence on her thought, however. I want to suggest that it is important to keep this in mind in order to appreciate the distinctly political and practical orientation that she brings to feminist theory and its key debates. Fraser’s primary aim is not to construct abstract theories of reality, but to provide effective conceptual tools for changing it.

In *Justice Interruptus* (1997) Fraser makes an analytic or heuristic distinction between socio-economic injustices and their remedies, on the one hand, and cultural injustices and their remedies, on the other. She recalibrates the distinction in her later texts,⁵ but she makes clear from the outset that what she has in mind is not an ontological distinction between two different realms, or correspondingly, between two sets of entities, which belong to them. In other words, redistribution and recognition do not correspond to two substantive societal domains – economy and culture (e.g., Fraser 1996, p. 42). Fraser also underscores that the way she understands misrecognition is material: it is an institutionalized social relation, not a psychological state or something merely symbolic. Misrecognition thus results in concrete material harms and injustices. Butler’s argument that because gays and lesbians suffer material, economic harms, their oppression is not properly categorized as misrecognition in Fraser’s conception is, therefore, a mischaracterization of her claim. For Fraser, injustices of misrecognition are just as material as injustices of

maldistribution. Those injustices that are generated when lesbians and gays are excluded from state-sanctioned notions of the family and the accompanying benefits, for example, thus constitute paradigmatic cases of misrecognition.⁶

While the injustices of redistribution and recognition cannot be ontologically isolated from each other in any clear-cut way, it is nevertheless crucial to recognize the difference between the two types of politics that are required to address them. In other words, the distinction enables Fraser to study the ways that the political demands for redistribution and for recognition, respectively, can be most effectively combined. Only such perspectival dualism allows us to conceptualize the cultural dimensions of what are usually considered economic arrangements. Conversely, we can use the redistribution perspective to bring into focus the economic dimensions of what are usually considered as simply cultural matters. Fraser (p. 42) argues that by focusing on the production and circulation of interpretations and norms in welfare programs, we can assess the effects of institutionalized maldistribution on the identities and social status of single mothers, for example. By focusing on the high “transaction costs” of living in the closet, on the other hand, we can assess the effects of heterosexist misrecognition on the material well-being of gays and lesbians. The distinction also allows us to identify the possibility of practical tensions and even conflicts between redistribution and recognition: redistribution policies can have misrecognition effects, while recognition policies can exacerbate maldistribution.

Fraser’s original aim in developing the distinction is thus not to formulate a theory of sexual oppression in capitalism, but to study “the practical problems that arise when we try to envision the institutional reforms that could redress maldistribution and misrecognition simultaneously” (Fraser 2013, p. 161). In response to Butler’s critique, however, Fraser is pushed to make explicit her view of the role of sexual regulation in capitalism. It is my contention that the result is an interesting, complex, and sophisticated view that avoids many of the problems that I have identified in her interlocutors’ accounts.

Fraser accepts the idea that progressive politics must reach beyond cultural value patterns to examine the fundamental structure of capitalism. For her, the crucial question is, however, how we understand and theorize capitalism. She traces the disagreement between Butler and herself to their conceptions of the nature of contemporary capitalism and strongly criticizes Butler’s functionalist account for falling back to economic

reductionism. An extended conception of the capitalist economic structure that “simply *is* the entire set of mechanisms and institutions that reproduce and produce persons and goods” has the danger of treating capitalism as a monolithic system and fails to account for its historical and geographical variations (Fraser 2013, p. 181).

While Fraser acknowledges Butler’s key argument that family is part of the mode of production and heteronormative regulation of sexuality is therefore central to the functioning of capitalist economy, she nevertheless insists that the political significance of sexuality is not reducible to its role in political economy. She follows Eli Zaretsky’s (1976) important idea that contemporary capitalism is historically characterized by the rise of “personal life”: a space of intimate relations, including sexuality, friendship, and love, a space that can no longer be identified with the family and that is lived as disconnected from the imperatives of production and reproduction. Similar to MacKinnon, she thus underscores that sexuality, as a political issue, cannot be reduced to the “family” or to “reproduction.” In the highly differentiated society that characterizes contemporary capitalism, “it does not make sense to conceive of sexual regulation as simply part of the economic structure” (Fraser 2013, p. 182).

In capitalist society, the regulation of sexuality is relatively decoupled from the economic structure, which comprises an order of economic relations that is differentiated from kinship and oriented to the expansion of surplus value. In the current “post-fordist” phase of capitalism, moreover, sexuality increasingly finds its locus in the relatively new, late-modern sphere of “personal life,” . . . Today, accordingly, the heteronormative regulation of sexuality is increasingly removed from, and not necessarily functional for, the capitalist economic order. As a result, the economic harms of heterosexism do not derive in any straightforward way from the economic structure. (Fraser 1996, p. 21, footnote 21)

According to Fraser, heterosexism is thus an undeniable and regrettable reality in our current capitalist societies, but it is not “hard-wired in the structure of capitalism” (Fraser 2013, p. 183). She emphasizes that with its gaps between the economic order and the kinship order, and between family and personal life, “capitalist society now permits significant numbers of individuals to live through wage labor outside of heterosexual families” (p. 183). In instances when heteronormativity is beneficial for the goal of capitalist accumulation, capitalism works in tandem with the

mechanisms of sexual oppression. In geographical locations and historical periods in which the reverse is true, however, it is completely conceivable that capitalism benefits from gay liberation. Fraser gives the example of multinational corporations treating homosexuals as a new market (p. 183). In other words, capitalism has a historically contingent and opportunistic relationship to heterosexism, not a logically or functionally necessary one. Therefore, our critical analysis of capitalism has to be complex enough to be able to distinguish between different, sometimes contradictory, mechanisms that are nevertheless compatible with the underlying logic of capitalist accumulation. It is necessary to recognize that capitalism benefits *both* from compulsory heterosexuality – as Butler makes clear – and, in some instances, from sexual liberation.

While acknowledging the centrality of economic factors for heterosexual oppression, Fraser breaks decisively with all functionalist analyses of capitalism and foregrounds the idea that the capitalist order, at any place and time, is historically formed and dependent on actual politics. She warns us against adopting an “overtotalized view of capitalist society as a monolithic ‘system’ of interlocking structures of oppression that seamlessly reinforce one another” (Fraser 2013, p. 183). By analyzing the interdependence of the economic and the political, as well as the changing contours of the boundary between them, she is able to theorize the important role that gender and sexual oppressions play in capitalism without falling back on economic reductionism.

Furthermore, in her recent critical account of capitalism as an institutionalized social order, Fraser introduces the idea of “boundary struggles” (Fraser 2014, p. 14).⁷ She frames the question there in terms of distinguishing capitalism’s institutional divisions separating production from reproduction, human from non-human nature, and economy from polity. Far from being simply given, she stresses that these institutional divisions often become the foci of conflict as actors mobilize to challenge or defend the established boundaries. These boundary struggles, as she calls them, decisively shape the structure of capitalist societies. Viewing such political struggles as always constitutive of the capitalist economic order again starkly distinguishes Fraser’s position from all functionalist accounts. Even though she still maintains that social reproduction in normative heterosexual families forms the necessary and enabling background condition for capitalist accumulation, this structural relationship does not capture the full story. Far from being wholly exhausted by, or entirely subservient to, the dynamics of accumulation, Fraser contends that

the “non-economic,” hidden spheres of capitalism, such as the reproductive sphere, harbor distinctive normativities, which can be politically mobilized against the narrow economic normativity of capitalist accumulation (p. 14).

To sum up: I read Fraser’s account as an attempt to appropriate the best insights from Marxism-feminism and to combine them with the best insights from post-structuralism. The heterosexist regulation of sexuality is a central mechanism for the reproduction of the compliant labor force in capitalism, but this does not capture the full political significance of sexuality. Rather than locating sexual relations solely on the terrain of political economy, Fraser moves away from reductive economic paradigms and eschews orthodox distinctions between “base” and “superstructure” and “primary” and “secondary” oppressions. She affirms the post-structuralist insight – curiously against Butler, who in her attack defends Marxian economic monism – that the institutionalization of heterosexist norms materially produces queer subjects as devalued persons who are impeded from full participatory parity in society. Politically this means that their oppression cannot be remedied solely by the politics of redistribution or even by more fundamental socialist transformations in political economy.

As I am writing this article, only a few weeks have passed since the Orlando shooting, the worst mass shooting in US history and the worst targeted mass killing of LGBT people in the Western world since the Holocaust. In the light of this tragedy, it should be clear that the harms caused by heterosexism are extremely material, even when they are not directly reducible to political economy. The disturbing silence of most mainstream commentators on the fact that the majority of the people who were shot were queer should also act as an acute reminder of the ongoing importance of the politics of recognition.⁸ Now that capitalism is back at the center of our political and theoretical agendas, it is important to keep in mind that “opponents of heterosexism need not . . . show that their struggles threaten capitalism in order to prove they are just” (Fraser 2013, p. 177).

NOTES

1. Engels gives us no argument for why this is the case and simply states that “since sex love is by its very nature exclusive . . . the marriage based on sex love is by its very nature monogamy” (2010, p. 116). While Engels studies seriously early tribal societies in which “promiscuous intercourse prevailed within the tribe” and calls them “communitistic,” for him, these pre-capitalist

- societies are not considered as viable models for alternatives to capitalist social organizations (2010, pp. 61, 69).
2. Kollontai has two substantial points of criticism against monogamy: the possessiveness that we associate with love and marriage, i.e., the idea that married partners possess each other, and the deeply held belief that the sexes are unequal in marriage in terms of their physical and emotional experiences (Kollontai 1980, pp. 288–290).
 3. Kollontai was accused of irresponsibly advocating “far-out views on sex” and for promoting mindless sexual satisfaction. In her contested essay “Make Way for the Winged Eros: A Letter to Working Youth,” she outlines three moral principles for the new proletarian sexual relations, however: equality in relationships; mutual recognition of the rights of the other; and comradesly sensitivity understood as the ability to listen and to understand others (1980, p. 291).
 4. Pioneering Marxist-feminists of the second wave, such as Juliet Mitchell, now had the experience of the Soviet Union to draw from. Mitchell argues that capitalism alone could not be the source of women’s oppression because society could undergo transition from capitalism to socialism and still remain patriarchal or sexist. She contends that all the different social, political, and economic structures determining women’s situation need to change, but nevertheless maintains the primacy of the relations of production for women’s oppression (Mitchel 1966). On feminist critiques of Engels, accusing him of historical determinism and economic reductionism, see, e.g., Beauvoir (2011 [1949]), pp. 63–69; (Vogel 1983), pp. 73–92; (Gould 1999).
 5. Fraser argues later that in the globalizing age the conception of justice must become three-dimensional, incorporating the political dimensions of recognition and distribution, but also, thirdly, representation (2013, pp. 189–208).
 6. While gender oppression is Fraser’s “ideal type” for a category that requires both the politics of redistribution as well as the politics recognition, she makes clear that it is not the only one. Virtually all real-world axes of injustice are two-dimensional in this sense: race, class, and sexuality permeate both maldistribution and misrecognition. As a practical matter, therefore, overcoming injustice in virtually every case requires both redistribution and recognition. The need for this kind of a two-pronged approach becomes even more pressing when we cease to consider axes of injustice singly and begin to consider them together as intersecting with one another in complex ways (Fraser 1996, p. 23).
 7. My critical concern with Fraser’s recent conceptualization of capitalism as an institutionalized social order is that she herself now seems to appropriate a total, all-encompassing view of capitalist society. A version of her critique of

Butler's account could be directed at her: an expanded conception of capitalism that includes "the entire set of mechanisms and institutions that reproduce and produce persons and goods" has the danger of treating capitalism as a monolithic entity, which fails to account for its historical and geographical variations and internal contradictions.

8. Owen Jones (2016), for example, writes that the refusal to recognize the Orlando shooting as a deliberate attack on LGBT people was evident in the way that the shooting was repeatedly described in the media as an attack "against human beings" and "the freedom of all people to try to enjoy themselves."

REFERENCES

- Beauvoir, S de 1949, *The Second Sex* (trans.) C Borde & S Malovany-Chevallier, Vintage Books Random House, New York.
- Butler, J 2008 (1997), "Merely Cultural," in *Adding Insult to Inquiry: Nancy Fraser Debates Her Critics*, (ed.) K Olson, 33–44. Verso Books, New York.
- Engels, F 2010 (1884), *The Origin of the Family, Private Property and the State*. Penguin, London.
- Floyd, K 2009, *The Reification of Desire: Toward a Queer Marxism*. University of Minnesota Press, Minneapolis.
- Foucault, M 1990 (1976), *The Will to Knowledge. The History of Sexuality, 1*. Penguin, London.
- Fraser, N 1996, "Social Justice in the Age of Identity Politics: Redistribution, Recognition, and Participation," *The Tanner Lectures on Human Values*, delivered at Stanford University, April 30–May 2.
- Fraser, N 1997, *Justice Interruptus: Critical Reflections on the "Postsocialist" Condition*. Routledge, New York.
- Fraser, N 2013, *Fortunes of Feminism: From State-managed Capitalism to Neoliberal Crisis*. Verso, New York.
- Fraser, N 2015 (2014a), "An Astonishing Time of Great Boldness. On the Politics of Recognition and Redistribution." *Eurozine*, <http://www.eurozine.com/articles/2015-01-23-fraser-en.html>.
- Fraser, N 2014b, "Behind Marx's Hidden Abode," *New Left Review*, 86, 55–72.
- Gould, C 1999, "Engels' Origins: A Feminist Critique," in *Engels after Marx*, (eds.) Manfred B. Steger and Terrell Carver, 254–260. Penn State Press, University Park.
- Holt, A 1980, "Morality and the New Society," in *Alexandra Kollontai: Selected Writings*, (ed.) A Holt, W. W. Norton, New York.
- Jones, O 2016, "On Sky News Last Night, I Realized How Far Some Will Go to Ignore Homophobia." *The Guardian*, retrieved via: <https://www.theguardian.com/commentisfree/2016/jun/13/sky-news-homophobia-orlando-sexuality> (last accessed Oct 13, 2016).

- Kollontai, A 1980, *Selected Writings*, (ed.) A Holt, W. W. Norton, New York.
- MacKinnon, C 1982, "Feminism, Marxism, Method, and the State: An Agenda for Theory," *Signs*, 7, 515-544.
- Marcuse, H 1955, *Eros and Civilization: A Philosophical Inquiry into Freud*. Beacon, Boston.
- Mitchell, J 1966, "Women: The Longest Revolution," *New Left Review*, 40, 11-37.
- Vogel, L 1983, *Marxism and the Oppression of Women*, Rutgers University Press, New Jersey.
- Zaretsky, E 1976, *Capitalism, the Family and Personal Life*. Harper & Row, New York.

Capitalism's Insidious Charm vs. Women's and Sexual Liberation

Cinzia Arruzza

In *Fortunes of Feminism*, Nancy Fraser suggests that feminists may be living in the third act of a drama, one which follows after an “Act One” characterized by “transformative impulses” and the critique of capitalism’s deep androcentrism, as well as an “Act Two” featuring a shift from radicalism to identity politics and the valorization of difference. Feminists may now be witnessing a return of feminism’s “insurrectionary spirit” (Fraser 2013, p.1). This return to the critique of capitalism is a reaction to the neoliberal crisis manifested in the deterioration of women’s conditions of life induced by the erosion of the welfare state, the increasing commodification of social reproduction, and the emergence of social phenomena (such as the global care chain) that exacerbate the racial and sexual division of labor.

Fraser’s periodization of feminism and description of the relevant differences between the second wave of the 1960s and 1970s, identity politics, and the current predicament should be taken with a grain of salt, as it underplays the competition among divergent and simultaneous political and theoretical strategies, which never entirely subsides within social movements and the theories that describe and orient

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them. Critiques and analyses of the imbrications of gender and sexual oppression, capitalism, and racialization did not totally disappear, even during the period Fraser characterizes as a shift toward identity politics and the neoliberal cooptation of feminist discourse.¹ On the contrary, these critiques were articulated within social reproduction feminism, in strands of black and intersectional feminism, and in utopian queer theory. Moreover, liberal feminism and the explicit defense of capitalism as the societal system most conducive to women's emancipation have remained ever-present options within feminist debate, even during its insurrectionary moment in the 1960s and 1970s. In spite of these qualifications, Fraser's periodization does grasp what we may call the *Zeitgeist* of the three "acts", or the mainstream tendencies that distinguish them. Accordingly, her conclusion that "this is a moment in which feminists should think big" grasps a real potentiality present in the contemporary feminist debate, as shown by the current multiplication of studies and publications that focus on the feminist critique of capitalism while retrieving and rethinking Marxist categories to articulate it (Fraser 2013, p.226).²

This new trend is even more striking given that the feminization of labor in advanced capitalist countries and current transformations of both the family and sexual mores could suggest that women (as well as oppressed sexual minorities and gender non-conforming people) have achieved unprecedented rights and freedom under capitalism. In fact, taken at face value, these social developments may seem to support the liberal feminist defense of capitalism. In what follows, I would like to accept Fraser's invitation to "think big" and challenge the linear and progressive narrative undergirding the liberal defense of capitalism as conducive to gender and sexual liberation. I will do so by first summarizing what I take to be the linear and progressive narrative of the relation between women's emancipation, sexual liberation, and capitalism within liberal feminism. Here, I will focus on Ann Cudd's version of liberal feminism, articulated in her recently published debate with Nancy Holmstrom, as it offers a sustained theoretical defense of capitalism from a feminist perspective, and on LGBTQ pro-capitalist positions (Cudd 2011). Next, I will offer an alternative perspective about the problem at stake, based on the opposite view that capitalism reproduces gender and sexual oppression in various ways and in new forms. As such, I maintain that these forms of oppression cannot be considered remnants from a not entirely overcome pre-capitalist past but should be analyzed in their capitalist contemporaneity.

CAPITALISM AND PROGRESSIVE LIBERATION

The typical narrative undergirding liberal feminism implicitly (or even explicitly) relies on the notion of social and technical progress and on a philosophy of history that views women's and sexual oppression as residual vestiges of a pre-capitalist past, that is, of a patriarchal system or of patriarchal cultural norms progressively swept away by capitalism's advancements (Cudd 2011, pp.27–29). While this interpretation of sexual oppression does not entail that capitalism is the ideal societal form for women, some liberal feminists have explicitly drawn this conclusion. Ann Cudd has recently argued that four mechanisms inherent to capitalism play a key role in overthrowing tradition, which, in her view, is the main source of women's oppression (2011; 2015). The first mechanism is the expansion of opportunities for women: by offering jobs to women capitalism would subvert “traditional forms of deformed desires and false consciousness” (Cudd 2015, p.766). The second is the ideology of individual rights, which, in Cudd's view, can be adopted by women to disrupt traditional gender ideology. The third is the promotion of the idea of mutual advantage through free market exchange, which opposes the notion that women should sacrifice themselves for others' well-being. And finally, the capitalist drive to scientific and technical innovation promotes education, which creates the conditions for a critique of traditional fetishes. To this, Cudd adds that technical innovation has benefitted the whole of humanity in general, and women in particular. For example, household appliances such as washing machines and dishwashers have shortened the amount of time necessary for domestic labor; medical improvements around pregnancy and gestation have decreased the dangers of childbirth; and the pill has increased sexual autonomy. Cudd clearly distinguishes between her descriptive ideal of capitalism and the reality of capitalist countries (which opportunistically exploit the persistence of patriarchy). However, her thesis is that capitalism only capitalizes on and does not cause these patriarchal relations, whose adoption is not entailed by the capitalist ideal (2011, p.103). Thus, for Cudd, an “enlightened capitalism” would still be the optimal societal form for women, given that its constitutive mechanisms highlighted above would create the necessary conditions for overcoming inequalities of status and women's lack of political and civic liberties (p.29).

Recent events as well as the ongoing transformations of kinship, family forms, and sexual mores have led to the rise of what has been

called “gay normality” and the proliferation of pro-capitalist views within LGBTQ movements, emphasizing how only under capitalism LGBTQ people have acquired significant rights and sexual freedom.³ Today, same-sex marriage or domestic partnerships are legally recognized in different forms in nineteen countries, the large majority of which are advanced capitalist countries. In 2015 alone, a referendum in Ireland overwhelmingly supported a proposal of constitutional change to extend civil marriage rights to same-sex couples, and the historic ruling of the US Supreme Court established the inalienable right of same-sex couples to have the same legal protections as heterosexual couples, setting the ground for an extension of same-sex marriage to the federal level. Supreme Court Justice Kennedy’s ruling, moreover, may be taken as exemplary of the relationship between what Étienne Balibar calls “fictive universality” and normalization. In Balibar’s definition, “fictive universality” is historically constructed through institutions and representations (such as the national-political or religious universality) and has normality as a prerequisite (2002, p.155–166). The logic of Kennedy’s ruling – according to which gay and lesbian people must be granted the right to marry in virtue of their individual right to liberty *qua* full members of the Nation – makes evident the imbrication of national universality, the recognition of rights, and normalization. Radical LGBTQ activists and other commentators have criticized the sentimental and normalizing character of Kennedy’s motivations, as well as his insistence that marriage is a pillar of the American institutional and social order. However, a supporter of the view that capitalism is the best social framework for sexual liberation could argue that the ruling reveals that “capitalist normality” is flexible enough to adjust and transform itself so as to include what only a few decades ago was unthinkable and, moreover, that this open-ended process makes further and increasingly more inclusive transformations not only possible but likely. Moreover, even if marriage equality cannot be conflated with sexual liberation, it may still be taken as a significant advance in the recognition of rights for people previously discriminated against on the basis of their sexual orientation or identity. In fact, the tendency to consider sexual oppression and discrimination based on sexual orientation as remnants of a pre-capitalist past that will be progressively swept away from capitalist societies is obviously present in the increasing phenomenon of homonationalism, which mobilizes gay liberation discourse to justify xenophobic and nationalist policies, especially vis-à-vis Muslim countries and migrants.

THE NON-ANACHRONISTIC CHARACTER OF WOMEN'S OPPRESSION

Approaches that insist on the emancipatory potential and reality of capitalism tend to consider women's oppression in advanced capitalist countries to be a remnant of previous social formations in which either patriarchy directly organized production and determined a strict sexual division of labor or traditional religious culture rigidly determined the social status and position of the members of a community. These social forms are not only the past of advanced capitalist countries but also the present of "traditionalist" – that is, non-capitalist – countries. It is significant, for example, that Cudd labels countries such as India, Saudi Arabia, Singapore, and Oman as "traditionalist countries" (2011, p.56): insofar as they cannot be counted as capitalist countries, the phenomena of sexism characterizing their social relations can in her view be explained through the permanence of traditional beliefs and social structures or through the contradictions arising from the fact that these traditional structures are being dissolved under capitalism's innovative pressure. In this view, underdeveloped or developing countries should go through the same pattern of development exhibited historically by advanced capitalist countries so as to finally enter modernity. This would entail, for example, the transition from communitarian culture and ways of thinking to modern individualism.

Nancy Holmstrom has correctly noted that Cudd's categorization of Saudi Arabia as a "traditionalist" – that is, non-capitalist – country is inconsistent with her own distinction between the ideal and the reality of capitalism: Saudi Arabia's failure to comply with some of the tenets of Cudd's *ideal* of capitalism is an insufficient criterion for such a classification (Holmstrom 2011, p.292). The same reasoning can be extended to all the "traditionalist" countries listed above. Cudd's inconsistency is symptomatic of the tendency in liberal pro-capitalist approaches to feminism that rely on a linear and developmental conception of capitalism's transformation of traditional patriarchal societies, approaches that ignore two constitutive features of capitalism: first, uneven capitalist development is a *necessary* condition for the accumulation of capital; and second, the capitalist mode of production subordinates social reproduction to production, leading to the exploitative undervaluation of "feminized" socially reproductive labor within the capitalist labor market.

The first feature consists in the simultaneous copresence of different degrees and forms of capitalist development as a *necessary* condition for

continuous capitalist accumulation. While the liberal feminist approach I am arguing against relies on the conceptualization of different contemporary social and economic formations according to a linear model of progressive levels of capitalist development, the approach I am supporting understands the fact of uneven development and the consequent variety of capitalist social formations as necessities dictated by the mechanisms proper to capitalism. In his recent book on *Marx's Temporalities* (2013), Massimiliano Tomba revises the notion of anachronism by showing how different levels of productivity, different intensities of labor, and different wage differentials, rather than merely coexisting within the capitalist mode of production, are in fact produced and reproduced by it and synchronized by the market. This view breaks with an understanding of absolute and relative surplus value as defining two successive stages of capitalist accumulation within a historical continuum. As Tomba writes: "High-tech production is not only compatible with brutal forms of exploitation, but is based upon them" (p.145). Along similar lines, Martha Gimenez argues that there are both systemic and ecological impediments to the development of the levels of advanced capitalism by all countries. In ecological terms, capitalism's relentless pursuit of economic growth – understood as incessant production of ever-greater amounts and varieties of commodities – is incompatible with environmental sustainability (2004, p.97). Moreover, when viewed systemically,

the emergence of a female aristocracy derives from the exploitation of the third world. Because of the systemic nature of capitalist development, where the wealth of the few is predicated on the exploitation and poverty of the many, economic inequality within and between nations is unavoidable. At best, some countries "in between" (e.g., the so-called Asian tigers) can improve while most countries stay the same or lose ground (e.g., Argentina, Russia, or Brazil), so that the world's "stratification profile" tends to remain relatively unchanged. In other words, structured inequality at the world level of analysis remains relatively unchanged, even though some nation states may move up or down the ladder, just as wealth and income distribution in the core or advanced capitalist countries are not substantially altered despite the fact in any given year a variable proportion of the population experiences upward and downward mobility. (Gimenez 2004, p.89)

Such an approach, by breaking with the presupposition of linear historical development, enables us to see that the forms of social relations in place, for example, in formerly colonized countries cannot be considered as

remnants of a pre-capitalist past or as caused by a pre-capitalist present. On the contrary, the so-called traditional forms of oppression have become deeply entangled with the new forms and phenomena directly related to the inequalities produced by capitalism. Even in countries in which the domestic mode of production remains in place, it is subjected to intense pressure by the country's integration into the world capitalist system. The effects of this system – including colonialism, imperialism, the pillaging of natural resources on the part of the advanced capitalist countries, the objective pressures of the global market economy, etc. – have a significant impact on the social and familial relations that organize the production and distribution of goods, deeply reshaping and exacerbating the exploitation of women and gendered violence. In this light, the very notion of “traditional culture” that underpins liberal feminist defenses of capitalism becomes a problematic and contested one.

The second feature of capitalism I would like to address is the specific relation between production and social reproduction as well as the sexual division of labor in the capitalist labor market. Capitalism subordinates social reproduction to production leading to the systematic undervaluation of “feminized” socially reproductive labor. This relationship challenges the claim, mobilized by Cudd in her defense of capitalism, that women's oppression in advanced capitalist countries is either the remnant of a pre-capitalist past or the outcome of capitalism's opportunistic adoption of patriarchy.⁴ Attention to the subordination of social reproduction to production indicates, instead, that women's oppression is actively produced and reproduced by specifically capitalist phenomena, either by dissolving previous forms of gender oppression only to replace them with entirely new ones or by combining the old and the new into ambiguous and complex forms. These forms of women's oppression are specifically capitalist, as evidenced by their entanglement with commodification, the dynamics of the job market, and the capitalist division of labor.

Addressing this point necessitates clarifying our understanding of social reproduction. The term has been used in Marxist thought in different and sometimes inconsistent ways. As noted by Rada Katsarova, it has been used to indicate the material means of subsistence and survival; a particular kind of labor involved in the biological, every day, and generational reproduction of people; or contemporary global phenomena connected to the commodification of reproductive labor (2015). Althusser famously articulated this notion in terms of the reproduction of the conditions of production – that is the reproduction of the social relations and

institutions necessary for capitalist accumulation to continue, which include state apparatuses (1971). In order to avoid conceptual and terminological confusions, Laslett and Brenner have suggested distinguishing between *societal* reproduction (which would correspond more or less to the Althusserian category) and *social* reproduction (which, in Marxist feminist thought, has been employed in a more specific sense to indicate the activities and institutions involved in the maintenance and reproduction of population, at the daily or generational level). In Laslett's and Brenner's view, social reproduction designates the way in which the physical, emotional, and mental labor necessary for the production of the population is socially organized: for example, food preparation, youth socialization, care for the elderly and the sick, as well as questions of housing and the construction of sexuality (Laslett and Brenner 1991, p. 314). In my account of social reproduction, I adopt Laslett's and Brenner's definition, but also include two factors without which reproductive labor cannot be properly analyzed: access to material means of subsistence and survival as well as the environmental conditions in which the reproduction of human beings takes place.

According to my understanding, social reproduction includes a series of social practices and types of labor beyond domestic labor. Moreover, because specific and contingent dynamics related to both feminist and social struggles and concrete patterns of capitalist development and crisis determine the proportion of socially reproductive labor supplied by the market, by the welfare state or by family relations, socially reproductive labor is not always found in the same forms. Regardless of the form of reproductive labor, these activities have been traditionally performed by women and are now performed by women and feminized people (i.e., people whose social reproductive activities are subjected to the same kind of symbolic undervaluation and social exploitation as women). In other words, formal workers employed in jobs involved in social reproduction disproportionately tend to be women, and these jobs tend to be underpaid and socially devalued even when performed by men.

With respect to domestic labor, the concept of social reproduction allows us to locate precisely the mobile and porous quality of the walls of the home. For example, it enables us to analyze the relation between domestic life within the home, phenomena of commodification, the sexualization of the division of labor, and welfare-state policies. Moreover, it enables us to analyze effectively phenomena like the relation between the

commodification of care-work, its “racialization” by repressive migration policies, and the consequent creation of the global care chain.⁵

The global care chain entails both interdependency and hierarchical differentiation within the overall framework of material constraints imposed by the capitalist organization of labor. Global care chains are typically driven by a woman in a rich or advanced capitalist country who, because of the nature of the capitalist labor market and the subordination of social reproduction to production, is unable to fulfill the domestic duties (including care for the elderly, the ill, and children) that have been traditionally assigned to her and which are not fulfilled by the state or other public institutions. To address her situation, she purchases the labor of a migrant woman coming from a poorer household. This woman often has a family of her own in her country of origin: as she herself is unable to fulfill her social reproductive duties, this creates the need for another woman performing them. This can be either a woman coming from an even poorer household or an unpaid member of the extended family. Women from across the globe are thereby interconnected through chains in which the reproductive labor performed is progressively undervalued until arriving to a point where it is unpaid (Yeates 2005, pp. 2–3).⁶

As this example already shows, the way social reproduction functions within a given capitalist social formation is intrinsically related to the total organization of the production and reproduction of societies and, therefore, to class relations. These relations are not merely accidental and contingent intersections. On the contrary, their articulation is determined by the tendency inherent to capitalism to subordinate social reproduction to production. As Gimenez writes, both the reproductive strategies adopted by individuals and households, and what Laslett and Brenner would call societal reproduction, are shaped by class and by the oscillations of the process of capitalist accumulation:

For example, among the poor, sex and procreation go on, but the reproduction of labor power (which entails the reproduction of social and work skills) is not funded or funded only to a minimum extent. Hence the growth, in all capitalist societies, in the proportion of families headed by women and of populations excluded from present and future labor force participation. The subordination of reproduction to production means that the satisfaction of people's needs and the needs of the future generations of workers are dependent on the ups and downs of the business cycle and business decisions aimed at profit maximization. (Gimenez 2005, p. 21)

Contrary to interpretations insisting on capitalism's capacity to uproot and dissolve patriarchal social relations and cultural traditions, the global oppression of women today should be interpreted precisely as an eminently contemporary phenomenon rather than an anachronism. This oppression is produced and reproduced by the inequalities inherent to capitalist accumulation and by the capitalist reorganization of the relation between production and social reproduction. These may or may not combine with more traditional forms of gender oppression. This also means that – while the structural mechanisms are similar – the forms taken by the oppression of women vary geographically, and along class and racial lines.

COMMODITIES AND SEXUAL IDENTITIES

Let me now turn to the second problem under examination, namely, the relation between capitalism and sexual liberation. Recent phenomena relating to the transformation of sexual mores and family structures in advanced capitalist countries could be interpreted along the lines of a progressive liberation from “traditional” conservative views, made possible by the dissolving impact on traditional cultures inherent to capitalism. Faced with these significant transformations, one may wonder whether capitalism and capitalist societies actually need heteronormativity in order to function.⁷ One may ask whether it is not actually *within* capitalism that fundamental civil liberties for LGBTQ people have been achieved, liberties which would have been impossible to achieve in what Cudd calls “traditional societies”. This interpretation works particularly well if one adopts a viewpoint emphasizing the repressive nature of traditional conservative views so that sexual freedom is interpreted as freedom from repression.

In order to counter such an interpretation, I would like to adopt Michel Foucault's challenge to “the repressive hypothesis” and his consequent insight about the constitutive nature of power relations with regard to sexuality and the tension between subjectivation and subjection. In the first volume of the *History of Sexuality*, Foucault questions what he calls the repressive hypothesis, which interprets the centuries since the birth of modernity – that is, the centuries of the gestation, birth, and development of capitalism – as sexually repressive centuries, where sexual repression has been functional to the requirements of work. According to the repressive hypothesis, sex is something that is prohibited, silenced, and condemned to non-existence (Foucault 1990, pp.3–13). However, the assumption

that capitalism needs to repress sexuality in order to function appears counterintuitive in light of the impressive transformation of sexual mores that has taken place in the last decades in most of the advanced capitalist countries. If by repression we mean silencing, prohibiting, and condemning to non-existence, then many advanced capitalist societies can hardly be considered as sexually repressive. On the contrary, while repressive phenomena and bigotry are certainly still in place and have deadly consequences, we have witnessed what appears to be the opposite tendency as well, namely the increasing visibility of sex, the continuous sexualization of communication, the proliferation and increasing social acceptability of sexual fetishes and practices, and the multiplication of sexual identities based on reified sexual preferences. The development of these tendencies is readily observable in the impact of the internet on the proliferation of websites and apps devoted to the organization of sexual encounters, including specialized websites for specific groups based on sexual orientation or sexual fetishes or on the diffusion and accessibility of pornography.

In the *History of Sexuality*, Foucault criticizes the notion of an authentic original polymorphous sexual drive repressed by capitalist society and insists on the notion that both sexuality and sexual identities are constituted in osmosis with capitalist society. He thus historicizes the reification of sexuality, connecting it to the epochal shift represented by the rise of capitalism and its subsequent transformation (1990, p.114). Within this perspective, subjection and subjectivation are both interrelated and opposed. Historically, specific power relations subject us, that is, passively constitute us as historically specific kinds of subjects. At the same time, however, they also create the conditions for subjectivation, that is, for us to become specific kinds of subjects through a process in which our agency is preserved and at work.

From different theoretical perspectives, other authors have connected the construction of sexual identities in US society, starting from the end of the nineteenth century to the Fordist regime of accumulation and the rise of massive commodity consumption. According to Kevin Floyd's thesis (2009), both gender and sexual identities have undergone a process of reification regulated by commodity consumption, while John D'Emilio (1993), in his seminal article on capitalism and gay identity, had already stressed how the reification of some forms of gay identity was strongly connected to patterns of commodity consumption.⁸ While Foucault interpreted the construction of sexual identities as bound to power relations, Marxist queer theorists have emphasized the role of automatic and

disciplinary market mechanisms. In both cases, however, the repressive hypothesis has been countered by alternative accounts highlighting the capacity of capitalist social relations to create new forms of desire (including sexual desire) and to reify these desires into identities.

This perspective undermines the argument that capitalist societies are conducive to sexual liberation. In his work on masculinity and gay identity, Floyd has emphasized the disciplinary character of commodity consumption (2009, pp.94–119). While giving us the illusion of freedom through consumption – that is, of being free agents choosing among a vast array of available options – commodity circulation is in fact governed by impersonal mechanisms, which escape democratic control and discussion. Insofar as commodity circulation is pervasive and directly or indirectly mediates a large part of our interpersonal exchanges, it acquires a disciplinary character that is subtler than mere repression through direct domination. If we refer back to Foucault’s notion of subjectivation and its relation to subjection, then the problem we face is that constitutive social and power relations paradoxically limit our capacity for subjectivation in significant ways while simultaneously giving us the illusion of potentially unlimited freedom. Moreover, as argued by a number of queer theorists in recent years, insofar as the construction of sexual identities is mediated through the consumption of commodities, it also unavoidably reproduces the same exclusions and inequalities inherent to the capitalist market. LGBTQ and sexuality theorists have been increasingly divided in their appraisal of the formation of a new gay middle class characterized by specific standards and patterns of consumption and by a claim to respectability, both of which are at odds with the social marginalization, police repression, and cultural undervaluation to which poor queer people are subjected.⁹ This debate also indicates that two forms of the disciplinary regulation of sexuality, the repressive and the constitutive one, combine together – in various ways – in most capitalist countries.

CONCLUSION

Fraser’s invitation to feminist thinkers and activists to “think big” is also an invitation to cease seeing capitalism as our unavoidable horizon. I want to highlight two main reasons why – contrary to approaches that tend to see capitalism as the societal form most conducive to liberation and individual autonomy, of which Cudd’s work is an example – overcoming capitalism

is both necessary and desirable for women, for those who suffer from discrimination based on sexual identity and orientation, and for all those who are interested in sexual liberation per se. The first reason is the necessity to invert the capitalist relation between production and social reproduction. As argued earlier, under capitalism the latter is subordinated and subjected to the constraints posed by the former. When it is not commodified, social reproduction has the satisfaction of needs as its goal. But capitalist production only satisfies needs in an instrumental manner, that is, only to the extent in which the satisfaction of those needs is conducive to the actual goal of capitalist accumulation – namely, the pursuit of profits or, to use Marxian terminology, the valorization of value. Inverting the relation by subordinating production to social reproduction would re-establish the satisfaction of needs as the end-goal of social relations. Beyond lifting the pressure on social reproduction, such an inversion would also entail massively investing in it. It would also entail the end of the cultural de-valuation and invisibility of socially reproductive work. Of course, a radical transformation of the social relations of production may even lead to the end of the distinction between production and social reproduction *tout court*, and to more creative and innovative social arrangements. But eliminating the subordination of social reproduction to production is already incompatible with capitalism's logic. Consequently, ending the sexual oppression caused by capitalism's subordination of social reproduction to production requires the elimination of the capitalist mode of production.

The second reason is democratic. As Foucault's insights into subjection and subjectivation reveal, we are always already embedded in power relations that constitute and subjectivate us. Foucault's point does not warrant the conclusion that all cows are black at night, that the regulation of sexuality by market mechanisms and by the commodity form are unproblematic, since we cannot escape our imbrication in power relations anyway. On the contrary, if our conditions of existence and our social practices (including what we consume and how) constitute us, shape our desires, and significantly contribute to the creation of our identities, then democratizing the decisions that set our conditions of existence and regulate those practices, *as well as democratizing those practices themselves*, is a necessary precondition for increasing the possibility for autonomy within heteronomy.

But is such a radical democratization possible under capitalism? Ellen Meiksins Wood's work offers a rather compelling answer to this question.

According to Meiksins Woods' thesis (1995), the universal extension of formal political participation in liberal democracies was possible because of the distinctively capitalist separation of the economic and the political, which has significantly limited the capacity of the political to govern the economic. Universal suffrage has been historically possible insofar as the extension of citizenship did not have the power to compromise the interests of the owners of means of production as a whole (Meiksins Wood 1995, pp.19–48). *Contra* liberal views that identify the formal freedoms afforded by capitalism with the promise of emancipation, overcoming the separation between the economic and the political is a necessary precondition for a radical and emancipatory democratization of social relations and practices that is impossible under capitalism.

NOTES

1. On the capitalist recuperation of some tenets of feminist discourse, see in particular Fraser (2013, pp. 209–226). As Fraser argues: “the rise of neoliberalism dramatically changed the terrain on which second-wave feminism operated. The effect, I shall argue here, was to resignify feminist ideals. Aspirations that had a clear emancipatory thrust in the context of state-organized capitalism assumed a far more ambiguous meaning in the neo-liberal era. With welfare and developmental states under attack from free-marketers, feminist critiques of economism, androcentrism, étatism, and Westphalianism took on a new valence” (2013, p. 218).
2. Among the books published or re-published in the last two decades, see, for example: Hennessy (2000); Bakker and Gill (2003); Weeks (2011); Holmstrom (2011); Federici (2012); Vogel (2014); Mojab (2015).
3. For a discussion of this point, see Drucker (2015, ch. 4).
4. For a more articulated refutation of both dual systems theory and of the notion of capitalism's indifference to gender oppression, see Arruzza (2014; 2015).
5. The term was coined by Hochschild (2000).
6. For an expansion of the notion of global care chain and a discussion of global nursing care chains, see Yeates (2009).
7. For an example of the thesis that heteronormativity is both functional and necessary to capitalism, see Butler (1998).
8. See also Hennessy (2000).
9. For a recent articulation of the critique of the commodification of gay culture and of the emergence of gay normality, see Drucker (2011 and 2015). For a recent defense of the positive effects of commodity culture for queer subcultures, see Davidson (2012).

REFERENCES

- Althusser, L 1971, "Ideology and Ideological State Apparatuses," *Lenin and Philosophy and Other Essays*, 127–186. Monthly Review Press, New York and London.
- Arruzza, C 2014, "Remarks on Gender," *Viewpoint Magazine*, retrieved via <https://viewpointmag.com/2014/09/02/remarks-on-gender/>.
- Arruzza, C 2015, "Logic or History? The Political Stakes of Marxist-Feminist Theory," *Viewpoint Magazine*, retrieved via <https://viewpointmag.com/2015/06/23/logic-or-history-the-political-stakes-of-marxist-feminist-theory/>.
- Bakker, I, and Gill, S 2003, *Power, Production and Social Reproduction*, Palgrave MacMillan, Houndsmills.
- Balibar, É 2002, *Politics and the Other Scene*, Verso, London.
- Brenner, J, and Laslett, B 1991, "Gender, Social Reproduction, and Women's Self-Organization: Considering the US Welfare State," *Gender & Society*, 5, 3, 311–333.
- Butler, J 1998, "Merely Cultural," *New Left Review*, 227, 33–44.
- Cudd, AE 2011, "For Capitalism as a Feminist Ideal and Reality," in *Capitalism, For and Against: A Feminist Debate*, (eds.) AE Cudd and N Holmstrom, 3–130. Cambridge University Press, Cambridge.
- Cudd, AE 2015, "Is Capitalism Good for Women?" *Journal of Business Ethics*, 127, 4, 761–770.
- D'Emilio, J 1993, "Capitalism and Gay Identity," *The Lesbian and Gay Studies Reader* (ed.) H Ablove, MA Barale, and D Halperin, 467–476. Routledge, New York.
- Davidson, G 2012, *Queer Commodities: Contemporary US Fiction, Consumer Capitalism, and Gay and Lesbian Subcultures*, Palgrave Macmillan, New York.
- Drucker, P 2011, "The Fracturing of LGBT Identities under Neoliberal Capitalism," *Historical Materialism*, 19, 4, 3–32.
- Drucker, P 2015, *Warped: Gay Normality and Queer Anti-Capitalism*, Brill, Leiden.
- Federici, S 2012, *Revolution at Point Zero. Housework, Reproduction, and Feminist Struggle*, PM Press, Brooklyn.
- Floyd, K 2009, *The Reification of Desire. Toward a Queer Marxism*, University of Minnesota Press, Minneapolis.
- Foucault, M 1990, *History of Sexuality. Volume I: An Introduction*, Vintage, New York.
- Fraser, N 2013, *Fortunes of Feminism: From State-Managed Capitalism to Neoliberal Crisis*, Verso, London.
- Gimenez, M 2004, "Connecting Marx and Feminism in the Era of Globalization: a Preliminary Investigation," *Socialism and Democracy*, 18, 1, 85–105.

- Gimenez, M 2005, "Capitalism and the Oppression of Women: Marx Revisited," *Science & Society*, 69, 1, 11–32.
- Hennessy, R 2000, *Profit and Pleasure. Sexual Identities in Late Capitalism*, Routledge, New York.
- Hochschild, A 2000, "Global Care Chains and Emotional Surplus Value," *On the Edge: Globalization and the New Millennium*, (eds.) T Giddens and W Hutton, 130–146. Sage Publishers, London.
- Holmstrom, N 2011, "Against Capitalism as Theory and as Reality," in *Capitalism, For and Against: A Feminist Debate*, (eds.) AE Cudd and N Holmstrom, 133–259. Cambridge University Press, Cambridge.
- Katsarova, R 2015, "Repression and Resistance on the Terrain of Social Reproduction: Historical Trajectories, Contemporary Openings," *Viewpoint Magazine*, retrieved via: <https://viewpointmag.com/2015/10/31/repression-and-resistance-on-the-terrain-of-social-reproduction-historical-trajectories-contemporary-openings/>.
- Meiksins Wood, E 1995, *Democracy Against Capitalism. Renewing Historical Materialism*, Cambridge University Press, Cambridge.
- Mojab, S (ed.) 2015, *Marxism and Feminism*, Zed Books, London.
- Tomba, M 2013, *Marx's Temporalities*, Brill, Leiden.
- Vogel, L 2014, *Marxism and the Oppression of Women. Toward a Unitary Theory*, Haymarket, Chicago.
- Weeks, K 2011, *The Problem with Work. Feminism, Marxism, Antiwork Politics and Postwork Imaginaries*, Duke University Press, Durham.
- Yeates, N 2005, "Global Care Chain: A Critical Introduction", *Global Migration Perspectives*, 44 (Global Commission on International Migration).
- Yeates, N 2009, *Globalizing Care Economies and Migrant Workers. Explorations in Global Care Chains*, Palgrave Macmillan, New York.

The Long Life of Nancy Fraser’s “Rethinking the Public Sphere”

Jane Mansbridge

Nancy Fraser’s path-breaking “Rethinking the Public Sphere” brought the term “subaltern counterpublics” into critical theoretical discourse. At the same time it introduced four central themes that are now relatively established in the standard discourse of deliberative democracy. Since that time many theorists have developed these themes, which Fraser interjected into the field of critical theory as arguments against the positions of Jürgen Habermas.

Fraser’s “Rethinking the Public Sphere” appeared in 1990, just one year after the translation into English of Jürgen Habermas’s *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society* (1989 [1962]). It has served for many years as a critically important interpretation of that work. Focusing on the institutions in seventeenth- and eighteenth-century Europe that Habermas had used as the basis for his conclusions and drawing from the revisionist history of that era, Fraser pointed out both that the “bourgeois” character of that public sphere was far from benign and that the institutions and ideals that served as Habermas’s inspiration actively excluded women and ideals associated with women. To elucidate her larger claim, Fraser identified

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four assumptions central to the “bourgeois masculinist” conception of the public sphere as Habermas had described it:

1. [T]he assumption that it is possible for interlocutors in a public sphere to bracket status differentials and to deliberate “as if” they were social equals; the assumption, therefore, that societal equality is not a necessary condition for political democracy;
2. [T]he assumption that the proliferation of a multiplicity of competing publics is necessarily a step away from, rather than toward, greater democracy, and that a single, comprehensive public sphere is always preferable to a nexus of multiple publics;
3. [T]he assumption that discourse in public spheres should be restricted to deliberation about the common good, and that the appearance of “private interests” and “private issues” is always undesirable;
4. [T]he assumption that a functioning democratic public sphere requires a sharp separation between civil society and the state (1991 [1990], pp. 62–63).

Her penetrating critique of each of these assumptions has had a long and influential life.

1. “The assumption that it is possible for interlocutors in a public sphere to bracket status differentials and to deliberate ‘as if’ they were social equals; the assumption, therefore, that societal equality is not a necessary condition for political democracy.”

In addressing the first part of this assumption, the fallacy of bracketing status differentials, Fraser drew both on the experience of the early second wave of the women’s movement and on empirical studies demonstrating that “men tend to interrupt women more than women interrupt men; men also tend to speak more than women, taking more turns and longer turns; and women’s interventions are more often ignored or not responded to than men’s” (1991, p. 64; see Zimmerman and West 1975). Following Fraser’s signal of the importance of such “informal impediments to participatory parity,” scholars have tried to find conditions in practice in which those relatively marginalized in a group are more likely to speak and be heard.

Tali Mendelberg and Christopher Karpowitz (2014) use laboratory experiments to look more closely at gendered interruptions. In their experiments, women reached participatory parity with men – becoming

as likely to talk in public and no more likely to be interrupted negatively – only when the decision rules in a group gave them significant power, that is, if women formed a majority in a group deciding by majority rule or, if the women were in a minority, making unanimity the decision rule. Changing the decision rule changes the power dynamic, making it more possible for women, and probably other marginalized people, to speak and not be interrupted in a disrespectful or otherwise negative way.

Alice Siu (2009) and Marlène Gerber and colleagues (2016) have studied several “Deliberative Polls” – groups of randomly selected citizens invited to discuss important policy issues in the course of a weekend. Perhaps because these groups are structured to bring out minority opinion through trained facilitators and settings that enhance mutual respect, Siu and Gerber et al. find that although men and participants with higher socioeconomic status speak more, they do not influence the group’s overall changes of opinion more than women or lower-status participants.¹ These groups, however, do not make binding decisions (although sometimes administrators or elected officials pledge to implement the group’s conclusions). If the groups had more power over the outcomes and the outcomes affected the members importantly and directly, perhaps the members of marginalized populations within those groups would find themselves with less influence over the outcomes.

Nicole Doerr (2012) reports on the European Social Forums that, in response to the participatory inequalities that Fraser had earlier signaled, the translators in multilingual forums organized themselves to support the participants for whom they were translating. Over time, they began consciously to use their official positions to promote the deliberative equality of participants marginalized by lack of access to both the dominant language and other paths to power within the group. This process of “political translation,” Doerr argues, was responsible in great part for the multilingual forums’ greater longevity and success compared to the single-language forums (2012, pp. 11, 21–22; see also 2013). Language differences prompted attention to a particular form of inequality in power that was recognizably illegitimate, given the progressive ideology of the groups. As the process of political translation developed, the attention and legitimacy accorded marginalized voices more generally not only promoted equality; it also arguably produced better decisions and a more cohesive group.

As empirical scholars have studied ways to decrease inequalities in deliberative groups, the normative ideals appropriate to deliberative equality have come under greater scrutiny. Although social status should not

influence outcomes unequally, the ideal should not be that each individual should exercise equal persuasive influence over the group's determination of the outcome. The aspirational (or "regulative") ideal in the deliberation should not even be equal power but rather no power (when power is defined as coercive power, i.e., the threat of sanction or the use of force). Given that the ideal of no power is aspirational and never fully achievable, however, a situation of equal power can allow the coercive force of one side to offset the coercive force of another, thus approximating the ideal of no power (Estlund 2006). Yet equal power is itself never fully achievable. Thus the thinking of many current deliberative scholars is that the ideal should be no power, with the means to approaching that end left open in practice (Mansbridge 2015).

As for equal persuasive influence over the outcome, most groups in practice want those who have greater information about the subject to have greater influence on the deliberation. Jack Knight and James Johnson (1997) thus argue that, for deliberative purposes, the ideal should not be equal numbers of words or time, or even equal effect on the outcome, but equal access to the opportunity to influence.² Others add that in an ideal deliberation each significant perspective should have at least a "threshold presence."³ Applied to legislatures, where non-majority groups may not be able to muster a threshold presence in a legislature's many committees without over-representation in the legislature as a whole. The ideal of threshold presence would justify such over-representation whenever one would expect systematic bias against a particular group – for example, if members of that group had ever in that polity historically been denied the vote.⁴

In the end, Fraser is simply right. *Societal* equality is a necessary condition for political democracy. This important point has not received sufficient attention, probably because in the face of current staggering increases in inequality the vision of societal equality seems increasingly out of reach. Yet, as Fraser points out, the ideal is not that "everyone must have exactly the same income," but rather "rough equality" (1990, p. 65). Without such underlying rough societal equality, any one deliberative event may temporarily somewhat level the playing field among participants, but the effects of that one event may well be buried in a larger unequal deliberative and decisional system. Genevieve Fuji Johnson (2015) notes, for example, the explicitly advisory nature of many Deliberative Polls. Elites currently empower or disempower such groups insofar as they benefit the goals of the elites. In a larger unequal society, only when elites have goals congruent with the majority of members of the

randomly selected citizen group or are pressured by political forces to relinquish some power will randomly selected deliberative groups achieve real decisional power.

2. "The assumption that the proliferation of a multiplicity of competing publics is necessarily a step away from, rather than toward, greater democracy, and that a single, comprehensive public sphere is always preferable to a nexus of multiple publics."

Fraser's development of the ideal of a multiplicity of competing publics and her concomitant idea of the importance of "subaltern counterpublics" have been the most influential of the many ideas in this highly influential essay.⁵ The meaning of the public sphere has for many scholars now evolved from Habermas's original more unitary understanding to Fraser's plurality of contesting publics and beyond. Fraser explains how, in stratified societies, a single and comprehensive sphere would exacerbate the effects of inequality:

In that case, members of subordinated groups would have no arenas for deliberation among themselves about their needs, objectives, and strategies. They would have no venues in which to undertake communicative processes that were not, as it were, under the supervision of dominant groups. In this situation, they would be less likely than otherwise to "find the right voice or words to express their thoughts," and more likely than otherwise "to keep their wants inchoate." (Fraser 1990, p.64; quoting Mansbridge 1990, p.127)⁶

In work that followed Fraser's "Rethinking the Public Sphere," I developed this point in a different context. Stressing the importance of legitimate state coercion, I argued that democracies need to use power and fight power at the same time. As citizens deploy legitimate coercion to promote common ends, they also need to foster "enclaves of resistance" in which those who lose in each majority vote and the ensuing coercion can "rework their ideas and their strategies, gathering their forces and deciding in a more protected space in what way or whether to continue the battle" (Mansbridge 1994, p. 53). In such protected enclaves, people can come to understand their interests better, explore their common and conflicting ideas in a setting of mutual encouragement, and engage in "probing volitions" (Lindblom 1990, p. 27), a process that subjects "every pressing issue to continuous examination and possible reformulation" (Barber 1984, p. 182). In particular, I wrote, "[w]hat Nancy Fraser aptly terms 'subaltern counterpublics' allow subordinated social groups to invent and circulate

counterdiscourses, which in turn permit them to formulate oppositional interpretations of their identities, interests and needs” (Mansbridge 1996, p. 57; quoting Fraser 1990, p. 67).

In the early second wave of the women’s movement, Fraser had pointed out that these “parallel discursive arenas” included a “variegated array of journals, bookstores, publishing companies, film and video distribution net-works, lecture series, research centers, academic programs, conferences, conventions, festivals, and local meeting places” (Fraser 1990, p. 67). One could add the examples of Marx’s capitalist factories that unexpectedly brought workers together to share their experiences and black colleges that initiated the sit-ins of the civil rights movement (Mansbridge 1996, p. 57). Such spaces allow the similarly situated make their own sense of what they have experienced. These spaces have deliberative uses even for members of dominant majorities, but are crucial for the marginalized as a protection against hegemonic discourse.⁷

Although I used the term “enclaves of resistance” to describe these discursive arenas, Fraser had explicitly specified that she did not consider subaltern counterpublics “enclaves”:

Insofar as these arenas are publics they are by definition not enclaves . . . [They] have a dual character. On the one hand, they function as spaces of withdrawal and regroupment; on the other hand, they also function as bases and training grounds for agitational activities directed toward wider publics. It is precisely in the dialectic between these two functions that their emancipatory potential resides. (1990, pp. 67–68)

The term “enclave,” commonly defined as an area or group of people “different from” the area or people surrounding it or them,⁸ may capture the sense of difference and boundary that helps explain the partial protection in these spaces from hegemonic norms and thought. Yet Fraser rightly argues that “enclave” does not connote the public agitational role that an institution or group must play to count as a “counterpublic.”

In addition to the public-facing and somewhat identifiable counterpublics that Fraser had identified, “everyday talk” can also play an important role in what I have termed the “deliberative system.” I discovered the importance of this non-public-facing everyday talk – in kitchens, work-places, or anywhere that one encounters a friend or a sufficiently open acquaintance – when I interviewed about fifty low-income women in the

early 1990s for their thoughts on the situation of men and women. I had begun the research after seeing a 1986 Gallup survey in which 56 percent of American women reported considering themselves "feminist," including 68 percent of Black women and 52 percent of women with only a high school education. I began to understand this self-identification when I found that all of the women I met, Black and White, had discussed some ideas of the feminist movement with their friends.

The genesis of different words and phrases in the movement reveals the difference between the more organized, public-facing counterpublics and everyday talk. Fraser had pointed out that in the counterpublics of the early second wave, feminists

invented new terms for describing social reality, including "sexism," "the double shift," sexual harassment, and "marital, date, and acquaintance rape." Armed with such language, we have recast our needs and identities, thereby reducing, although not eliminating, the extent of our disadvantage in official public spheres. (1990, p.67)

As the verbs "invented" and "recast" suggest, most of these terms (although perhaps not "sexism") derived from conscious consideration within the counterpublic of the agitational effect the terms might have on the larger public. Yet one term, "male chauvinist," had no such conscious genesis and greatly affected everyday talk. That term, adapted around 1934 by the women in the Communist Party USA from the recently coined "white chauvinist," reappeared among the children of Party members in the early second wave in the late 1960s. No one intended to promulgate it to the public. Yet, with the serendipitous addition of "pig," it spread quickly across the country and even internationally. In my first interview, a woman supported by welfare ("welfare reform" was still to come) told me she had called someone she knew a "male chauvinist." After hearing many low-income women, Black and White, tell me how they had called men male chauvinists, I added a question to a local survey to investigate the point more systematically. Sixty-three percent of a representative sample of women in the Chicago area in 1992 and 1993 reported having called someone a male chauvinist, either to the person's face or speaking about him with someone else. Fifty-one percent of Black women had done so, 55 percent of women with a high school education, and 56 percent of women who called themselves "conservative." The term cut across the lines of race, class, and politics (Mansbridge and Flaster

2007). In my interviews women described what I later called their “everyday feminism” by telling me how they told their husbands to make the supper or their bosses to make the coffee and how they had strengthened each other’s spines as they tried to bring about change in their lives, even with no links to any organized group. Their everyday talk, I concluded, should be accorded some weight in the larger deliberative system (Mansbridge 1999b).

The concept of a “deliberative system” also owes a great deal to Fraser’s emphasis on a “plurality of competing publics” in stratified societies and plural public spheres in egalitarian, multicultural societies. Whether a larger “deliberative system” consists of an institution, a nation, or the globe, one could argue that the parts of that system should be judged not only on the characteristics of their internal deliberations but also on the ways these parts complement or displace other features of the system. A plurality of publics, rather than the features of any one public, helps to guarantee sufficient contestation within the system. Indeed, internal failures in deliberative quality in any one forum can be justified if those failures are integral parts of a dynamic that enhances the deliberative quality of the overall system. Thinking of the second wave, for example, some colleagues and I have argued:

Activist interactions in social movement enclaves are often highly partisan, closed to opposing ideas, and disrespectful of opponents. Yet the intensity of interaction and even the exclusion of opposing ideas in such enclaves create the fertile, protected hothouses sometimes necessary to generate counter-hegemonic ideas. These ideas then may play powerful roles in the broader deliberative system, substantively improving an eventual democratic decision. (Mansbridge et al. 2012, p. 7)

The raucous opposition in the House of Commons, disrespectful media, and many other contributions to discourse that fail even to approach the criteria for good deliberation may be justified deliberatively if, for example, they contribute to making the larger system more egalitarian and inclusive.⁹

3. “The assumption that discourse in public spheres should be restricted to deliberation about the common good, and that the reappearance of ‘private interests’ and ‘private issues’ is always undesirable.”

In challenging Habermas’s radical separation of the public and the private, Fraser again took inspiration from the early second wave. She

pointed out that feminists had, after "sustained discursive contestation," succeeded in making domestic violence against women, previously considered a private matter, what Habermas would call a "common concern," because it was a widespread systemic feature of male-dominated societies (Fraser 1990, p. 71). As the second wave popularized Carol Hanisch's (1970) phrase, "the personal is political," in all of the contestation over its meaning no one questioned that "private" matters such as domestic violence, the household division of labor, and even "the myth of the vaginal organism" (Koedt 1968) had causes in systems of male domination that the public ought to discuss.

In "Rethinking the Public Sphere" Fraser also took up the then current theory that deliberation must be framed in terms of the common good, making claims of self-interest invalid. All three main deliberative traditions – not only Habermas but also Joshua Cohen in the Rawlsian tradition and theorists in the civic republican tradition – had ruled self-interest off the table. Reflecting our processes of mutual influence, Fraser wrote:

As Jane Mansbridge has argued, the civic republican view contains a very serious confusion, one which blunts its critical edge. This view conflates the ideas of deliberation and the common good by assuming that deliberation must be deliberation about the common good. Consequently, it limits deliberation to talk framed from the standpoint of a single, all-encompassing "we," thereby ruling claims of self-interest and group interest out of order. Yet, this works against one of the principal aims of deliberation, namely, helping participants clarify their interests, even when those interests turn out to conflict. "Ruling self-interest [and group interest] out of order makes it harder for any participant to sort out what is going on. In particular, the less powerful may not find ways to discover that the prevailing sense of 'we' does not adequately include them." (Fraser 1990, 72; citing Mansbridge 1990)

It took two decades, but in the end this perspective prevailed. By 2010 a group of scholars that included three of the most prominent Habermasians in the US and a theorist from the civic republican tradition, as well as a range of thinkers from other traditions, coauthored an article making a strong argument for including self-interest, constrained by fairness and the rights of others, in deliberation (Mansbridge et al. 2010).¹⁰ Three years later, others, including the deliberative scholar Dennis Thompson, joined a further statement that again gave self-interest, suitably constrained, a legitimate place in political discourse. This second group also took the

further step of legitimating “deliberative negotiation” in contrast to pure bargaining (Warren and Mansbridge et al. 2016 [2013]). Further developments have also appeared in the conceptual apparatus of deliberative democracy: not only the moves that Fraser endorsed from the common interest as the sole legitimate subject of political discourse to the inclusion of self-interest under an umbrella of fairness, but, as Fraser also presaged, from the single aim of consensus to the dual aim of both searching for consensus and clarifying conflict (see Table 1 in Mansbridge 2015, p. 36). If our ideal is a plural rather than homogeneous society, as Fraser suggested, then consensus cannot be the right standard for deliberation. We ought to be aiming at plurality, not as a “realistic” fallback from the ideal standard, but in the standard itself. Thus deliberation should, in the ideal, aim for consensus when such agreement is appropriate and in other moments aim for clarifying the conflicts that rightly will emerge in a plural society. After that clarification, the members of the polity can rightly vote (by either majority rule or supermajority), negotiate agreement, or remain at the status quo, depending on the past constitutional meta-agreements that have structured the procedural grounds of decision.

So too with the move in deliberative theory from “reasons” to “considerations,” which can include emotional considerations. Many philosophers as well as social scientists have rightly argued for seeing emotions and rationality as intertwined, the one depending on the other (Rorty 1985; Nussbaum 2001; Damasio 1994). The move to include emotional considerations among the factors that ought to influence decisions does not derive from a “realistic” recognition of human failures in rationality. To the contrary, it derives from a revision in the ideal, expanding our conception of humanity and how we engage with, and come to fuller understandings of, ourselves and others.

4. “The assumption that a functioning democratic public sphere requires a sharp separation between civil society and the state.”

Fraser’s criticism of Habermas’s fourth assumption, of a rigid separation between civil society and the state, also raises questions that would have a long and fecund future. Her central critique challenges this separation in two ways. First, she points out that once popular sovereignty was established, the public sphere entered the state through parliament, thus blurring the “line separating (associational) civil society and the state” (1990, p. 75). The public in parliament is, in her words, a “strong public” because it can engage in both opinion-formation and decision-making. Habermas’s classic public sphere is only a “weak public” because it is

confined to opinion formation, without the capacity to turn that opinion into authoritative decision. Second, Fraser endorses public participation directly in decision-making through the participatory ideal of self-management in "workplaces, child care centers, residential communities" (Fraser 1990, p.75). Her participatory ideals would decentralize as much public decision-making as possible to such venues, allowing members to engage in both opinion-formation and decision-making, thus breaching again the wall that Habermas wants to build between civil society and the state.

In his later *Between Facts and Norms*, Habermas adopted Fraser's term "weak public." Yet rather than accommodating her point that a strict separation between civil society and the state would undermine the legitimacy of self-managed groups, he doubled down on that separation, which he had espoused since his early *Structural Transformation of the Public Sphere*. Now he argued that to have legitimating force, deliberative politics requires two autonomous "tracks": opinion-formation in the "weak" public and will-formation in a "separate, constitutionally organized political system (Habermas 1996 [1992], pp. 304, 305, 314, 307; also p. 359). In the division of labor between the two tracks, the informal track of opinion formation has the advantage of being "procedurally unregulated" and open, even "wild" and "anarchic," including "overlapping subcultural publics" with fluid boundaries. Its task is "discovering and identifying problems" and "becoming sensitive to new ways of looking at a problem"; it is well suited for the "struggle over needs" and the interpretation of those needs that Fraser had identified in an earlier article (Habermas 1996 [1992] pp. 307, 314, referencing Fraser 1989). By contrast, the formal track of will-formation in parliament (as well as the government agencies and courts) is "regulated by *democratic* procedures." Its task is "dealing with" the problems the first track has discovered, justifying the selection of one problem over another, and choosing among "competing proposals for solving" that problem (Habermas and Rehg 1992, p. 307, emphasis in original; p. 314).¹¹

As a theorist sympathetic to the participatory democratic tradition, Joshua Cohen (1999, p. 409) later also considered "ill-conceived" some of Habermas's requirements for separation in *Between Facts and Norms* (1996 [1992]). Like Fraser, he argued for finding ways to "institutionalize direct problem-solving by citizens" (p. 411). In his ideal, citizens who use public services or are regulated by public decisions could and should themselves deliberate together and make many collective decisions. His examples included community policing, school decentralization, and local and regional economic development groups "whose governance includes local

community interests, service providers, representatives of more encompassing organizations, as well as local representatives of regional or national government” (p. 411). In an ideal that he and his colleague Charles Sabel (1997) labeled “directly-deliberative polyarchy,” citizens collectively make decisions that affect them, autonomously from legislatures and public agencies, thus bringing to bear on their decisions both local knowledge and their own values. In the Cohen/Sabel ideal, such citizen decision groups would be authorized and monitored by legislatures, public agencies, and courts, and also required to compare their own proposals and decisions to those of similar groups facing analogous problems. Cohen’s vision closely resembles Fraser’s vision that “all those engaged in a collective undertaking would participate in deliberations to determine its design and operation” (1990, p. 76). Fraser then asked how such self-managing groups would include the interests of what we now call the “all affected,”¹² how such groups could be held accountable to their external publics, and how they could be articulated with larger elected representative governments.

Since Fraser wrote her critique of Habermas’s fourth assumption, many developed democracies have instituted practices in which the administrative agencies of the state make policy decisions in consultation with “stakeholders” in those policies. These practices give some citizens influence over, and sometimes even decision-making power in, decisions that will influence them directly. They provide some of the possibilities of self-management that Fraser rightly insisted are important to contemporary citizenship. Recently these practices have attracted normative attention on exactly the grounds that Fraser specified.

Descriptively, Charles Sabel and Jonathan Zeitlin (2008) have characterized many group processes in EU decision-making as having the normatively attractive features that Sabel and Joshua Cohen had earlier identified – reflecting local knowledge, deliberating with mutual respect, and being subject to both legislative oversight and the requirement to compare outcomes in a recursive process they call “dynamic accountability.” Yet normatively, theorists are now further questioning, for example, the democratic status of the non-governmental organizations (NGOs) that so often represent citizens in these processes. As “self-appointed representatives,” the NGOs may often do a reasonable job of promoting the interests of those they purport to represent. They can even be held accountable in some cases by members’ votes within the organization or more often by the members’ potential exit either from membership or from discursive support. As Laura Montanaro (2012) points out, these NGOs not only provide

representation for affected constituencies both within and across national borders; they also function as mechanisms of constituency formation. She also points out, however, that few mechanisms are yet in place to insure both that all sectors of society are covered by these NGOs and that within them the NGOs represent the full spectrum of those they claim to represent. Dara Strolovitch (2007) has noted that even progressive groups that claim to represent a broad section of the population tend in practice to stress the interests of their active middle-class and professional members. Unions similarly tend to stress the interests of their older, longer-active members (Freeman and Medoff 1984). Recognizing the important role that NGOs can play in bringing citizens into more active participation in making the laws that affect them, Philippe Schmitter (1992) has suggested making select NGOs more democratically responsive by giving each citizen several vouchers at regular intervals, allowing them to "spend" these vouchers all on one organization or distribute their vouchers among organizations, thus automatically becoming members of those organizations. On the condition that these organizations had an internal democratic system of decision-making (and transparent finances and no profit-making activities), the state would then both fund these organizations and use them as representatives of their members in the "stakeholder" groups that advised or made decisions on specific policies.

Fraser did not address state-designated stakeholder groups in her essay. She also specified that she did not have the space to explore the questions of accountability to affected interests and other issues, but she raised exactly the questions that need to be addressed in this area. She concluded, rightly in my view,

Any conception of the public sphere that requires a sharp separation between (associational) civil society and the state will be unable to imagine the forms of self-management, inter-public coordination, and political accountability that are essential to a democratic and egalitarian society. (Fraser 1990 p. 76)

CONCLUSION

Nancy Fraser's prescient early response to Jürgen Habermas's concept of the public sphere is as convincing today as it was when it appeared. Even after Habermas's own subsequent treatment of the subject in his *Between*

Facts and Norms, which tried to take her ideas into account, and even after many theorists have addressed the topics she raised, her succinct formulations retain their trenchant force. Her critique of Habermas's four assumptions still holds, and the lines of direction she pointed out for addressing those assumptions have proven highly fruitful.

NOTES

1. A study of five Deliberative Polls (Siu 2009; using Fraser 1990 as a reference for the theory) shows that although participants with higher education talked more, their pre-deliberative opinions had no greater influence on the group's post-deliberative opinion changes. A study of the EuroPolis Deliberative Poll (Gerber et al. 2016) shows that although participants who did not self-identify as "working class" had higher scores on an index of "deliberative quality" (including giving reasoned justifications), their pre-deliberative opinions also did not have greater influence on the group (see also Fishkin et al. 2014, p. 13). A similar lack of unequal influence appeared in China (Fishkin et al. 2012, p. 441). Gender also did not have the predicted effect on the outcomes in any of these Deliberative Polls. Deliberative Polls are not entirely randomly based. They begin with a random sample and produce incentives for citizens to participate, but even so they experience differential self-selection and so must fill in important missing demographics by drawing deeper from the random pool. The eventual group is thus never perfectly representative, although this process produces a more representative group than any other process based on random selection of which I am aware (Mansbridge 2010).
2. Empirical scholars often count numbers of words or time speaking as the measure of discursive equality. So too in radical politics. In the late 1960s, to approximate discursive equality, the New York Radical Feminists briefly instituted a "disc system," in which each person in a meeting was given a limited number of discs, having to spend one each time she spoke (Morgan 1970, p. xxvii). The German Green Party has required that men and women alternate speaking in party meetings (www.avoicemen.com/feminism/feminist-governance-feminism/germanys-quota-politicians/).
3. On threshold presence, see Pitkin (1972 [1967], p. 84), Kymlicka (1993, pp. 77–78), Phillips (1995, p. 47, 67ff).
4. For the criterion of historical vote denial, see Mansbridge (1999a).
5. Google Scholar reports 3860 cites for the phrase "subaltern counterpublic" as of September 2016. "Rethinking the Public Sphere" has been cited 7320 times.
6. In the late 1980s and the 1990s, Fraser and I shared many thoughts and ideals as colleagues, friends, and political allies at Northwestern University.

7. In the early 1970s, Pamela Allen reported from the early experience of the second wave on the importance of "free space" – a "place in which to think," share experiences and probe their meaning, eventually analyzing them, abstracting from them, and "developing an ideology" (1970, pp. 6–7). She concluded that "the small group is especially suited to freeing women to affirm their view of reality and to learn to think independently of male supremacist values. It is a space where women can come to understand not only the ways this society works to keep women oppressed but also ways to overcome that oppression psychologically and socially" (1970, p. 8). Subsequently Evans and Boyte (1992 [1986]) and many other empirical scholars reported favorably on the uses of such spaces in social movements. The current discussion of "safe spaces" on campus, however, differs from this literature in many ways, particularly on Fraser's point that to serve as "counterpublics," such spaces must play some public-facing role.
8. The Oxford English Dictionary (2015) defines "enclave" as "A portion of territory entirely surrounded by foreign dominions," with a 1993 "draft addition" of "A group of people who are culturally, intellectually, or socially distinct from the majority of the population."
9. For a critique of this argument, see Owen and Smith (2015).
10. Joshua Cohen dissented from this conclusion in directions indicated in p. 73, note 26 and p. 75, note 30. This article was the first in a series of "deliberative co-authorships."
11. In his reference to the plural "subcultural publics" and in his next sentence to "different publics that develop informally inside associations," Habermas attempts to incorporate Fraser's point about subaltern counterpublics without relinquishing his own earlier concept of a single overarching public sphere.
12. Robert Dahl (1970) coined the currently much discussed "all affected principle." The current agenda was set in a formative article by Robert Goodin, in which he thanked "Nancy Fraser for prompting this article" (2007, p. 40).

REFERENCES

- Allen, P 1970, *Free Space: A Perspective on the Small Group in Women's Liberation*, Times Change Press, New York.
- Barber, BR 1984, *Strong Democracy: Participatory Politics for a New Age*, University of California Press, Berkeley.
- Cohen, J 1999, "Reflections on Habermas on democracy," *Ratio Juris*, 12, 4, 385–416.
- Cohen, J, and Sabel, C 1997, "Directly-deliberative polyarchy," *European Law Journal*, 3, 4, 313–342.

- Dahl, RA 1970, *After the Revolution*, Yale University Press, New Haven.
- Damasio, A 1994. *Descartes' Error: Emotion, Reason, and the Human Brain*, G.P. Putnam, New York.
- Doerr, N 2012, "Translating democracy: How activists in the European Social Forum practice multilingual deliberation," *European Political Science Review*, 4, 3, 361–384.
- Doerr, N 2013, "Between Habermas and Rancière: The democracy of political translation" *Transversal* 6 (<http://eipcp.net/transversal/0613/doerr/en>).
- Estlund, DM 2006, "Democracy and the real speech situation," in *Deliberative Democracy and Its Discontents*, (eds.) S. Besson and J.L. Martí, 75–92. Ashgate, Aldershot.
- Evans, SM and Boyte, HC 1992 (1986), *Free Spaces: The Sources of Democratic Change in America*, University of Chicago Press, Chicago.
- Fishkin, JS, He, B, Luskin, RC, and Siu, A 2012, "Deliberative democracy in an unlikely place: Deliberative Polling in China," *British Journal of Political Science*, 40, 435–448.
- Fishkin, JS, Luskin, RC, and Siu, A 2014, "Europolis and the European public sphere: Empirical applications of a counter-factual ideal," *European Union Politics*, 15, 328–351.
- Fraser, N 1989, "Struggle over needs: Outline of a socialist-feminist critical theory of late capitalist culture," in *Unruly Practices*, (ed.) N. Fraser, 161–190. University of Minnesota Press, Minneapolis.
- Fraser, N 1991 (1990), "Rethinking the public sphere: A contribution to the critique of actually existing democracy," *Social Text*, no.25/26, 56–80.
- Freeman, RB, and Medoff, JL 1984, *What Do Unions Do?*, Basic Books, New York.
- Gerber, M, Bächtiger, A, Rohr, S, and Shikano, S 2016, "Deliberative abilities and influence in a transnational Deliberative Poll (EuroPolis)," *British Journal of Political Science*, 46, 1–26.
- Goodin, RE 2007, "Enfranchising all affected interests, and its alternatives," *Philosophy & Public Affairs*, 35, 1, 40–68.
- Habermas, J, 1989 (1962), *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*, (trans.) T Burger & F Lawrence, The MIT Press, Cambridge, MA.
- Habermas, J and Rehg, W 1996 (1992), *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*, (trans.) W. Rehg, The MIT Press, Cambridge, MA.
- Hanisch, C 1970, "The personal is political," *Notes from the Second Year: Women's Liberation*, New York Radical Women, New York.
- Johnson, GF 2015, *Democratic Illusion: Deliberative Democracy in Canadian Public Policy*, University of Toronto Press, Toronto.

- Karpowitz, C, and Mendelberg, T 2014, *The Silent Sex: Gender, Deliberation, and Institutions*, Princeton University Press, Princeton.
- Knight, J, and Johnson, J 1997, "What kind of equality does democratic deliberation require?," *Deliberative Democracy*, (eds.) J Bohman and W Rehg. The MIT Press, Cambridge, MA.
- Koedt, A 1968, "The myth of the vaginal orgasm," *Notes from the Second Year: Women's Liberation*, New York Radical Women, New York.
- Kymlicka, W 1993, "Group representation in Canadian politics," in *Equity and Community: The Charter, Interest Advocacy, and Representation*, (ed.) FL Siedele, 61–89. Institute for Research on Public Policy, Montreal.
- Lindblom, CE 1990, *Inquiry and Change: The Troubled Attempt to Understand and Shape Society*, Yale University Press, New Haven, CT.
- Mansbridge, J 1990, "Feminism and democracy," *The American Prospect*, 1, 1, 126–139.
- Mansbridge, J 1994, "Using power/fighting power," *Constellations*, 1, 1, 53–73.
- Mansbridge, J 1996, "Using power/fighting power: The polity," in *Democracy and Difference*, (ed.) S. Benhabib, 46–56. Princeton University Press, Princeton.
- Mansbridge, J 1999a, "Should Blacks represent Blacks and women represent women? A contingent 'Yes'," *Journal of Politics*, 61, 3, 627–657.
- Mansbridge, J 1999b, "Everyday talk in the deliberative system," in *Deliberative Politics*, (ed.) S. Macedo, 211–239. Oxford University Press, Oxford.
- Mansbridge, J 2010, "Deliberative polling as the gold standard," *The Good Society*, 12, 1, 55–62.
- Mansbridge, J 2015, "A minimalist definition of deliberation," in *Deliberation and Development*, (eds.) P Heller and V Rao, 27–49. World Bank, Washington, DC.
- Mansbridge, J and Flaster, K 2007, "The cultural politics of everyday discourse: The case of 'male chauvinist'," *Critical Sociology*, 33, 4, 627–660.
- Mansbridge, J, Bohman, J, Chambers, S, Christiano, T, Fung, A, Parkinson, J, Thomson, D, and Warren, ME 2012, "A systemic approach to deliberative democracy," in *Deliberative Systems*, (eds.) J. Parkinson and J. Mansbridge, 1–26. Cambridge University Press, Cambridge.
- Mansbridge J with Bohman, J, Chambers, S, Estlund, D, Føllesdal, A, Fung, A, Lafont, C, Manin, B and Martí, JL 2010, "The place of self-interest and the role of power in deliberative democracy," *Journal of Political Philosophy*, 18, 1, 64–100.
- Montanaro, L 2012, "The democratic legitimacy of self-appointed representatives," *Journal of Politics*, 74, 4, 1094–1107.
- Morgan, R (ed.) 1970, *Sisterhood Is Powerful: An Anthology of Writings from the Women's Liberation Movement*, Random House, New York.

- Nussbaum, MC 2001, *Upheavals of Thought: The Intelligence of the Emotions*, Cambridge University Press, Cambridge.
- Owen, D and Smith, G 2015, "Deliberation, democracy and the systemic turn," *Journal of Political Philosophy*, 23, 2, 213–234.
- Phillips, A 1995, *The Politics of Presence*, Oxford University Press, Oxford.
- Pitkin, H 1972 (1967), *The Concept of Representation*, University of California Press, Berkeley.
- Rorty, AO 1985, "Varieties of rationality, varieties of emotion," *Social Science Information*, 24, 343–353.
- Sabel, C and Zeitlin, J 2008, "Learning from difference: The new architecture of experimentalist governance in the EU," *European Law Journal*, 14, 3, 271–327.
- Schmitter, PC 1992, "The irony of modern democracy and efforts to improve its practice," *Politics and Society*, 20, 4, 507–512.
- Siu, A 2009, "Look who's talking: Deliberation and social influence," Paper presented at the Annual Meeting of the American Political Science Association, Toronto, Canada (SSRN # 1468078).
- Strolovich, DZ 2007, *Affirmative Advocacy: Race, Class, and Gender in Interest Group Politics*, University of Chicago Press, Chicago.
- Warren, ME and Mansbridge, J with Bächtiger, A, Cameron, MA, Chambers, S, Ferejohn, J, Jacobs, A, Knight, J, Naurin, D, Schwartzberg, M, Tamir, Y, Thompson, D, and Williams, M 2016 (2013), "Deliberative negotiation," in *Political Negotiation: A Handbook*, (eds.) J Mansbridge and CJ Martin, 141–196. Brookings Institution Press, Washington, DC.
- Zimmerman, D, and West, C 1975, "Sex roles, interruptions and silences in conversation," *Language and Sex: Difference and Dominance*, (eds.) B Thorne and N Henley. Newbury House Publishers, New York.

Feminism, Ecology, and Capitalism: Nancy Fraser's Contribution to a Radical Notion of Critique as Disclosure

María Pía Lara

Recent debates about the ecological crisis have focused on its links to women's oppression as well as globalization and capitalism. Iris Marion Young was one of the first feminists who tried to elaborate a conception of collective responsibility for these issues, not only under the framework of modern states but also including a conception of a global civil society. In the first section of this chapter, I will review many of her ideas as they were presented in her posthumous book *Responsibility for Justice* (2011). In the second section, I will focus on the theories of the Spanish philosopher Joaquín Valdivielso, the author of *Ciudadanos, naturalmente* (*Citizens, Naturally*) (2011), who frames his notion of citizen responsibility by drawing on feminist points and argues that the issues of ecology related to global justice.¹ In the last section of this chapter, I will discuss the model developed by Nancy Fraser throughout her oeuvre, with a focus on the role of radical critique focused on the lack of political agency of excluded actors. In my discussion of Fraser's model, I will demonstrate

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how her notion of justice is tied up with *political agency*—the element that connects capitalism, ecology, and feminism. In so doing, I will argue, Fraser discloses how social movements should raise questions about social change by reconfiguring the conventional framework about what needs to be done, as injustices begin at the very level of how we “frame” problems and solutions.

Fraser’s most critical and radical development lies in her concept of political *representation* because it discloses a double sense of injustice. This idea is essential to her model since she conceives of capitalism as “an institutional order” of a global kind (Fraser 2016).² There are exclusionary practices in our common notions of citizenship (those that are linked to the policies of the Westphalian nation-states), but the problem becomes larger if we go beyond the first order of a lack of *representation* of the excluded groups to the systematic exclusion of peripheral countries and groups from the global institutions of governance related to capitalism.

A global theory of justice must be linked to feminism because women are most affected by the global decisions related to capitalism and to the actual crisis of immigrants and displaced people who are forced to leave their native lands as a result of wars, civil unrest, and rapes. For this reason, there must be room to conceptualize justice in terms of *political representation* at both the Westphalian and the post-Westphalian level as this is the only way we can actually conceive of political agency. A radical critique would have to grapple with changing our thinking about the decisions political agents should make as they begin questioning the representational frames. With her concepts of *misrepresentation* and *misframing*,³ Fraser has elaborated the most critical definition of what it means to lack political agency.

IRIS YOUNG’S CONCEPT OF RESPONSIBILITY: CONSTRUCTING A SHARED FUTURE

Several years ago, Iris Marion Young was trying to finish her book *Responsibility for Justice* before she succumbed to cancer. After her passing, David Alexander assembled her materials into a final manuscript, which was published by Oxford University Press (2011). Her book has since raised some critical questions about dealing with poverty as well as the wild and unregulated ways of market economy. Young thought that these seemingly intractable problems had to be the focus of possible actions of a global civil society that could meet the challenges of our present era. She believed that a

“relational” articulation of collective responsibility should be developed under the globalization processes and that these problems should be considered as part of a united framework. While Young generally focused on poverty from the perspective of events that had taken place in the United States, in the last part of her book she dealt with the global dimension of poverty, acutely aware that the problems of capitalism could not be considered solely from the perspective of nation-states (2011, p.52). Indeed, she claimed that we need to reconsider a notion of a global civil society that could meet the challenges of the present.

Young also developed a dialogue with other theorists who had tackled problems of inequality. Young claimed that plural temporalities and liabilities make social connections between past and future, but their emphases and priorities are different (2011, p.108). Making distinctions between “guilt” and “responsibility” for present political contingencies allowed her to emphasize that “responsibility” should be seen as opening up a notion of agency for future actions, while the question of “guilt” was related to the past (2011, p.109). The main problem with Young’s theory, which juxtaposes guilt and responsibility, is that it draws on the work of Hannah Arendt, who developed the concept of collective responsibility for individual German actors with respect to the role they played during the Nazi period. Recall that Arendt saw with great clarity that if we tried to judge everybody as guilty, we would end up having no moral and political responsibility to attribute to anyone.⁴ Arendt understood responsibility as related to accountability, while questions of individual guilt, she thought, should be determined by establishing different ranks of complicity. Indeed, her legal positivism suggested that an actor could only be considered responsible for her acts if, in legal terms, she had committed an actual crime. However, the difference between guilt and responsibility is not always easy to determine. This is especially the case when we consider how Arendt (2006) is herself critical about the ways in which certain agents could avoid facing individual moral responsibility by espousing the claim that they were “forced” to obey the laws of Nazi Germany.

Young, by contrast, seeks to separate guilt from responsibility through a distinction in temporality. Because, for Young, guilt pertains to the past and responsibility to the future, failing to make this distinction would immerse us in endless debates that would result in the denial of all responsibility. This is because actors often find ways to justify what has already occurred in the past (2011, p. 108). For Young, the question of citizenship entailed assuming responsibility for one’s actions in the face of

the actual challenges of the future, which implied the need to build up a larger sense of a community than the one connected to the nation-state. The global community would, therefore, not only get involved in overseeing and protecting institutions but also in anticipating the kinds of structural problems that might develop.

Young's argument has four important characteristics. First, Young argues that when one has inflicted damage on others, the question of guilt distracts us from taking the appropriate measures to make things better over time. Only by focusing on the future, she claims, can we construct a collective plan for action (2011, p.111). Second, making individual actors responsible for the unintended effects of their deeds prevents us from exercising political agency (2011, p. 111). Third, if we accuse individuals of exercising domination over political groups or allowing inequalities, we would be no closer to how structures work because public discourse on blame oversimplifies social injustice (2011, p.117). Herein lies the central problem of Young's argument: she does not address the critical dimension of the historical embeddedness of capitalism as an institutional order. Indeed, *it is not individuals who should be charged with injustices, but capitalism*. If Marx insisted on elaborating a theory of how capitalism achieves domination by the way it legitimizes the positions of specific classes that benefited from economic and political activities (the surplus is but one dimension), it is because he thought that, as a result of certain historical developments, collective actors came to occupy one of the extremes of the asymmetric relationship between those who have the power to make decisions and those who do not. Marx thought that, with his radical critique of an institutional order, he could articulate a conception of political agency against those who not only dominated and exploited others but who also had the power to design specific institutional orders and consider measures to perpetuate the asymmetries.⁵ He wanted to find out the interconnections among political agents, institutions, and power relations.⁶ He believed that all of oppressed workers should begin by learning why capitalism is not only a form of exploitation but also a form of domination.

Fourth, Young argues that "the game of blaming others"—rather than developing possible cooperation among actors—will always produce defensive reactions that open up the space for endless discussions of who is at fault (2011, p.117). It is for this reason that Marx's theory emphasized how domination and exploitation were the two sides of the same coin. However, this critical idea is missing from Young's account. The exploitation of one class by another takes place not only because of

structural conditions but also because the dominant class has a *hidden* and *ideological* agenda, one which assumes that the *lower classes could be exploited because they lack political agency*.⁷ This is why conflict arises for Marx. By thus ignoring the best part of Marx's theoretical approach, Young ends up blurring the link between economy and politics that was the central axis of his theory of political economy. Young is unable to explain the internal relationship between the economy and politics because in her moralizing theory there exist actors who do not have any accountability and others who lack political agency. To solve Young's problem we must accept that responsibility and accountability (guilt) cannot be separated and stress that these are economic-political issues as much as they are moral ones.

Accountability is important because it allows us to acknowledge how certain institutions and actors have facilitated the lack of responsibility of some agents over others. Similarly, it allows us to track how preventing people from becoming political agents, certain institutions and actors help protect capitalism's status quo. In *mapping* their role as agents of oppression and of domination, we need to question why any of the measures proposed by the dominant elites could actually help eradicate injustices through legal and institutional measures that aim at radical change.

Young's other claim is that agents can participate in making structural injustices without having to blame others (2011, p.107). This is a weak argument because it places the burden of both having to ensure that institutions are functioning properly and having to point out when structural injustices are taking place as a result of the decisions of negligent and authoritarian agents on the citizens themselves. It is because these actors lack accountability that powerful industries, with the deregulation of capital and the absence of political and legal deterrents, have allowed ecological disasters to occur. The only way to solve the problems of who decides what and how the rules are determined by economic elites is to focus on the failure of states to protect the rights of workers who are excluded from the decision-making processes, even though, they are the ones to suffer the consequences of those very decisions and actions. Young's proposal thus fails to meet the conditions that she claims are necessary to confront the challenges posed by capitalism: namely, poverty, ecological problems, and women's sense of double oppression—since women from the periphery are not only excluded from political agency in the rich countries in which many of them work but they are also denied the benefits of being first-class citizens.

THE ECOLOGICAL-FEMINIST MODEL: WE ALL BEAR RESPONSIBILITY

Valdivielso suggests an alternative way of defining citizenship, which is distinct from “the inherited ways of conceiving citizenship”:

This citizenship is post-cosmopolitan, which would be also ecological, it distinguishes itself from the two classic models because it is centered on the obligations that are not contractual, but based on virtues—albeit, they are “feminized” in the sense of the feminist dictum—“the personal is political”—since it is part of a definition of citizenship that is not only for the private sphere, but goes beyond the public one; it is also deterritorialized. Different from Cosmopolitans it is based in strong asymmetries, not merely abstract, and focus in every dimension of production and reproduction of social life. It would coincide with Cosmopolitan views in the expansion of social integration in the sense of actively belonging to a community that would be enacted through the construction of a postnational common good... It is for this reason that it is “Cosmopolitan” because it is universalist and participative; but it is also “post” because it gives up the claim of individuals as abstract focusing instead on the benefit of concrete relations of power. (2011, p.40)

Valdivielso thereby offers a succinct explanation of what Young meant when she referred to a new kind of responsibility for global civil society in relation to both poverty (with the production of goods) and global consumption (with actions that have an ecological impact), since both issues are related to industrialization, the *sweatshops*⁸ and factories located in poor, peripheral countries, and the habits of consumers in emergent countries. These issues are also linked to rich countries and their institutions, which are the prime markets for consumer goods.

Young’s concern about a shared responsibility for the future is amplified by Valdivielso’s ecological perspective, since, in his view, we are no longer dealing with an ethical humanism, but, rather, with second-order citizen virtues, such as compassion, empathy, and care (2011, p.40). These qualities are all related to feminist theories and associated with a new sense of justice that, following Valdivielso, we could describe as a compensatory notion of asymmetries or, in Young’s words, as shared responsibility, with the goal of preventing future injustices. To understand justice in this way entails a description of the world as a social *metabolic system* in which social relations and collective responsibilities are linked. Moreover,

these social relations would have to become political while also going beyond the old conception of the nation-state.

One way of exemplifying this *relational responsibility* can be found in what has been called “the ecological footprint” (Wackernagel and Rees 1996). This means linking a postindustrial country and its consumers to the repercussions that specific kinds of actions (the production of surplus value and of productive forces) have on actors from peripheral countries. People who live in extreme poverty are affected by the habits of consumerism that emanate from wealthy countries. At the intersection of capitalism, consumerism, and the “feminization” of labor, we can see how global capitalism has a way of organizing these issues and institutionalizing them around the world. Thus, Valdivielso claims,

The ecological footprint of a Mozambiquean is of 0.8, while the British is of 4.9, and the American is of 8. But the carbon print is 0.04 for the first one, 3.87 for the second one, and 5.57 for the last one. Thus, the British and the American consume and pollute 96 and 139 more times, [respectively,] than the Mozambiquean! If we compare these data to the global print of carbon, which is of 1.44 hectares [or more than 17,220 square yards] per capita, the Mozambiquean consumer is less than 3%, but the British and the American are 268% and 386%, respectively. This is, for the cosmopolitan agent, the territory of political obligation, the space where the citizens' sense of deterritorialized citizenship has to be regarded as their obligations to all. The over-consumer, the over-emitter of carbon [is] indebted to those who are most invisible in the planet and whose precarious existence feel devastated by the climate change. (2011, p. 41)

Valdivielso claims that this is also the reason why we can speak of the *ecological citizen*. Rather than merely a responsibility for the ecology that we share with the other human beings who inhabit the planet, he argues, caring for our ecological system is a moral obligation. It is also a political obligation because it is an integral part of the actions we must carry out for those who come after us.

Despite the fact that both Young and Valdivielso acknowledge the need for a conceptualization of a (normative) global public sphere where questions of injustice and asymmetries can be discussed, neither theorist explains how this global public sphere could function without first questioning the exclusion of *certain actors and their positioning on a political map*. The effort to construct a political space cannot be clarified without first engaging in a discussion about who could become an actor and how a sense of political

agency might be articulated. In order to elaborate a new project that presupposes the creation of a concept of political representation and agency that make sense to those who are excluded, both Young and Valdivielso would need to abandon their functionalist schemes. While Young tries to solve this problem by separating guilt from responsibility, Valdivielso emphasizes the sense of global responsibility by tracing the relational *effects* of certain kind of actions. We have already seen that he visualizes the world as a single *metabolic system*; however, a metaphor about how the body functions does not offer us a political and economic perspective. In my view, capitalism is a system of exploitation that must continuously be renewed through small changes. It does not want radical transformation—only minor readjustments. Valdivielso’s theory must go beyond relational obligations to question capitalism as an institutional order and raise questions about the fairness and legitimacy of signed agreements, which are never truly enforced because they would diminish capital renewal and value. This institutional order, which is presented as a permanent and necessary structure for the proper functioning of the world, has only partially accepted ecological measures because enforcement of these measures is expensive and the need for them is denied by elites because of its expensive implementations. Moreover, capitalists always find excuses or justifications not to assume their obligations or to carry them out in the most minimal way. A more radical critique than this one would necessitate inquiring how representation should work in a global community, or why those excluded from agency need to take part in collective decisions. Thematizing the frames of political representation would mean providing a critical perspective of what is lacking in the view of capitalism and showing how the transformative space of critique could dramatically *change* our views about what is going on.

The second ecological element in Valdivielso’s theory is that we should go beyond an ethics based on a respect for all forms of life. We could only achieve this by defining our collective responsibility in a new way, like the one Young wanted to articulate. Even so, this idea lacks the central argument of how injustice appears at the level of excluding certain agents from decision-making. The space of radical political-economic critique can be seen as the only route toward the radical democratization of decision-making. Inclusion, then, is the very beginning of the process through which we can raise questions about who decides what and why.

The virtue of Valdivielso’s proposal is that it emphasizes a “postanthropocentric” definition of citizenship. Specifically, he maintains that, as citizens we must (1) extend our moral community beyond the human

species; (2) claim reciprocity and co-responsibility with these other life forms with which we have obligations; (3) conceive of citizenship as extending beyond the global sphere into something like the biosphere; and (4) reject the instrumental vision of nature and of other human beings that do not belong to our immediate community (2011, p.40).

Unlike Young, Valdivielso insists that we can materially trace responsibilities since our “fair sustainability” lies in an analysis of particular prints, most of which come from dominant wealthy countries. The materialist link here would be overusing as well as underusing materials. So in order to determine our specific responsibility/obligation, we need to envision what an ecological citizenship would entail in relation to global and institutional rules of governance. While the term “citizenship” would help to strategically outline how “relative inequality has an impact on the global *metabolism*” (p. 39) of an order, it still falls short of giving us a way of enforcing the obligations of those institutions because there is no warrant that states would comply with global treaties. The relations of domination have material repercussions, even if they are mediated and sometimes diffuse, because of the capitalists’ methods of production and consumers’ rejection of any consideration of peripheral subjects. This also applies to the relational links among agents who are privileged and others who are victims. Despite the fact that the economic and political advantages for the rich are hidden and sometimes invisible to others, they provide the permanence and persistence of capitalism. This is also why the lack of representation is non-negotiable. We need strategies to gain access to more information that will allow us to develop new values for this new citizenship, as opposed to the traditional ones.

NANCY FRASER’S MODEL: RADICAL CRITIQUE AS DISCLOSURE

As we have seen with the models of Young and Valdivielso, the issues of citizen membership in a global political community and the emergence of a global public sphere depend on generating a new and more radical view about change. By rethinking problems related to justice and articulating a sense of political agency, Fraser begins to conceive the new space of radical critique as *disclosure*, while also illuminating the territory of the political injustices that she has called “misrepresentation” and “misframing.” These are the two ways in which power has been stripped from peripheral social agents who lack political agency. By delegitimizing the institutional order of capitalism as undemocratic, Fraser separates the hidden from the obvious as she traces the inherent political contradictions of capitalist

formations in its present financialized phase (2015, p.160). This is her method of radical critique as disclosure. Building on Fraser's notion of critique, social movements must aim to develop a new sense of political agency in order to bring about a change for the better, beginning with the radical democratization of global institutions.

Fraser's theory has a first-level critique: the questioning of representation. This questioning appears as soon as a community is constituted within specific limits (i.e., the nation-state) by designating who belongs to a political community of the Westphalian kind and who does not. The latter cannot question their exclusion because they are not members of the community (i.e., they are immigrants). A second-level critique, or the meta-political level (where we would be envisioning a global space), is linked to actors who can critically question who makes the laws (non-democratic organizations that act according to their particular interests in wealthy predator states, and non-democratic institutions of global governance) and who is affected by them. It goes without saying that some organizations and groups are permanently excluded from participation, even at the level of saying which rules can be considered good or bad and why these need to become laws. For both the citizens and the marginalized we should strive to activate a sense of political agency. In this light, the exercise of critique is important not only in that it exposes the injustices resulting from political exclusion (what Fraser calls "misrepresentation") but also because it describes how the process of exclusion began, and by whom problems are exposed ("misframing"). Fraser (2005) argues that what she had once defined as a bidimensional space of justice—redistribution and recognition—now needs a "third level" of justice (p. 49). The three differentiated spaces ("axes" across the line of justice) have a specific content (the economic, the cultural, and the political) in her normative conception of political representation. By using the term *axes*, she clarifies how those spaces of injustice appear in the claims of injustice. As we will see, the normative space that could enable these claims to be made public is still missing, since she thinks that little work has been done on theorizing the global public sphere. Participating in the reordering of possible transformations could only come about by democratizing institutions that would allow laws, which could end up redefining the questions belonging to the articulation of justice under the frame of capitalism.

Fraser insists that injustice (both as *misrepresentation* and *misframing*) can be correlated with the concept of gender (2009, pp. 113–114). As various nation-states came into being in the West, so did rules barring

women from political agency. It took more than two centuries of struggles against those marginalizing laws for women to gain their political rights of membership—though not in all countries, nor at the same historical moment. The second dimension of political injustice that Fraser calls *misframing* can be exemplified by the thousands of women who are forced to toil under terrible conditions, for crushingly low wages, in countries where the state does not protect them as workers.

The domestic work of a household is also a problem both within and beyond the nation-state. Women are not paid (or are badly paid) for work they are required to do as members of a household. Fraser concludes that this type of injustice has become visible as a result of globalization and has been distinguished by what she calls “social reproduction” in capitalism (2015, p.160). Fraser defines this term as “the broad range of activities, often unwaged and performed by women, that creates and maintains social bonds, while also forming *capitalism’s human subjects*, who are (among other things) the bearers of labor power” (p.160).

Many global institutions are not interested in justice, and many have structural relations with predator-states, transnational private powers, and non-democratic monetary institutions, as well as with transnational corporations that participate in the decisions affecting poor countries and failed states. Fraser (2015) calls this condition *financialized capitalism*. The new structures of global governance allow and stimulate ways of exploitation that are exempt from democratic control. Fraser’s work allows us to focus on the structures that limit the capacity of actors to make decisions as well as the importance of publicly questioning the various forms of injustice, which immediately relates to political agency. Her principle of agency/justice is the parity of participation (Fraser 2013, p. 208). Her theory gets rid of the functional view of capitalism, while, at the same time, it establishes a political relationship between democratizing institutions and the need to publicize the demands for justice by those actors who are systematically excluded by those institutional orders.

Nevertheless, there is a problem: Fraser is very clear about the fact that we cannot simply use the category of the public sphere beyond the post-Westphalian order without first acknowledging (and dealing with) the problem of conceptual feasibility. Thus, we must now go back to the question of the possible existence of a global public sphere—a concept that was alluded to in Young’s and Valdivielso’s models, but one that neither theorists redefined in light of new global conditions.

In her seminal paper “Transnationalizing the Public Sphere,” Fraser (2008) elaborated her criticism of those theorists who still invoked the bourgeois public sphere without dealing with the limitations imposed by the historical conditions that made it possible. She argued that two elements were historically linked to this nation-state frame: its normative content (democratic claims about inclusion linked to the demands of groups and individuals who wanted to be heard); and the historical reconstruction of the emergence of three particular public spheres, which Habermas (1975) famously rescued in his work on the emergence of the bourgeois public sphere in Germany, France, and England. Fraser claimed that Habermas’s construction of the normative category was useful because it helped us understand the ways in which public events, such as debates, organized by the citizens, encouraged their participation in the nation-state’s decision-making. From their very beginnings, such activities opened up the possibility to question who could participate and who could not.⁹ Fraser insisted that the concept of the public sphere was linked to sovereign power because, without a relationship between the state and the subjects of political agency, there was no way for citizens to make their claims for inclusion. For this reason, she asked whether it would be possible to transcend the historical limits of such a category and reformulate it for the global world (Fraser 2008, p. 78). For her, this task would entail reformulating a critical theory of the global public sphere that could illuminate the emancipatory possibilities of the present. At the same time, Fraser focused on challenges that a global theory of the public sphere would need to confront: (1) a diffuse notion of global citizenship that it is not yet constituted as a *demos* and thus is not entirely accepted as authentic (Fraser 2015, p. 22); (2) a critical historical reconstruction of a post-Westphalian world, which seems to empower the elites rather than the citizens (Fraser 2015, p. 22); (3) a public space where one could speak of participation, status, and the limits of our framework imposed by sovereign power, represented by nation-states (Fraser 2014, p.23); (4) the power of public opinion when one raises such questions as What kind of accountability can exist at the global level? and How can we pose limits to transnational power? (Fraser 2015, p. 23.); and, finally, 5) the desirability of a common language that could foster global debate and means of communication, which have grown at such a fast pace that they have far surpassed the ability of print and its products to provide social agents with new aesthetic and political tools that encourage the exercise of critique as well as the emergence of modern subjectivities (Fraser 2015, p. 24).¹⁰

Keeping these problems in mind, we can extend Fraser's criticism to Young's and Valdivielso's models. Ultimately, Fraser even questions the very possibility of a global public sphere because it was, in its origins, an informal and historical bourgeois institution. Perhaps her concerns about this subject can only be answered by the appearance of a collective social imaginary, which can be found in her later works.

To summarize: Fraser developed two strategies for articulating a conception of political agency. These were questioning the injustice of *misrepresentation* and *misframing*, both of which we could translate in terms of inclusion and exclusion. Misframing elaborates the distortion created by the institutional order of capitalism because it is post-Westphalian and focuses on how excluded subjects can begin to question the governance of institutions that have de facto transcended state sovereignty but are non-democratic. At the same time, Fraser asks if there is a way of rescuing the category of the public sphere that was limited by exclusions within political communities framed by nation-states. While she has criticized those who maintain that a global public sphere cannot be further elaborated, she has also acknowledged the difficulties of such a category in relation to the global complexities of our times.

A transformative radical view would help us explain why certain institutions exclude those marginal actors who cannot be political agents because they are immigrants, poor, or non-members of a political community. Fraser argues that certain contemporary social and political movements have been important in disclosing her third dimension of justice, which aims at democratizing global institutions to allow political participation at the level of making rules and accepting decisions and procedures. According to her category of misrepresentation, Fraser claims that these social movements have been excluded at the first level of membership of a nation-state. She also claims that at the meta-level, where one can raise questions about the non-democratic rules of global organizations, they have also been excluded by what she calls misframing. Her critique is concerned not only with the exclusion of these groups, but with how they have to be excluded. The task of democratizing those institutions and the ways in which rules and decisions are developed is posed at a meta-political level. To question justice should allow us to design a theory of radical critique:

To complete the shift from a monological to a dialogical theory requires a further step, beyond those envisioned by most proponents of the dialogical turn. Henceforth, democratic processes of determination must be applied not only to the "what" of justice, but also to the "who" and the "how." In

that case, adopting a democratic approach to the “how,” the theory of justice assumes a guise appropriate to a globalizing world. Dialogical at *every* level, meta-political as well as ordinary-political, it becomes a theory of *post-Westphalian democratic justice*. (Fraser 2007, pp. 28–29)

Leaving behind monological theories that constructed ideas about justice as abstractions, Fraser maintains that the social movements themselves are the ones who have begun to question the institutional structures and ways of representation. With them in mind, she claims that, at the level of co-implication between the democratization of structures and institutions and the demands for justice by those who are excluded, her theory is dialogical. The regulative principle of the parity of participation is now also a substantive principle because it questions the lack of agency before any institutional order. At the same time, it is also a procedural principle, because it allows the legitimacy of democratic norms to be evaluated. By virtue of both features—the substantive and the procedural—there is a correlation between justice and the parity principle with its inherent reflexivity. This reflexivity allows us to move from a critical analysis of first-level institutional orders (the nation-state) to the meta-level of political exclusion, where antidemocratic global ways of governance are enhanced. The critical activity from social movements gives weight to the normative dimension of their claims of exclusion. Thus, political visibility begins as these movements start to articulate their critical demands and politicize the debates about inclusion and the democratization of all global institutions. But do they need to create or rescue the concept of the global public sphere, as other theorists claim? Or is Fraser right that we must further radicalize our views about capitalism? This brings us to the last stages of Fraser’s critique of capitalism, because it contains her answer to this vexing question.

THE SOCIAL IMAGINARY: THE LINK BETWEEN HEGEMONY AND COUNTER-HEGEMONY

Fraser intensified her critique of the institutional order of capitalism in three steps: first, by critically reviewing Karl Polanyi’s work; second, by recovering Habermas’s notion of a legitimation crisis; and third, by reformulating the notion of hegemony from Antonio Gramsci to generate a new sense of agency.

Karl Polanyi’s (2001) explanation of how capitalism recovers from its permanent and systematic crisis persuaded Fraser that the historical

changes in capitalism (e.g., the creation of social programs under the welfare state) revealed how the instability of capitalism was due to the way in which the “capitalist accumulation process institutionalizes mutually incompatible economic imperatives . . . [because there is] a tendency to self-stabilization, which expresses periodically in economic crisis” (Fraser 2015, p.160). While Polanyi thought that the welfare state was the solution to crisis, Fraser began to see that his view was wrong because it involved no real questioning of what lies behind capitalism’s contradictory aims and why capitalism needs to enhance public power so that it can function well despite the public interests of society.

Fraser’s second step focused on how capitalism constructs itself as an institutional order through the separation between politics and economy, between production and reproduction, and among production methods that have a negative impact on ecology. Herein lies her answer to Young’s and Valdivielso’s models whose scope is much narrower. As Fraser argues, these different dimensions of the accumulation of capital, that is, poverty, women’s oppression, and ecological damage, all of which are actually tied together structurally, have come to appear as separate entities. To prove this, she historicizes the conceptual separation of politics from economy to show that they follow a pattern in which accumulation runs through permanent and renewed processes of crisis. She sees these processes as ways in which capitalism, at different stages, fixes parts of its inherent contradictions and renews itself, while depending on the legitimating processes of public powers. As Polanyi maintained, in times of crisis, capitalism learns from pressures of social movements and begins to reorganize itself.

In this second step, Fraser also explores how to bring back Habermas’s conception of the legitimation crisis, because it was in this context that he addressed how state-managed capitalism was already demonstrating the unfolding contradictions of a historical phase. Fraser disagrees with Habermas’s conclusion—namely, that such crisis could be solved—but thinks his analysis of the capitalist crisis is on the mark. Fraser (2015) reasons that “public power” is an indispensable tool for “the exploitation of labor, the production and exchange of commodities, and the accumulation of surplus value” (p. 162). On analyzing the administrative and legitimation crisis, she claims that we need to find a different sort of mediation from the one Habermas has offered. It is not moral psychology that will help us see why citizens will or will not grant legitimation to an order but a radical way of counter-developing what Fraser (2015, p.175)

calls *hegemony*, defined as *common sense* (Gramsci 1971). Ruling classes build up discursive forms of domination by naturalizing and articulating themselves as the sole authority, namely, as the only way that political and economical life is possible. *Counter-hegemony* is, according to Fraser, “the discursive face of opposition,” born out of the hegemony, the political imaginary, which is “itself in a subliminal contestatory potential” (2015, p.172).

Thus, we finally have agency back again, but this time with the help of the social imaginary. Fraser conceives of subjects as agents only when they are capable of radically questioning hegemony and by imagining *alternatives to this official accepted discourse* (2015, p.174). Here, she is not referring to “normative justifications” for agents but to actual *assumptions* about “agency, public power, society, justice and history (p.172).” Fraser now explicitly invokes her notion of the *social imaginary*. This means that agents could envision different ways of transforming the hegemonic views of how things should be, and how they can go beyond merely solving the crisis while staying within the same institutional order. The latter can happen only when critique discloses hidden alternatives. Counter-hegemonic views have to include new constructions of social justice. Thus, Fraser argues that the real mediation between society and system can only come from within those radical options opened by the social imaginary (2015, p.181). If we find a political “common sense” about how to interpret the dysfunctional ways in which capitalism behaves, then, we could be taking the first step of agency. Finding counter-hegemonic ways in which to delegitimize what cannot have legitimation means radical critique. Counter-hegemonic discourses must be nourished by the alternative ways in which actors begin to question the conditions of possibility of justice under the institutional order of capitalism.

Even so, however, Fraser sees the social movements of this new century, as not yet having arrived at the stage of fashioning the political common sense that could articulate the counter-hegemonic view of radical transformation. But there is hope, even if it is still fragile. If we understand her notion of the social imaginary, we could see that her claim of counter-hegemony is based on her idea of building up a social imaginary. As such, a social imaginary should allow us to envision alternatives not only to understand how this institutional order will never get rid of its erupting crises but also to develop authentic political possibilities that can build counter-hegemonic discourses, which seek new ways of delegitimizing capitalism. We need “transformative activism” (Fraser 2015, p.175).

NOTES

1. Valdivielso's work bears striking resemblances to the arguments about poverty and the common responsibility developed by Pogge (2008).
2. Fraser has further developed her notion of capitalism as an institutional order as "distinguished from other broad social formations by its specific institutional topography. What characterizes capitalism is a distinctive set of institutional separations: the institutionalized separation of economic production from social reproduction, of human society from non-human nature, and—most relevant here—of the economic from the political. This last division includes the differentiation of economy from polity, of private from public power, of economic from political coercion" (2015, p.162).
3. Fraser argues, "To show how emancipation extends critique, I propose to look more closely at . . . feminism and anti-imperialism . . . Consider first, that the social and political arrangements that are embedded in markets can be oppressive in virtue of being hierarchical. In such cases, they entrench status differentials that deny some who are included in principle as members of society the social preconditions for full participation. The classic example is gender hierarchy, which assigns women a lesser status, often akin to that of a male child, and thereby prevents them from participating fully, on a par with men, in social interaction. But one could also cite caste hierarchies, including those premised on racialist ideologies. In such cases, social protections work to the disadvantage of those at the top of the status hierarchy, affording lesser (if any) benefit at the bottom. What they protect, accordingly, is less society per se than social hierarchy" (2011, p.151).
4. Arendt argued that accountability for certain actions requires a consciousness about what has been done. If there is shame, then it is appropriate to speak of guilt.
5. In 1848, Marx and Engels (1964) stated, for example, that "the bourgeoisie has at last, since the establishment of modern industry and of the world market, conquered for itself, in the modern representative state, exclusive political sway" (p. 61). For them this was just a particular case of a general historical fact: "Political power, properly so called, is merely the organized power of one class for oppressing another" (p. 95).
6. Between 1845 and 1846, Marx and Engels (1970) argued that "every class which is struggling for mastery, even when its domination, as is the case with the proletariat, postulates the abolition of the old form of society in its entirety and of domination itself, must first conquer for itself political power in order to represent its interest in turn as the general interest, which immediately it is forced to do" (p. 54).
7. In response to their "bourgeois" or liberal critics, Marx et al. (1964) argued, "Your very ideas are but the outgrowth of the conditions of your bourgeois

production and bourgeois property, just as your jurisprudence is but the will of your class made into law for all, a will whose essential character and direction are determined by the economical conditions of existence of your class” (p. 87). They considered as a historical fact that “[t]he ruling ideas of each age have ever been the ideas of its ruling class” (p. 90). Marx and Engels (1970) wrote widely on the link, based on a theory of domination and social classes, between structural or material conditions and ideology.

8. Sweetshops or the *maquila* refer to workers who are poorly paid and have no social rights because the countries in which they live do not enforce democratic regulations and laws.
9. In fact, the most interesting contribution feminists have made to Habermas’s work was pointing out that his category was static and that, owing to its bourgeois origin, women were excluded (Landes 1988; Fraser 1997, pp. 69–98).
10. Fraser was also thinking about Benedict Anderson’s *Imagined Communities* (1983) and its relation to the nation-state.

BIBLIOGRAPHY

- Anderson, B 1983, *Imagined Communities*, Verso, New York.
- Arendt, H 2006, *Eichmann in Jerusalem: A Report on the Banality of Evil*, Penguin Books, London.
- Fraser, N 1997, “Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy,” *Justice Interruptus: Critical Reflections on the “Postsocialist” Condition*, 69–98. Routledge, New York.
- Fraser, N 2005, *Reframing Justice*, Koninklijke van Gorcum, Assen.
- Fraser, N 2007, “Re-framing Justice in a Globalizing World,” *(Mis)recongnition, Social Inequality and Social Justice: Nancy Fraser and Pierre Bourdieu*, (ed.) T Lovell, 17–35. Routledge, New York.
- Fraser, N 2008, “Transnationalizing the Public Sphere: On the Legitimacy and Efficacy of Public Opinion in a Post-Westphalian World,” *Scales of Justice: Reimagining Political Space in a Globalizing World*, 76–99. Polity Press, Cambridge, UK.
- Fraser, N 2009, *Scales of Justice. Reimagining Political Space in a Globalized World*, Columbia University Press, New York.
- Fraser, N 2011, “Marketization, Social Protection, Emancipation: Toward a Neo-Polanyian Conception of Capitalist Crisis,” in *Business as Usual: The Roots of the Global Financial Meltdown*, (eds.) C Calhoun and G Derluguian, 137–157. The Social Science Research Council and New York University Press, New York.

- Fraser, N 2013, *Fortunes of Feminism. From State Managed Capitalism to Neoliberal Crisis*, Verso, New York.
- Fraser, N 2015, "Legitimation Crisis? On the Political Contradictions of Financialized Capitalism," *Historical Studies*, 2, 2, 157–189.
- Fraser, N 2016, "Expropriation and Exploitation in Racialized Capitalism: A Reply to Michael Dawson," *Critical Historical Studies*, 3, 1, 163–178.
- Gramsci, A 1971, *Selections from the Prison Notebooks*, (eds.) Q Hoare and GN Smith, International Publishers, New York.
- Habermas, J 1973, *Legitimation Crisis*, (trans.) T McCarthy. Beacon Press, Boston.
- Habermas, J 1975, *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*, (trans.) T Burger and F Lawrence. The MIT Press, Cambridge, MA.
- Landes, JB 1988, *Women in the Public Sphere in the Age of the French Revolution*, Cornell University Press, Ithaca.
- Marx, K, and Engels, F 1970, *The German Ideology. Part One with Selections from Part Two and Three, Together with Marx's "Introduction to a Critique of Political Economy,"* (trans.) CJ Arthur. International Publishers, New York.
- Marx, K, Engels, F, and Moore, S 1964, *The Communist Manifesto*, (trans.) S Moore. Simon & Schuster, New York.
- Pogge, T 2008, *World Poverty and Human Rights: Cosmopolitan Responsibilities and Reforms*, Polity Press, Cambridge.
- Polanyi, K 2001, *The Great Transformation*, Beacon Press, Boston, MA.
- Valdivielso, J 2011, *Ciudadanos, naturalmente. Reciclar los valores cívicos en clave ecológica*, Horsori, Barcelona.
- Wackernagel, M, and Rees, W 1996, *Our Ecological Footprint. Reducing Human Impact on the Earth*, New Society Publishers, Philadelphia.
- Young, IM 2011, *Responsibility for Justice*, Oxford University Press, Oxford.

Recognition, Redistribution, and Participatory Parity: Where's the Law?

William E. Scheuerman

Remarking on recent trends within Frankfurt critical theory, Nancy Fraser worries that,

A great deal of the post-Habermasian currents of critical theory have entered into a kind of disciplinary specialization: people doing moral philosophy, philosophy of law, political theory disconnected from social theory . . . [I]t's a kind of politicism, or moralism or legalism – a single-minded focus on constitutional theory. I appreciate that no one can do everything, and that there is academic specialization, but I think this is a sad outcome for critical theory: it has lost the attempt to think about the social totality, which Habermas, at an early stage, did try to do, for better or for worse. (2015)

Fraser's concern is legitimate. Some who have sought to marry Frankfurt critical theory to legal scholarship have indeed occasionally lost sight of the tradition's broader aspirations. Even Habermas's supple legal thinking occasionally rests on a tendency to supplant – rather than *supplement* – the leftist critique of capitalism with a critique of law or “juridification” (Scheuerman 2013, pp. 571–586). Elsewhere I have argued that critical

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theory needs both a multifaceted analysis of capitalism *and* a subtle critical-minded analysis of modern law (Scheuerman 2008). Unfortunately, some recent critical theory contributions to legal scholarship have downplayed the Frankfurt School's longstanding commitment to emancipatory *Kapitalismuskritik*.¹

Nonetheless, Fraser's comment also remains somewhat surprising. Critical theory, she now apparently believes, is jettisoning its programmatic strengths for a narrow "politicism or moralism," a single-minded "legalism" and accompanying constitutional theory (2015). Thus her worries about recent critical theory's (putative) *legalism*, a tendency she now views as generating a counterproductive narrowing of critical social analysis to theories of law or constitutionalism.

Although sympathetic to Fraser's important concerns, I worry they may be overstated. Frankfurt critical theory *should* care about the law: it needs to provide a nuanced account of law and rights as part of both its normative and socio-theoretical endeavors. In his monumental work, *Between Facts and Norms: Contributions to a Discourse Theory of Law and Discourse* (1996 [1992]), Habermas tried to do so, with impressive albeit imperfect results.² First-generation Frankfurt theorists Franz L. Neumann and Otto Kirchheimer did so, with admirable results, as well (Scheuerman 1996). Fraser implicitly recognizes this point, insofar as she criticizes Axel Honneth's recognition-centered critical theory in part for misconceiving law's role in modern society.³ The reasons critical theory needs to take law serious are manifold, but one of them is pragmatic and political: virtually every major conflict in contemporary society is "legalized" as it irrepressibly concerns, directly or otherwise, questions of legal regulation. When Alexis de Tocqueville famously discussed the "legalistic" contours of political life in Andrew Jackson's America, what he in fact had successfully identified was a structural trait of modern pluralistic society, liberal or otherwise (2003). Critical theory cannot neglect legal scholarship because under modern conditions no one can realistically escape law's purview.

Fraser's criticism raises a question about *her* own path-breaking contributions to critical theory. Do they provide an adequate basis formulating a critical theory of law? Fraser has had relatively little to say over the years about legal and jurisprudential questions. This neglect might simply be chalked up to the contingent fact that "no one can do everything," and that even the most impressive critical intellectual – and Fraser obviously belongs in this category – is sometimes forced to neglect

important issues. On one reading, nothing about Fraser's theory precludes a serious discussion of law.

For reasons I outline below, I do not believe this to be a fully satisfactory interpretation. On my view, a certain tension plagues Fraser's thinking about law and rights. Though she has admirably resisted flawed deconstructionist accounts of law, and also periodically opened the door to a rigorous discussion of legal matters, some implicit theoretical premises have gotten in the way of her doing so. Those assumptions, I argue, can be traced to the ways in which, starting in the 1980s, she fused Marxian, Foucaultian, and Habermasian theories. I first suggest how her otherwise daunting remix of these traditions left her with an incomplete account of law. I then turn to her lively exchange with Honneth, published as *Redistribution or Recognition: A Political-Philosophical Exchange* (2003), an exchange in which law did not feature prominently, yet at crucial junctures illuminatingly surfaced. In that debate, Fraser scores major critical points against Honneth's views of the law. Yet Honneth's response also helps pinpoint her framework's legal lacunae. Despite Fraser's view of critical theory as necessarily interdisciplinary, law's status within that overall project remains unclear.

FRAGMENTS OF A CRITICAL THEORY OF LAW

In an insightful response to Derrida's "Force of Law: The 'Mystical Foundation of Authority'" (1989), Fraser (1991) took the French thinker to task for pursuing what she aptly viewed as a "quasi-transcendental" jurisprudence, in which law and violence are conceived as inextricably and unavoidably interlinked. Fraser worried that Derrida's model of deconstruction as a "deeper mode of negative transcendental reflection" devalues a priori the possibility of a superior "political" analysis of law that could more aptly situate it within "contingent social relations and institutionalizations of power" (Fraser 1991, pp. 1326, 1328). His analytic moves, she correctly noted, problematically insinuate that it would be naïve to try to disconnect law from violence. Derrida's position, she also observed, was part of a broader project of advancing an abstract philosophical analysis of the political as distinct from and superior to alternative approaches, by implication including Frankfurt critical theory, in which philosophy and critical-minded empirical research represent potential partners (Fraser 1989, pp. 69–93). Instead, a critical theory

approach would highlight how law “operates in the service of social, economic, and political forces,” that could be effectively analyzed by critical (and sometimes social scientific) methods and, in principle, might be dramatically transformed (Fraser 1991, p. 1325). In opposition to Derrida’s preoccupation with law’s transcendental paradoxes, the critique of law might productively “identify the various levels at which masked, structural violence enters into our institutionalized practices” of law (Fraser 1991, p. 1328).

Fraser’s essay then outlined three ways in which this critical agenda could be pursued. First, one might critically investigate entrenched constitutional principles (e.g., specific notions of private property), disclosing how they mask capitalism’s built-in structural violence. Second, a critical theory of law could challenge the liberal legal order’s individualistic “deep grammar,” focusing on how “a great deal of harm does not take the form of individuals ripping off individuals but is rather the result of more impersonal systemic processes and of structural relations among” social groups (Fraser 1991, p. 1329). Third, it would usefully interrogate background sociocultural assumptions (about gender, for example) that function to disadvantage certain social groups. She aptly observed that androcentric premises about self-defense, for example, had distorted judicial decision-making impacting battered women.

I fully endorse Fraser’s rejoinder to Derrida; she powerfully identified some major weaknesses. A critical theory of law could and should usefully pursue the three paths she laid out. If more critical-minded intellectuals had bothered heeding Fraser’s sage advice, they might have circumvented the theoretical and political dead-ends of recent poststructuralist legal theory.

Yet Fraser’s response also pointed to a possible oversight. Her critique moved rapidly from discounting Derrida’s quasi-transcendentalism to a “political” and critical-minded socio-theoretical analysis of the law, one inspired (as she noted elsewhere) by Karl Marx’s famous definition of critical theory as “the self-clarification of the struggles and wishes of the ages,” yet one in which – as in Marx’s writings – the specific normative character of rights and laws was sometimes left unexplored (1989, p. 2). In pivoting from Derridean quasi-transcendentalism to her preferred political (socialist-feminist) theory of law, Fraser perhaps neglected the question of why we should care about law or rights in the first place, or how they matter normatively. Her discussion, to be sure, emphasized law’s role in

buttressing injustice and illegitimate power. By implication, any critical theory worth its name would need to confront law's role in undergirding domination. By the same token, if law works chiefly to imbricate force, harm, and structural violence, as Fraser's essay emphasized, why not simply get rid of law altogether? Why not, as Marx and many anarchists have advocated, simply supersede so-called "bourgeois" (and, for Fraser, also patriarchal) legality and rights? Knee-jerk anti-legalism and hostility to rights have long plagued radical political thought. How then might it be circumvented?

In her rejoinder to Derrida, Fraser's response to such queries was by no means clear. However, in an earlier essay, "Struggle over Needs: Outline of a Socialist-Feminist Critical Theory of Late Capitalist Political Culture" (1987), Fraser rightly opposed the legal and rights-skepticism that had made far-reaching inroads among leftist and feminist legal scholars during the 1980s, forthrightly declaring that "I do not believe that rights talk is inherently individualistic, bourgeois-liberal, and androcentric – rights talk takes on those properties only when societies establish the *wrong* rights, for example, when the (putative) right to private property is permitted to trump other, social rights" (*in* Fraser 1989, p. 183). More generally, throughout her impressive career Fraser has regularly highlighted the virtues of demands for *social* rights and improved legal regulation for subordinate social groups. As part of an effective political strategy, battles over rights and legal regulation potentially play a crucial role.⁴ Yet the question remains: is there anything more fundamental or significant at stake in such battles? Does law have anything more than an instrumental or strategic value for the oppressed?

On my reading, Fraser seems hesitant to tackle such questions; she has had little to say about law's distinctive normative merits. A certain tendency to view law in instrumental terms has sometimes characterized her thinking.⁵ One genealogical explanation for this gap comes readily to mind. Neither Marx nor Foucault – another figure whose shadow has haunted many of her publications since the 1980s – probably ever succeeded in transcending a circumscribed critical approach to modern law. In *Discipline and Punish: The Birth of the Prison* (1977 [1975]), Foucault famously used the example of modern criminal and penal reform as a springboard for developing his fertile yet ultimately imbalanced critique of modernity, disciplinary power, and normalization. Against the liberal view of law and rights as a potential check on arbitrary power, Foucault countered that,

although the universal juridicism of modern society seems to fix limits on the exercise of power, its universally widespread panopticism enables it to operate, on the underside of the law, a machinery that is both immense and minute, which supports, reinforces, multiplies the asymmetry of power and undermines the limits that are traced around the law. (1977, p. 223)

On one interpretation of Foucault's (complex) views, modern rights and legality operate symbiotically vis-à-vis ominous types of disciplinary power. *Discipline and Punish*, in any event, could be plausibly read as inferring that they were complicit in modernity's deepest pathologies, and that there was little about them worth redeeming. When Foucault elsewhere seemed to discount the efforts of French civil libertarians and other "legalistic" reformers (despite his own admirable activism on behalf of prisoners), he arguably was merely sketching out the most obvious political implications of this theoretical stance (Foucault 1980, pp. 107–108).

To be sure, Fraser's engagement with Foucault has not just been appreciative and constructive but also deeply critical. Her theory's own legal lacunae are all the more striking given how her critical response to Foucault *invited* a richer discussion of law. In the essays brought together in *Unruly Practices: Power, Discourse and Gender in Contemporary Social Theory* (1989), Fraser astutely zeroed in on Foucault's normative gaps and also his theory's sociological numbness, as evinced by its obliviousness to "the whole body of Weberian social theory with its careful distinctions between such notions as authority, force, violence, domination, and legitimation" (p. 32). Part and parcel of that legacy, of course, were Weber's mammoth contributions to the sociology of law. She also conceded that Foucault's underlying theoretical weaknesses had helped generate a distorted portrayal of modern penal reformism and modern law. Yet even when doing so, revealingly, Fraser did not go beyond briefly *alluding* to the possibility of an alternative Kantian interpretation of law and modern legal experience (1989, p. 46). On the one hand, her engagement with Foucault brilliantly identified his normative and socio-theoretical flaws. On the other hand, it simultaneously sought to reconstruct a number of his critical insights about modernity and "normalizing" power.

From the perspective of scholarship more irritated than Fraser's own by Foucault's dismissive assessment of modern law,⁶ her delicate balancing act perhaps succeeded only because it downplayed how even some of his most telling intuitions rested directly (in *Discipline and Punish*, for example) on a deep and overstated hostility to modern law and rights. To the

extent that his ideas about normalization and disciplinary power, in short, depended on a critique of “panopticism” that did a massive disservice to the achievements of modern law, it became more difficult to see how they could be salvaged without substantially dismantling rather than reconstructing Foucault.⁷ Notably, even scholars otherwise sympathetic to Foucault, in my view rightly, have conceded that his “view of law is an impoverished one” (Dean and Villadsen 2016, p. 174).

To be sure, Fraser’s contributions from the 1980s and 1990s were built not just on Marx and Foucault but also on Habermas, whose work she has long admirably sought to reorient in a socialist-feminist direction. Habermas, in sharp contrast to both Marx and Foucault, assuredly *cannot* be accused of discounting modern law’s normative and political achievements. Throughout his career, he has identified pathological traits of modern legal experience while simultaneously analyzing why and how law should still be viewed as possessing more than instrumental or strategic value. In pursuing this nuanced strategy, Habermas built directly on the legacy of first-generation Frankfurt legal theory, which presciently complemented a radical neo-Marxist critique of modern law with a refreshing acknowledgement of its indispensable “ethical” traits (Scheuerman 1994).

Since the early 1990s, Fraser has also relied heavily on a creative reworking of Habermas’s notion of the public sphere to investigate a host of pressing issues. However, striking about her reconstructed account is its overall disjuncture, when compared to the Habermasian original, from questions of law and constitutionalism.⁸ Both in the early *Structural Transformation of the Public Sphere: A Category of Bourgeois Society* (1989 [1962]) and later *Between Facts and Norms* (1996 [1992]), Habermas devoted substantial attention to questions of legal regulation, basic rights, the rule of law, and separation of powers. Why? He viewed the public sphere, though operating outside the state, as intimately interlinked with and ultimately dependent on modern legal protections. Its proper analysis *demand*ed rigorous systematic engagement with jurisprudence and the sociology of law. Moreover, the public sphere’s “structural transformation” could be effectively traced by chronicling degradations within modern law, degradations Habermas – like Neumann and Kirchheimer before him – viewed as portending the real prospect of an authoritarian replacement for liberalism. Critical theory needed to devote substantial attention to law in order to understand what the young Habermas described as a “rational society” was presently beyond reach.

In short, Fraser's Habermasianism has also regularly invited more systematic engagement with law. Why has she avoided this path? One possible answer can be gleaned from a group of essays from the 1980s devoted to analyzing the bourgeois and patriarchal blind spots of the modern welfare state. There Fraser tried to bring together Foucaultian anxieties about normalization with a revised version of Habermas's analysis of "juridification" to criticize what she described as a "juridical-administrative-therapeutic state apparatus," in which the law chiefly serves as a repressive conduit for reducing prospective active citizens to passive clients and consumers (1989, pp. 154–156).

In the concluding sections of *Theory of Communicative Action* (1987 [1981]), Habermas had posited that general legal regulation counterproductively functioned so that the "media-controlled subsystems of the economy and the state intervene[d] with monetary and bureaucratic means" in ways that undermined rather than buttressed autonomy (p. 356). Inappropriate modes of "abstract" or universal legal regulation allowed for the "colonization" of the lifeworld in spheres of social activity – his examples included the family and schools – where communicative structures were relatively robust and formal organizations scarce. In her reformulation, Fraser criticized the gender and sexist subtext of Habermas's exposition. She also leveled devastating criticisms against some of its socio-theoretical banisters and especially his restated version of systems theory's blindness to matters of gender inequality (1989, pp. 113–143). Nonetheless, she left pretty much unchallenged the diagnostic claim that welfare state law imposed general administrative definitions precluding potentially superior dialogical and participatory decision-making processes. Although better attuned to its sexism, she endorsed Habermas's basic assertion that the welfare state demands of claimants that they "present their predicaments as bona fide instances of specified generalized states of affairs that could in principle befall anyone," as "correlates of bureaucratically administered satisfactions" (1989, p. 154).

Notwithstanding its myriad strengths, her diagnosis, like that of Habermas, still risked downplaying the extent to which the "juridical-administrative-therapeutic complex" rested on a *distorted* and perhaps pathological instantiation of the legal or "juridical," and by no means its fulfillment or realization. Like Foucault, Fraser was perhaps too vested in the implicit intuition that modern law (and its distinctive quest for generality and universality), rather than providing indispensable protections, was somehow congenitally implicated in contemporary society's worst ills.

As Ingeborg Maus observed in an early rejoinder to Habermas, however, the underlying legal diagnosis was empirically problematic. It obfuscated how legalization *actually* works in the social welfare state, where instead we encounter what Weber described as legal *materialization*: welfare state regulation relies on vague (and open-ended) norms, individualized measures, and other anti-formal legal trends, but not codified strict general legal rules or conventional modes of rule-based judicial or administrative decision-making (Maus 1992, pp. 300–323). The pathologies Habermas (and also perhaps Fraser) implicitly attributed to general or abstract modern law, on this alternative diagnosis, could instead be more persuasively attributed to its absence, an absence that had opened the door to unchecked administrative and judicial discretion.⁹

In any event, Fraser has had little to say about the rule of law or one of its mainstays, legal generality, an important aspiration that has long garnered massive attention not just from mainstream legal theory but also from representatives of critical theory such as Neumann and Kirchheimer. Notwithstanding her manifest concerns about the undemocratic contours of contemporary capitalist societies, the role played by threats to basic rights and legality in undergirding authoritarianism has not played a significant role in her writings.

THE CASE OF FRASER V. HONNETH

In their freewheeling 2003 exchange, Fraser and Honneth struggled to highlight the analytic and political advantages of their competing approaches, along with the corresponding disadvantages of their opponent's. Honneth defended his position that a left-Hegelian reinterpretation of the concept of recognition should guide critical theory and can best contribute to an understanding of modern society, which he envisions as having institutionalized three distinct spheres of recognition (love, law, and esteem or solidarity) (Honneth 1996). In contrast, Fraser outlined the fundamentals of what she has frequently described as perspectival dualism, according to which social critique can only succeed on the basis of a two-pronged theoretical framework in which the independent logics of redistribution and recognition are both taken seriously. Since the 1990s, this dualistic framework has figured prominently in her thinking (Fraser 1997, 2009). Redistribution concerns socio-economic matters and injustices based in the (capitalist) economy, whereas recognition relates to matters of cultural or symbolic justice. Social class is the crucial category in the first

realm, while in struggles over recognition “the victims of injustice are more like Weberian status groups than Marxian classes” (Fraser and Honneth 2003, p. 14). Hers remains at its core a theory of justice, in part because she is less of a Hegelian and more of a Kantian (and also Marxist) than Honneth (p. 28).

In their debate, Honneth first addresses law’s analytic status, accusing Fraser of leaving it “out of her critical diagnosis of the times altogether” (p. 151). This opening salvo can be characterized as the *neglect thesis*. As I argued above, such neglect has in fact sometimes characterized elements of Fraser’s work. Underscoring the broader implications of Fraser’s oversight, Honneth emphasizes his competing view of legal recognition as indispensable to personal integrity and modernity. Within his overall framework, the law not only possesses an independent analytic status but is pivotal to a vital set of social struggles. As previously outlined in *Struggle for Recognition: The Moral Grammar of Social Conflicts* [1996 [1992]], the battle for rights is essential to moral progress and the achievement of self-respect. Fraser’s neglect of the law, Honneth notes, evinces a major lacuna. As he comments, “it seems above all to be processes of legalization—expanding the principle of legal treatment” that have been crucial to guaranteeing “the minimum preconditions of identity” in many areas of social life in modernity (Fraser and Honneth 2003, p. 188).

Significantly, Honneth suggests that Fraser’s legal oversights point to deeper problems. Most directly, it suggests that she has sometimes succumbed to a one-sided “culturalist” view of recognition, since her approach occludes the pivotal role of *legal* recognition (p. 152). Only by disproportionately highlighting recognition’s cultural and symbolic traits can Fraser construct the troublesome dualistic contrast between redistribution and recognition on which her overall framework depends. Her neglect of the law generates a certain tendency to downplay decisive “normative elements of the economic sphere,” a “moral dialectic” inscribed deep within capitalism (pp. 251, 152). Such a dialectic operates, for example, in workplace battles when employees fight not just for a “functional safeguard of their capacity to work” but for “a moral guarantee of the social recognition of their dignity and status” (p. 251). The relevant struggles are commonly fought on the legal terrain, culminating in “appropriate social-legal constraints of the employment contract” (p. 251). According to Honneth, the “medium through which this sort of social struggle unfolds is modern law, which promises all members of society equal respect for their individual autonomy” (p. 152).

In her rejoinder, Fraser insists that her approach not only can properly address law's role in critical theory but can do so more effectively. Given not only Honneth's but also my criticisms in the first part of this chapter, much hangs on this response. Perspectival dualism, she counters,

Conceives law as pertaining to both dimensions of justice, distribution and recognition, where it is liable to serve at once as a vehicle of, and a remedy for, subordination. On the recognition side, some legal struggles aim to undo expressly juridified status subordination – witness campaigns to legalize gay marriage; others resort to law to redress *nonjuridified* status subordination – witness campaigns to outlaw racial profiling or to mandate handicapped access. (2003, pp. 220–221)

Her alternative framework, she adds, better acknowledges the centrality of law and rights to political and social struggles, whenever they occur, including situations where legal change or reform might target “parity-impeding norms” (p. 221).

For Fraser, Honneth too narrowly conceives of legal recognition as localized within one institutionally differentiated social sphere, conceived as fundamentally separate from alternative types of intersubjective recognition (love and esteem or solidarity) and their corresponding social practices. So Fraser responds to Honneth with what we might dub the *compartmentalization thesis*: his account rests on a tripartite conceptual structure (e.g., love, law, and esteem or solidarity) that misleadingly quarantines the law, and thus potentially distorts its pivotal role in many areas of social experience. Even if Honneth occasionally acknowledges that legalization shapes social struggles in varied social arenas, his theory's rigid tripartite structure means that it obscures law's role in those spheres of recognition conceived as distinct from legal recognition: “*Contra* Honneth . . . marriage has never been regulated by the principle of care. For most of history, rather, it has been a legally regulated economic relation” (pp. 219–220). The law decisively shapes intimate relationships in ways that Honneth's attempt to parcel it off into a separate sphere of recognition obscures.

In my view, Fraser has identified a very real tension in Honneth's legal thinking; elsewhere I have tried to build on her astute criticism to respond to Honneth's *Freedom's Right: The Social Foundations of Democratic Life* (2014) (Scheuerman 2017). On the one hand, law is conceived as a distinct sphere of recognition, and one that at least in modernity has

resulted in a corresponding system of rights differentiated from social practices based on alternative types of recognition (Fraser and Honneth 2003, pp. 138–140; Honneth 1996, pp. 168–70). Law constitutes not just a form of recognition but a specific social sphere, occupying a separate social location, in crucial respects qualitatively distinguishable from alternative social spheres, which in principle would be poorly served if legalization were somehow to infringe on them and their separate autonomous logics. In other words, legal recognition (and basic rights) is indispensable to the realization of “optimal” structures of recognition in modern society. At the same time, we need to guard the autonomy of non-legal social spheres and types of recognition against potentially dangerous and inappropriate “legalistic” invasions.

On the other hand, Honneth regularly notes how political battles in different social arenas often directly and fruitfully involve the law and rights. He occasionally infers that law, at least under modern conditions, possesses attributes in principle justifying the often times decisive role it plays in countless areas of social existence:

Since the normative principle of modern law, understood as the principle of mutual respect among autonomous persons, has an inherently unconditional character, those affected can call on it the moment they see that the conditions for individual autonomy are no longer adequately protected in other spheres of society. Examples of such processes of legalization triggered “from below” include not only struggles for the realization of social rights, but also the complex debates taking place today over the legal guarantee of equal treatment within marriage and the family. (pp. 188–189)

On this competing account, far-reaching “legalization” represents not a violation of love as a distinct mode of recognition, for example, but instead potentially a legitimate and even necessary means to make sure that recognition in the sphere of intimacy takes a normatively acceptable form. Law in fact enables “structures of recognition” even outside the (legal) sphere of rights.

Yet Honneth also made a final illuminating point about Fraser’s legal thinking. He insists that for Fraser law,

Merely takes the form of a secondary guarantor of claims achieved elsewhere. Fraser still does not want to grant subjective rights—which make up the core of modern egalitarian legal systems—any independent significance

in her theoretical program. Instead, state-sanctioned rights are to have only the purely instrumental function of equipping already achieved entitlements to cultural recognition or economic redistribution with certain enforcement powers after the fact. This instrumentalism does not seem at all convincing to me, however, because it forgets that rights govern relations among actors in fundamental ways, and their significance to social interaction is thus not only functional. Rather, the subjective rights we grant one another by virtue of the legitimation of the constitutional state reflect which claims we together hold to require state guarantees in order to protect the autonomy of every individual. This interactive character of rights also allows us to explain why they should be understood as independent, ordinary sources of social recognition in modern societies. (pp. 251–252)

Fraser fails to move beyond an “instrumentalist” view of law, according to which law serves “as a vehicle of, and a remedy for, subordination,” a device used alternately by the powerful or powerless to their advantage (p. 220). We can describe this as the *instrumentalist thesis*. Fraser’s view downplays how modern law and modern subjective rights are intimately linked to basic intersubjective structures of recognition, structures that not only serve more than instrumental or functional purposes but without which individual autonomy and the modern constitutional state would ultimately be unthinkable.

One need not fully endorse Honneth’s recognition-theoretical reworking of critical theory to endorse some version of this criticism. Fraser sometimes tends, as we have seen, to view law and rights primarily in instrumental and political-strategic terms. Despite a Kantian streak in her thinking, it never leads her – as it has so many others influenced by Kant¹⁰ – to think more deeply about rights, the rule of law, or constitutionalism, or their basic normative bearings. Consequently, it remains unclear whether Fraser’s framework provides a sufficient basis for theorizing law, its place in contemporary society, or what a critical theory of the law might look like. Neither “recognition” nor “redistribution,” her framework’s guiding concepts, perhaps fully captures what we should value about civil liberties, the rule of law, or constitutionalism. Law counts normatively above and beyond whatever contributions it makes to cultural (or symbolic) recognition or matters of economic justice, though it is indeed regularly intertwined with struggles concerning both.

On the conventional view, as articulated by classical theorists as diverse as Locke, Rousseau, Kant, and Hegel, law’s normativity was viewed as deriving from some account of modern principles of freedom and equality.

Countless philosophers and theorists, of course, have tried to update such accounts; Fraser's own theory can be plausibly situated within this rich and ecumenical modern legacy. At first glance, Fraser's neo-Kantianism (and her debts to Habermas) would seem to provide her with useful tools for developing a subtle view of law. Her theoretical framework, however, generally privileges modern law's cultural and economic functions over other indispensable and familiar traits. Vital features of modern law risk getting lost in translation.

Should we value basic liberties chiefly because of their contributions to struggles for cultural or economic justice? Or because of their role in underpinning status or class-based claims against injustice? What of their arguably even more basic role in providing legal security and legal protections against arbitrary public (and also private) power? Or law's contribution in preserving not just (cultural) status or economic equality but the rudiments of modern subjectivity, via legal *personhood*?

How plausible is it to posit, if only implicitly, that we can place modern law's key achievements – existing as well as incomplete – under the conceptual rubrics of “recognition” and “redistribution”? Do these categories get us far enough, for example, in making sense of the complexities of the modern constitutional state (e.g., the idea of the separation of powers)? The ideal of legality or the rule of law, though potentially justifiable in many different ways, cannot be plausibly reduced to matters of cultural recognition or economic redistribution. Yet it not only remains a linchpin of an emancipated society but still today is very much under siege, as Neumann and Kirchheimer would have predicted, by a broad array of authoritarian trends contemporary critical theorists *must* address. Fraser's underlying legal-theoretical lacuna means that her otherwise admirable version of critical theory tends to leave such matters in its limelight.

Fraser's dualistic theory's overarching normative standard is what she calls “participatory parity,” defined in her exchange with Honneth as a norm of justice requiring of social arrangements that they necessarily permit all (adult) members to interact with one another as peers, “applied dialogically and discursively, through democratic processes of public debate” (2003, pp. 36, 43). Not surprisingly perhaps, her theory's normative underpinnings have provoked a lively response from many interlocutors (Olson, ed., 2008). At first glance, the norm of “participatory parity” looks more promising from a legal perspective, since many

elements of modern law can be related to some notion of political and social participation.

Nonetheless, I remain rather skeptical that “participatory parity” can get us far enough in grappling with the nuances of modern law or rights. As a starting point for understanding and perhaps justifying modern political (and maybe social) rights, it might indeed do some of the necessary work. Its spirit seems consonant with many republican, radical democratic, and traditional socialist legal theories. But as soon as we operate with a more complex (and probably more liberal) picture of modern law, as we must, certain limitations emerge. Could we, for example, usefully rely on the idea of participatory parity to develop a sophisticated defense of negative or “liberal” liberties? Or even some basic concept of legal personality, arguably a constitutive feature of modern subjectivity? How far could participatory parity go in analyzing modern criminal or private law (property, contracts), or even international law, a legal arena in which many key principles and practices seem disconnected from Fraser’s radical democratic normative starting point? A more appropriate because less one-sided theoretical starting point would perhaps be some version of what Habermas has aptly described as the *co-primordiality* of public and private autonomy, or democracy and basic rights (1996, pp. 82–131). Fraser, in contradistinction to Habermas, might be taken as problematically suggesting that (radical democratic) participatory parity could do the complex theoretical work that he sensibly ascribes to a richer and more complex mix of democratic and liberal intuitions.

Fraser has little to say about the law in part because elements of her theory, despite their many virtues, may not provide her with sufficient room for doing so. Those problems help explain why she now apparently worries so much about the alleged reduction of critical theory to “legalism.” Since the status of constitutional and legal scholarship remains unclear within her framework, the legal turn in recent critical theory must strike her as potentially counterproductive.

TOWARD A CRITICAL THEORY OF LAW

My discussion, of course, raises tough questions about the proper structure a Frankfurt-inspired theory of law now *should* take. Should its basic contours be neo-Kantian, Hegelian, or Marxist? How might such a theory of the law relate to mainstream jurisprudence and/or legal sociology? A

growing body of Frankfurt-inspired critical scholarship is already beginning to sketch out some preliminary answers. Those answers, to be sure, vary considerably. Among those who believe that critical theorists should devote substantial energy to analyzing law, no easy consensus has emerged. Yet the resulting intellectual ferment represents both an unavoidable and – in my view – basically healthy consequence of any attempt to keep a great tradition from becoming another ossified “school.”

Over the course of her illustrious intellectual career, Fraser has made many vital contributions to critical theory. An exemplary critical intellectual, she has always rightly reminded us not only of critical theory’s core emancipatory aspirations but also the centrality of maintaining its original interdisciplinary orientation. Inconsonant with this admirable political and intellectual orientation, her critical remarks about the (alleged) perils of legalism risk, I fear, inviting dismissals of what will hopefully continue to be a vital body of critical scholarship with deep roots in the work of Frankfurt School thinkers like Neumann, Kirchheimer, and Habermas. Absent an appropriately multisided perspective on modern law, I have a hard time seeing how the critique of “legalism” could pan out. If it is to succeed, critical theory will need to draw – as Fraser’s own work has long exemplified – on a rich variety of intellectual and disciplinary approaches. In other words, it will need to make room for legal scholarship.

NOTES

1. See Scheuerman (2014, pp. 102–118) and Jean L. Cohen’s fierce response (2014) in the same issue.
2. For critical reactions, see: Baynes, K & von Schomburg, R (eds. 2002).
3. See my discussion below.
4. See, for example, the sympathetic discussion of calls among 1960s activists for welfare rights, in Fraser & Gordon (1997, p. 141).
5. For example, see Fraser (1989, pp. 220–21).
6. On some of Foucault’s legal oversights, see Merquior (1985, pp. 104–107).
7. In a more recent employment of Foucault, for example, Fraser emphatically describes him “as the great theorist of the fordist mode of social regulation,” underscoring his pertinence to debates about regulation in the context of contemporary capitalism (2009, p. 116). I am more skeptical than Fraser that a Foucaultian approach can get us very far in making sense of the associated legal transformations.

8. The one exception, her insightful discussion of the confirmation hearings of US Supreme Court Justice Clarence Thomas, does not in fact address their legal or constitutional features (Fraser and Gordon 1997, pp. 99–120).
9. To his credit, Habermas ultimately jettisoned his early critique of juridification.
10. Including some working in the Frankfurt tradition with strong neo-Marxist tendencies, i.e., Maus (1992).

REFERENCES

- Baynes, K, and Von Schomberg, R (eds.) 2002, *Discourse and Democracy: Essays on Habermas' Between Facts and Norms*, SUNY Press, Albany.
- Cohen, J 2014, "Reply to Scheuerman's Review of *Globalization and Sovereignty*," *Global Constitutionalism*, 3, 119–141.
- Dean, M, and Villadsen, K 2016, *Statephobia and Civil Society: The Political Legacy of Michel Foucault*, Stanford University Press, Palo Alto.
- Derrida, J 1989, *Force of Law: The Mystical Foundation of Authority*, (trans.) M Quaintance. *Cardozo Law Review*, 11, 920–1045.
- Foucault, M 1977 (1975), *Discipline and Punish: The Birth of the Prison* (trans.) A Sheridan, Pantheon Books, New York.
- Foucault, M 1980, "Two Lectures," *Power/Knowledge: Selected Interviews and Other Writings, 1972–1977*, (ed.) C Gordon, 78–108. Pantheon Books, New York.
- Fraser, N 1989, *Unruly Practices: Power, Discourse, and Gender in Contemporary Social Theory*, University of Minnesota Press, Minneapolis.
- Fraser, N 1991, "The Force of Law: Metaphysical or Political?," *Cardozo Law Review*, 13, 1325–1331.
- Fraser, N 2009, *Scales of Justice: Reimagining Political Space in a Globalizing World*, Columbia University Press, New York.
- Fraser, N 2015, interviewed by Jo Littler, "An Astonishing Time of Great Boldness: On the Politics of Recognition and Redistribution," downloaded from www.eurozine.com/articles/2015-01-23-fraser-en.html, August 15, 2015.
- Fraser, N, and Gordon, L 1997, "A Genealogy of 'Dependency': Tracing a Keyword of the US Welfare State," *Justice Interruptus: Critical Reflections on the "Postsocialist" Condition*, 121–150. Routledge, New York.
- Fraser, N, and Honneth, A 2003, *Redistribution or Recognition?: A Political-Philosophical Exchange*, (trans.) J Golb, J Ingram and C Wilke. Verso, New York.
- Habermas, J 1989 (1962), *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*, (trans.) T Burger and F Lawrence. MIT Press, Cambridge.

- Habermas, J 1987 (1981), *Theory of Communicative Action*, Vol. II, (trans.) T McCarthy. Beacon Press, Boston.
- Habermas, J 1996 (1992), *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*, (trans.) W Rehg. MIT Press, Boston.
- Honneth, A 1996 (1992), *The Struggle for Recognition: The Moral Grammar of Social Conflicts*, (trans.) J Anderson. MIT Press, Cambridge.
- Honneth, A 2014, *Freedom's Right: The Social Foundations of Democratic Life*, (trans.) J Ganahl. Columbia University Press, New York.
- Maus, I 1992, *Zur Aufklärung der Demokratietheorie*, Suhrkamp, Frankfurt.
- Merquior, JG 1985, *Foucault*, University of California Press, Berkeley.
- Olson, K (ed.) 2008, *Adding Insult to Injury: Nancy Fraser Debates Her Critics*, Verso, New York.
- Scheuerman, W 1994, *Between the Norm and the Exception: The Frankfurt School and the Rule of Law*, MIT Press, Cambridge.
- Scheuerman, W (ed.) 1996, *The Rule of Law Under Siege: Selected Essays of Franz L. Neumann and Otto Kirchheimer*, University of California Press, Berkeley.
- Scheuerman, W 2008, *Frankfurt School Perspectives on Globalization, Democracy, and the Law*, Routledge, New York.
- Scheuerman, W 2013, "Capitalism, Law, and Social Criticism," *Constellations*, 20, 571–586.
- Scheuerman, W 2014, "Globalization, Constitutionalism, and Sovereignty," *Global Constitutionalism*, 3, 102–118.
- Scheuerman, W 2017, "Recent Frankfurt Critical Theory: Down on Law?" *Constellations*, 24 (1), 113–125.
- Tocqueville, A 2003, *Democracy in America*, (trans.) G. Bevan, Penguin, New York.

(Parity of) Participation – The Missing Link Between Resources and Resonance

Hartmut Rosa

A few years ago, a book not just thrilled the critical theory community but attracted the attention of a wider public, too: *Redistribution or Recognition?* (Fraser and Honneth 2003). It was a debate between Nancy Fraser and Axel Honneth, and basically, it was about whether social critique should focus on the resources for a good life or on the quality of social relationships – or on both. In this contribution, I would like to argue that, in fact, social criticism should focus on relationships, but not on social, or sociocultural relationships alone. What Nancy Fraser quite rightly insists on against Honneth is the importance of *material* (or “objective”) relationships, of the quality of work, for example, but also of the ways in which we relate to the world we live in and of the resources we have at our hands to appropriate the world. Therefore, as Fraser suggests, *parity of participation* is a most useful tool to scrutinize the nature and state of our relationships in and with the world. Thus, I would like to extend Fraser’s approach by suggesting that participation is central for any conception of a good life *and* of a just society, because it is the way in which we *appropriate* the world and thus enter into resonant

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relationships – with our fellow human beings, but also with nature, with art, with history, with our own body, etc. If *resonance* can be taken as an indicator for the quality of life, or even as the cardinal ingredient of a good life, as I tried to argue in my own book on the good life (Rosa 2016), *participation* is an essential precondition for and a vital element of resonance because it enables subjects to experience *self-efficacy*. Furthermore, it is in and through participation that we experience affection and meaning in the world.

If the process of appropriation (through participation) fails, we end up in states of alienation. In the long tradition of critical theory from Marx through Adorno and Horkheimer or Marcuse and Fromm to Rahel Jaeggi, alienation has come to signify a state of affairs where our relationships to others, but also to our work, to nature and to ourselves, have become deaf and mute, indifferent or inimical (Jaeggi 2016; cf. Rosa 2010). By contrast, appropriation of the world through a process in which we are moved, touched or affected by someone or something *out there*, on the one hand, and in which we respond to this “call” in a self-efficacious way, on the other, is precisely what I want to call a relationship of resonance.

Yet, as Fraser’s impressive work comprehensively demonstrates, under capitalist and patriarchal conditions, there is a high risk of alienation by consequence of processes of blind marketization, incessant competition, prolonged repression, and increasing as well as persistent inequality (Fraser 2008). Unsurprisingly, male domination appears to be connected *directly* to the domination of instrumental, “deaf” instead of resonant, social and material as well as “spiritual” relationships (Fraser 2013; see also Aulenbacher et al. 2014). In this vein, Fraser’s work paves the way to a comprehensive theory and critique of social and material relationships.

What I want to do in this contribution, therefore, is twofold: First, I would like to point out that what Nancy Fraser in her version of social critique is really after is a specific way of relating and connecting to the world. This is the common element in all three of her dimensions of (in-) justice, and with her conception of *participatory parity*, she comes much closer to a comprehensive conception of the good life than she might think. But secondly, I would like to use Fraser’s conception of parity of participation to point out that for a theory such as my own, which aims at a *critique of the conditions of resonance*, material resources and matters of economic distribution cannot be neglected or downplayed. In short, the argument on both counts is this: Appropriation of the social and material

world through participation is an essential condition of any form of the good life, and a lack of material resources, as well as a lack of social recognition and “connection,” prevents such participation. In establishing my argument, I then take the liberty to suggest a slight modification in Fraser’s third dimension of justice (*political representation*) and in her diagnoses of the current capitalist crisis – only to converge with her approach in search for viable path toward a better, postcapitalist society in the end.

RESONANCE AND THE THREE DIMENSIONS OF PARTICIPATION

In her writings, Nancy Fraser is rather reluctant to embrace any sort of conception of a good life, for, quite in accordance with the proponents of classical Critical Theory such as Adorno or Horkheimer, she feels that all attempts to spell out conditions of the good life seriously run the danger of universalizing paternalist, essentialist and/or parochialist elements (cf. Fraser and Honneth 2003, pp. 26–48). Yet, she firmly (and, in my view, very rightly) insists that the one thing that *is* required by all defensible conceptions of justice, and which thereby can be interpreted as a *precondition* of the good life (whatever concrete shape it then might take on), is *parity of participation*. By this term she means not just the abstract *right* to participate on equal terms in social and cultural practices as well as in political life but the *actual capability* and opportunity to do so (Fraser 2008, pp. 145–146).

Thus, for Fraser, participatory parity “provides a normative standard for assessing the justice of *all* social arrangements along *two* dimensions and across *multiple* axes of social differentiation. As such, it represents a fitting counterpart to a conception of gender that encompasses not only the status-oriented dimension of recognition but also the class-like dimension of distribution,” Fraser writes in her seminal article “Feminist Politics in the Age of Recognition: A Two-Dimensional Approach to Gender-Justice” (Fraser 2008, p. 167). Later on, she added a third dimension to this framework, namely the politically oriented dimension of *representation* (2008, p. 145–146). On her account, representation entails two vital elements, namely *symbolic framing* and *democratic voice* (ibid: 146–147). In my view, these two moments signal a bidirectional inclusion in the political world. Parity of participation here means, then, being addressed, and “meant,” and fully included as a political subject in the shared lifeworld, but also being capable of making oneself “heard,” being able to contribute in one’s own voice.

This, interestingly, dovetails perfectly with my own definition of resonance: Resonance can be defined as being addressed and affected (af←fection from Latin, *afficere* or *ad-facere*) by someone or something “out there” (in this context: state politics), but also being able to “move outwards” (e→ motion from Latin, *e-movere*) and touch and affect others, i.e., to experience self-efficacy (Rosa 2016, pp. 281–298).

Read this way, what Fraser means by full participation and what I want to call resonance amount to (almost) the same idea. And, as Fraser carves out succinctly again and again, parity of participation can be denied or disabled in three different forms corresponding to the three dimensions of (in-)justice: First, appropriation of the world can be impossible because of a lack of the “objective” means for active appropriation, i.e., of the economic and material resources needed to enter into resonant relationships with the world. Parity of participation therefore requires that “the distribution of material resources must be such as to ensure participants’ independence and ‘voice’.” This ‘objective’ condition precludes forms and levels of economic dependence and inequality that impede parity of participation. Precluded, therefore, are social arrangements that institutionalize deprivation, exploitation and gross disparities in wealth, income, and leisure time, thereby denying some people the means and opportunities to interact with others as peers” (Fraser 2013, p. 164).

Now, while I fully agree with this, I would like to maintain a distinction between the *material* or objective obstacles to resonant forms of being in the world and *intersubjective* conditions of resonance; a distinction which is prevalent in Fraser’s two initial dimensions but which is blurred by the last half-sentence of the quotation. If we lack food or shelter, or if we are prevented from developing our own rhythm and approach to the materials we work on or with, or if we are constantly pressed for time, we certainly experience “the world” as hostile or inimical, or at least as mute and deaf material: We cannot develop “resonant” relationships that allow for an active appropriation of our (material) lifeworld, not least because we fail to experience self-efficacy. Hence, we cannot live in resonance with our material surrounding, with the world of things.

By contrast, coming into resonance *with others*, i.e., developing resonant forms of interaction, surely can be, and often is, prevented by “status inequality” and by misrecognition. Participatory parity here requires that we *hear each other* and *speak to each other* as “equals.” It requires that we are capable of freely developing our own voice, but also of receiving and responding to our interlocutors’ voices. Full participation requires

openness and firmness at the same time. Again, I fully agree with Fraser that social resonance in this sense presupposes emancipation: Far too long, and still too often, women, indigenous people, homosexuals, and other groups have been denied the freedom and the opportunity to fully develop their “own voices” and make them heard. “Precluded, therefore, are institutionalized value patterns that deny some people the status of full partners in interaction – whether by burdening them with excessive ascribed ‘difference’ or by failing to acknowledge their distinctiveness” (Fraser 2013, p. 164).

In this way, there are, so to speak, “material” as well as “social” axes of resonance and participation (Rosa 2016, Part 2, Chapters VII and VIII), but, as we have seen, Fraser insists there is a third one, the realm of *symbolic voice and inclusion*. For Fraser, this predominantly means inclusion as a political subject in the political world. In my own understanding, I tend to count political inclusion among the social or intersubjective axes of participation and resonance, as I interpret democracy as the project of political resonance: Its great promise is to give every citizen his or her own voice and to make it heard in the polyphonic concert of modernity – thereby creating a “musical democracy” (Love 2006) in which appropriation means that we talk and listen to each other in a way that transforms ourselves as well as the world we share. But, in my view, this carries the third dimension of participation and resonance beyond the strictly intersubjective domain: It bestows a sense of “connection” with the world, or the universe as such.

As William James in his analysis of the *Varieties of Religious Experience* suggested, this sense, or this desire for a meaningful connection, is an almost natural form of human response “to the universe,” it gives birth to religious ideas (James 1916). However, in modern society, human beings have found other ways for the experience of “resonant” relationships with the world as such, for participation in the universe, so to speak: Thus, the modern conceptions of (the voice of) “nature,” of “art” or of “history” as collective singularities all allow for experiences of responsive connection to the totality of life surrounding us (Rosa 2016, Chapter IX). Thus, I would like to call this a third, “vertical” axis of resonance.

However, Nancy Fraser in her writings insists that the totality we are connected to in such a resonant or participatory or appropriative way must be a *political* totality, that it is precisely through political participation (on equal terms) that this sense of responsive, self-efficacious connection can be created and maintained. With this thought, which is an Arendtian

thought, too (cf. Fraser 2008, pp. 131–141), Fraser in my view clearly demarcates her critical and philosophical project as a *republican* project. This project, however, she feels threatened and undermined by the logics or mechanisms of an incessant capitalist accumulation and marketization – and by the prolongation of male domination.

CAPITALIST CRISES AND THE NEED FOR A ZEITDIAGNOSE

Nancy Fraser has always made it very clear that a capitalist economy requires a capitalist society, i.e., one dominated by the logic of capital accumulation and thus by marketization and competition; and such a society necessarily produces inequality and crises. Capitalism, no doubt, produces and exploits distributional, recognitional, and representational inequality and injustice, such as gender inequality and class divisions, which prevent parity of participation, but which inevitably produce their own endemic social, political and cultural crises, too (Fraser 2011). Yet, she never left it at that but insisted that a critical theory which deserves its name requires a proper *Zeitdiagnose*, i.e., a sharp analysis of the prevailing social conditions and struggles (see, e.g., 2008, p. 11).

Most interestingly, in order to achieve such a diagnosis for our time, she increasingly turned to the analyses of Karl Polanyi (Polanyi 2001). In my view, this turn clearly reveals that what she “really” is concerned about is the very nature of our relationship to the world in its material, social, and “spiritual” dimensions. For in Polanyi’s account, the “Great Transformation,” which is brought about by capitalist marketization and the “fictitious commodification” of labor, land, and money, is precisely a transformation of the way we relate to our fellow human beings, to land and nature, to the (commodified) world of things, and, by consequence, to ourselves. The “disembedding” of markets for Polanyi, and, following him, for Fraser (2013, pp. 227–241 and; 2011), implies a tendency to destroy social and communal bonds and to enforce a reified or alienated relationship with the world.

This, in turn, leads to a counter-movement of “social protectionism” which seeks to preserve more “resonant” forms of social and cultural life. However, as Fraser quite rightly argues *against* Polanyi, those traditionalist forms or movements of social protection and “re-embedding” very often entail and support social relationships which are unjust, unequal, and repressive, because they preserve social hierarchies and deny participatory parity to women and other subordinated social groups. As we have seen

above, in conventionalist and traditionalist social arrangements, those groups are in many ways prevented from developing “their own voices” and from participating in fully resonant ways. This, then, is exactly what emancipation is about: Freeing subjects from repressive chains such that they can find their own “frequency,” i.e., build and create material, social, and spiritual relationships that “resonate” with them.

In the tradition of critical theory, and particularly in contemporary versions of it, “autonomy” thus has become the superior value and goal of political struggles. Against this, Fraser cautions us that emancipation, too, needs to be “mediated” by the other two elements of the “triple movement” of marketization, social protection, and emancipation (2013, p. 236). But in my view, it is not quite clear from her account what this means: Why should emancipation not be enough? In light of my own conception of a *critique of the conditions of resonance* (Rosa 2016), resonating relationships can obviously never be achieved by subjects on their own, for they need a “resonating world,” which allows appropriation through participation in a responsive exchange. And this is prevented by the fact that modern, capitalist societies operate in a mode of *dynamic stabilization*: they incessantly need to grow, to accelerate, and to innovate in order to maintain and reproduce their institutional status quo and to keep the accumulation of capital going (Rosa et al. 2017). Dynamization in this triple sense of growth, acceleration, and innovation is a structural necessity of capitalist modernity; it brings about severe crises of its own in the form of massive de-synchronization between systems, spheres or actors capable of acceleration and others who are not (Rosa 2015).

In any case, this principle of dynamization, which is socially enforced through the logic of competition, profoundly transforms the way in which we relate to the world in all three dimensions – to the world of things, to the world of people, and to the world as a “cosmos” or a totality. It forces subjects into *instrumental* relationships toward land and nature, into *competitive* relationships with each other, and into relationships of *self-optimization* toward their bodies and minds. In my reading, all of these are deaf, mute, silent forms of connection, leading to an inert cosmos of reification and alienation. Full participation in the sense defined above thus becomes more and more difficult in all three dimensions of life identified by Fraser. Therefore, in order to completely understand the nature of the present crisis, one cannot leave out an analysis of the social and cultural consequences of dynamic

stabilization. Such an analysis, however, in my view only adds to Fraser's account and to her *Zeitdiagnose*; it does not contradict it in any significant way.

CONCLUSION

With her sharp and comprehensive analysis of the three dimensions of injustice and participation, Nancy Fraser in fact provides us with a most reliable compass in the search for a better form of social arrangements, for a better society – and for a better life, as it were. Full participation, on this account, requires the opportunity, the resources and the power to appropriate the material, the social, and the political (or spiritual) world. A resonant form of being in the world, Fraser teaches us, cannot be realized if we are denied the material and economic resources needed to satisfy our human needs, on the one hand, and the requirements for full and equal social agency, on the other hand. Thus, economic maldistribution denies to the disadvantaged and the exploited the capacity to appropriate “the world” in a manner which allows for the discovery of one's own voice as an agent and for experiences of self-efficacy and responsivity. Even worse, if we are malded and malclothed, we cannot but experience the world as a cold and indifferent or as a straightforwardly hostile place. In this way, the conception of (parity of) participation serves as the link between a critical theory focused on distributory justice and/or resources and a critical theory geared toward recognition or resonance. For, as Fraser rightly observes, social and cultural hierarchy and misrecognition also undermine our capacity to fully appropriate the world we live in. Here, I feel, resonance as a concept might be a bit more precise than participation: Social actors can only establish resonant relationships (and hence parity of participation) when they take a stance of *listening and responding on equal terms*. If the other's voice is denigrated right from the start, elements or moments of reification and alienation will become inevitable. All forms of oppression and repression, therefore, can be interpreted as attempts to “silence” subjects, to prevent them from finding their own, distinct, individual voice and frequency. Yet, from Fraser's claim that even aspirations for emancipation need to be “mediated” and evaluated against the processes of social protection and marketization (2013, p. 236), and from her insistence that symbolic inclusion and political voice are cardinal for social actors, I derive the argument that it is not enough for full participation to have the material resources, the means, the status, and the social

right to do as one pleases individually: Participation in the fullest sense requires in addition that we are capable of developing a “resonant” relationship to the world as a totality, that we are capable of experiencing the world as “responding” and ourselves as self-efficacious agents, collectively shaping the world.

In this way, I read her plea that we should not cease to fight for *the soul* of the market, for the *soul* of social protection, and for the *soul* of emancipation (Fraser 2013, p. 241), as a plea to struggle for resonant participation in all three dimensions of life. It is a plea for a resonant relationship *with the material world* – land, nature, and the world of artifacts, *with the social world* through the creation and protection of social bonds, and *with the world as a totality* – in Fraser’s “Arendtian” account (Fraser 2008, p. 131): For a form of resonant participation achieved in and through collective political action, which is built on and which preserves both human plurality and spontaneity as the indispensable core elements of resonance.

BIBLIOGRAPHY

- Aulenbacher, B, Riegraf, B, and Völker, S 2014, *Feministische Kapitalismuskritik*, Westfälisches Dampfboot, Münster.
- Fraser, N 2008, *Scales of Justice: Reimagining Political Space in a Globalizing World*, Polity Press, Cambridge/UK and Malden/MA.
- Fraser, N 2011, “Marketization, Social Protection, Emancipation: Toward a Neo-Polanyian Conception of Capitalist Crisis,” in *Business As Usual. The Roots of the Global Financial Meltdown*, (eds.) CJ Calhoun and GM Derluguian, 137–158. New York University Press, New York.
- Fraser, N 2013, *Fortunes of Feminism. From State-Managed Capitalism to Neoliberal Crisis*, Verso, London/New York.
- Fraser, N, and Honneth, A 2003, *Redistribution or Recognition? A Political-Philosophical Exchange*, (trans.) J Golb, J Ingram, and C Wilke, Verso, London/New York.
- Jaeggi, R 2016, *Alienation*, Columbia University Press, New York.
- James, W 1916, *The Varieties of Religious Experience*, Longmans, Green & Co., New York.
- Love, NS 2006, *Musical Democracy*, State University of New York Press, Albany.
- Polanyi, K 2001, *The Great Transformation: The Political and Economic Origins of Our Time*, Beacon Press, Boston.
- Rosa, H 2010, *Alienation and Acceleration. Towards a Critical Theory of Late Modernity*, NSU Press, Malmö and Aarhus.

Rosa, H 2015, "Escalation: The Crisis of Dynamic Stabilisation and the Prospect of Resonance," in *Sociology, Capitalism, Critique* (eds.) K Dörre, S Lessenich, and H Rosa, 280–305. Verso, London/New York.

Rosa, H 2016, *Resonanz. Eine Soziologie der Weltbeziehung*, Suhrkamp, Berlin.

Rosa, H, Dörre, K, and Lessenich, S 2017, "Appropriation, Activation and Acceleration. The Escalatory Logics of Capitalist Modernity and the Crisis of Dynamic Stabilization," *Theory, Culture and Society*, 34, 1, 53–73.

Curbing the Absolute Power of Disembedded Financial Markets: The Grammar of Counter-Hegemonic Resistance and the Polanyian Narrative

Alessandro Ferrara

Over the years Nancy Fraser has remained exemplarily faithful to Marx's notion of critique as "the self-clarification of the struggles and wishes of the age." Distrustful of foundational schemes, of methodological agonizing over the specificity of critique and of normative theory about the just society, her profile has consistently been that of a critical theorist engaged in a *Zeitdiagnose* aimed at highlighting the promise of social movements that question the historical dimensions of injustice imposed by the capitalist organization of society. Her intent has always been to anchor her theorizing in the perspective of those antagonist and critical movements and at the same time to bring greater articulation and coherence, and therefore traction, to their denunciation of sufferings and injustices and to their claims in the public sphere.

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In this paper, I engage Fraser's recent reformulation of the Polanyian paradigm of a double movement of "disembedding and protection" in terms of a newly conceived "triple movement." Her view will be discussed from the angle of one of the crucial challenges for democracy today: how to curb the resurgence of "absolute power," now wielded by disembedded financial markets? I will start from a brief reconstruction of the phenomenon and then will address the problems it raises for Fraser's reformulation of the Polanyian paradigm.

ABSOLUTE POWER REDUX: THE RISE OF DISEMBEDDED FINANCIAL MARKETS

The prospect for the emancipatory critique of injustice turns on a *Zeitdiagnose* that opens up both a realistic insight into the new possibilities and a normative vista on the desirable. We must first grasp where we are at, in our historical process, in order to anchor our vision of the just society.

The project of democracy as a political community of free and equals who govern themselves according to norms of their own making has always had a tense relation, more than other forms of political rule, with the economic sphere where the material infrastructure of society is reproduced. In this context, Fraser's choice of the Polanyian narrative as a backdrop against which to assess the predicament of democracy in the 21st century could not be more apposite. For today we experience at the same time a sudden increase in disembedding on the part of financial markets and the exhaustion of the *classical* recipe of social protection. Furthermore, democracy finds itself at a paradoxical crossroads. Politically, it has become a horizon for half of humanity (Ferrara 2014, pp. 1–4),¹ if we count the population of the 86 countries counted by Freedom House as democracies in 2016 and add to it the number of those who, although living in other kinds of regimes, do aspire to turn them into future democracies or just wait in a metaphorical line to migrate to democratic host countries. At the same time, democratic self-government, once successful in curbing the power of absolute monarchs, and its legislative, executive and judicial institutions are more and more subjected to the new *absolute power* of global financialized, disembedded and largely virtualized markets. How did we get to this point?

We can make sense of this process by highlighting four facets of it. *First*, let me start with the Polanyian narrative of the "great transformation": the

transition from the ancient, medieval, and early modern embedment of market activities within the larger web of social life to the nineteenth century triumph of the imagery of the self-regulating market as the core of society. Challenging the Smithian construction of a natural propensity “to truck, barter and exchange,” and appealing to historical and anthropological evidence, Polanyi shows how for millennia society’s material reproduction turned on rituals of gift reciprocity, traditions of mutual labor exchange, political or semipolitical predation (like piracy) occasionally, but never on the kind of “invisible hand” that – fully oblivious of the “invisible handshake” presupposed by its operation – supposedly regulated economic exchanges. The two major prerequisites that enabled that construction to take hold of the Western imaginary, according to Polanyi, were the “satanic mill” (Polanyi 2001, p. 35) that through the enclosures of the land in England – unsuccessfully opposed by the Tudors and the Stuarts and by the Anglican Church during centuries (and perhaps replicated in the twenty-first century by the enclosures of the otherwise free cyberspace operated by Google, Facebook, Oracle and the like) – created a multitude of uprooted wandering paupers ready to accept wages at a mere subsistence level at the manufacturing plants meanwhile made possible by technological innovation at the time of the Industrial Revolution (ibid., p. 60). In turn, these major facets of the Great Transformation sustained the semblance of an independent, self-regulating market only because three other conditions concurred: (a) the ongoing availability of raw materials, often of colonial origin, for the operating of large-scale plants; (b) the politically sustained transformation of labor, land, and money into “fictitious commodities” known by the names of wages, rent, and interests (ibid., p. 72) and, finally, (c) the One Hundred Years’ Peace period that the Holy Alliance and the Concert of Europe, under the watchful eye of *haute finance*, were able to secure between 1815 and 1914.²

Second, this thorough transformation of society – premised on the threefold tenet “that labor should find its price on the market; that the creation of money should be subject to an automatic mechanism; that goods should be free to flow from country to country without hindrance or preference” (ibid., p. 141) – called forth a momentous protective reaction on the part of the social forces mostly affected by it. This reaction brought our predicament into being, which Fraser most interestingly reconceptualizes as composed of two sets of struggles: Polanyian struggles for protection against the consequences of disembedding, but also *new* struggles for emancipation from oppressive social hierarchies and

practices. Throughout the 1930s and part of the 1940s, this Polanyian “double movement” of societal modernization came to full fruition. Against “the principle of economic liberalism, aiming at the establishment of a self-regulating market, relying on the support of the trading classes, and using largely *laissez-faire* and free trade as its methods,” there arose the “principle of *social protection* aiming at the conservation of man and nature as well as productive organization, relying on the varying support of those most immediately affected by the deleterious actions of the market . . . and using protective legislation, restrictive association, and other instruments of intervention as its methods” (ibid., pp. 138–9). That *principle of social protection* took very different forms: New Deal legislation, fascism, the socialist planned economy, which the Adornian critical theory of the time lumped together into the dismissive category of the “administered society.” Only the first alternative is of interest here – the other two died out as viable alternative paths for modern societies – but in order to grasp the predicament of democracy vis-à-vis the new absolute power of the markets we have to update the Polanyian narrative.

The further transformation of modern societies – the *third* facet in our *Zeitdiagnose*, and the first development *beyond* Polanyi’s narrative – consists of the transition from a democratic society pivoting, during the first half of the twentieth century, around a *manufacturing-based capitalist economy* and later (starting from mid-century for the US, later for other democracies) around a *post-industrial economy* (where more than 50% of the labor force is employed in the tertiary sector), to a late twentieth- and early twenty-first-century society where financial capital invested in dis-embedded, and largely virtualized, markets predominates. We live in societies where an increasing proportion of profits originates from financial gains, not from manufacture or services: in 2010 40% of all profits in the US are estimated to have come from finance (Stiglitz 2010, p. 20), and this could be an expanding trend.

During this momentous transformation toward financialization (1980–2015), the value of labor has constantly been diminishing in the West and the impact of this process, jointly caused by technical rationalization and by the geopolitical availability of a global labor market, goes well beyond even the whole of the economic sphere. We are probably witnessing the terminal decline of employed labor *qua* generator of wealth and social prestige also in the tertiary sector, among white collars. On the one hand, the great manufacturing industry undergoes a steady decline. Paradoxically, Detroit has been brought to its knees by Wall Street and

not by unionized labor: the iconic image of this tilting of the scales, an image that should parallel in the public imagination that of the collapse of the Berlin Wall, is the image of the City of Detroit being finally allowed by the Bankruptcy Court, on December 3, 2013, to file for bankruptcy due to its \$18.5 billion debt. On the other hand, the prevailing of financial capital in the economy tilts the scales in favor of capital and rent while mercilessly reducing the income, the relative wealth, the purchasing power, and consequently also the political influence, of the employed middle class. As wage labor becomes flexible, precarious, underpaid, sub-contracted and outsourced, it also loses its traditional forms of representation. It becomes increasingly de-unionized and loses the capacity to attract consensus on its requests. This development massively impacts the electoral fortunes of the parties that historically have represented labor in many democratic countries: such parties have either undergone mutations, to the point that their labor origins are almost undiscernible or have generally suffered a more or less severe downsizing.

Parallel to the above process, a deep turn toward inequality has occurred. Not only have the income and wealth of the top 1% of the population reached spectacular levels incomparable to the everyday reality of everybody else, as the social movements claiming to represent “the 99%” (Indignados, Occupy Wall Street) testify, but a deep restructuring of the *basis* of inequality has been underway. This new inequality, based on financial rent, rather than on profits from productive activities, has profound implications for democracy. As Piketty has eloquently put it,

When the rate of return on capital significantly exceeds the growth rate of the economy (as it did through much of history until the nineteenth century and as is likely to be the case again in the twenty-first century), then it logically follows that inherited wealth grows faster than output and income. People with inherited wealth need save only a portion of their income from capital to see that capital grow more quickly than the economy as a whole. Under such conditions, it is almost inevitable that inherited wealth will dominate wealth amassed from a lifetime’s labor by a wide margin, and the con-centration of capital will attain extremely high levels – levels potentially incompatible with the meritocratic values and principles of social justice fundamental to modern democratic societies (Piketty 2014, p. 26).³

The instruments of financial activity have become ever more virtual, disjoined from all measurable and material benchmark in the “real world.”

Since at least three decades finance produces profit no longer through facilitating investment in production or services, but through speculation on markets which are global, disembedded from any national or regional or industry context, and increasingly virtual (Lapavistas 2013). This is a further step along the “disembedding” trend explored by Polanyi. The supposedly self-regulating markets that he considered were still anchored to a national economy, even though raw materials could come from colonial countries and financial capital was already international. The financial markets of the twenty-first century, and even the non-financial firms of the new economy (Google, Facebook, Oracle, Microsoft), are anchored in no locality and respond to no local need. Ironically, the elusive philosophical chimera of the *view from nowhere* has finally incarnated itself in these markets’ and firms’ *triple disembedding*: (a) from territorially based resources and manufacturing processes, (b) from corporate social responsibility toward locally situated stakeholders, (c) from tangible and verifiable fundamentals linked with the value of commodities, assets, stocks, market shares, etc. The negative effects of such triple disembedding for democracy are compounded by the volatility induced by lack of transparency and by the quantitative volume of the markets. The under-controlled securitization of debt and mortgages produces information asymmetries that result in increased volatility (Stiglitz 2010, p. 22) and, on the other hand, the aggregate value of the equities and derivatives being exchanged on the global market far exceeds any material counterpart represented by material assets, real estate, and commodities.⁴

Finally, an analysis of the impact of financial markets on democracy is not complete unless a *fourth* aspect, at the interface of economy and politics and somewhat overlooked by Fraser’s updating of the Polanyian narrative, is adequately addressed. The markets, once limited and subjected to the absolute power of kings, now wield an *absolute power* over the democratic polities that long ago defeated the absolute power of kings. Democracy cannot be re-claimed unless we gain an understanding of the new configuration of power that has grown under our eyes over the past three decades. The gist of what has been occurring, when construed through the lens of political philosophy, is the formation of a new form of absolute power in the midst of democratic polities dedicated to the values of freedom and equality and of the rule of law. Absolute power is not used metaphorically here, but in the technical sense of designating an actor who can unilaterally influence the lives of all other actors while being not subject to their control.

One may object that markets are not subjects, but collections of interacting individuals: they are a shorthand notation for what goes on in millions of interactions – an understanding already present in Polanyi’s text, where markets are defined as “actual contacts between buyers and sellers” (Polanyi 2001, p. 75). However, such abstract agency is also typical of absolute sovereignty as theorized by Hobbes: the sovereign need not be an individual. Sovereignty may be exerted by a small group of oligarchs or even by a larger assembly: what defines its absoluteness is its being the only source of legitimacy and rightness. The sovereign’s actions cannot be deemed unjust for the simple reason that no standard of justice can be established independently of the sovereign’s authority.

Furthermore, one could object that the expression “not Subject to the Civill Lawes” (Hobbes 1968, p. 313) cannot apply to market actors who are constantly immersed in a thick web of regulatory provisions – some of statutory form, others having the form of guidelines, regulations, benchmarks issued by domestic and international agencies. However, the developments described above have resulted in the creation of ambiguous forms of subjectivity that escape full democratic accountability and that will need further investigation from the perspective of the political – not simply economic – implications of their influence. This is the case with *crypto-actors* such as rating-agencies, supposed to analyze economic processes and the reliability of economic or institutional actors, but often influencing the success or failure of the conduct they are pretending to observe. This is the case with *pseudo-economic* actors such as sovereign funds, purporting to orient their action to the maximization of returns for their investments, but in fact often pursuing political goals. Furthermore it must be observed that while subjection to law certainly binds actors within the market, the law itself – especially if we consider statutory law, made in parliaments formed in elections influenced by corporate contributions and media – is often drafted in anticipation of what markets will “like” and are “willing” to accept. In this last sense, markets influence law-making more than the law influences markets: therein lies the late-modern absoluteness of their power.

In an ironic replica of the ambiguous relation of parliaments to kings before liberal constitutionalism, in the twenty-first century governments and parliaments often aim at wooing the approval of the markets or staving off or at least placating their disapproval, because the key to electoral survival has become the ability of one party or coalition to ensure prosperity or to at least stave off financial downturns. The simile has more facets to

it. Just as absolute monarchs could ignore or reject parliamentary law-making, and ultimately dissolve or convene parliaments – as illustrated by the tensions between the Stuart monarchy and the Westminster parliament of the first half of the seventeenth century – so today markets, through their negative response, have the power to deny legitimacy to democratic law-making by way of providing or denying the crucial prosperity dimension around which the democratic electoral contest is fought. Seven democratic governments in Europe have been brought down by the pressure of the markets in the wake of the 2008 crisis: in March 2009 premier José Socrates of Portugal, in July 2011 the widely acclaimed Zapatero government in Spain, the Papandreou government in Greece, the republican Irish government headed by Brian Cowen, in January 2009 Prime Minister Haarde of Iceland resigned following two weeks of protest against his government’s response to the financial crisis, then the Berlusconi government in Italy and the Godmanis government in Latvia.

Finally, another feature of classical absolute power is that power holders cannot be held wrong or liable for their actions: there can be no judge settling the controversy (Hobbes 1968, p. 246). Similarly markets, *qua* anonymous networks of interrelated individuals responding to investment opportunities, cannot be held accountable for being in any sense “wrong” or be liable for the damages and torts they produce. Democratic law-making can be disapproved of by financial markets, but democratic legislative assemblies cannot disapprove of the market responses, which exert the same potentially devastating yet unquestionable impact, that natural forces such as earthquakes, hurricanes, tsunamis exert. This essential arbitrariness is the distinguishing mark of the absolute power of the now disembedded financial markets: no rules can bind them.

Again, drawing on Hobbes’s *Leviathan*, we could say that to bind the exercise of power to rules and guidelines means to relocate effective and real sovereignty to the rule-giver. Absolute sovereignty means to rule according to one’s unfettered will. Similarly, there are no negotiations that democratic legislatures can conduct with markets, no compromise, no give and take, no legislative concession that can be offered in view of a favorable return on the part of financial markets: markets – in their plural manifestations as decisions on the part of hedge funds, rating agencies, currency traders, managers of sovereign funds, investment banks, individual investors – either *like* or *dislike* some provision enacted or policy pursued by a democratically elected government. They cannot be forced to observe the terms of any deal: they may instantly pulverize any policy

adopted by democratic governments or they may reward with prosperity the policies that are to their liking, instantly making or breaking the electoral fortunes of the political parties and movements that support such policies.

To recap: following up on the Polanyian narrative, after the apotheosis of social protection during the Glorious Thirty and the years of social turmoil across the 1960s and 1970s, the pendulum swung back to disembedding since the 1980s, with an intensity that has revived the brutal societal devastation inflicted by the ruthless capitalism of the mid-nineteenth century. Disembedded financial markets wield an unprecedented absolute power over late-modern societies that maintain a democratic institutional order, though many claim they already are post-democratic. The ensuing question for critical reflection is: why is a reviving of the social protection phase of the pendulum nowhere in sight?

FRASER'S NOTION OF A "TRIPLE MOVEMENT"

In her article "A Triple Movement? Parsing the Politics of Crisis After Polanyi," Nancy Fraser offers a groundbreaking answer to this question. She starts off by discarding some problematic answers. For example, some tend to blame the absence of a counter-hegemonic swing to protect society from neoliberal hegemony and disembedded financial markets on faulty political leadership, but for Fraser the "across-the-board collapse of political Keynesianism among the elites" cannot be explained in terms of the psychology of individual leaders. Others blame the transition to a post-Fordist regime of accumulation, dominated by finance: labor lacks unity, let alone influence, unions fade away as protagonists of social struggles, strikes lose efficacy, and in the face of the new divide that opposes stably employed workers and precariously employed workers, the struggle of unionized labor is tainted by the suspicion of amounting to a self-interested defense of "the privileges of a minority that enjoys a modicum of social security against the far greater number who do not" (Fraser 2013, p. 124). Since I count myself among those who favor such an explanation, I am particularly interested in Fraser's argument against it. She concedes that "for structural reasons . . . labor cannot supply the backbone for the protective role of a double movement in the 21st century," that no obvious successor is in sight and the ones who have enjoyed their 15 minutes of revolutionary limelight – "youth, peasants, consumers, women," symbolic workers – have all been "found wanting in political heft": thus

financialized capitalism obstructs the Polanyian dynamics by preventing the rise of an “identifiable social force that could spearhead a counter-hegemony” (ibid, p. 124).

Fraser concedes that this view goes some way toward explaining the absence of a counter-movement against neoliberal hegemony but objects that it (a) underrates “labour’s prospects outside the Global North” (ibid., p. 125) (b) overlooks the struggles that challenge neoliberal hegemony not in the sphere of work but in that of social reproduction (education, health care, housing, water, pollution, food and community life) and (c) misses “the discursive face of politics,” the struggle that opposes anti-neoliberal social imaginaries to the current hegemony and achieves efficacy through shaping the agency of a multiplicity of actors.

Finally, one could point to the fact that a “crisis of framing” or scale has made the “modern territorial state” cease to appear the “principal arena and agent of social protection,” as it used to be in the Polanyian scheme (ibid.).¹ Differently than it was the case until the Great Depression, in the twenty-first century the financial crises originate in one specific point – the overextended subprime mortgages and the real estate bubble in the US, the bankruptcy of Lehman Brothers – but the solution is beyond the reach of one single state. It requires coordination of a multiplicity of Central Banks and international bodies of financial governance, as well as of governments, in order to stop contagion. Consequently “the upshot is that the project of social protection can no longer be envisioned in the national frame” (ibid., p. 126) and therefore loses credibility. The merit of this diagnosis is to help us make sense of why the rallying cry of social protection appeals to national, mostly populist and conservative movements – Marine Le Pen’s National Front, the Northern League in Italy, Golden Dawn in Greece – but, on the other hand, objects Fraser, it leaves us in the dark as to why no counter-movement for social protection develops at the supranational level. If capitalism has gone global and disembedded financial markets from national settings, “why have the partisans of social protection not organized a counter-movement at a comparable scale?” (ibid, p. 127).

Then Fraser propounds an alternative and original explanation. She begins by questioning the question. By asking “why is there no counter-movement aiming at global social protection?” we risk committing the same mistake of those who in the 1930s were fixated on the question why no socialist revolutions occurred in the industrial societies of the West. We direct our gaze where theory indicates, at

the conflict of capital and wage labor, seek to explain “the anomaly” and ultimately miss the novel forms of opposition. Not only we risk overlooking the critical potential of social movements fueled by “anti-racism, anti-imperialism, anti-war, the New Left, second-wave feminism, LGBT liberation, multiculturalism” (ibid, p. 127) but we miss the invisible planet whose gravitational field interferes with the orbits of disembedding and social protection: this invisible planet is “emancipation,” understood as a disposition to target status-related structures of oppression inherent in traditional social relations. Its orbit interferes with that of social protection in the sense that disembedding and marketization sometimes seem more attractive than forms of social protection that reinforce oppressive hierarchies based on gender, age, religion, status, ethnicity-related ascriptive privileges. Sometimes, however, social movements of the late twentieth century have been equally critical of marketization: Fraser tries to unravel the specificity of this “third movement,” irreducible to the other two, and to rethink the Polanyian paradigm in terms of an original “triple movement.”

Distinctive of Fraser’s triple movement is the fact that, while the Polanyian picture presupposed a zero-sum opposition between disembedding and social protection, now each polarity of the triad relates to each of the other two, thereby affecting also the relation of each of the Polanyian antagonist elements to one another. As the trajectory of feminism illustrates, movements that oppose patriarchal domination inscribed in the patterns of social protection may end up undermining forms of ethical solidarity, “thereby clearing a path for marketization” (ibid, p. 129) More generally, movements that target traditional structures of domination buttressed by thick ethical conceptions may either erode or transform such ethical background, thereby either jeopardizing or emancipating the forms of social protection.

Here is the crucial point of Fraser’s *Zeitdiagnose*: a “dangerous liaison” has been forming in recent years between social movements which, in their struggle against patriarchal, generational, colonial, racial structures of authority, considered certain “difference-friendly,” “creativity-encouraging” forms of neoliberal capitalism, along with the kind of neoliberal enterprises that, “styling themselves as an insurrection, . . . adopt the accents of emancipation to excoriate social protection as a fetter on freedom,” as a natural ally (ibid, p. 130). Fraser’s account of this dangerous liaison is not meant to replace entirely the three previous explanations for the blocked dynamic of protection, but rather to help us

understand “the grammars of claims-making and social imaginaries that mediate the responses of political actors to their situation” (ibid, p. 131), the reason for the current demoralization of the social-democratic elites and the enduring aura of innovativeness that surrounds neoliberal capitalism despite the 2008 debacle. Her account also alerts us to the complications inherent in the new tripolar dynamics set forth by disembedded financialized capitalism. Neither protection nor emancipation have remained the same, according to Fraser:

An emancipatory project coloured by naive faith in contract, meritocracy and individual advancement will easily be twisted to other ends – as has been the case in the present era. However, an emancipatory project wedded to the wholesale rejection of markets effectively cedes indispensable liberal ideals to free marketeers, while abandoning the billions across the globe who rightly understand that there is something worse than being exploited – namely, being counted as not worth exploiting. In general, then, no emancipation without some new synthesis of marketization and social protection. (ibid, p. 131–2)

In positive terms, according to Fraser, a suitable project for emancipation would not reject Polanyi’s insights but build on them, would sever the liaison with neoliberalism, and would encourage “forging a principled new alliance with social protection,” while at the same time rescuing an “equally valid interest in solidarity” and reclaiming “the indispensable interest in negative liberty from the neoliberal uses to which it has been bent” (ibid., p. 132).

RETHINKING THE GRAMMAR OF COUNTER-HEGEMONIC RESISTANCE

I would like here to highlight an additional facet of the question “why capitalism gone global and disembedded financial markets do not meet a comparable counter-movement aimed at restoring protection, but only rearguard partisans of nationalistic closure?” Fraser rightly draws our attention to the need for addressing, on the part of the social movements of the present, the complicated tripolar tension of marketization, protection, and emancipation. I think another dimension needs to be woven into Fraser’s account, which (like so many emancipatory perspectives of the past) remains primarily focused on social movements: the potential of

struggles “about and within the law” for generating a protection that becomes ever more elusive due to the fragmentation of social subjects. In a context where production is outgrown by financial gain, and profit by rent, social class as we know it from the older phases of capitalism is simply gone as the subject of social and political resistance. In the twenty-first century, class may well follow the destiny of pre-modern caste – becoming a relic of the past. Who can then be the subject of social resistance and of opposition against neoliberal financialized capitalism and against the absolute power of disembedded financial markets?

Fraser and other critical theorists share a mistrust of law as the locus and the propagator of a strategic habitus, in turn detrimental to social integration, and against juridification as one of the main causes for widespread “de-politicization.”⁵ Such attitude in a way leads Fraser to oversee the fact that law has the advantage – crucial in our context – of not presupposing a collective subject, shared narratives and memory in the way politics does. It may presuppose some of these things when it is statutory law, enacted by legislative assemblies composed of parties in perpetual need of electoral victory. But law does not presuppose unified collective subjectivity when it takes the form of common law or when it is applied. Furthermore, if there is one social function that has escaped fragmentation and has remained truly universal, that is the function – again, not highly regarded in critical circles – of consumption. We participate in social production in a variety of capacities, difficult to reconcile in an oppositional and anti-hegemonic project, but we are all consumers and in such capacity we all experience the frustrating and alienating experience of being a dispensable atom confronted with enormous economic forces that dictate rules over which we only have a very tenuous influence as individuals and small groups. Sometimes these forces are private sector companies, sometimes utility or insurance companies, telecommunication companies, at other times regulatory agencies, rating agencies, banks, that often detract from the quality of our life through the arbitrary power they exert and the particular interests they pursue.

Consumer protection through class action was born in certain circles outside the discourse of emancipation, it has acquired public prominence through figures like Ralph Nader and has even been constitutionalized in the EU. In fact, Article 38 of the Charter of Fundamental Rights of the European Union (Official Journal), now included in the Lisbon Treaty, provides for “a high level of consumer protection.” EU citizens live in a legal order where equality is a principle that inspires, if not strictly

regulates, not only the public realm, for which it was originally conceived, but also the sphere of the private relations that unfold in the economy. Whereas antitrust legislation is an application of the principle of equality in the sphere of economic relations among major market players in the interest of everyone else, the aim of Article 38 is to bridge the gap between the influence of the great market players and the single atomized consumer without falling back into the regressive utopia of the abolition of the market.

Nothing prevents us *qua* theorists of emancipation from injecting a strong normative content into consumer-protection through class-action and from understanding class-action, especially in legal systems that supplement it with provisions about “punitive damages,” as the implementation of a strong principle of equality that forces the market to truly vindicate one of the premises on which its appeal rests – the equal standing of the contracting parties. Thus nothing prevents theorists of emancipation from giving class-action and punitive damages – the indispensable tools of consumer protection – a whole new twist. Nothing except our received image of “resistance” to the neoliberal agenda – shaped after protection-oriented and class-based resistance to manufacturing Fordist capitalism – prevents us from perceiving class-action as a tool as flexible as its enemy’s strategies and also capable of affirming the value of equality. Nothing but our negative prejudice against “consumption” prevents us from seeing that this truly universal and multifaceted social and economic relation can constitute a terrain of contestation where at stake – as it used in the time when wage-labor and exploitation held center-stage – is nothing less than the principle of equality. “Equal protection of the laws” needs to acquire a new meaning, beyond racial and gender equality, connected more firmly with equality of opportunity in the market, where essential goods, services, utilities, and experiences are sold on which often the quality of life depends.

In order to illustrate how a class-action based challenge to neoliberalism can take place, let us consider financial prime movers such as rating agencies. Standard & Poor, Fitch, Moody’s, among others, purport to sell on the market their capacity for independent and reliable assessment of the prospects of all sorts of institutions, from banks to governments, and of all sorts of financial products, but in fact they often affect the reality they claim to analyze. Standard & Poor famously downgraded the US “sovereign credit rating” in April 2011 – a not uncontroversial decision, given

that the other agencies did not find this necessary. Also, Standard & Poor downgraded Spain in October 2012, threatened to downgrade the economic and especially debt policies of several EU countries, and famously bashed the so-called Eurobonds, yet to be issued and backed up by BCE, as “trash” *before* they existed – an assessment hardly to be considered an observation. Finally, in the aftermath of *Brexit*, Standard & Poor’s downgraded the credit rate of UK. These occurrences may seem largely irrelevant, if considered on the scale of what “antagonism to capitalism” used to mean in the old framework of class-struggle, but curbing the absolute, un-accountable power of such actors is a priority for all emancipatory project. The New Deal – the most successful attempt to curb the absolute power of rampant forms of financial capitalism at the time of the hegemony of the Fordist model – consisted not of one single measure but of a set of measures (NIRA, minimum wage, the Glass-Steagall Act, Social Security): most likely the curbing of the absolute power of disembedded financial markets will also require a plurality of adequate measures.⁶

An example of class-action led by a local government comes from Australia. An eight-year legal battle between the City of Swan (Western Australia) and Standard & Poor’s over misleading and deceptive conduct in the latter’s handling of ratings prior and during the collapse of Lehman Brothers Australia has involved – through class-action – a group of 92 members led by the City of Swan in Western Australia and Moree Plains Shire in New South Wales: among these claimants are investors, councils, churches and charities (Weber 2016). Over and beyond the Lehman Brothers case, several countries’ economic performance has proven the agencies’ downgrading wrong or at least unduly biased. As a result of often biased or inadequate ratings, democratic governments are forced, out of fear of worse economic consequences, to adopt spending reduction policies that result in higher unemployment, diminished standards of health care and education, and severe hardships for millions of people. Democracy is incompatible with impunity, and impunity is the prime feature of absolute power. The reclaiming of democracy for democratic citizenry begins with holding these rating agencies accountable, through *government sponsored class-actions*, combined where possible with punitive damages, aimed at compensating those citizens who have been unduly damaged by so-called ratings that fall under the standards of independence and reliability.

In a completely different area, the Smith lawsuit against the US presidency for acting in defiance of the War Power Act provides another example. In this lawsuit, with the legal assistance of Bruce Ackerman, Capt. Nathan Michael Smith, an intelligence officer stationed in Kuwait, is challenging the President of the United States for ordering military action against the Islamic State without proper authorization from Congress (Savage 2016).

It is easy to dismiss legal actions such as these as internal to the logic of an instrumental use of the law, *de facto* subservient to the neoliberal hegemonic credo. In fact, arguably the burden of proof is on the other side: it is for more traditional critical theorists, focused on the mobilization of social movements, to show that under the present conditions of hyper-pluralism, of flexibilization of work leading to a fragmentation of the social basis of class, and of lack of a counter-hegemonic vision capable of mobilizing people (which for good reasons is absent in times of post-metaphysical thinking), it is possible to oppose financialized capitalism more effectively through the traditional instruments of street-demonstrations, petitions, strikes, press-campaigns, and mobilization.

Until that case has been convincingly made, the Polanyian counter-movement of “protection” need not be declared absent. It may perhaps take a different form from the expected one. In lieu of labor-protecting legislation enacted in the wake of classical protest movements, it may take the form of successfully argued legal cases, against various manifestations of neoliberal hegemony, that proceed from the global constitutionalism of human rights and interlocking court-judgments.

NOTES

1. I cannot address here the interesting suggestions offered by Fraser on the dependency of justice on a correct “framing” of questions of justice, *i.e.*, on the adoption of a correct “scale” for addressing such questions. See (Fraser 2010).
2. Polanyi (2001, p. 5) observes that during the 100 years period 1815–1914 only 18 months of all-out military confrontation among major Western powers (though countless colonial and insurrectional conflicts which involved at most one major power) occurred, and compares this lack of belligerence with the previous two centuries, during which conflicts among major powers accounted for at least 60 to 70 years.
3. On the social impact of inequality, see also (Stiglitz 2012).

4. According to a 2013 report by the Bank of International Settlements, the total aggregate nominal value of the derivatives available on the markets totaled \$693 trillion at end-June 2013, a mass of money with no relation with the total GNP not only of the major national economies but also of the entire global economy. See (Bank of International Settlements 2013).
5. For a detailed and insightful analysis of the role and significance of law within Fraser's approach to critical theory, see (Scheuerman 2017). See also his "Recognition, Redistribution, and Participatory Parity: Where's the Law?" in this volume.
6. I discussed these measures in a more detailed way in (Ferrara 2015).

BIBLIOGRAPHY

- Bank of International Settlements 2013, Statistical Release: OTC Derivatives Statistics at End-June 2013 (Basel).
- Ferrara, A 2014, *The Democratic Horizon. Hyperpluralism and the Renewal of Political Liberalism*, Cambridge University Press, New York.
- Ferrara, A 2015, "Democracy and the Absolute Power of Disembedded Financial Markets," in *Reclaiming Democracy. Judgment, Responsibility and the Right to Politics*, (eds.) A. Azmanova and M. Mihai, 118–125. Routledge, New York and Abingdon.
- Fraser, N 2010, *Scales of Justice. Reimagining Political Space in a Globalizing World*, Columbia, New York.
- Fraser, N 2013, "A Triple Movement? Parsing the Politics of Crisis After Polanyi," *New Left Review* 81.
- Hobbes, T 1968, *Leviathan*, edited and with an Introduction by C.B. MacPherson Penguin, London. *Official Journal of the European Union* <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12012P/TXT>.
- Lapavistas, C, 2013, *Profiting Without Producing: How Finance Exploits Us All*, Verso, London.
- Piketty, T, 2014, *Capital in the Twenty-First Century*, (trans.) A Goldhammer, Harvard University Press, Cambridge.
- Polanyi, M 2001, *The Great Transformation. The Political and Economic Origins of Our Time*, Beacon Press, Boston.
- Savage, C 2016, "An Army Captain Takes Obama to Court Over ISIS Fight," *New York Times* http://www.nytimes.com/2016/05/05/us/islamic-state-war-powers-lawsuit-obama.html?_r=0.
- Scheuerman, W 2017, "Recent Frankfurt Critical Theory: Down on Law?" *Constellations*, 24, 1, 113–125.
- Stiglitz, J 2010, "The Financial Crisis of 2007–08 and Its Macroeconomic Consequences" in *Time for a Visible Hand. Lessons from the 2008 World*

Financial Crisis, (eds.) S Griffith-Jones, JA Ocampo, and JE Stiglitz, Oxford University Press, Oxford.

Stiglitz, J 2012, *The Price of Inequality*, Norton, New York.

Weber, D 2016, "Settlement reached in class action against McGraw-Hill Financial, Standard & Poor's over Lehman Brothers collapse" viewed 6 July, 2016, <http://www.abc.net.au/news/2016-02-20/councils-hail-'david-and-goliath'-legal-win-to-recoup-gfc-losses/7186012>.

Hegel and Marx: A Reassessment After One Century

Axel Honneth

Opinions about the relationship between Hegel and Marx have been subject to significant variation from the very beginning. Since the end of the nineteenth century, every era seems to have had its own idea about the relation between them. Right after Marx's death, during the early development of social democracy, the prevailing judgment was that there were few points of contact between the two thinkers. What was acknowledged was the important influence of Feuerbach on Marx's thinking, as well as the relevance of Kant. But the significance of Hegel's philosophy went unnoticed.¹ This changed significantly when the discovery of the "Paris manuscripts" shed new light on the young Marx, leading scholars to pursue the traces of Hegel's thought in Marx's work all the way to his mature critique of political economy. It was soon recognized that the structure of the latter was deeply informed by Hegel's dialectical method.² After World War II, when interest in Marx's work was initially centered on themes such as alienation and reification, other connections

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between their respective theories began to be drawn. Now, a central issue was the influence on Marx of Hegel's idea of a necessary self-alienation of spirit into its other.³ These Hegelian-Marxist interpretations were decisively opposed by Althusser (1969), who launched the thesis that there was an "epistemological break" between Marx's early writings and his later ones, marking a complete emancipation of his mature economic works from the influence of Hegel. Today, the prevailing view is again the opposite. One might even say that the two thinkers are now more closely associated and read in a more cross-fertilizing way than ever before. Not only is Hegel's work regarded as a source of philosophical inspiration for Marx, as it was in Lukács's time, but it is also recognized as a treasure trove of insights in social theory that can be used to supplement and improve on Marx's doctrines.

This new evaluation of the relationship between Hegel and Marx was prompted by a number of barely noticeable interpretive shifts over the course of the past several decades. For instance, Charles Taylor's path-breaking studies have made it seem much more natural to us to view Hegel not simply as a system builder seeking to comprehend the world in its totality, but also as an empirically informed social theorist (cf. especially Taylor 1979). His *Philosophy of Right* is viewed today as an attempt to diagnose the dynamics and crises of modern societies, containing the seeds of a sociological analysis that anticipated central insights of this not-yet existing discipline. Further scholarship has made it much clearer to us how Hegel's notion of "objective spirit" conceptualizes the integration of societies as the result of acts of mutual recognition (Honneth 1992; Quante 2011, pp. 231–52). This, too, has brought the sociological dimension of his theory into much sharper relief compared with past readings.

At the same time, interpretation of Marx's theory has been subject to similar shifts. Max Weber and Josef Schumpeter had already taken the sober approach of viewing Marx's work simply as a competitor to their own efforts to explain capitalist societies. This trend has continued since and has even increased as actual circumstances have presented increasingly less of a reason to think of Marx's theory as a revolutionary replacement of philosophy as such and an alternative to merely explanatory approaches to understanding modernity. By now, we have become accustomed to detaching Marx's diagnosis of capitalism from its political and practical context and to treating it as what it has always been, at least in part: a determined attempt to theorize the dynamics and crises of modern

societies. As a consequence of these various interpretive shifts, we no longer assume that the relationship between the two authors is marked by any sharp break or discontinuity. Instead, we tend to view them as offering competing analyses of modern society, so that it makes sense to ask what one might have learned from the other.

My goal is to compare the theories of these two authors from this still somewhat unaccustomed perspective. My starting point will be the assumptions about the philosophy of history that served as a frame of reference for both Hegel's and Marx's diagnoses of modern society. In a second step, I then turn to the advantages of Hegel's social theory vis-à-vis that of Marx. My third step consists in reversing the perspective and considering the merits of Marx's analysis of capitalism. This will finally bring me to question under what conditions and in what way the two approaches might be brought to fruitfully complement each other.

A SHARED VISION OF HISTORY

Looking back to the works of Hegel and Marx from a contemporary perspective, one soon notices that their social analyses rely to a surprising degree on shared premises concerning the philosophy of history. Today, these theoretical commonalities allow us to treat the two thinkers from a comparative perspective. To be sure, many other nineteenth-century social theorists shared Hegel's and Marx's aim of uncovering the moving forces and dynamic laws of modern society. Henri Saint-Simon and Alexis de Tocqueville in France and John Stuart Mill in England can stand in for an entire spectrum of views. But even abstracting from the significant differences among these three authors, Hegel and Marx are further set apart from them by the fact that both relied on a philosophy of history to grasp the social challenges of their time. Despite the differences between them, they share the peculiar assumption that modern society is the most recent stage of a developmental process in which reason manifests itself in the external world.

It is a familiar fact that Hegel's interpretation of modern society rests on a philosophy of history that postulates a process in which spirit realizes itself. He faults both Kant and Fichte for failing to properly understand the nature of reason. Although both acknowledge that reason is the basis of all reality, they fail to see that reason is not simply a human faculty, but rather an all-comprehending entity that gradually unfolds over time until it has

fully realized its own potential.⁴ This ontological assumption allows Hegel to interpret the whole of human history as one particular stage in the process of spirit's self-realization. After first realizing itself in nature through its own spontaneous activity, spirit then returns back into itself and gradually lets the social world be shaped by its determinations, amounting to a "progress in the consciousness of freedom" (Hegel 1970c, p. 32; McCarney 2000, ch. 8). Today this framework, which appears to postulate an objective teleology of increasing freedom underlying all human history, appears quite alien to us.⁵ Yet without it, Hegel's interpretation of modern society is not properly intelligible. To him, modern institutions and practices are above all embodiments of the most advanced stage within the world-historical process of an increasing consciousness of liberty, a stage marked by the realization of all the preconditions for a truly self-determined life on the part of each individual. Modern society, which Hegel views as the outcome of a drawn-out and conflict-ridden developmental process, is for him an institutional realization of freedom.⁶

Even though Marx does not subscribe to this result of Hegel's philosophy of history, he derives from it an essential element of his own interpretation of the specific structure of modern society. Born almost half a century after Hegel, Marx is no longer a philosophical idealist willing to countenance the thought that all reality is the realization of a self-determining spirit. Right at the beginning of his intellectual development, he was profoundly influenced by Feuerbach's naturalism, and the idea that all that exists is a product of the process of reason's unfolding was entirely remote to him (Löwith 1978, pp. 78–136; Brudney 1998, pp. 6–12). For Marx, we as human beings are first of all surrounded by nature, and we must relate to nature in productive ways to maintain ourselves. We are capable of doing this because we have the ability to use tools, which sets us apart from all other living beings. Where Marx is at his best, he conceives of the special status of human beings as consisting in a capacity to cooperate with each other by mutually relating to one another's intentions and thus establishing an entirely new, irreducibly social class of mental operations.⁷ Supplemented by recent empirical findings, this basic idea points the way to theories such as that of Tomasello (2016, ch. 3), who claims the establishment of cooperative labor enabled us humans to develop basic forms of morality and multi-perspectival thinking.

Despite this distance between Marx and Hegel, Marx's account of the process by which humans modify nature through their labor, based on

their capacity for cooperation, closely mirrors Hegel's account of the self-development of spirit. Marx argues that once we have learned to use tools cooperatively by mutually taking up each other's perspectives, nature comes to be gradually shaped by us and comes to reflect our own rational determinations, resulting in a cumulative expansion of the realm of our freedom.⁸ What Marx says here about the essential spiritual powers of man, meaning our species' capacity for cooperation, is structurally similar to the features of spirit as characterized by Hegel. Although "reason" means two different things to them—a human capacity for Marx, a property of an all-encompassing spirit for Hegel—both think of reason as something that comes to be fully developed only by realizing itself in something external to it. The difference between the two thinkers is that Marx's naturalistic assumptions lead him to date the beginning of the process of reason's self-unfolding to a point that in Hegel's view is already the result of reason's realization in nature itself. But like Marx, Hegel views the history of human society as a process in which natural constraints are gradually diminished through the work of spiritual energy, with a corresponding increase of freedom in our social practices. These parallels show that Marx always remained Hegel's disciple regarding the central assumption that the development of society over time constitutes a "progress in the consciousness of freedom." Enabled by practices of cooperation, we give objective reality to our own spirit by laboring on the natural world surrounding us, and in so doing, we come to be at home in that world in a way that opens up ever-increasing opportunities for shaping social norms and institutions.

Marx's adoption of Hegel's central assumptions regarding the philosophy of history explains why he, too, is forced to describe modern society as the most advanced stage in the historical evolution of social structures. Numerous passages in Marx's work show that he conceives of human history up to the present as a process of overcoming natural constraints and fetters, which comes to a preliminary conclusion in the comparatively free practices of contemporary bourgeois society.⁹

Yet, there are some differences between Marx's and Hegel's respective assessments of the balance of gains and losses as far as the freedom of modern societies is concerned. These differences are an indication that they do, after all, have somewhat different conceptions of the history of civilization, understood as a process of the self-alienation of spirit. Whereas Marx thinks of this process as consisting first and foremost in mankind's increasing domination over nature, as its emancipation from

the constraints of both external and internal nature, Hegel's conception gives greater weight to the progressive transformation of the ways in which human beings relate to each other. For Hegel, the overcoming of natural limitations always has an impact on socially practiced moral norms, whereas Marx identifies such an overcoming more narrowly with an expansion of human productive forces—conceived broadly as encompassing the means to control both our environment and our own motivational potential. This fundamental difference shows that, despite their shared commitment to the self-alienation model of spirit, Hegel and Marx take quite divergent views regarding the substance and character of the process of alienation. Both with regard to the content of reason and with regard to the mechanism through which reason is realized in history, there is so little consensus between them that they inevitably arrive at rather different assessments of the accomplishments of modern societies. Attending more closely to these differences between Hegel and Marx regarding the character of historical progress will make it easier to appreciate the advantages of Hegel's social theory vis-à-vis that of Marx.

Both Hegel and Marx seem to proceed on the assumption that human history is a process in which our freedom is gradually realized. In Hegel's view, this is so because spirit, having realized itself in nature and then returned into itself, seeks to embody in the world of social institutions its own determinations, which consist in its self-realization free from external constraints. Spirit must therefore manifest itself in human history and society in such a way that it gradually produces the institutional preconditions required for a free communal life of all the members of a society. As we have seen, what remains of this idealist conception in Marx is the thought that spirit or reason can realize itself only by alienating itself into something external to it. But in line with his naturalist assumptions, Marx's version of this thought focuses on the process of man's engagement with nature. This gives rise to his lifelong commitment to the idea that we as human beings are capable of making freedom an historical reality just to the extent to which we rely on our cooperative potential to turn nature into a reflection of our rational aims and thereby into a place that will accommodate those aims.

Whatever differences we may discover between Hegel and Marx will be, in my view, a consequence of the fact that they locate the social realization of reason in different spheres. Hegel locates this process in the relationship between spirit and our social institutions, because spirit has antecedently exerted itself on the natural world. Marx, by contrast, locates this process

in the relationship between human reason and our natural surroundings, because he is unable to countenance a prior spiritualization of nature unmediated by social practices. This divergence can also be expressed as follows: Marx describes social progress in terms of a developmental pattern that Hegel introduced to capture the prior process of spirit's realization in nature. The result of this skewed adaptation of the Hegelian schema is perhaps best described as a neglect of the ways in which the activity of reason shapes the normative order of our institutionally regulated social life. Even though his theoretical starting point—that is, the fact of human cooperation—would have allowed Marx to attend to the phylogenetic sources of social norms, his reconstruction of our species history remains limited to the ways in which our rational capacities lead to an expansion of our dominance over nature. The realization of reason thus comes to be wholly identified by him with our increased freedom vis-à-vis the natural world. The corresponding neglect of the ways in which freedom is increased in what Habermas (1970) called the “internal framework of our social interactions” (*Binnenverhältnis unserer sozialen Interaktionen*) entails a number of disadvantages of Marx's theory compared with the implications that Hegel's philosophy has for social theory.

THE ADVANTAGES OF HEGEL'S SOCIAL THEORY

The first advantage of Hegel's social theory is that his concept of “society” allows him to consider a much broader spectrum of institutional forms than can Marx, given the latter's more limited focus on the manipulation of nature. It is clear that when Hegel seeks to comprehend society as “objective spirit,” this must include for him all those social forms in which human beings learn to satisfy their merely “natural” needs. Spirit can attain objectivity and come to be at home within a social formation only to the extent that it gives rise to the institutions that allow human beings to reproduce across generations. When Hegel speaks of what we now call “societies,”¹⁰ he therefore has in mind a totality of social practices that are calibrated with each other by way of cultural and normative commonalities but that also, and importantly, must be capable of satisfying our most basic needs. Setting aside Hegel's idealist assumptions, the concept of “objective spirit” anticipates in a surprising way the basic insight of classical sociology: that is, the observation that societies are normatively integrated units in which a variety of stable, institutionalized, and interconnected practices serve a range of functions essential to social reproduction. By

contrast, Marx's narrower focus on humanity's relation to nature leads him to adopt a more restricted conception of society. The unfortunate term "relations of production," often used by him synonymously with "society," creates the impression that all of a society's institutions are ultimately aimed at the productive appropriation of nature. But neither political rule nor familial reproduction, to name just these two arenas of social activity, can be adequately understood in their normative structure by reference to economic purposes alone.

The drawbacks of Marx's terminological choices compared with Hegel's become more fully apparent when we consider the studies of Karl Polanyi, which show that only few pre-capitalist societies knew anything like a distinctive and separate sphere of economic reproduction (Polanyi 1979, ch. 2, 1997, esp. ch. 4–5). If we are to believe Polanyi and other economic historians (Mauss 1969), economic relations of labor and exchange used to be so thoroughly embedded into other social functions that they were neither experienced as self-standing activities nor normatively regulated as such. It is then quite misleading to follow Marx in conceiving of all societies as "relations of production," as institutional manifestations of various particular forms of mastery over nature. Hegel's approach is much more persuasive here: The concept of "objective spirit" merely captures the fact that the various spheres of social activity, including those devoted to the performance of vital functions, are in the first place manifestations of general norms and thus of something "spiritual," whereas the specific content of those norms and the relations between the various functional spheres depend on the progression of human history. The idealist surplus of this conception, which consists in the idea that such norms are the products of a self-determining entity called "spirit," can be removed without too much difficulty given more recent philosophical developments. We can follow John Searle and other social theorists in thinking of the "spiritual" generation of norms as a cognitive activity performed by mutually cooperating subjects. What is then left of "idealism" is just the claim that societies depend on a certain intersubjective consensus among their members concerning the normative regulation of each of the various functional spheres (cf. Searle 1995).¹¹

Things are no different regarding a further point of comparison between Hegel and Marx: namely, the question of how to think about the social mechanism by which the progressive realization of freedom is brought about over the course of human history. Here, too, the German idealist seems to be better positioned than his materialist successor. As we

have seen, both thinkers proceed from the assumption that this process should be regarded as a consequence of the gradual externalization or alienation of spiritual processes, that is, the interaction of spirit with something other than itself. In Hegel's theory, for systematic reasons, this "other" encompasses all the institutions that are required for the reproduction of a society. For Marx, on the other hand, spirit's "other" is external and internal nature, both of which we can gradually master thanks to our cooperative abilities, and in which we can, in this way, come to be at home.

If we now ask how each of the two philosophers proposes to explain the dynamic driving this process of reason's self-realization, we can see that Hegel's explanatory strategy has some distinct advantages. Even though he thinks of the realization of reason as a process effected by reason itself, and in that sense as an automatic development, he also needs to offer at least a broadly plausible account of how this kind of progress in human history can be understood as a worldly, social occurrence. Here he relies on the instructive idea that an historical form of life comes to an end when it no longer offers sufficient normative space for the realization of those claims on the part of individuals that have been able to arise on the basis of the ethical structure of this form of life.¹² Thus, for Hegel, each social formation contains the seeds of its own transformation, because it inevitably leads some groups of people to develop moral hopes and expectations that cannot be properly realized within the established institutional framework. It is true that this "moral" explanation is sociologically unsatisfactory, as it leaves us largely in the dark about the way in which these structurally unsatisfiable claims are supposed to arise in the context of social conflicts. Only in a few places does Hegel let on that he conceives of this kind of conflict as a struggle for recognition, in which desires for the social realization of new and previously unknown freedoms clash with an established social order that immanently gives rise to these very desires. But this brief sketch suffices to show how fertile Hegel's endeavor is to find an everyday social complement to the self-propelled process of spirit's self-realization in objective institutions. Enriched by sociological hypotheses, Hegel's basic approach can be developed into the fruitful idea that what drives the historical process of freedom's realization is the occurrence of struggles for the social inclusion of previously excluded groups.¹³

By comparison, Marx's account of the social mechanism said to be responsible for the gradual extension of our freedom looks much

less convincing. As many have observed (among others, cf. Castoriadis 1984, ch. I.2), his explanatory proposals generally rely on a technological determinism that tends to obscure rather than illuminate the connection he asserts between an increased mastery over nature and an increase in freedom. The point of departure for this explanatory model is again the thesis that our capacity for cooperation enables us increasingly to appropriate both external and internal nature. But when it comes to explaining the driving force of progress in the realization of freedom, Marx attends only to the latter dimension, our relation to the natural world around us. Marx's term for the extent of our dominion over this aspect of nature at any given time is "productive force," which refers to the totality of technological means and methods that a society has at its disposal to exploit existing natural resources for its own purposes. In a second step, Marx thinks that our ability to constantly improve and increase our capacity for cooperation entails an historical process whereby a society's productive forces are constantly increased. He believes that the further history progresses, the greater becomes societies' technical capacity for the productive appropriation of the natural world. The decisive step in Marx's explanation is the third one. He asserts that the institutional structures of all societies—all that he attempts to subsume under the term "relations of production"—are characterized by a certain inertia and rigidity, so that any boost in productive forces brings with it a lagging adjustment of those institutional structures to the new technologies and modes of production. The essence of Marx's explanation is thus that endogenous progress in the technological capacities for manipulating the natural world regularly and necessarily brings in its wake a normative improvement in the modes of social interaction (see, especially, Marx 1971b, p. 8ff).

What remains especially unclear about this model is why we should believe that the development of productive forces will at each stage lead institutionalized social orders to realize a greater degree of freedom. Although it may be true in some trivial sense that technological advances increase our elbowroom vis-à-vis natural constraints, it is quite dubious to infer from this an automatic increase in social freedom. Often the contrary will be the case, and improved technologies will endanger the continued existence of previously attained liberties. Marx's proposed explanation of the gradual realization of freedom is far too optimistic regarding the normative potential inherent in the development of productive forces. Unlike Hegel, he believes that technological progress as such is capable

of liberating institutionalized social orders from social domination and inherited dependencies.

As though he had a sense of this weakness, Marx supplemented his first explanatory approach by a second one, developed at least in broad outline.¹⁴ On this second proposal, the moving force behind the social realization of freedom is not simply the endogenous growth of our technological abilities, but rather the struggles of oppressed social classes for the realization of their needs and interests. It becomes apparent in the *Communist Manifesto* in particular that this alternative model is not entirely independent of the first one (Marx and Engels 1972, op. cit.) because Marx ties the interests of the various classes struggling for predominance to the opportunities for influence afforded by a given stage in the development of productive forces. Just as the bourgeoisie is said to have begun fighting for social domination at the very moment in history when its increased control over the means of production allowed it to do so, the proletariat will also be in a position to come to power once the new factory system has created the necessary economic preconditions. It is easily seen that this second explanation of social progress, which focuses on the transformative power of class struggle, still fails to accord an independent role to the historically changing ensemble of social practices. Instead, Marx claims that progress in the realization of freedom ultimately results from a series of struggles of oppressed groups fighting for the social predominance of their respective economic interests—as though we were entitled to assume that all premodern societies had already established and been centered around something like a distinctive sphere of economic production. Thus, Marx's second explanatory proposal, too, does not measure up to Hegel's approach of postulating a social equivalent to the self-realization of spirit in social institutions. Instead of leaving open exactly what kind of social inclusion and recognition are at issue in any given social group's struggle, Marx simply assumes the primacy of economic interests in a way unsupported by historical evidence. This reinforces the earlier observation that Marx was unwise to reduce the large range of forms of social organization to the unitary category of "relations of production."

A third drawback of Marx's economic reductionism comes into focus when we compare his analysis of the achievements of modern societies with Hegel's. As we saw above, both thinkers proceed on the assumption that the modern social order is the most advanced stage of the world-historical process of reason's self-realization, because the modern set of

social institutions has considerably extended the space of individual liberties. Like Hegel, Marx holds that the overcoming of feudal and aristocratic social orders amounted to a liberation from the fetters of inherited dependencies and forms of subjection, so that persons now enjoy much more extensive opportunities for individual self-determination (cf. Neuhouser 2013, p. 39f). But when it comes to the further theoretical task of offering a more detailed account of those newly created liberties, we find substantial differences between the two thinkers, which I already briefly mentioned at the outset. Hegel's view was that the "rationality" of the modern social order consists in the fact that it offers its members a whole spectrum of social roles that will allow them to realize their individuality under the conditions of mutual recognition, and in that sense freely. For Hegel, this includes all the central institutions of the new social order: the family, founded on mutual sympathy, the market, and the state. Taken together, these three spheres of activity were regarded by Hegel as amounting to a modern form of "ethical life," a term he employed to indicate that individual freedom is realized in the shared exercise of established practices rather than in private acts of choice (Neuhouser 2000). Yet despite asserting the primacy of communicative freedom over personal or private freedom, Hegel never went so far as to doubt the normative significance of modern structures of right. On the contrary, throughout his work he continued to regard the then only recently established principle of free and equal liberties as a central achievement of modern societies, because these liberties require the state to protect each individual's opportunity to check and consolidate his or her ethical decisions without the intervention of others.

This is an issue on which Marx is quite unsure how to position himself. For one, Marx harbors substantial doubts concerning Hegel's entire doctrine of ethical life, since he suspects it of glossing over the defects of actually existing social structures. I say more on this below. But in addition to this, Marx doubts that modern liberal rights should really be accorded the normative significance that his predecessor attributed to them. If we recall how Marx pictures the historical process whereby freedom is realized in the world, we are led to a quite different assessment of the achievements of modern societies. What is distinctive of this new social structure is an extension of freedom not in the interpersonal domain, but rather with respect to the relation between the human species and its natural environment. Marx believes that the liberties gained in this way, which are embodied in vastly increased productive capacities, are not yet adequately

reflected in the capitalist relations of production. Our increased ability to control natural processes and to harness them for our own purposes calls for a different type of social freedom than the one established within the present institutional order. As Marx sees it, owing to social inertia, these present arrangements reflect a purely private and egoistical conception of freedom. The massively improved technologies and methods of production create the possibility—and indeed the historical need—to replace this narrow, market-based conception of freedom by a broader, cooperative conception. In the present day, the only social relations of production adequate to the state of modern productive forces would be ones that subject the organization of labor and the distribution of goods to the shared will of freely cooperating producers. But however engaging and forward-looking this socialist vision may be, it leads Marx to completely overlook the democratic potential of modern liberal rights. The protection of individual self-determination afforded by such rights appeared to him to be too focused on private interests and therefore to be of a piece with the competitive economic system of capitalism. Hence, he regarded them not as normative achievements of a new social order but as remnants of a declining one.¹⁵

On this point too, then, Hegel's strengths outweigh those of Marx. It is true that Hegel, like Marx, has deep reservations about the liberal tendency to equate individual freedom with the liberty to pursue one's own private interests without restraint. Like his materialist successor, Hegel does not yet recognize the enormous contribution these liberal rights were to make in advancing democratic political decision making on the part of equal citizens. Nevertheless, Hegel viewed the novel principle of accord-ing all members of a society an equal right to individual self-determination as an irreversible achievement of modern societies. Unlike Marx, he was convinced that any other, more communicative or ethical form of freedom would continue to require as its normative basis a protected right on the part of individuals to develop and pursue their own particular aims (Neuhouser 2013, *op. cit.*).

MARX'S INSIGHTS AND THEIR POSSIBLE PLACE IN HEGEL'S SOCIAL THEORY

What I have been saying so far might make it appear as though Hegel's social theory was in every respect superior to Marx's historical materialism. With regard to an adequately complex conception of society, to the

identification of the moving force behind the realization of freedom, and to the diagnosis of the normative achievements of modernity, Hegel offers explanations that are better or at any rate more fruitful for our purposes today. Yet, this initial comparison is misleading to the extent that it is exclusively focused on the conceptual resources for a social theory supplemented by a philosophy of history. Once we direct our attention away from these foundational issues and toward the empirical content of the two rival theories, things begin to look somewhat different and the advantages of Marx's social analysis come to light. In this final section, I present this other side of the balance sheet in broad outline. In doing so, it is important to bear in mind that Marx had the benefit of an additional fifty years' time to observe the actual development of modern societies. Whereas Hegel devised his social theory at the outset of capitalist industrialization, Marx was writing at the apex of that development, placing him in an advantageous epistemic position regarding the destructive potential of the modern economic order. It is likely that the advantages of his social theory vis-à-vis Hegel's are partly owed to this surplus of historical experience, but also in part to the greater depth of his analysis of power and domination.

As we have seen, Hegel assumed that the world-historical process of a "progress in the consciousness of freedom" had reached at least a preliminary conclusion in the social structure of modern ethical life. He took himself to be entitled to this judgment because in his view the three spheres of modern society—the family based on reciprocal affection, the capitalist market, and the modern constitutional state—provided the institutional preconditions that would allow the members of this society to realize their particularity through free cooperation with others, based on the legal protection of their individual freedom of choice.¹⁶ It is just this image of modern society that Marx is unwilling and unable to accept. Based on his research on political economy, he assumes against Hegel that the second element of this tripartite structure, the capitalist market, contains destructive forces that undermine both the freedom of the individual and the normative autonomy of the two other spheres. To be sure, Hegel also had been skeptical of the market system (i.e., of what he called "civil society"). In his *Philosophy of Right*, he therefore recommended that the threat of market excesses be held in check by regulative and cooperative institutions (Schmidt am Busch 2011, part III). But the Marxian notion that the existence of a sphere that allows for the free exchange of economic goods and services might undermine the entire web of ethical

practice remained alien to Hegel. Yet, this was just what Marx's critique of political economy was intended to demonstrate and to illustrate, and his efforts yielded a number of insights with which we can substantially enrich Hegel's social theory.

In developing this critical project, all the comparative disadvantages of Marx's theory discussed so far paradoxically work in his favor. The conceptual reduction of society to a set of "relations of production" allows him to focus exclusively on the economic sphere and to study its development in abstraction from political or institutional influences. Here, Marx attends to several important phenomena that had been only dimly foreseen in Hegel's *Philosophy of Right*, if at all. Thus he argues that the employment contract, one of the normative foundations of the new economic order, does not fulfill its promise of realizing individual freedom of choice because those who depend on wage payments are forced to agree to the contract's terms given their lack of alternative options for making a living (Marx 1971a, pp. 181–91). Moreover, according to Marx, their productive labor generates a surplus value for which they are not compensated, so that they are subject to structural and unjustifiable exploitation (Marx 1971a, pp. 56–61). The entrepreneur reaping the resulting profits is for his part continually forced to reinvest his gains with the aim of generating further profit, requiring him to tap ever-new markets for his products. This gives the capitalist market an expansionary dynamic, leading to a gradual subjection of all areas of life under the principle of marketability, which Marx calls "real subsumption" (Marx 1971a, pp. 531–41), and resulting also in a further expansion of the capitalist's power, to the point where government turns into class domination and the rule of law yields to "class justice." These four elements of Marx's analysis of capitalism are complemented by an explanation of why it is so difficult for those involved in this economic system to understand its harmful mechanisms. The explanation, in his view, lies in the existence of legitimizing, concealing, and obfuscating interpretations that he calls "ideologies." One of his aims is to show that practices of economic exchange necessarily give rise to such ideologies (Marx 1971a, pp. 85–98).

Not all of these basic assumptions of Marx's analysis of capitalism have survived the critical scrutiny to which his theory was soon subjected. Some claims have needed refinement in the light of objections from economists and other social scientists and some claims have had to be abandoned altogether. For instance, there is probably hardly anyone today who still subscribes to Marx's labor theory of economic value, which forms the

background of his thesis about the structural exploitation of wage laborers. Similarly contested are his assumptions concerning the cognitive effects of ideologies said to emerge in some way from the economic practices themselves. But the two central elements of Marx's analysis of capitalism—his thesis about the unfreedom of wage laborers and his thesis about the expansionary dynamic inherent in the competitive market—have turned out to be resilient in the face of later developments and hardly open to doubt. Especially after witnessing the so-called neoliberal breakdown of economic barriers over the past several decades, we can safely assume today that there is a pressure inherent in our economic system that tends to undermine individual freedom of choice both for wage laborers and in other areas of life. But this sober observation should prompt us to turn to Hegel's social theory once again.

We have seen that, despite its philosophical merits, the engagement of Hegel's social theory with contemporary society did not take sufficient account of the perilous dynamic of capitalist economic systems. Therefore, the question now is how the aspects of capitalism identified by Marx might be incorporated into the framework of Hegel's social theory without completely destroying its inner architectonic. In conclusion, I would like to offer some conjectures about how this problem might be addressed.

Every attempt to reconcile the two theories in the way just hinted at—that is, by retaining a mitigated version of the German idealist's social theory and supplementing it with the results of his materialist disciple's analysis of capitalism—faces a number of serious obstacles. The greatest challenge is certainly the fact that Marx presented his analysis of capitalism in a way that seems to shield it from any attempt at adapting it for other purposes. The internal structure and the expansive dynamic of the modern economic system are depicted, under the influence of Hegel yet in an idiosyncratic fashion, as though they were being caused by the automatic activity of "capital," forming a closed cycle immune to external influences. Whichever interpretation of this methodology one chooses, whether one regards it as modeled on Hegel's *Logic* or rather on his *Phenomenology* (see Reichelt 1973; Çıdam 2012), it is not straightforwardly compatible with Hegel's sketch of a social theory. For Hegel, after all, social structures are shaped most basically not by "capital," but rather by an "objective spirit" consisting of shared social norms.

To integrate the results of Marx's analysis of capitalism into the framework of Hegel's social theory, we need first and foremost to break through Marx's apocryphal mode of presentation. We must abandon the idea that

“capital,” like Hegel’s “spirit,” proceeds autonomously and pervades all areas of society with its inner dynamic. Instead, we should adopt a much more open conception of the capitalist economic sphere that gives due place to the influence of changing social norms.¹⁷ Only through such a reorientation of political economy can we do justice to the historical fact that the opportunity to pursue the profit principle varies with institutional and cultural circumstances, being much greater today, for instance, than forty or fifty years ago (see, for instance, Streeck 2013; Kotz 2015).

A consequence of this first modification is that the capitalist economy comes to be seen as partly dependent on the content of the institutional rules that Hegel designated by the term “objective spirit.” A second modification that is needed to fuse Marx’s analysis of capitalism with a social theory inspired by Hegel concerns not its explanatory content but its sociological framing. We have already seen that Marx’s notion of “relations of production” depicts all social spheres as directly or indirectly concerned with the goal of mastery over nature. In the context of his analysis of capitalism, this gives rise to the problem that he lacks the conceptual resources to identify just what norms are being violated when the dynamic capitalist principle of marketization comes to permeate other spheres of social life (Habermas 1971; 1981, ch. VIII, 2). Another way of describing this deficit would be by saying that Marx lacks an understanding of the functional complexity of societies, which requires that different spheres of activity be subject to different sets of norms that allow those activities to fulfill their various specific functions. He is therefore unable to explain why we should find it in any way dangerous or problematic when the capitalist principles of profitability and marketization come to inform and eventually to dominate other areas of social reproduction not previously governed by economic concerns. Thus on this point, too, Marx’s analysis of capitalism needs certain revisions if it is to become a fruitful element of a Hegelian social theory. What is needed is an awareness that, within modern societies, the capitalist market is only one sphere of social activity among others and that each of these spheres serves particular functions requiring that its activities be governed by their own specific set of norms.

What I have just said indicates that Hegel’s social theory, for its part, does not meet all the requirements that it would need to fulfill to fruitfully incorporate the important insights of Marx’s analysis of capitalism. If Marx lacks an understanding of the functional complexity of modern societies, Hegel fails to recognize that there can be deep normative tensions

between the various functionally specialized social spheres.¹⁸ Hegel's doctrine of ethical life admits the possibility that failures on the part of the state or deficits of rationality on the part of its members may cause the norms governing any particular sphere to dry up, as it were. But he does not allow for the possibility that one of these different sets of norms might intrude into other social spheres and undermine or incapacitate the norms proper to them. We could say that Hegel took the process of social differentiation to be an irreversible given, something that could not possibly be changed by future developments. Whatever other internal threats a modern, rationally ordered society might face, the functional separation among the family, the market, and the state is taken for granted as a permanent feature of the new social order of modern societies. Yet this assumption deprives Hegel's theory of the conceptual means to analyze the kinds of processes that Marx sought to describe under the aspect of a "subsumption" of all spheres of life under relations of capital. Hegel never allowed for the possibility that the capitalist mindset might come to intrude into the non-economic spheres of life. In this respect, then, his theory stands in need of fundamental revision. The functional differentiation of modern societies should not be regarded as a permanent empirical given but merely as a normative goal that may be more or less fully realized in a society's institutions at any given time, depending on the social struggles present at that moment.

This is not the only element of Hegel's social theory that needs to be systematically revised if his theory is to serve today as a conceptual framework for Marx's analysis of capitalism. A further revision concerns Hegel's reliance on the idea that the notion of contract supplies the economic system of the market with a legal foundation that ensures its general rationality and legitimacy, since the obligations of contracting parties are voluntarily undertaken. What is wrong with this picture is not the idea that contract is a legitimate basis of the new economic order in that it grants to each individual the freedom to determine how to employ his or her economic resources and services, in contrast with previous economic systems resting on personal ties and dependencies. This normative virtue of contract-based economic orders is one that Adam Smith articulated quite clearly in *The Wealth of Nations*, so that Hegel was able simply to follow him on this point (Herzog 2013). The problematic aspect of Hegel's view lies rather in the fact that he simply transposes the features of contracts between commercial parties onto the relationship between entrepreneurs and wage laborers. His naïve disregard for the influence of

duress and coercion testifies to his more general tendency to neglect the phenomena of power and domination. Hegel's doctrine of ethical life seems to be completely unaware of the possibility that individuals' consent to existing, "ethical" obligations may be owed, not to rational considerations, but instead to a lack of alternatives, to threats of force, or to subtle persuasion. Yet these are just the kinds of factors that Marx aimed to place at the center of his account of capitalism when he depicted the apparent voluntariness of the employment contract as a mere illusion, given that those dependent on wages had no choice but to consent or face indigence. Hegel's faith that the ethical structure of modern societies had given institutional reality to the idea of freedom led him to completely overlook the kinds of social mechanisms that continue even today to contribute to the coercion and oppression of particular groups of people. He went astray in dating the conclusion of the historical struggle for inclusion and recognition to the beginning of modernity and in depicting social relations after this point only in the optimistic terms of voluntary and uncoerced cooperation.

Correcting this serious deficit of Hegel's social theory would require more than simply supplementing his model of modern ethical life with the notions of force and coercion. Rather, it would require that we use Hegel's own categories to demonstrate for each of the social spheres which mechanisms inherent to it enable some subset of its participants to dominate others: for instance, how the norms of love and mutual affection may be used by men to oppress women, or the norms of loyalty to country be used to mobilize consent, by way of a "naturalization" and rigidification of the associated duties. Only when this has been accomplished—that is, only once it has been shown that the different institutional forms of mutual recognition can give rise to specific kinds of exclusion and coercion¹⁹—can the results of Marx's analysis of capitalism be properly incorporated into Hegel's social theory. For only then can the deprivations of freedom generated by the market and targeted by Marx's critique of political economy be integrated into a more comprehensive picture of modern societies, one that extends its focus to other forms of oppression as well.

The various revisions I have outlined still take us only halfway toward the goal of establishing a cross-fertilizing relationship between Hegel's and Marx's approaches to social theory. So far, I have not mentioned what is surely the greatest challenge facing such a conciliation of views: namely, to revise Hegel's concept of spirit in such a way that it would come to be at

least somewhat closer to Marx's theoretical starting point, that is to say, the cooperation among socially embedded individuals. My call for revisions on both sides notwithstanding, the question remains how one might go about reconciling materialism and idealism, the image of man placed in nature and the appeal to a self-determining spirit. But for the purposes of this contribution, I hope to have shown that Marx's analysis of capitalism could only benefit from being embedded within a social theory derived from Hegel. The valuable insights contained in the younger philosopher's theory could be better and more accurately articulated if they were transposed into the framework developed by his older predecessor.

NOTES

1. Clear evidence of this is found in the debate about the extent of Kant's influence on Marx, which goes back to the late nineteenth century (see Sandkühler and De La Vega 1970).
2. One example is Marcuse (1932).
3. A useful overview is offered by Habermas (1971, esp. pp. 402–13).
4. For a concise but very accurate summary, see Emundts & Horstmann (2002, pp. 32–37).
5. There is an ongoing debate about whether Hegel's philosophy of history is in fact best read as asserting that world history exhibits an "objective" teleology ensuring the realization of freedom (Hegel 1970b). Many of the relevant passages also admit of a more Kantian interpretation to the effect that such a teleology is found in human history only when the latter is regarded from the perspective of a philosophical outlook committed to reason. This becomes especially clear in Hegel (1970a, pp. 347–52).
6. On Hegel's ambitions in this book, see Honneth (2010a, 2010c).
7. Cf. especially Marx (1968a, esp. p. 462) and Marx (1968b, esp. pp. 510–22). More generally on this topic, see Brudney (1998, op. cit., ch. 5).
8. See Marx's famous dictum that "the history of industry" is "the open book of man's essential powers" (Marx 1968b, esp. pp. 510–22).
9. See the reference to the "most revolutionary role" of the "bourgeoisie" in the *Communist Manifesto* (Marx and Engels 1972, p. 464).
10. Hegel's own use of the term "society" (*Gesellschaft*) is limited to the "system of needs" (*System der Bedürfnisse*), to which he also refers as "bourgeois society" (*bürgerliche Gesellschaft*) in his *Philosophy of Right*. What he has in mind by these latter terms, following Adam Smith, is the historically recent structure of a capitalist market society (cf. Rosenzweig 2010, pp. 391–401; Vogel 1925). In the present context, when I speak of Hegel's concept of society I have in mind what Hegel calls "objective spirit" (concretely

- represented in particular “national spirits”), that is to say, the most general unit to which processes of social differentiation can be attributed.
11. An interesting comparison, along with a critique of Searle from a Hegelian perspective, is offered by Ostritsch (2014, pp. 205–18).
 12. The model for this explanation is Hegel’s interpretation of Sophocles’s *Antigone* in his *Phenomenology of Spirit* (Hegel 1977). On the interpretation proposed here, see more generally Särkelä (2013).
 13. Following Hegel, an explanation of this sort was offered by Dewey (1973, pp. 64–71).
 14. On the tension between these two interpretative models, cf. Castoriadis (1984, op. cit., p. 52–59).
 15. Cf. Marx (1968c, pp. 347–77). For more detailed commentary, see Honneth (2015, p. 60ff).
 16. At the same time, Hegel faces great difficulties in establishing that the state, too, is a sphere of intersubjectivity that is enabling of freedom. These difficulties have been treated, with impressive precision, by Theunissen (1982, pp. 317–81).
 17. I have put forward a proposal of this kind in Honneth (2013, op. cit.).
 18. On these difficulties regarding the foundational concepts of the traditional theory of social differentiation, cf. Schimank and Volkmann (2008).
 19. Some initial suggestions can be found in Honneth (2010b, pp. 103–30).

BIBLIOGRAPHY

- Althusser, L 1969, *For Marx*, Verso, New York.
- Brudney, D 1998, *Marx’s Attempt To Leave Philosophy*, Harvard University Press, Cambridge MA.
- Castoriadis, C 1984, *Gesellschaft als imaginäre Institution. Entwurf einer politischen Philosophie*, Suhrkamp, Frankfurt am Main.
- Çidam, V 2012, *Die Phänomenologie des Widergeistes. Eine anerkennungstheoretische Deutung von Marx’ normativer Kritik im Kapital*, Nomos, Baden-Baden.
- Dewey, J 1973, *Lectures in China, 1919–1920*, University of Hawaii Press, Honolulu.
- Emundts, D, and Horstmann, R-P 2002, *Georg Wilhelm Friedrich Hegel. Eine Einführung*, Reclam, Stuttgart.
- Habermas, J 1970, Arbeit und Interaktion. In *Technik und Wissenschaft als “Ideologie,”* 9–48. Suhrkamp, Frankfurt am Main.
- Habermas, J 1971, Literaturbericht zur philosophischen Debatte um Marx und den Marxismus. In *Theorie und Praxis. Sozialphilosophische Studien*, 2nd ed., 387–463. Suhrkamp, Frankfurt am Main.
- Habermas, J 1981, *Theorie des kommunikativen Handelns, Vol. 2: Zur Kritik der funktionalistischen Vernunft*, Suhrkamp, Frankfurt am Main.

- Hegel, GWF 1970a, *Enzyklopädie der philosophischen Wissenschaften*, Vol. 3. Theorie-Werkausgabe, Vol. 10, Suhrkamp, Frankfurt am Main.
- Hegel, GWF 1970b, *Grundlinien der Philosophie des Rechts*. Theorie-Werkausgabe, Vol. 7, Suhrkamp, Frankfurt am Main.
- Hegel, GWF 1970c, *Vorlesungen über die Philosophie der Geschichte*. Theorie-Werkausgabe, Vol. 12, Suhrkamp, Frankfurt am Main.
- Hegel, GWF 1977, *Phenomenology of Spirit*, Trans. AV Miller, Oxford University Press, Oxford UK.
- Herzog, L 2013, *Inventing the Market: Smith, Hegel and Political Thought*, Oxford University Press, Oxford, UK.
- Honneth, A 1992, *Kampf um Anerkennung. Zur moralischen Grammatik sozialer Konflikte*, Suhrkamp, Frankfurt am Main.
- Honneth, A 2010a, Anerkennung als Ideologie. Zum Zusammenhang von Macht und Moral. See Honneth 2010b, 103–130.
- Honneth, A 2010b, *Das Ich im Wir. Studien zur Anerkennungstheorie*, Suhrkamp, Berlin.
- Honneth, A 2010c, Das Reich der verwirklichten Freiheit. Hegels Idee einer “Rechtsphilosophie.” See Honneth 2010b, 33–50.
- Honneth, A 2013, Die Moral im Kapital. See Jaeggi & Loick (eds.) 2013, 350–63.
- Honneth, A 2015, *Die Idee des Sozialismus. Versuch einer Aktualisierung*, Suhrkamp, Berlin.
- Jaeggi, R and Loick, D eds. 2013, *Nach Marx. Philosophie, Kritik, Praxis*, Suhrkamp, Berlin.
- Kotz, D 2015, *The Rise and Fall of Neoliberal Capitalism*, Harvard University Press, Cambridge, MA.
- Löwith, K 1978, *Von Hegel zu Nietzsche. Der revolutionäre Bruch im Denken des 19Jahrhunderts*, Meiner Verlag, Hamburg, 7th ed.
- Marcuse, H 1932, Neue Quellen zur Grundlegung des Historischen Materialismus; reprinted in Marcuse H 2004. *Schriften*, Vol. 1. Springe, zu Klampen.
- Marx, K 1968a, Auszüge aus Mills “Éléments d’économie politique.” See Marx & Engels 1968, 445–463.
- Marx, K 1968b, Ökonomisch-philosophische Manuskripte aus dem Jahr 1844. See Marx & Engels 1968, 467–588.
- Marx, K 1968c, Zur Judenfrage. See Marx & Engels 1968, 347–77.
- Marx, K 1971a, *Das Kapital*, Vol. 1, in *Werke* by K Marx, F Engels, Vol. 23, 181–191. Suhrkamp, Frankfurt am Main.
- Marx, K 1971b, *Zur Kritik der politischen Ökonomie*, in *Werke* by K Marx, F Engels, Vol. 13, Suhrkamp, Frankfurt am Main.
- Marx, K, and Engels, F 1968, *Werke*, Suppl. Vol. 1, Suhrkamp, Frankfurt am Main.
- Marx, K, and Engels, F 1972, *Manifest der Kommunistischen Partei*, in *Werke*, Vol. 4, 459–93. Suhrkamp, Frankfurt am Main.

- Mauss, M 1969, *The Gift: Forms and Functions of Exchange in Archaic Societies*, Norton, London.
- McCarney, J 2000, *Hegel on History*, Routledge, London.
- Neuhouser, F 2000, *Foundations of Hegel's Social Theory. Actualizing Freedom*, Harvard University Press, Cambridge, MA.
- Neuhouser, F 2013, Marx (und Hegel) zur Philosophie der Freiheit. See Jaeggi & Loick (eds.) 2013, 25–47.
- Ostritsch, S 2014, Hegel and Searle on the necessity of social reality. *Rivista di Estetica* 57: 205–18.
- Polanyi, K 1979, *Ökonomie und Gesellschaft*, Suhrkamp, Frankfurt am Main.
- Polanyi, K 1997, *The Great Transformation. Politische und ökonomische Ursprünge von Gesellschaften und Wirtschaftssystemen*, Suhrkamp, Frankfurt am Main.
- Quante, M 2011, *Die Wirklichkeit des Geistes. Studien zu Hegel*, Suhrkamp, Frankfurt am Main.
- Reichelt, H 1973, *Zur logischen Struktur des Kapitalbegriffs bei Karl Marx*, Suhrkamp, Frankfurt am Main.
- Rosenzweig, F 2010, *Hegel und der Staat*, (ed.) F Lachmann, R Oldenbourg, Berlin.
- Sandkühler, HJ, and De La Vega, R eds. 1970, *Marxismus und Ethik*, Suhrkamp, Frankfurt am Main.
- Särkelä, A 2013, Ein Drama in drei Akten. Der Kampf um öffentliche Anerkennung nach Dewey und Hegel, *Deutsche Zeitschrift für Philosophie* 61:681–96.
- Schimank, U, and Volkmann, U 2008, Ökonomisierung der Gesellschaft. In *Handbuch der Wirtschaftssoziologie*, ed. A Maurer, 382–93. Springer, Weisbaden.
- Schmidt am Busch H-C 2011, *“Anerkennung” als Prinzip der Kritischen Theorie*, de Gruyter, Berlin.
- Searle, J 1995, *The Construction of Social Reality*, Free Press, New York.
- Streeck, W 2013, *Gekaufte Zeit. Die vertagte Krise des demokratischen Kapitalismus* Suhrkamp, Berlin.
- Taylor, C 1979, *Hegel and Modern Society*, Cambridge University Press, Cambridge, UK.
- Theunissen, M 1982, Die verdrängte Intersubjektivität in Hegels Philosophie des Rechts, in *Hegels Philosophie des Rechts*, ed. D Henrich, R-P Horstmann, 317–81, Klett-Cotta, Stuttgart.
- Tomasello, M 2016, *A Natural History of Human Morality*, Harvard University Press, Cambridge, MA.
- Vogel, P 1925, *Hegels Gesellschaftsbegriff und seine geschichtliche Fortbildung durch Lorenz Stein, Marx, Engels und Lassalle*, Pan-Vig, Rolf Heise, Berlin.

Crisis, Contradiction, and the Task of a Critical Theory

Rahel Jaeggi

Karl Marx offered a description of the task of Critical Theory that enjoys wide popularity among its contemporary proponents: the task of a Critical Theory, according to Marx, is to be part of the “self-clarification to be gained by the present time of its struggles and desires” (Marx 1970b, p. 345). Like few others, Nancy Fraser embodies such an understanding of theory becoming “practical.” With her political acumen, when it comes to identifying the decisive social conflicts of our time, and her careful and farsighted way of analyzing the at times confusing jumble of contemporary social struggles, she identifies unintended side effects and paradoxical alliances. As a result, Fraser is also able to intervene critically in the corresponding conflicts. All of this over the past decades has turned her into one of the few philosophers who not only are influential within the academic world, but also command the attention of political actors. In her work, she is “partisan” in the sense formulated by the early Max Horkheimer, that Critical Theory is the “intellectual side of the historical process of proletarian emancipation” (Horkheimer 2002, p. 215).

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In this sense, it is only consistent that Fraser has again taken up the project of a broad-based critique of capitalism, and in an impressive way, in recent years. In doing so, she responds to the widespread anger and uncertainty caused by an economic and social system that once again features prominently on the public political agenda, as testified by the anti-globalization movements of the 1990s, the economic crises of the 2000s, and the Occupy protests of recent years. And, in this way, she has helped to reclaim a theme for Critical Theory that for a long time seemed to have been neglected by many contemporary currents in Critical Theory (with a couple notable exceptions), or sidelined to the point of not mentioning the very concept of capitalism, let alone theorizing it, any longer.

At the level of political theory, thus, her approach has the effect of sharpening the profile of Critical Theory once again in contrast to egalitarian liberalism, or to left-wing Rawlsianism, after it had become virtually impossible to keep them apart in some places in the past. In programmatic terms, this amounts to recovering the connection between analysis and criticism that was crucial for the earlier Critical Theory, along with the interdisciplinary project the goal of which was to analyze society (as a totality) in a critical way, and to connect normative questions directly with the analysis of social trends. By identifying the deep structures and driving mechanisms of historical developments, critique can thus glean characteristic forms of conflict and emancipatory possibilities from their constitutive tensions and “contradictions.” Now, if Fraser points to a “deep structural dysfunction at the heart of our form of life,”¹ this is at the same time indicative of a slight methodological shift within contemporary Critical Theory: a shift back (as one could say) toward reflecting the “objective tendencies” of an age. If not replacing the orientation on social actors and movements, this focus on crises at least supplements the focus on social struggles.

MARX AND SOCIAL STRUGGLES

Now, the attempt to keep the balance between social struggles and objective crises can be seen as an almost classical topic within Critical Theory, beginning with Hegel and Marx. However attractive it may be to interpret Marx's dictum quoted above in a contemporary, deflated way as stating that the task of a Critical Theory is to take sides with really existing social struggles, it is a well-known fact that even for the young Marx the

relationship between theory and practice was more complex (and not altogether unproblematic).

Marx could still rely on two presuppositions when situating the relationship between theoretical reflection and social struggles: The first assumption was that one could concentrate on only *a single* historical movement – namely, class struggle – which would become increasingly focused on the confrontation between two classes (capital and labor, the bourgeoisie as the owners of the means of production and the proletariat). The second, connected certainty was that these same social forces driving the struggles in focus were undoubtedly *progressive* and had a clear emancipatory direction. Deeply anchored in an ultimately Hegelian foundation (in the philosophy of history), the relationship can be sketched very roughly as follows: the “conflicts of the age” do not occur only *at a* particular historical time; in Hegel’s terms, *their time has come*. They implement “what was ripe for development” (Hegel 2001a, p. 45). They are the result of a specific large-scale historical development – in Marxist terms, of the development of the forces of production, of the social conflicts and contradictions to which the latter give rise, which find expression in the class struggle. However, we understand the relationship between the development of the forces of production and class struggles, and between the revolutionary potential and the condition of its realization in detail, it is certain that, although the dynamic described here depends on the volition and actions of social actors, it is not based on those factors alone. As Marx puts it already before developing his complex “materialistic philosophy of history”: “revolutions require a *passive* element, a material basis” (Marx 1970a).

The normative direction taken by these struggles – their emancipatory character – is shaped by these foundations as well: they are *emancipatory* insofar as they comply with the direction of movement of history understood as a dialectical and conflictual dynamic. The “partisanship” of the critical theorist (of which Horkheimer speaks later) is not, then, a particularistic partisanship for one class over another. It is an anticipation of the universalism of a general, world-historical process of emancipation.

As suggested, one can interpret these relationships (and try to make the tensions looming here productive) in different ways or criticize them in favor of a more agonistic conception. One can also – as many contemporary versions of Critical Theory tend to do – subject the original program of the philosophy of history to “metaphysical debunking” and take one’s orientation from social movements that are actually virulent.

However, one then faces different sorts of problems, problems that have probably become more acute in recent years and decades. Today we are not only confronted with a multiplication of social struggles and a plurality of lines of conflict that do not always converge. We also increasingly frequently encounter situations that, although marked by social misery, injustice, suffering, do not give rise to corresponding social movements, or do give rise to movements but none that could be regarded as *emancipatory*.

If a Critical Theory does not want to fall back on freestanding normative standards in response to this, and if, conversely, one does not want to justify partisanship for social struggles in a decisionistic way or merely standpoint-theoretical, then an approach that takes its orientation from the *immanent crises* of the current situation and the observed social formations recommends itself as a fruitful alternative.²

CRISIS AND CRITIQUE

Undertaking such an analysis of capitalism as subject to a “deep structural crisis” forms a task for the concrete analysis of our economic system and for a critical social theory. As already stated, it is also part of the interdisciplinary project to which Fraser’s work belongs. I limit my own discussion here to a methodological aspect and investigate the very idea of a crisis critique, a critique, in other words, that takes its starting point from the crisis-prone and dysfunctional character of the social order in question.

The orientation toward crises is an instance of “objective criticism” (as Arnold Ruge has put it), insofar as it is suggested “by the thing itself” and does not merely proceed from the critic’s subjective critical intention. Such criticism is “objective,” therefore, insofar as it presents itself as a critical enactment of the tensions, moments of crisis or deficits on the side of the objects (social relations). “Objective,” it should be noted, here means not only that this kind of criticism claims to be true or valid, but also that, in a paradoxical formulation, the things here criticize themselves.

It is the existence of conflicts and contradictions immanent in reality, and hence the connection between crisis and critique, that is the precondition for such a form of criticism. Seyla Benhabib (1986) has formulated this moment succinctly (taking her lead from Reinhart Koselleck): “‘Critique’ is the subjective evaluation or decision concerning a conflictual and controversial process – a crisis.” Criticism is thus, in a sense, simultaneously active and passive or simultaneously active and reactive. If the

critic's claim is to comprehend the deficits or even contradictions residing in the social formation itself, then she does not proceed in a dogmatic (to use Marx's term) or normativistic way. She neither simply posits her standards independently of the deficits and contradictions in question nor derives them from a condition conceived in ideal terms.

The theoretical foundation for such an outlook was partly laid down by Marx and Hegel. In particular, I look at the Hegelian idea of contradiction and of a crisis-driven dynamics of history to discuss the stakes of a crisis critique. My motivation in turning to Hegelian theoretical resources – no particularly light luggage to take on – stems from the observation that a mere, that is, plainly functionalist crisis critique runs into unresolvable tensions.³ Functioning, for complex, self-interpreting entities such as modern forms of life is never a clear-cut criterion. What it means for an economy to function is subject to normative assessment and dispute. The dysfunctionalities of contemporary capitalism, especially the ones to which Fraser draws attention – crises in the spheres of reproduction, of ecology, and of political and financial institutions – are precisely not indications of capitalism's definite doom. They are catastrophic, but they will not automatically lead to the system's self-destruction. Without conflict and articulation, there would be no crisis to speak of. Yet there is more to decipher about the normativity according to which failure can be assessed than about what contingent claims of different social groups might express. What I hope to show is that we can find, in the argumentative details of Hegel's dialectical understanding of social dynamics, a model that allows the critic to combine the claim to objectivity raised by dysfunctionalities with the insight that functioning is a normatively mediated concept.

Crises, as the Hegelian analysis allows us to see, are not purely functional. On the contrary, the moments of dysfunction, instability, and institutional erosion are *themselves* the effects of normative expectations and the self-understanding of a given social formation. The ethical-functional model of critique that I am advocating can thus be seen as an attempt to be faithful to both of the distinctive trends in Fraser's work at once: the crisis critique as well as the orientation toward social movements.

CRISIS AS DIALECTICAL CONTRADICTION

The Hegelian model of *dialectical development* lays the ground for a dynamic understanding of history, while constituting a particularly demanding interpretation of social and historical processes of *transformation*. Hegel

conceives of history as a transformation process that is facilitated both by *crises* and their overcoming. In both the *Philosophy of History* and the *Phenomenology of Spirit*, the untenable and contradictory nature of an existing position drives history beyond itself. Thus, the destabilization and erosion of existing institutions, practices, social formations, and forms of life lead to their eventual demise and/or their possible transformation.

If we were to draw up a short formula for the primary characteristics of a Hegelian interpretation of the “problems” and crises that initiate the dynamics of history, it may look like this: For Hegel, *problems* take the form of *contradictions*. In a given social and historical situation, they do not appear to be contingent or external disturbances, but rather the manifestation of tensions and crises that were already implicitly present in the situation. In the following, I spell out the different dimensions of this understanding.

Whereas a pragmatic conception of “problems” presents them as unforeseeable and contingent occasions for learning, as externally produced (material) obstacles to action, or as interruptions that impede the functioning of a specific social practice, for Hegel the contradiction that leads to crisis is not external to the discovered constellation. According to this understanding, it is not the case that what is intrinsically (or previously) stable becomes unstable, what is coherent becomes incoherent, and what is certain becomes uncertain. Rather, the formation or *Gestalt* that is being challenged is itself characterized by the tensions and potential conflicts contained within it. Every historical and social constellation that is hereby challenged is, so to speak, the provisional, necessarily unstable specification of a problem or contradiction. Strictly speaking, it does not “run into” a contradiction (as one might be suddenly *confronted* with a problem), but rather is *made up as a contradiction* itself. The “contradiction” that races toward crisis is constitutive for the corresponding formation. Let’s now look more closely at what characterizes the interpretation of crises and problems in terms of *contradictions*.

First, for Hegel, problems present themselves as *conflicts* between irreconcilable claims. In itself, this is a very specific interpretation of the concept of crisis or problem, distinct from the idea that a problem consists in some simple knowledge deficit or inability. But even more decisive here is the fact that these conflicts are not between two unconnected, opposing forces. The conflicts that are challenged do not only come about through the simultaneous onset of two contrary claims. Rather, these claims are linked to one another – and that is precisely what makes up the *immanent*

character and the systematic constitution of the conflict. The victory of human law over divine law (as we find in *Antigone*) therefore produces its own “inner enemy” consisting “in that which it represses and which is likewise essential to it.” We must, therefore, learn that “its greatest right is its greatest injustice, its victory is instead its own defeat” (Hegel 2005, pp. 351–52). Problems in the guise of (dialectical) contradictions are then problems that are found systematically *within* a given social formation, are *created by those formations*, and *cannot be resolved within them*.

Thus, Hegel’s observation that the spirit of a people does not die “a simply natural death” is targeted at the immanent constitution of the crises he described: “In its case natural death appears to imply destruction through its own agency” (Hegel 2001a, p. 92). In the case of ancient Greece, that already applies to defeat from a politico-military perspective: The patchwork of small Greek states and the corresponding political homogeneity of self-contained communities was as much a condition for the development of Greek democracy as it was responsible for its politico-military weaknesses. That is to say: the condition of Greece’s “greatness” likewise caused its weakness.

But the dissolution of Greek ethical life was also brought about by a “deeper” contradiction immanent to it. In the case of Socrates, it is *ethical life’s own principle* that opposes it and by which it is destroyed. Put simply, the Greek *polis* had a principle of individuality that, embodied by Socrates, contradicted its communal or ethical life, while likewise being created by it.

“It lies in the principle of Greek freedom that, because it is freedom, thought must become free for itself” (Hegel 2001a, p. 327).

It is important to see that the emergence of “thought,” i.e., the examination of given customs and consequently the emergence of the reflective aspect of Greek ethical life, did not force its way in from the outside. Rather, it is facilitated precisely in virtue of the specific feature that, for Hegel, distinguished Greek states from other (e.g. Oriental) states – to wit, the fact that “principles” were instituted there. This instituting of principles and the “oscillation and turning in the ideas” that come along with the Greek “busyness” (Hegel 2001a, p. 326) enabled and brought about the form of reflection that consequently subverts ethical life. This sets up the challenge to relate these principles to existing (social) reality, to the existing social institutions, that therefore become possible objects of

dispute. Hence, Hegel's diagnoses of crises describe the ruin of certain ethical formations as "homemade." The historical constellations that he diagnoses as crisis prone do not just fail; they are the reasons for their own failure.

The immanent development of problems described here, however, would be inconceivable without another aspect: Immanent contradictions exist only to the extent that cultural forms of life are (in a manner analogous to Charles Taylor's [1985] "self-interpreting animals") "self-interpreting entities." They therefore fail "unto themselves," not only because they create *practices* and institutions that contradict one another; more importantly, they fail unto themselves because they contradict their *own self-conception*, their own interpretation of the world, and the validity claim that comes along with it. The fact that a form of life can be in "conflict" thus presupposes that it has its own ground of validity, such that the meaning and the normative reference points that are set with and by it can be called into question. This explains the fact that forms of life can, in a way, internally "erode" or even that such an *erosion*, attributable to internal inadequacies, is the precondition for its actual failure.

Greek "ethical life" did not break down because *there was* a Socrates or because he is a figure of world history. It broke down because it had to learn from him that it could not meet its own standards. Similarly, in the analysis of civil society that Hegel gives in his *Philosophy of Right*, it is not the *fact of poverty* that leads to the crisis-prone character of civil society, or puts it at risk of "destroying itself and its substantial concept in the act of enjoyment" (Hegel 2001b, §184). Rather, crisis follows from the fact that this reality contradicts society's own self-understanding, according to which the individual can find "honor and substance" (only) through participation in it as a laborer.

A third characteristic arises from this internally contradictory structure: the constitutive-productive character of the crises that Hegel describes. Contradiction and crisis do not only indicate the *decline* of a particular historical or intellectual formation. While unfolding their dynamic, they are also the driving force that leads out of those dynamics, an aspect of the "vibrancy" (*Lebendigkeit*) of such a formation. If such an historical form of life is determined or characterized by a characteristic tension or constellation of problems that, where applicable, develops into a crisis that can no longer be resolved within that formation, then crises are as such not purely destructive. Put another way, the contradiction that characterizes a

situation is not only a problem with a negative impact, but also the force that drives that situation beyond itself.

If now the liability to crises is “the source of further progress” as well as of the “undoing” or destruction of a given formation, those crises are not a deficit. Those social arrangements would not be what they are – and could not play their world-historical role, i.e., of overcoming one-sided and unproductive paradigms – without their inherent and potentially destructive contradictions. The development of contradictions therefore becomes the mark of the developmental dynamics of the historical-social world – and, moreover, of the vitality in all of its phenomena. (Interestingly, then, *dynamic* social change – and *not stability* – is the default mode of “healthy” social formations. Furthermore, the crucial question is no longer why and how a purportedly stable situation *changes*. What interests us now is the character and shape of this very dynamic.)

Contradictions, then, are interpreted as characteristics of social reality. That is exactly why the theory of (social) contradiction does not restrict itself to grasping the existence of an open (social) conflict: What can become the problem for *us*, the relationship that we oppose, must have already become latently problematic on the side of the object (on the side of reality). This opens up a difference between surface and depth that is significant for the character of Hegel’s conception of crisis – and became significant for Marx as well.

CONTRADICTIONS IN SOCIAL REALITY

Having laid out the implications of the Hegelian concept of problems as contradictions, I now try to determine what a corresponding analysis of social reality that would spell out or apply the “grammar of contradiction” amounts to. I start by introducing a few considerations about what talk of contradictions in social reality actually implies, i.e., what it might mean to claim that reality itself is contradictory.

How do social practices come to contradict one another? And how are we to explain the fact that such a social pattern might entail mutually contradictory practices and still endure? At a first glance, there are several options.

(1) A social practice or institution contains various constitutive norms that *cannot be adhered to simultaneously*. This results in a contradictory relationship between the respective norms or between the practices that are constituted through them, insofar as they can neither be harmonized

nor exist simultaneously. The imperative “Be your own person!” does not comport with the imperative “Conform!” But insofar as modern working relations often entail both imperatives, we can describe this as “inherently contradictory.” The simplest variant in such a constellation is the classic *double-bind* situation in which there is an imperative that, practically speaking, is simultaneously circumvented. For example, working relations may be *de facto* repressive, whereas a claim to creativity or self-fulfillment is only *postulated*.

(2) By contrast, a “stronger” version of a systematic internal (and dialectical) tendency toward contradiction appears when two *sets* of practices and norms within a social context are *both* in effect and mutually contradictory. Such a social practice does not merely postulate something that is not fulfilled within it, but rather lives, so to speak, on equal obedience to both imperatives. This is exactly how we can describe the working relations involved in what is known as the “creative sector”: These relations are based on the fact that individuals simultaneously conform *and* act creatively. This kind of work requires a posture in which both coincide, and it is also dependent on both postures, provided that, on the one hand, “neoliberal work” feeds on the mobilization of creative resources and, on the other hand, wants to steer it toward exploitable channels.

The question, then, is: How useful is it to call this condition a “contradiction”? If we look at the mutually contradictory structure of norms and practices, is there a common foundation on which we can discern a contradiction in the same respect? The talk of a contradiction that is internal to the relations is plausible only if it can be shown that the practices in question are in fact *mutually dependent* and *mutually determined* within the context of the practice in question, and for this reason cannot be fulfilled simultaneously. In other words, they are mutually exclusive – even though they in fact arise together (otherwise the practical context in question would not occur).

(3) A third case in which we could speak of the onset of “practical contradictions” or a contradictory reality would be one in which the norms constituting the practice in question are systematically interpreted in such a way that they are observed to *change into the opposite* of what was intended (i.e., the goal that is being pursued) as soon as they are fulfilled. As such, the French Revolution’s transition into the Jacobin Terror can be seen as the transformation into the opposite of the original intent. If we can find an opposition or a contradiction here, it obtains between the *intentions* with which the specific actions are done and the factual *impacts*

and results they have, the unintended consequences of processes that occur in the world.

But here as well, merely to establish that the *intention* with which a project was initiated and the *result* of the process that it triggered are at odds with one another is insufficient to claim that an immanent “contradiction” obtains. Because “unintended consequences” are likely to occur in the social world, such an understanding would amount to an inappropriate overextension of the concept of contradiction. Thus, it is crucial for the strong claim of an immanent contradiction that the process in question does not take that course by coincidence, but rather is due to “deeply rooted and unavoidable reasons.” For it to be seen as a “real contradiction” requires more than a “good intention” that has led to a disastrous result. The characteristics causing this kind of outcome not only are factually unfulfilled, but also are such that they *cannot* be fulfilled. They must be inherent to the formulation of the outcome or, at any rate, linked with the means available for its fulfillment. (So, according to Hegel’s analysis, the “horror” of the French Revolution is not a result of contingent side effects but inherent to the “absolute” model of freedom itself.)

Along the same lines as the contradiction theorist’s task described above, the “real dialectician” must be able to show, first, that there are ineluctable and systematic reasons for the goal’s reversal, or that a particular goal is inconceivable without its opposite. Second, to ascribe a contradictory nature to the outlined process, she must also show that the goal has not been entirely disavowed. (If the French Revolution merely represents the degenerate fulfillment of an already terroristic goal, then there is not, in turn, an immanent contradiction: The result does not contradict the intention.)

(4) Finally, the contradictory nature of a social form of life can be described as such only because elements that ought to be connected have been torn apart, to the effect that they are opposed to one another in a *dysfunctional, one-sided manner*. In this case, a social form of life is contradictory because, in its real practices, it has been separated from its context and, more specifically, from (in Hegelian terms) the “unity with its opposition.” Again the model for such a contradiction in the social world would be Hegel’s *Antigone*: If a functioning, non-contradictory ethical life unites state order and familial solidarity, then both sides of the conflict Antigone faces become opposed to one another; the situation is contradictory because it is disunited.

Here as well, the “contradiction theorist” is confronted with a task that is not easy to accomplish: For something to be represented as a “contradiction,” it must be shown that both sides, although separated, nonetheless belong together. In the Hegelian interpretation of *Antigone*, this “evidence” is introduced via the claim that both sides negatively refer to one another. They complement one another, although no longer positively; they cooperate, but negatively. If they achieve their identity through the negation of their opposite, they simultaneously remain bound to it (qua a “defense mechanism,” as possible in psychoanalytical terms). This enemy is an “internal enemy” because it represents that which is “suppressed” by the victorious position that, in turn, gains its (contradictory) stability through this suppression.

THE PROBLEM WITH CONTRADICTIONS

If Hegel accepts various explanatory burdens with his interpretation of problems as contradictions and the claim that contradictions obtain within social reality, “contradiction” is, however, also an attractive concept for understanding social crises and processes of social transformation. One respect in which it (still) may be helpful in order to understand social dynamics (and one of the aspects needed to make the claim for ethical explanations) is the interconnection or entanglement of the functional and normative shortcomings of a form of life. This perspective enables us to analyze certain kinds of social erosion, one-sidedness, and impoverishment, which can be seen as preconditions of failure. The fact that social practices and institutions – forms of life – are plunged into crises not only means that something “is not working” or that a practice can no longer be reproduced in a customary way. It also means that a practice can no longer co-exist with (a) a certain normative self-conception and (b) the nexus of practices that accompanies that interpretation of the world. Put another way: It means that something is wrong with the respective set of practices or form of life. Such a form of life has become incoherent, turned out to be impractical and “uninhabitable” (as Terry Pinkard (2013) puts it).

Interpreting problems and crises *as contradictions* means embracing the idea that forms of life are not (passively) *confronted* with problems, but (actively) *confront* problems. It means that forms of life are such that the problems with which they are confronted do not occur coincidentally but *systematically*, and for reasons that are inherently connected with their very

nature. Such problems (that arise as contradictions) are not only *obstacles* to action but simultaneously *facilitate new possibilities for action*; they are not merely dysfunctions, but at the same time *constitute* the characteristic manner in which the inherently contradictory formation functions.

But there are also difficulties attached to the Hegelian interpretation of problems as contradictions (besides the aforementioned fact that we need to look for evidence in social reality if we want to argue for the claim that this concept should be kept alive as a tool for social criticism). Though the claim that historical formations *confront* their problems *themselves* may be interesting, it nevertheless gives rise to the question of whether this idea can do justice to the fact that historical constellations sometimes simply “end up in something” unforeseeable, under conditions that are hardly self-imposed. Is it not often the case that external influences, confrontations with foreign practices, as well as coincidental constellations and contingent results, cause a form of life to become problematic or lead to conflicts? An interpretation that is limited to a dynamic that is both internal and motivated by internal contradictions – hence, leaving no room for the development of *new* contradictions or *contingent* problems – would be too internal and self-immersed to cope with this feature. Consequently, it does not allow for what is interpreted as the “material” character of problems (and thus hampers its ability to account for a “problematic reality,” in the moderate sense of the word).

So, can the strengths linked to the Hegelian conception of problems as contradictions be salvaged, while simultaneously overcoming the implausible aspects? Here I outline two interrelated proposals:

(1) On the one hand, the alternative between problems from *without* and *immanent* problems can be avoided if problems pertinent to forms of life are understood as reflexively experienced problems of the second order. What is crucial here is not what *caused* the problem or whether that cause is internal or external to the form of life, as in the case of problems triggered by confrontations with other forms of life, with nature, or with other contingent events. What is crucial is the level at which the problem *becomes* a problem. The fact that forms of life *confront* their own problems does not necessarily mean that they *create* them. It means only that they can become problems for a form of life only by way of their appropriation, by *embracing* the problems as problems. An “external” cause of conflict, or an external obstacle to action, is a genuine (that is, immanent) problem for a form of life when the latter does not possess the resources to cope with it.

But then the crucial aspect is not that the problems that *trigger* crises must come from within, but that – unlike catastrophes or mere operational disruptions – they exist only insofar as the “challenge” initially coming from outside is reflected by the corresponding form of life in some way. In such cases, the “contradiction” would not always be “there” already, but would develop through the confrontation with challenges, wherever they come from. The principle of immanent problem development can then incorporate the confrontation with the “outside.” The emergence of new kinds of phenomena, of crisis-triggering events, is the impact of a contingent problem on a latently contradictory constellation by means of which those contradictions become manifest.

(2) On the other hand, and connecting directly to this claim, to make this Hegelian understanding of problems as contradictions productive, the relationship between *contradiction and conflict* must be reconsidered. A *contradiction*, and the “objective side” of a crisis, must first be actualized in a *conflict* – i.e., *made into* a crisis. A contradiction *can* erupt, but it does not erupt necessarily. As history (and the history of crisis theory) shows, formations of the social world that are labeled “contradictory” sometimes persevere for astoundingly long times. The process of *actualizing* a contradiction must therefore be taken seriously as a process in its own right. The contradiction as the objective side of a crisis therefore has its corresponding subjective side. Precisely because it is reflexively interpreted as a contradiction in light of validity claims, it must also be *asserted*, brought into prominence by social actors, and thus turned into a conflict by them. The two aspects are linked with one another, provided that contradictions represent possible opposing fronts. But conflict erupts as a concrete event along such opposing fronts only once actors have taken up the issue. Conversely, the removal of conflict may make necessary changes that address the contradiction on a structural level. Social conflict would then be structured through the internal contradiction, but not caused by it in a deterministic sense. Conversely, social actors engaged in a conflict must respond to that very structural dimension. (At any rate, an important insight of the Marxian theory of revolution can be summarized in this way.) Therefore, the fact that a crisis must first be actualized as a conflict does not mean that it would be useless to inquire into and analyze the contradictions immanent to social reality. One does not understand a conflict correctly and, moreover, responds clumsily to it once one loses the perspective of the systematic contradictions.

We thus approach an answer to the problem of contingency that was raised above: If social crises are dependent on the fact that they erupt and

become realized in conflicts, then neither they nor the contradictions that give rise to them are strictly necessary. Neither they nor the aforementioned kinds of circumstances are necessary causal effects of a particular situation. However, to refine the connection between crisis and conflict a bit further: The absence of a sudden conflict or discussion of problems – hence, the absence of a collective discussion about forms of life that are (becoming) problematic – has consequences in case of doubt. We can therefore claim that a failure to actualize latent crises leads to ideology and other impediments to social learning – that is, to specific forms of irrationality.

(3) These considerations have implications for a question occasioned by my discussion of “real contradictions.” By referring to the role of the “contradiction theorist,” I also mean to suggest that contradictions are also always effects of a construction. Strictly speaking, “dialectical social contradictions” are not to be found within reality as such but rather – according to the model of an “interpretive dialectic” – in its interpretation. At the same time, however, they are *suggested* by reality.

The extent to which Critical Theory should take an interest in the struggles and desires of the age can then be qualified as follows: It is part of those struggles of an age that are capable of thematizing and addressing its inherent crises in an emancipatory way. In other words, through its criticism and analysis, it contributes to addressing these crises (which clearly also give rise to regressive and non-emancipatory responses) in an emancipatory way. And in doing so, it depends on an analysis of the objective crisis and “contradictions” of a social formation.

NOTES

1. For such a description of the task of Critical Theory, see “Nancy Fraser in Dialogue with Rahel Jaeggi” (Polity Press, forthcoming).
2. On such a crisis-oriented understanding of immanent critique, see also my book *Criticizing Forms of Life*, ch. 6 (Harvard University Press, forthcoming).
3. For a detailed argumentation of this points, see Jaeggi (2013).

BIBLIOGRAPHY

- Benhabib, S 1986. *Critique, Norm, and Utopia: A Study of the Foundations of Critical Theory*. Columbia University Press, New York.
- Hegel, GWF 2001a. *The Philosophy of History*. Batoche Books, Kitchener, Ireland.

- Hegel, GWF 2001b. *The Philosophy of Right*. Batoche Books, Kitchener, Ireland.
- Hegel, GWF 2005. *The Phenomenology of Spirit*. Princeton University Press, Princeton, NJ.
- Horkheimer, M 2002. Traditional and critical theory. In *Critical Theory. Selected Essays*, 188–243. Continuum, New York.
- Jaeggi, R 2013. *What (if anything) is wrong with capitalism? Three ways to critique capitalism*, Working Paper 01/2013, DFG-Kolleg-Forscher/Innengruppe Postwachstumsgesellschaft, Jena.
- Marx, K 1970a. Introduction. In *Critique of Hegel's Philosophy of Right*, (trans.) A Jolin, J O'Malley, Cambridge University Press, Cambridge, UK.
- Marx, K 1970b. Letter to Arnold Ruge. September 1843. In *Marx-Engels Collected Works*, 343–46. International Publishers, New York.
- Pinkard, T 2013. *Hegel's Naturalism: Mind, Nature, and the Final Ends of Life*. Oxford University Press, Oxford.
- Taylor, C 1985. *Human Agency and Language*. Cambridge University Press, Cambridge, UK.

What's Critical About a Critical Theory of Justice?

Rainer Forst

CRITICAL THEORY AND THE QUESTION OF JUSTICE

By “critical theory” in the Frankfurt tradition, we mean a combination of philosophical and social-scientific reflection informed by an interest in emancipation. Critical theory inquires into the rational form of a historically situated and normatively justifiable—and in that sense, *just*—social order. At the same time, it asks why the power relations that exist within (or beyond) a society prevent the emergence of such an order. This is consistent with Horkheimer’s (2002, p. 198f; tr. alt) original understanding of a “critical theory of contemporary society driven by an interest in rational conditions.”

This article is dedicated to Nancy Fraser, a dear friend and great critical theorist to whom I owe more inspiration and insights than a single text could express. I am grateful to the audience at the Association for Political Thought Conference at Oxford University in January 2016 for helpful questions and comments. Special thanks are due to Brian Milstein for a critical reading of the text and a number of important remarks. I elaborate some of the points discussed here in more detail in the Introduction to my *Normativity and Power* (Forst 2016).

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As the history of this theoretical program demonstrates, these definitions pose a number of problems: How should the “interest in emancipation” be defined? What form of cooperation between social theory and philosophy does it require? What kind of social theory is available for such a comprehensive analysis? Which concept of reason should be used when we are interested in a “rational” form of social order? What kind of theory of power and of ideology enables us to understand the existing social order as one that prevents emancipation?

If such an approach requires answering so many difficult questions, we may wonder why bother with it at all, especially as current debates in the field of theories of justice—be they national or transnational—are already populated by multiple different theories. What could a *critical* theory possibly contribute to this field that is new? Is it not, some may say, just another plea to cast aside “ideal” theory for a “realistic” or “situated” form of thought for “earthlings” (Miller 2013)? Is not critical theory basically Hegelian in character, expressing the “self-clarification of the struggles and wishes of the age,” as Marx (1975, p. 209) wrote to Ruge in 1843, defining emancipatory theory—and thus a mode of socially situated immanent critique? Or, others may think, is critical theory the opposite, a radical form of thought distancing itself from what Adorno called the *Verblendungszusammenhang* (“complex of delusion”) of the world, holding onto an idealistic conception of reason and of a rational society—and thus to a “fact-insensitive” ideal of freedom or non-domination?

In my view, a critical theory approach is helpful precisely because it avoids these one-sided, undialectical alternatives. It starts from here and now, from the power relations of which we are part, but it poses the question of emancipation in a radical way. Not only does it part company with “realisms” that have no place for autonomous normative argument (but see the Nietzschean survival of the fittest everywhere), it also parts with realisms that are so heavily wedded to the status quo that their normative horizon ends with the limits of existing institutions, thus losing sight of independent principles of justice that can transcend given social constellations and forms of thought.¹ Any realism that negates the imperative of justice as a justified demand of those who are subject to a normative order is an uncritical form of realism, and every ideal theory that is not based on a sociological as well as normative analysis of the real world of power, domination, and exploitation is out of touch with the struggles for justice of our age. Critical theory is as critical of bad realisms as it is of bad idealisms.

In formulating critical theory in this way, I see myself in strong agreement with Nancy Fraser's work. Ever since her famous early article titled "What's Critical about Critical Theory?" (Fraser 1987), she has been one of the most original and productive thinkers advancing the approach of a critical theory of justice, placing special emphasis on feminist concerns and arguing for women's autonomy as "collective control over the means of interpretation and communication sufficient to permit us to participate on a par with men in all types of social interaction, including political deliberation and decision-making" (Fraser 1987, p. 53). She would go on to expand this approach of (what she has come to call) "participatory parity" (Fraser 2003a, p. 36) to all structurally disadvantaged groups, developing a comprehensive, non-reductionist theory of justice in the three essential dimensions of "redistribution," "recognition," and "representation," and giving it a reflexive turn in asking about the proper "frame" of such struggles for justice in a post-Westphalian political imaginary (Fraser 2009).

In what follows, I first explain my methodological approach to the analysis of social orders and then expand on the normative argument about social and political justice that proceeds from it. I highlight my agreement with Nancy Fraser, but I also point to some possible points of divergence. In doing so, I continue a dialogue we have had for many years, with particular reference to her challenging response (Fraser 2007) to some critiques I formulated in a paper some years ago (Forst 2007). My main point is that I think that we can best answer the Fraserian question posed in my title here if we turn the very principle of critique—as a principle of reason—into the ground for a critical theory of justice. In doing so, we should be less worried about "excessive rationalism" (Fraser (2007, p. 334) and more about the dangers of conventionalism or lack of rational grounding.

JUSTICE AND JUSTIFICATION

In the approach I have developed,² the concept of *justification* establishes the link among normative theory, social theory, and social criticism. Central to this approach is the idea that critical theory turns the question of justification into a theoretical and a practical one, and it seeks to analyze social and political orders as "normative orders," or, to be more precise, as *orders of justification* based on and expressing certain *relations of justification*. This approach presents a twofold analysis of social normative orders: First, it treats justifications that legitimize and constitute norms, institutions, and social relations as empirical "material" or social facts for the

purposes of a critical analysis of their development (e.g., in the context of certain *justification narratives*), stability, and complexity. Second, it takes a critical stance on these justifications by scrutinizing their normative quality, how they came about, and the structures they justify. “Justifications” and corresponding “orders” are thus the focus, on the one hand, of a descriptive and critical analysis and, on the other, of a normative analysis that gives the question of justification a practical turn. This practical turn makes the question of justification ultimately a question for those who are subjected to a normative order and not one to be decided elsewhere; so those subjected to a normative order are to be the co-authors of that order by way of procedures and institutions of democratic justification.

When the concept of justification is used in a critical sense, it refers to a practice of discursive justification among addressees of norms who are supposed to become authors of norms because they have a basic *right to justification* to be free and equal normative authorities with respect to the norms to which they are subject. I begin with this initial conception of emancipation: becoming an equal normative authority within your normative order, which includes not just formal rights, but also the relevant social possibilities and subjective capabilities.

Note that the theory starts from *existing* structures of rule or domination (domination to be understood as rule without proper justification and without proper institutions of justification in place),³ but it anticipates no “realistic” limit as to the questioning of these structures and provides no telos or final aim of such questioning (two points to which I return). Also note that when I speak in a descriptive, social-theoretical mode, “justification” refers not only to “good justifications,” but also to those that block better justifications because of their ideological nature. This is the key to the relationship among philosophy, social theory, and criticism. In what follows, I focus on the normative aspects of my account of justice but stress the empirical where necessary.⁴ Without an account of the structures of *injustice* that need to be addressed nationally and transnationally, any theory of justice will remain at least partially blind and possibly fall prey to the powers that be.

It is important to avoid a reductionist reading of the terms “order of justification” or “relations of justification.” In no way do they refer only to the legal-political system of political justification in a narrow sense, as Fraser fears. She interprets me as implying that my privileged object of critique is the “formal syntax of the reasons” (Fraser 2007, p. 330) that

participants exchange in political discourses. She further thinks that I focus only on forms of political representation, thus advocating some form of “reductive ‘politicism’” (Fraser 2007, p. 333). But this is not the case.

As Klaus Günther and I explain in our programmatic text about the interdisciplinary, critical study of normative orders (Forst and Günther 2011), such orders encompass a variety of different norms and normative contexts, from political and legal norms to economic and social norms, including informal moral or cultural ones. Thus, all justice-relevant social relations are covered by these terms, be they relations of distribution, recognition, or representation or, for example, of production, family, or religion. They are all relations of justification that are constituted by the “noumenal” power of justifications, which in turn determine the status of persons in these different spheres, preventing forms of “participatory parity” to arise, again using Fraser’s (2003a) important term. Thus, providing a coherent descriptive language of these relations in no way reduces them to a mere formal “syntax” or to relations of political representation in a narrow sense—and it does not mean that the contexts in which such justifications arise and operate are only political-institutional ones. As I explain in my work on power operating within normative orders, we must not reduce different spheres of economic, cultural, social or political power when we analyze power relations, but we must at the same time provide a coherent theory of power operating by means of justifications (Forst 2015c). We also need to see that a *politicization* is needed when criticizing such power contexts, as these power contexts are not removed from political contestation and political intervention.

So if Fraser (2005, p. 49) argues that the political is not the “master dimension” of social power, descriptively speaking, she is right in one way, but only insofar as she identifies the political too narrowly with an institutional system of representation. More to the point, I do not see how her own radical democratic discourse-theoretical conception of justice can avoid saying that *all* interventions in *any* of the power spheres of society have to be politically justified and, if materialized in law, democratically authorized. In that sense, she is wrong to say that the political has no special place in the social power structure. There are no power spheres beyond the reach of democratic power, broadly understood, including “weak publics” (Fraser 1991), and that is why power is the hyper-good of justice, as we both think. To cite Fraser (2005, p. 44), I fully agree, “Establishing decision rules, likewise, the political dimension sets the procedures for staging and resolving contests in both the economic and

the cultural dimensions: it tells us not only who can make claims for redistribution and recognition, but also how such claims are to be mooted and adjudicated.” This is exactly what I had in mind when I suggested, in my original critique of Fraser’s two-dimensional account of justice, a higher-order dimension of political justification and a general conception of justice as justification that implies “diagnostic-evaluative pluralism” as well as “justificatory monism” (Forst 2007, p. 294), because “all relevant basic social and political relations—which includes basic economic relations—are in need of mutual and general justification” (Forst 2007, p. 295).

In this respect, I read her revised, three-dimensional, discourse-theoretical conception of justice of participatory parity as accepting my critique. That critique implied no reductionist politicism, as I argued for an even broader range of analysis of phenomena of injustice than Fraser’s two dimensions allowed, pointing to manipulation of and in the media as an example of an exercise of social power not reducible to any of the categories she had provided (Forst 2007, p. 297). To combine such critical pluralism of phenomena of injustice with the claim that there has to be a structure of democratic justification with (roughly) equal justificatory powers of participation in no way restricts the focus of either the critical analysis or of the realms and contexts of justice. It just draws out what “participatory parity” in a democratic framework should mean.

REASON AND HISTORY

To develop a critical approach, we have to de-reify conventional philosophical definitions of basic concepts that suppress their practical, political character. This is where critical and, if you will, “traditional” theories part company, to use Horkheimer’s classic distinction.

In the first place, the concept of reason, which carries the main justificatory burden of critical theory, must be understood in terms of a theory of discourse or justification—following, but also taking leave of, Habermas.⁵ Reason is the faculty of being guided by justifications, and employing this faculty means knowing which justifications to use and how. Thus, it is a principle of reason or justification which says that norms whose validity claim can be redeemed appropriately are rationally grounded—a principle that says, for example, that reciprocal and general binding power must be redeemed through reciprocal-general justification. So the inherent validity claim of norms of justice commits us to a discursive practice guided by certain criteria of justification.

No theory can claim to be “critical” without being based on a conception of reason, and it must subject its own conception of reason to explicit scrutiny to avoid its reification (see, in general, Habermas 1984, 1987). But however much critical theory opposes the “pathologies of reason” in modernity, it nevertheless always subjects, as Honneth (2009, p. 28) emphasizes, “universality—which should, at the same time, be both embodied by and realized through social cooperation—to the standards of rational justification.” No other concepts, for example, conceptions of the “good,” can take the place of the imperative and the criteria of rational justification when it comes to the norms of social and political justice. Here, I agree with Fraser, who argues for a deontological and not a teleological approach to norms of social cooperation (Fraser 2003b, p. 228f). Contrary to attempts to lend critical theory an ethical character, it must be insisted that all candidates for the “good,” if they are to count as generally and reciprocally valid, cannot claim intrinsic validity (e.g., based on anthropological considerations) but must stand the test of reciprocal and general justification. Herein lies the Kantian core of the critical theory enterprise to which I am committed (see Forst 2012, ch. 1 and 2).

Such a constructivist conception of reason also enables us to understand which claims are counted as “reasonable” (and, hence, as justified) in a descriptive sense in social discourses, even though those claims may turn out not to be reasonable when subjected to critical scrutiny. As Marx (1975, p. 208) says in the same letter to Ruge: “Reason has always existed, though not always in rational form.” From that angle, the question of whether the principle of reason has a transcendental character or a historical, context-specific character is posed in the wrong way. The question of justification always arises in concrete contexts and likewise points beyond them. It does this by setting in motion a dynamic of scrutinizing “socially reasonable” standards of justification in particular—in an intensified reflective process that not only relates to the immanence of a context of justification, but also subjects the latter to critical scrutiny. I regard this as a particular version of what Fraser aptly calls “transformative” critique (2003a, p. 74), questioning the very structure of social relations (and their discursively constructed meanings).

Thus one cannot set limits to the demand for reciprocal and general justification by appealing to something like “prior ethical life,” as per Hegelian understandings. Reason is at once the most immanent and the most transcendent faculty that human beings possess. There can never be an historical *a priori* that could claim priority over the imperative of

reciprocal and general justification such that it could determine what does and does not count as genuine normative interpretation or progress. The “normative reconstruction” of the “promise of freedom” of modern societies, such as the one Honneth (2014, p. viii) performs, necessarily presupposes that “moral rationality” (Honneth 2014, p. 2), which is supposed to take effect in the realization of individual freedom, points beyond established institutions. Therefore, this reason must have a “free-standing” character—contrary to what Honneth argues. There is no other faculty of critique, and despite its immanent character, it has no boundaries.

Those who understand criticism as an autonomous practice of challenging existing orders of justification will not embrace an artificial opposition between internal or immanent criticism, on the one hand, and external criticism, on the other. Radical criticism can proceed in an immanent way *or* in a way that transcends existing social conditions—and it may be unclear where the one form of criticism ends and the other begins. Think, for example, of when Luther called the Pope the Antichrist, the Levellers declared the King to be the servant of the people, or Marx declared bourgeois society to be the locus of slavery. Established ethical life is the *object* of criticism, not its *ground* or *limit*. Again, I find myself in agreement with Fraser, when she argues that participatory parity provides a “nonsubjective reference point on which the demands of immanence and transcendence converge” (2003b, p. 210).

Things may be a little different when we look at a connected problem, namely the historicity of the normative foundations of criticism. The point that these have an historical character is trivial. What is not trivial, however, is whether the criteria of reason or normativity should be regarded as “historically contingent,” as argued, for example, by Benhabib (2015, p. 784), who sees the right to justification as “a contingent legacy of struggles against slavery, oppression, inequality, degradation, and humiliation over centuries” and accordingly as an historical “achievement.”⁶ As I tried to show in my book on the historical development of the practice of toleration in its many different forms and justifications, we do in fact have to understand such concepts against the background of concrete historical processes. Such a perspective reveals how the demand for reciprocal and general justifications can generate an historical dynamic that drives existing conceptions and justifications beyond themselves—always in a dialectical process involving new attempts at closure (Forst 2013c). Still, if we want to distinguish emancipatory from non-emancipatory struggles in an historically situated way and to view certain developments as

“achievements” or “learning processes,” we cannot assume that the *standards* by which we do so are merely “contingent.” To be sure, we cannot claim that these historical developments are “necessary” either, as we lack an equivalent of Hegel’s absolute. Finite reason has access neither to a standpoint from which it can regard its own norms from a distance as “purely contingent,” nor to a divine standpoint from which it could recognize historical necessity. These are symmetrical mistakes. Yet from the perspective of finite reason, the principle of justification is *the* principle of reason and the right to justification its moral implication—no more, but no less either. So when we speak of moral achievements, we mean that they are *in fact* moral achievements and we treat them accordingly with good reason—always knowing that we could be proven wrong by further learning processes.

Consistency demands we recognize that the pioneers of emancipation developed their positions in societies in which they were regarded as immoral or crazy—for example, the aforementioned radical Levellers or Pierre Bayle, who argued that even atheists are capable of morality, a position considered deplorable at the time. Should we take the historicist view that what made these positions true was that they *prevailed* over time, and hence that they were not true and *not justified* when these radical thinkers were arguing for their truths in their time? Should we join with those who condemned Bayle and others in crying “heresy” because this was in accordance with the order of justification that prevailed in his day? Could this ever provide a basis for understanding and appreciating emancipatory and radical criticism—the criticism of those who in their time spoke a language in which they called slavery a crime and not a form of solicitude, in which tyranny was described as such and not as divine right, and in which intolerance no longer counted as serving God but instead as brutal violence? If we view these languages as achievements, we cannot regard them as either as contingent or necessary, but as moral progress, progress in our moral understanding of ourselves through *justified* moral innovation, not as the result of historical “success.” The latter would be a form of moral Darwinism claiming that the winners decide what constitutes moral truth. But this would have nothing to do with critical theory. Historical survival (which in any case is a rare enough occurrence when it comes to emancipation) cannot determine the criteria for what counts in an evaluative sense as success. Critical reason alone can do this.

One would assume agreement from a critical theory portraying itself as “thick deontological liberalism” (Fraser 2003b, p. 230), grounding the notion of participatory parity on “the equal moral worth of human beings” (p. 231) and calling it the “principal idiom of public reason” (p. 230). But at the same time Fraser does not want to commit to such a strong notion of reason or to an anti-historicist stance. She shares a certain Rortyan skepticism with respect to strong foundations (Fraser 1996, p. 211) and presents her view as “non-foundational” (Fraser 2003b, p. 209), suggesting grounding within a hermeneutical circle of “reflective equilibrium” (p. 209) in moving back and forth between “folk paradigms of justice” (p. 208) and more abstract concepts of moral philosophy (that lack a foundation in reason). As a result, her approach is “polycentric and multilateral” (Fraser 2003b, p. 209). This makes, I fear, for a rather heteronomous doctrine, which we can see when she explains the two justificatory pillars of her theory. The first says that participatory parity “simply *is* the meaning of equal respect for the equal autonomy of human beings *qua* social actors” (Fraser 2003b, p. 231). This is, however, according to her a “conceptual” and not a moral argument. The second is not moral either, for it is “historical,” regarding participatory parity “as the outcome of a broad, multifaceted historical process that has enriched the meaning of liberal equality over time” (Fraser 2003b, p. 231). Again, given what I said above, the normative foundation for the use of “enriched” here is missing, for it cannot be grounded in the very historical process it is describing. That would be either circular or Darwinistic (implying that the historical winners determine normativity). I conclude, therefore, that the account of critical reason on which Fraser’s critical theory is based is insufficient to ground its deontological claims; deontology as a conventionalist or historicist doctrine is not deontology.

JUSTICE AND POWER

Given the way I reconstruct the practice of reason as a constructive practice of justification among justificatory equals, the first task of justice is to establish such discursive practices of construction and justification—which is why we have to proceduralize the concept of justice and link justice and justification in the right way.

Let me explain this by starting with a brief reflection on the notion of *injustice*, as people sometimes say that a critical theory ought to start negativistically, from an analysis of injustice—which is true, though that

works only if accompanied by a proper notion of justice. In my view, injustice means more than a person lacking certain important goods for a “decent” life. For if we were to focus only on deficiencies of goods, someone who is—speaking in abstract terms—deprived of possibilities and resources as a result of a natural catastrophe would seem to be in the same situation as someone who experiences the same kind of deprivation as a result of economic or political exploitation. Assistance is required in both cases. However, as I understand the grammar of justice, in the former case assistance is required as an act of moral solidarity, whereas in the latter case assistance is required as an act of justice conditioned by the nature of one’s involvement in relations of exploitation and thus of injustice and by the specific wrong in question.⁷ Thus the grounds of assistance as well as the content of what is required differ. Ignoring these differences can lead to misrepresenting what is actually a requirement of justice as an act of generous “assistance” or “aid” to the poor or miserable, thus possibly committing another wrong, namely, that of veiling the true nature of the injustice present.⁸ To do justice to those who suffer from injustice, it is thus necessary to grasp the relational or structural dimension of justice and to liberate oneself from an understanding that is focused exclusively on quantities of goods. Justice must be directed to *intersubjective relations and social structures*, not to *subjective or supposedly objective states* of the provision of goods. Helping a person overcome misery, irrespective of its cause, is a good thing, generally speaking. Yet, overcoming forms of domination that lead to misery is a particular demand of justice.

What about the concept of justice gives it this special place in our moral grammar? In my view, the concept of justice possesses a core meaning whose essential contrasting concept is *arbitrariness*.⁹ Arbitrariness can assume the form of arbitrary rule over others by individuals or by a part of the community (e.g., by a class), or it can involve the acceptance of social contingencies that lead to asymmetrical social positions and relations of domination as if they were unalterable, even though they are nothing of the sort. Arbitrary rule is the rule of some people over others without legitimate reason—what I call *domination*—and where social struggles are conducted against injustice, they are directed against forms of domination of this kind.¹⁰ The underlying impulse that opposes injustice is not primarily that of wanting something or more of something, but of no longer wanting to be dominated, harassed, or overruled in one’s claim and basic right to justification. In contexts of justice, this claim involves the demand that no political or social relations should exist that cannot be adequately

justified toward those subjected to them. Herein resides the profoundly *political* essence of justice that a purely goods- or recipient-oriented view fails to grasp: Justice concerns *who determines who receives what* and not only or primarily who should receive what. The demand for justice as I conceive it is emancipatory. Expressed in reflexive terms, it rests on the claim to be respected as an autonomous subject of justification, that is, to be respected in one's *dignity* as a being who can provide and demand justifications and who is to have a status as a free and equal normative authority within a normative order of binding rules and institutions. Justice requires that those who belong to a structured social context should be respected as equals. This means that they should enjoy equal rights to participate in the social and political *order of justification* in which they are involved in determining the conditions under which goods are produced and distributed and in which they ought to have a standing as justificatory equals.

That is also why a well-meaning authoritarian regime that provides its citizens with a decent package of basic goods of housing, health, and income does a lot to improve its citizens' lives—but it serves no justice. Those who dissect justice into social or distributive justice as a matter of the provision of goods, whether sufficientarian or egalitarian, on the one hand, or whether political justice or legitimacy, on the other, would disagree. But I think that is a mistake: If there were an ideal Cohenite “egalitarian distributor” (Cohen 2011, p. 61) who had figured out the right metric of justice and instantiated it by authoritarian rule, justice would not have been done, neither politically nor socially. People would just be better off but still fully dominated and not treated as *autonomous* subjects of justice. The notion of non-domination relevant here is not neo-republican but discursive: It means not to be ruled without good reasons and without adequate procedures of justification in place. Justice is a matter of active discursive construction, not of passively receiving important goods as determined by others.

The normative grounding of such a conception of justice as non-domination does not rest on any values or norms other than the principle of justification itself as a principle of critical reason. Thus, the discourse-theoretical conception of justice is *autonomous* with respect to other values and has a moral force of its own because it rests on a non-deniable claim to be respected as a normative agent or authority when it comes to the norms that claim validity over a person. The principle of justification is a principle of practical reason in the Kantian sense, as it does not merely imply what it

means to justify a claim to justice, but also that one has a duty of justice when one is part of a context of justice. The grounding of the discourse theory of justice as non-domination is “thin” when compared with others, which use substantive values of liberty or equality or well-being or the good, as it relies only on the principle of justification or critique. However, it is also “thick,” as it interprets this principle to ground a categorical and overriding right and duty of justification between those subjected to a normative order of rule and/or domination.

Thus we arrive at a central insight for the problem of political and social justice that Nancy Fraser and I share, namely, that *the first question of justice is the question of power*. For justice is not only a matter of which goods, for which reasons, and in what amounts should be allocated to whom, but specifically *how* these goods come into the world in the first place, *who* decides on their allocation, and *how* this allocation is made. The claim that the question of power is the first question of justice means that the constitutive places of justice are to be sought where the central justifications for a social basic structure must be provided and the institutional ground rules are laid down that determine social life from the bottom up. Everything depends, as I said at the outset, on the *relations of justification* within a society. Power, understood as the effective “justificatory power” of individuals, is the higher-level good of justice: It is the “discursive” power to demand and provide justifications and to repudiate false legitimations—be they single false legitimations, systemic discursive complexes, or narratives of justification.¹¹

On this basis, we can construct a comprehensive theory of political and social justice, though in the present context I can only hint at what such a theory would entail. First, we must make a conceptual distinction between *fundamental* and *full* justice. Whereas the task of fundamental justice is to construct a *basic structure of justification*, the task of full justice is to construct a *fully justified basic structure*. To pursue the latter, the former is necessary, that is, a “putting-into-effect” of justification through constructive, discursive democratic procedures in which justificatory power is distributed as evenly as possible among the citizens. To put it in (only seemingly) paradoxical terms, this means that fundamental justice is a *substantive* starting point of *procedural* justice. Fundamental justice guarantees all citizens an effective status as justificatory equals and that includes more, as I remarked above, than proper forms of political “representation” in a narrow institutional meaning.¹²

It follows that another essential concept that has to be de-reified is that of democracy. The term does not refer to a fixed institutional model. Rather, it must be understood as a process of criticism and justification that takes place both within and outside of institutions in which those who are subjected to rule aim to become the coauthors of their political order. Viewed in this light, democracy is *the* political form of justice. The concept of democracy on this understanding does not remain wedded to conventional preunderstandings or national framings, but also applies to transnational relations. This is especially important because a realistic picture of existing relations of rule and domination is required to determine the locus of democratic justice within, between, and beyond states (on this, see Forst 2013a). Here collaboration with social science is indispensable.

On the issue of transnational justice, a great achievement of Fraser's work is coining a particularly fruitful language for reframing justice, pointing to the "abnormal" character of debates over the "who" and the "how" of justice given the principle that all those affected—or better, subjected—to a normative order should become the politically autonomous subjects to co-determine that order. I cannot go into the many details of the debate over the relation between "affected" and "subjected" and the different qualities of subjection. I basically agree that "subjection" is the better criterion, and I also agree that we need a broad notion of such subjection. Fraser suggests using "subjection to structures of governance" (2009, p. 65) as a criterion, and she includes institutions such as the World Trade Organization and the International Monetary Fund. I think, however, that at this point we should go further and include structures of the exercise of rule in a more informal way, such as being part of a regular scheme of economic exchange that is (more or less) legally regulated but in a less centralized form. The global economy, in my view, is a normative order that subjects persons, groups, regions, and states in ways that are relevant for a notion of transnational justice, and the focus on established forms of global governance does not fully capture the power dynamics within that order as a dynamics of a mixture of formal and informal rule and of domination (i.e., rule without adequate justification and without adequate structures of justification in place).

I also agree with Fraser that we cannot leave the decision as to where such "demoi of subjection," as I call it, exist, to "normal social science" (Fraser 2009, p. 67) or to "justice technocrats" (p. 68). Rather, what we need are "new global democratic institutions where disputes about framing can be aired and resolved" (Fraser 2009, p. 69). I do not think that the

circle of having to determine who can participate in such discourses about who is truly subjected in a relevant way is as vicious as it looks at first sight, because there need to be rough *prima facie* criteria for the first, inclusion question and tighter criteria for the second, subjection question. With Fraser, I think we should use our democratic imagination to think of reflexive institutions that can turn this circle into a virtuous one. But I still want to add that critical social analysis of the many forms of being subject to power is essential, not for deciding the subjection question, but for providing realistic grounds for such decisions. The many disputes over whether the global market is a mechanism of development and emancipation for poorer regions of the world, or an updated form of neocolonial rule, cannot be dealt with properly without social science standards to help us understand the global reality. The alternative to positivistic social science is not only political discourse and contestation, as Fraser (2005, p. 26) argues, but a critical social science that is in touch with social movements and uses a hermeneutic of domination when it analyzes social power relations.

A critical theory of justice thus needs a social scientific theory of structural dependence and asymmetry, one embedded in a comprehensive social theory. This is an ambitious goal, especially as the analysis of transnational relations would have to be an integral component of such a theory. But the imperative to develop a theory of (in-)justice that is at once *critical* and *realistic* means that there is no alternative. I think I am in agreement with Nancy Fraser on that. Ultimately, what is critical about a critical theory of justice is that it is based on the right combination of empirical social and normative analysis.

NOTES

1. See my critique of the status quo bias of practice-dependent theories in Forst (2013a) and my sketch of critical realism in Forst (2014a).
2. See most recently Forst (2013b, 2014b, 2015a, 2015b, 2016).
3. For the difference between my view and that of Philip Pettit, see Forst (2015d).
4. I discuss my approach in a comparison with the sociology of justification developed by Boltanski and Thévenot in my Introduction to *Normativity and Power* (Forst 2016).
5. See Forst (2012, part I). Generally speaking, I employ a more substantive normative concept of reason than does Habermas, especially in the context of morality and justice.

6. In what follows, I draw upon my reply in Forst (2015b). These questions concerning justification are also the focus of my discussion with Stephen White (2015); see my reply in Forst (2015a); see also Allen (2014), Sangiovanni (2014), Laden (2014), and my reply in Forst (2014b).
7. Here a range of cases should be distinguished, in particular, directly participating in or contributing to injustice; indirectly participating in injustice by profiting from it but without actively contributing to relations of exploitation; finally, the “natural” duty to put an end to unjust relations, even if one does not profit from them but is in a position to put an end to them. I cannot go into these distinctions further here.
8. I discuss this as a “dialectics of morality” in Forst (2012, ch. 11). See also the following quote by Immanuel Kant: “Having the resources to practice such beneficence as depends on the goods of fortune is, for the most part, a result of certain human beings being favored through the injustice of the government, which introduces an inequality of wealth that makes others need their beneficence. Under such circumstances, does a rich man’s help to the needy, on which he so readily prides himself as something meritorious, really deserve to be called beneficence at all?” (Kant 1996, p. 573, A:454)
9. Rawls (1999, p. 5) also argues that the concept of justice is opposed to arbitrariness: “Those who hold different conceptions of justice can, then, still agree that institutions are just when no arbitrary distinctions are made between persons in the assigning of basic rights and duties and when the rules determine a proper balance between competing claims to the advantages of social life.”
10. For a historical account of struggles against injustice, see Moore (1978).
11. I develop the notion of power relevant here in Forst (2015c).
12. This concerns a set of rights as well as institutional and social preconditions I cannot elaborate on here. See Forst (2012: part II).

BIBLIOGRAPHY

- Allen, A 2014, “The power of justification” in *Justice, Democracy and the Right to Justification: Rainer Forst in Dialogue*, (ed.) R Forst, 65–86. Bloomsbury, London.
- Benhabib, S 2015, “The uses and abuses of Kantian rigorism. On Rainer Forst’s moral and political philosophy.” *Political Theory* 43(6): 777–790.
- Cohen, GA 2011, ““Afterword to chapters one and two,” in *On the Currency of Egalitarian Justice and Other Essays in Political Philosophy*, (ed.) M Otsuka, 61–72. Princeton University Press, Princeton, NJ.
- Forst, R 2007, “First things first. Redistribution, recognition and justification.” *European Journal of Political Theory* 6(3): 291–304, also in Forst (2013b), ch. 5.

- Forst, R 2012, *The Right to Justification: Elements of a Constructivist Theory of Justice*, (trans.) J Flynn, Columbia University Press, New York.
- Forst, R 2013a, "Transnational justice and democracy: overcoming three dogmas of political theory," in *Political Equality in Transnational Democracy*, (eds.) S Näsström and E Erman, 41–60. Palgrave Macmillan, New York.
- Forst, R 2013b, *Justification and Critique: Towards a Critical Theory of Politics*, (trans.) C Cronin, Polity Press, Cambridge.
- Forst, R 2013c, *Tolerance in Conflict: Past and Present*, (trans.) C Cronin, Cambridge University Press, Cambridge.
- Forst, R 2014a, "Justice and democracy in transnational contexts: a critical realistic view." *Social Research* 81(3): 667–682.
- Forst, R 2014b, "Justifying justification: reply to my critics," in *Justice, Democracy and the Right to Justification*, (ed.) R Forst, 169–216. Bloomsbury, London.
- Forst, R 2015a, "A critical theory of politics: grounds, method and aims. Reply to Simone Chambers, Stephen White and Lea Ypi." *Philosophy & Social Criticism* 41(3): 225–34.
- Forst, R 2015b, "The right to justification: moral and political, transcendental and historical. Reply to Seyla Benhabib, Jeff Flynn and Matthias Fritsch." *Political Theory* 43(6): 822–37.
- Forst, R 2015c, "Noumenal power." *Journal of Political Philosophy* 23(2): 111–127.
- Forst, R 2015d, "Transnational justice and non-domination. a discourse-theoretical approach," in *Domination Across Borders*, (eds.) B Buckinx, J Trejo-Mathys, and T Waligore, 88–110. Routledge, London.
- Forst, R 2016, *Normativity and Power*, (trans.) C Cronin, Oxford University Press, Oxford, InPress.
- Forst, R, and Günther, K 2011. "Die Herausbildung normativer Ordnungen. Zur Idee eines interdisziplinären Forschungsprogramms." In *Die Herausbildung normativer Ordnungen*, (eds.) R Forst and K Günther, 11–30. Frankfurt Am Main Campus.
- Fraser, N 1987, "What's critical about critical theory? The case of Habermas and gender." In *Feminism as Critique*, (eds.) S Benhabib and D Cornell, 31–55. University of Minnesota Press, Minnesota.
- Fraser, N 1991, "Rethinking the public sphere: a contribution to the critique of actually existing democracy." In *Habermas and the Public Sphere*, (ed.) C Calhoun, 109–142. MIT Press, Cambridge, MA.
- Fraser, N 1996, "A false antithesis: a response to S. Benhabib and J. Butler." In *Justice Interruptus. Critical Reflections on the "Postsocialist" Condition*, (ed.) N Fraser, 207–224. Routledge, New York.
- Fraser, N 2003a, "Social justice in the age of identity politics: redistribution, recognition, and participation." In *Redistribution Or Recognition?*

- A Political-Philosophical Exchange*, (eds.) N Fraser and A Honneth, 7–109. Verso, London/New York.
- Fraser, N 2003b, “Distorted beyond all recognition: a rejoinder to Axel Honneth.” In *Redistribution Or Recognition? A Political-Philosophical Exchange*, (eds.) N Fraser and A Honneth, 198–236. Verso, London/New York.
- Fraser, N 2005, *Reframing Justice. Spinoza Lectures*, Van Gorcum, Amsterdam.
- Fraser, N 2007, “Identity, exclusion, and critique: a response to four critics.” *European Journal of Political Theory* 6(3): 305–38; also Fraser, N 2008, *Adding Insult to Injury. Nancy Fraser Debates her Critics*, (ed.) K Olson, 327–346. Verso, New York/London.
- Fraser, N 2009, *Scales of Justice: Reimagining Political Space in a Globalizing World*, Columbia University Press, New York.
- Habermas, J 1984, 1987, *The Theory of Communicative Action*, Vol. 2., (trans.) T McCarthy. Beacon Press, Boston.
- Honneth, A 2009, *Pathologies of Reason: On the Legacy of Critical Theory*, (trans.) J Ingram. Columbia University Press, New York.
- Honneth, A 2014, *Freedom’s Right: The Social Foundations of Democratic Life*, (trans.) J Ganahl. Columbia University Press, New York.
- Horkheimer, M 2002, “Traditional and critical theory.” In *Critical Theory: Selected Essays*, (eds.) M Horkheimer and MJ O’Connell, 188–243. Continuum, New York.
- Kant, I 1996, “Metaphysics of morals.” In *Practical Philosophy*, (ed./trans.) M Gregor, 353–603. Cambridge University Press, Cambridge.
- Laden, A 2014, “The practice of equality.” In *Justice, Democracy and the Right to Justification: Rainer Forst in Dialogue*, (ed.) R Forst, 103–26. Bloomsbury, London.
- Marx, K 1975, “Letter to A. Ruge,” September 1843, In *Early Writings*, (trans.) R Livingstone, G Bento. Vintage Books, New York.
- Miller, D 2013, *Justice for Earthlings*, Cambridge University Press, Cambridge.
- Moore, B 1978, *Injustice. The Social Bases of Obedience and Revolt*, Macmillan, London.
- Rawls, J 1999, *A Theory of Justice*, rev. ed. Harvard University Press, Cambridge.
- Sangiovanni, A 2014, “Scottish constructivism and the right to justification.” In *Justice Democracy and the Right to Justification: Rainer Forst in Dialogue*, (ed.) R Forst, 29–64. Bloomsbury, London.
- White, S 2015, “Does critical theory need strong foundations?” *Philosophy Social Criticism* 41(3): 207–11.

Beyond Kant Versus Hegel: An Alternative Strategy for Grounding the Normativity of Critique

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It is an often noted – and occasionally lamented – feature of contemporary critical theory in the Frankfurt School tradition that a great deal of effort and attention is paid to the question of how to ground the normativity of critique. This is largely the result of the massive and lasting influence of Jürgen Habermas. Dissatisfied with the pessimistic and aporetic nature of the critical theory bequeathed to him by his teachers and mentors, encapsulated in Horkheimer and Adorno’s dark mid-century masterpiece, *Dialectic of Enlightenment*, Habermas set out in his work of the 1970s and 1980s to put critical theory on a firm normative footing. As he put it in the opening of his monumental *Theory of Communicative Action*, his goal was to develop a critical social theory that could “validate its own critical standards” (Habermas 1984, p. xli). This goal stands in sharp contrast to the work of Horkheimer and Adorno – at least as Habermas (1987, pp. 118–119) interprets them – for whom critique “turns against reason as the foundation of its own validity, [and] becomes total.”

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Habermas's work has not only set the agenda for much of contemporary critical theory, he has also largely set the terms in which debates about normativity in contemporary critical theory have been carried out. His signature strategy for developing a critical social theory that can validate its own critical standards relies on a unique blend of Kantian and Hegelian intuitions and arguments. The Kantian strand of Habermas's strategy for grounding normativity comes to the fore in his discourse ethics and related writings, but finds its roots in Habermas's earlier account of formal or universal pragmatics. The Hegelian strand is foregrounded in his theory of modernity and his closely related theory of social evolution. While there is much disagreement among scholars and interpreters about which strand, the Kantian or the Hegelian, does more of the heavy normative lifting in Habermas's account,¹ there is no disagreement, so far as I can see, about the fact that his strategy involves some combination of these two strands. And so, not surprisingly, given Habermas's influence, the two main strategies for grounding normativity in post-Habermasian critical theory are versions of the Kantian and the Hegelian strands of his argument. The best and best known representative of the Kantian strand in post-Habermasian critical theory is Rainer Forst; prominent representatives of the Hegelian strand are Axel Honneth, Seyla Benhabib, and Rahel Jaeggi. While these theorists have produced a rich and theoretically sophisticated body of work, their sheer prominence within the field has led to the unfortunate – and, in certain circles, unfortunately somewhat dogmatically held – view that these are our only two available options for grounding normativity, that the choice for critical theorists who are interested in the normativity question is Kant versus Hegel.

To be sure, there have always been alternative voices and approaches, theorists who situate themselves within the legacy of the Frankfurt School without aligning themselves with either the Kantian or Hegelian camps. For the last thirty-five years, one of the most prominent of these alternative voices has been Nancy Fraser.² In part this is because Fraser has not been overly concerned with this question of normative grounding, preferring instead to adopt what she calls a neo-pragmatist approach to such metatheoretical questions. The spirit of her neo-pragmatist approach is captured memorably in her contribution (Fraser 1995, pp. 166–167) to the debate between Judith Butler and Seyla Benhabib, where she wrote:

the key is to avoid metaphysical entanglements. We should adopt the pragmatic view that there are a plurality of different angles from which

sociocultural phenomena should be understood. Which is best will depend on one's purposes . . . In general, conceptions of discourse, like conceptions of subjectivity, should be treated as tools, not as the property of warring metaphysical sects.

This is not to say that there are no Kantian or Hegelian elements to be found in Fraser's thinking. No doubt there are. For example, in her work on recognition and redistribution, she presents her basic norm of parity of participation as a deontological norm of justice, in contrast to what she characterizes as Honneth's more ethically rooted conception of self-realization (Fraser and Honneth 2003, pp. 7–109). And she clearly endorses throughout her work the left-Hegelian or Hegelian-Marxist idea of critical theory as politically engaged and historically situated critical reflection on one's own present, as evidenced by her well-known and oft-cited definition of critical theory as "the self-clarification of the struggles and wishes of the age" (Fraser 1989, p. 113). But, I would argue, neither of these elements constitutes a strategy for grounding the normativity of critique *per se*. Rather, the outlines of Fraser's distinctive approach to the normativity question can be found in her early essay with Linda Nicholson, "Social Criticism without Philosophy" (1990, pp. 19–38). Although never systematically developed in Fraser's work – in part because she has been more focused on doing the work of critique than engaging in abstract meta-philosophical discussions of how critique can be grounded – that essay contains the seeds of an alternative approach to the normativity question, seeds that, once fully developed, can take critical theory beyond Kant versus Hegel. Or, at least, so I shall argue.

My argument will proceed in three steps. In order to motivate the need for critical theorists to get beyond Kant versus Hegel, I will briefly reconstruct first the Kantian constructivist and then the Hegelian reconstructionist strategies for grounding normativity, outlining the major shortcomings of each. Using Fraser and Nicholson as a jumping off point, I will then outline a third, alternative strategy, one that might be called genealogical or genealogical-problematizing. I will endeavor to show how this genealogical-problematizing approach constitutes a distinctive alternative strategy for grounding normativity, one that may mobilize Kantian and Hegelian elements but does so in a radically transformative way.

KANTIAN CONSTRUCTIVISM

Although Habermas's relationship to Kant is complex and multifaceted, there are two prominent threads to the Kantian strand of his thinking. The first is found in his formal or universal pragmatics and consists of the three formal-pragmatic presuppositions of communicative action: "the common supposition of an objective world, the rationality that acting subjects mutually attribute to one another, and the unconditional validity they claim for their statements with speech acts" (Habermas 2003, pp. 83–84). As Thomas McCarthy has argued and Habermas has himself affirmed, these presuppositions are best understood as detranscendentalized social-practical analogues of Kant's ideas of reason.³ This means that they are "presumably universal, but only de facto inescapable conditions that must be met for certain fundamental practices or achievements" (Habermas 2003, p. 86). In other words, propositionally differentiated language is a practice that is fundamental to our sociocultural form of life and has no functional equivalent, and the formal-pragmatic presuppositions detailed above, by means of which we deploy idealizations of real-world objectivity, rational accountability, and intersubjective validity, are necessary presuppositions that actors must make in order to engage in this practice at all. In that sense they are transcendental, even if only weakly or pragmatically so. These presuppositions are articulated through the method of rational reconstruction, by means of which communicatively competent social actors reflectively articulate, refine, and elaborate their implicit, pre-theoretical knowledge.⁴

The second prominent thread comes to the fore in Habermas's discourse ethics, and it consists of Habermas's intersubjectivist reformulation of Kant's categorical imperative. This reformulation is expressed in Habermas's (1990, p. 66) principle of discourse ethics (D): "Only those norms can claim to be valid that meet (or could meet) with the approval of all affected in their capacity *as participants in a practical discourse*." With this principle, as McCarthy (1978, p. 326, cited in Habermas 1990, p. 67) explains, "the emphasis shifts from what each can will without contradiction to be a general law, to what all can will in agreement to be a universal norm." The principle of discourse ethics is, in turn, grounded in what Habermas calls the principle of universalization (U), which is itself a rule of argumentation that is implied by the universal and necessary communicative presuppositions of argumentative speech. Both the argument for and the relationship between these two principles are notoriously complex, but fortunately the details need not concern us here.⁵ The important point

for our purposes is this: the core principle of Habermas's discourse ethics, which is itself reformulation of Kant's categorical imperative, is grounded in Habermas's formal pragmatics, that is, in his detranscendentalized account of Kant's ideas of reason.

Those who, like Rainer Forst (2012), pick up on this strand of Habermas's project and adopt a Kantian strategy for grounding normativity follow Habermas closely on this point. The centerpiece of Forst's normative theory is his basic right to justification, which is a fundamental moral right and also a human right. The right is expressed in a principle of justification which holds that in order to be valid, moral norms must be both reciprocally and generally (i.e., universally) justified. On this view, the binding force of moral norms rests on the fact that no good reasons can be offered against them. As Forst (2012, p. 51) puts it, "normativity is generated by a discursive justification procedure that equips norms with reasons that cannot be [reasonably] rejected. These reasons are the ground on which the normativity of autonomous morality rests." In other words, in Forst's constructivist account of normativity, the validity of moral norms is a function of their having survived an idealized justification procedure.

If, in turn, we ask after the validity of this justification procedure, Forst (2012, p. 100) replies that the validity of this procedure rests on nothing more – but also nothing less – than a conception of what it means to be a fellow human who owes justifications to others and is owed justifications by them. That is to say, the validity of the justification procedure rests on a conception of practical reason that, Forst (2012, p. 5) maintains, cannot be constructed but must be reconstructed through an internal analysis of the necessary presuppositions of our normative world. Although Forst makes it clear that he does not intend to take on board the whole of Habermas's universal pragmatics, his use of the term "reconstruction" closely tracks Habermas's understanding of "rational reconstruction." Forst's reconstructive account of practical reason starts with a pragmatic analysis of moral validity claims and proceeds by way of a recursive, reflexive articulation of what it means for a competent moral actor to redeem a moral validity claim. On Forst's analysis, what it means for a competent moral actor to redeem a moral validity claim is for him or her to be able to defend that claim in a way that no one can reasonably reject, that is, in a reciprocal and general way.

Forst's critical theory is rich and complex, and of course I cannot do justice to all of that complexity here.⁶ For my purposes, the important

thing to notice is how closely Forst's account tracks the basic structure of the Kantian strand of Habermas's account of normativity. Although the two threads of the argument are not as clearly delineated in Forst's work as they are in Habermas, both accounts weave together two Kantian threads – a reconstructive analysis (of universal pragmatics, for Habermas; of practical reason, for Forst) and a procedural moral principle (Habermas's principle of discourse ethics; Forst's basic right to justification) – into an argument about how the normativity of critique can be grounded.

This Kantian strategy is, however, vulnerable to criticism. From the point of view of contemporary critical theory, two closely intertwined lines of criticism are particularly salient. First, there is the charge of foundationalism.⁷ Forst (2014, p. 182) insists that his project is non-foundationalist in the sense that it rejects the possibility of an “ultimate” foundation or ground for normativity, adopting instead a constructivist approach that is, in turn, grounded in a reconstruction of the constraints and demands of practical reason. And yet there is a sense in which his account of normativity is clearly and even avowedly foundationalist, inasmuch as he grounds his account of social and political justice in the basic right to justification, construed as a fundamental moral and human right, which in turn bottoms out in a “foundational” conception of practical reason. Hence one might call Forst's a non-foundationalist foundationalism, but, critics worry, this is a foundationalism all the same. Like the Kantian strand of Habermas's work, Forst's account is vulnerable to worries about the alleged universality and (weak) transcendentalism of the reconstructive account that serves as the foundation for its constructivist conception of normativity.⁸

The worry about foundationalism leads rather directly to the second line of criticism, which also concerns the structure of the Kantian position. On this view, as I've already argued, normativity is secured through a reconstructive analysis of the pragmatic presuppositions of (moral) discourse, which in turn makes possible a constructivist account of the discursive procedure for assessing the validity of norms. In Forst's work, as in Habermas's, this strategy for grounding normativity closely tracks a distinction between justification and application. For Forst (2012, p. 117), justification corresponds to what he calls the “constructive” aspect of a theory of justice, by means of which the “premises, principles, and procedures of the project of establishing a (more) just society” are identified, whereas application corresponds to the “critical” aspect of a theory of justice, through which “false or absent justifications for existing

social relations” are uncovered.⁹ In other words, the strategy is to develop and defend a normative framework and then, in a second step, to apply this framework to the task of criticizing existing social relations. But this seems to be a clear instance of what Raymond Geuss (2008) has called political philosophy as applied ethics. Whatever the merits or shortcomings of such an approach to political theory in general may be, this approach seems to be clearly at odds with one of the core methodological presuppositions of critical theory: namely, its commitment to drawing its normative content from within the existing social world, not from a freestanding moral theory or conception of practical reason.¹⁰ So the Kantian approach gains its secure grounding for the normativity of critique via an overly strong conception of transcendence that sacrifices the methodological distinctiveness of critical social theory.

HEGELIAN RECONSTRUCTIVISM

Unlike Forst’s work, Habermas’s oeuvre contains some resources for responding to the two lines of criticism of the Kantian approach, resources that become evident when we examine the Hegelian strand of his conception of normativity. As I mentioned above, the Hegelian strand of Habermas’s argument comes to the fore in his work from the 1970s and 1980s on social evolution and the theory of modernity. Throughout the 1970s, Habermas (1979, pp. 96–98) described his project as a reconstruction of historical materialism that was designed to expand Marx’s left-Hegelian historical method, to correct its objectivism, and to provide it with the secure normative foundation that it lacked. The expansion of the left-Hegelian historical method consisted in broadening the conception of historical development to include not only the technical-scientific progress that spurs the development of productive forces but also moral-practical progress which leads to increases in societal rationalization (Habermas 1979, p. 148). Habermas (1979, p. 139) corrected Marx’s objectivism by stripping his method of metaphysical assumptions about the “*unilinear, necessary, uninterrupted, and progressive development of a macrosubject*” of world history. These metaphysical assumptions are replaced with a postmetaphysical conception of historical development and progress as contingent, multilinear, and interrupted. And yet, Habermas (1979, p. 141) seeks to preserve what he acknowledges is the most controversial part of the left-Hegelian conception of history, its commitment

to a notion of historical progress. This, of course, leads to the question of what is the criterion by means of which historical progress (or regress) can be measured. In other words, it leads back to the question of how to ground the normativity of critique.

It might seem as if the answer to this question rests on Habermas's theory of universal pragmatics, from which, as I discussed above, Habermas has derived a normatively laden account of the idealizing presuppositions of discourse and the basic principle of discourse ethics. And, indeed, at key moments in his reconstruction of the left-Hegelian account of progress in the moral-practical domain, Habermas (1979, p. 177) does appeal to his universal pragmatics. However, if one digs a bit deeper, it becomes clear that Habermas also appeals to his developmental reading of modernity as a progressive process of rationalization in the moral-practical domain in the articulation of both his universal pragmatics and his discourse ethics. This appeal becomes evident when we return to Habermas's (1984, p. 77) method of rational reconstruction and notice that this method proceeds via the reconstruction of the implicit knowledge of a particular kind of social actor: namely, a post-conventional (i.e., mature, autonomous, and communicatively competent) member of a post-traditional (i.e., "modern") lifeworld. The assumption that the reconstruction of this point of view can yield universalistic moral norms thus rests on a teleological conception of universality, where the competences of post-conventional actors in post-traditional lifeworlds are "universal" in the sense that they enable individuals to realize most fully the telos toward which communication aims. This teleological conception of universality is, in turn, closely bound up with claims about the developmental superiority of "modern" over "traditional" or "mythical" worldviews.¹¹ As Habermas (1998, pp. 39–45) has made explicit in more recent writings, the basic premises of his theory of modernity also undergird his discourse ethics, which starts with a reflexive analysis of the normative substance of post-traditional societies. In other words, for Habermas, universal pragmatics and discourse ethics cannot serve as the basis for his conception of moral-practical progress because they already presuppose that very account of progress. As a result, universal pragmatics and discourse ethics cannot by themselves serve to ground the normativity of critique for Habermas because this Kantian strand of his argument depends upon a left-Hegelian conception of historical development and progress.

This left-Hegelian strand of Habermas's work has been developed most systematically and persuasively by Axel Honneth, though it can also be

found in the work of critical theorists such as Seyla Benhabib and Rahel Jaeggi.¹² Honneth's focus on the left-Hegelian approach to grounding normativity is motivated both by his methodological commitment to critical theory as a form of immanent critique that draws on the normative potentials of the existing social world and by his related criticisms of Kantian accounts of normativity. Thus whereas in Habermas's account, Kantian and Hegelian arguments are intertwined, Honneth's account presents the Hegelian strategy in a purer form. On Honneth's view (2014a, pp. 1–2), Kantian accounts of normativity are vulnerable to the kind of “impotence of the mere ought” objection that Hegel leveled against Kant, which maintains that abstractly derived, “freestanding” normative principles necessarily fail to gain traction with social actors. Such accounts also fall prey to what he calls the “paradox of Kantian normativity.” According to this criticism, the Kantian strategy for grounding moral normativity necessarily relies on a view of freedom understood as autonomous self-determination that already has normativity built into it; hence, the Kantian account fails to be freestanding (Honneth 2014b, pp. 817–826). By contrast, Honneth's approach to normativity consists not so much in a straightforward rejection of Kantian morality but rather in an embedding of that conception of morality – and in particular its principle of universalization – within a fine-grained, historically sensitive, social-theoretical analysis of past and present social practices and institutions. In Honneth's recent work (2014a, p. 2), this has taken the form of a revival and updating of Hegel's attempt to unify normative and empirical social projects “by demonstrating the largely rational character of the institutional reality of his time, while conversely showing moral rationality to have already been realized in core modern institutions.”

Honneth's account of the normativity of critique thus depends heavily and explicitly on a conception of historical progress. To be sure, Honneth, like Habermas, rejects the metaphysical trappings of traditional philosophies of history; for him, progress is a contingent, contested, and continually interrupted but ultimately unstoppable historical learning process. This deflationary conception of progress plays a key role in grounding normativity for Honneth. As he puts the point in a recent programmatic essay, critical theory, on his understanding of the project, offers a version of ethical perfectionism in which “the normative goal of societies should consist in the reciprocal enabling of self-realization, although what favors this goal is grasped as the grounded result of a certain analysis of the process of human development” (Honneth 2008, p. 795). In other words,

what favors the normative goal that animates critical theory – characterized here as “the reciprocal enabling of self-realization” – is that this goal is understood as itself the result of a developmental-historical learning process. Indeed, Honneth (2009) goes so far as to argue that the idea of historical progress is irreducible or ineliminable for critical theory. For Honneth, normativity is grounded not in a constructivist account of abstract “transcendent” normative principles but rather immanently in the shared fundamental norms and values that are instantiated in existing social institutions. Indeed, Honneth (2014a, p. 5) insists that the constructivist justification of norms “becomes superfluous once we can prove that the prevailing values are normatively superior to historically antecedent social ideals or ‘ultimate values.’ Of course, such an immanent procedure ultimately entails an element of historical-teleological thinking, but this type of historical teleology is ultimately inevitable.” In other words, for Honneth, the thought that our prevailing values are developmentally superior to their historical antecedents – in other words, a commitment to some notion of actually existing moral-practical progress – serves to ground the normativity of critique. Once we have this thought in place, Kantian constructivism becomes superfluous, replaced by Hegelian reconstructivism.

The Hegelian strategy is also vulnerable to criticism. The first line of criticism is conceptual, and it focuses on whether or not this strategy for grounding normativity can possibly succeed absent the kinds of strong metaphysical assumptions that could provide extra or supra-historical criteria for judging what counts as historical progress (or regress). This problem arises when we attempt to evaluate the historical transition from one form of life to another in terms of notions of historical progress and learning processes. If our normative criteria are drawn from within our existing form of ethical life, then how can those criteria help us to adjudicate transitions from one historical form of life to another? In other words, can Honneth operate without such strong metaphysical assumptions and avoid collapsing back into conventionalism? Sometimes Honneth (2014b) attempts to resolve this problem by appealing to his philosophical anthropology, which he occasionally claims can supply the needed transhistorical yardstick by means of which changes from one historical form of life to another can be measured as progress. But it is not clear how he can appeal to a transhistorical philosophical anthropology without making his own argument vulnerable to the very paradox of normativity that he diagnoses in Kantian approaches.

A second line of criticism is more political, and it concerns the status quo bias in Honneth's Hegelian approach. In general, accounts of historical progress are vulnerable to the worry that they are not much more than vehicles of self-congratulation, and Honneth's updated Hegelian account is no exception (Larmore 2004, pp. 46–55). As Jörg Schaub (2015, p. 114) has argued, Honneth's (2014a, p. 9) method of normative reconstruction, which concerns itself with how norms and ideals that are already imperfectly realized in existing social practices and institutions can be more perfectly realized, "implies a turning away from radical forms of critique and normative revolution." Schaub contends (2015, p. 119, cited in; Honneth 2014a, p. 5): "If Critical Theory's aim is to be a force that is truly progressive and unreservedly critical of the status quo, then critical theorists should not adopt a method that considers radical critique and normative revolutions 'superfluous' . . ." So to the extent that the Hegelian strategy secures the normativity of critique, it does so at the risk of collapsing back into conventionalism and at the cost of sacrificing critique's radical political edge.

GENEALOGICAL PROBLEMATIZATION

Nagging worries that the Kantian approach implies a foundationalist conception of transcendent critique and the Hegelian approach collapses into a conventionalist conception of critique biased toward the status quo motivate the search for an alternative account of the normativity of critique, one that can take us beyond Kant versus Hegel. It is my contention that the seeds of such a conception of critique can be found in Fraser and Nicholson's early conception of social criticism without philosophy. There, Fraser and Nicholson (1990, p. 21) stage an encounter between feminism and postmodernism, where postmodernism is identified primarily in terms of its strong commitment to antifoundationalism and its attempt to develop a conception of social criticism that does not rely on "traditional philosophical underpinnings." Using Lyotard as their paradigm case, Fraser and Nicholson present postmodernism as an attack on grand metanarratives of legitimation. Included in this conception of legitimating metanarratives are both Hegelian and left-Hegelian philosophies of history and non-narrative, ahistorical, foundationalist epistemologies and moral theories that aim to undergird the legitimacy of first order discursive practices (Fraser and Nicholson 1990, p. 22). In other words, the problem with such metanarratives is not so much their narrative or

historical structure but rather their very claim to *meta* status. As Fraser and Nicholson explain, “in Lyotard’s view, a metanarrative is *meta* in a very strong sense. It purports to be a privileged discourse capable of situating, characterizing, and evaluating all other discourses but not itself to be infected by the historicity and contingency which render first-order discourses potentially distorted and in need of legitimation” (Fraser and Nicholson 1990, p. 22). For Lyotard, this claim to *meta* status simply cannot be made good. As Fraser and Nicholson (Ibid.) put it: “a so-called metadiscourse is in fact simply one more discourse among others.”

Although Fraser and Nicholson are in agreement with Lyotard’s critique of metanarratives, they also argue that he goes too far in response by seeking to replace them with nothing more than a plurality of local, discrete, immanent mininarratives. As they put it: “from the premise that criticism cannot be grounded by a foundationalist philosophical metanarrative, he infers the illegitimacy of large historical stories, normative theories of justice, and social-theoretical accounts of macrostructures which institutionalize inequality” (Fraser and Nicholson 1990, p. 24). On Fraser and Nicholson’s view, this is not just an illegitimate inference, it is a politically disabling one, especially for feminism.¹³ Feminism requires, on their view, “large narratives about changes in social organization and ideology, empirical and social-theoretical analyses of macrostructures and institutions, interactionist analyses of the micropolitics of everyday life, critical-hermeneutical and institutional analyses of cultural production, historically and culturally specific sociologies of gender, and so on,” all of which are, on their reading, ruled out by Lyotard’s postmodernism (Ibid., p. 26). Although these large scale but not metanarratives can be carried out in a resolutely antifoundationalist way, Fraser and Nicholson (1990, pp. 26–34) diagnose in the feminism of the 1970s and 1980s a problematic tendency to rely on essentialist quasi metanarratives of sex and gender. Hence the aim of their essay is to “encourage [feminist] theory to become more consistently postmodern.” (Ibid.)

What does this mean? This is sketched only very very briefly at the end of the essay, where Fraser and Nicholson outline their vision of a postmodern feminism. Although such an approach accepts the postmodern critique of metanarratives, it hangs on to the ambition of theorizing societal macrostructures of dominance and subordination via large historical narratives. But it does so in a self-consciously historical way, historicizing and genealogizing its theoretical categories. And it is avowedly non-universalist, pragmatic, and fallibilistic (Fraser and Nicholson 1990, pp. 34–35).

Interestingly, in articulating their vision of a postmodern feminism, Fraser and Nicholson don't explicitly take up the central question that had preoccupied Lyotard: namely, what can fulfill the legitimating role that had been performed by metanarratives once those metanarratives have lost credibility? This leaves the reader with the impression that they endorse a version of Lyotard's approach – suitably modified to allow for the possibility of their large scale, diagnostic historical narratives – in which, as they put it, “legitimation descends to the level of practice and becomes immanent in it” (Fraser and Nicholson 1990, p. 23). On this conception, legitimation is understood immanently as a process through which individuals “problematize, modify, and warrant the constitutive norms of their own practice even as they engage in it” (Ibid.).

Both the Kantian and Hegelian approaches to grounding normativity outlined above, albeit in different ways, count as (quasi) metanarratives in the sense specified by Fraser and Nicholson. Both are second-order, universalist narratives that seek to legitimate first order normative discourses, either by an appeal to an account of history as a developmental learning process or by an appeal to a universalist conception of practical reason. Even when, as with the Hegelian strand of Habermas's argument, these accounts are advanced in an explicitly pragmatic and fallibilist spirit, as reconstructive theories that stand in need of empirical confirmation, they still share the basic structure of the metanarrative. In other words, they still share the goal of articulating a privileged metanormative perspective that can ground the normativity of critique without itself being infected by the historicity, contingency, and entanglement with relations of power that make first order normative discourses stand in need of legitimation. Implicit though far from fully developed in Fraser and Nicholson's early essay are the seeds of an alternative approach: one that understands both critique and the normativity of critique differently.

As I have argued in more detail elsewhere, a viable alternative to the Kantian and Hegelian conceptions of critique can be constructed through a reading of the work of Michel Foucault and Theodor Adorno.¹⁴ This alternative can also be seen as developing more fully the seeds of the approach sketched by Fraser and Nicholson. Far from attempting to keep the conception of (practical) reason separate from the influence of power relations so that reason can legitimate the critique of power, this approach theorizes the entanglement of power with reason, though without indulging in a childish denial of reason or embrace of irrationalism. In other words, this approach clearly rejects the kind of legitimating

metanarrative structure criticized by Fraser and Nicholson. Moreover, it is firmly committed to the kind of historicization of their basic theoretical categories called for by Fraser and Nicholson. Indeed, I argue that Foucault and Adorno show us how to take this commitment one step further, by historicizing the very commitment to historicization that is characteristic of modern thought, over which Hegel casts such a long shadow. In other words, both Foucault and Adorno understand their own critical, historico-philosophical projects as themselves historically situated; as such, both show us how we might to apply the insights of a historically situated conception of rationality reflexively to our own historico-philosophical enterprise. The resulting historicization of History is closely bound up with its ongoing critical problematization, where this means both revealing the contingency of our own historically situated point of view (what Foucault called our historical *a priori* and Adorno our second nature) and showing how that point of view has been contingently made up. The method for engaging in this work of critical problematization is a specific kind of genealogy, problematizing genealogy, where this is understood as aiming neither simply at the subversion of our existing values nor simply at their vindication, but rather simultaneously at tracing their domination and promise, their violence and their normative potential.

The work of critique, on this account, thus proceeds immanently and is grounded contextually in the ongoing, reflexive historicization and critical problematization of our historical *a priori* or second nature. To be sure, in order to be capable of problematizing our own historically situated point of view and to reflect on its entanglement with power relations, we need to be able to get enough distance on that point of view to see it *as* a point of view. The account of critique as genealogical problematization inspired by Foucault and Adorno offers a model for this that does not rely on the sort of strong notions of transcendence that pull us back into the land of metanarratives. This conception of critique relies instead on thinking in fragments and tracing lines of fragility and fracture *within* the present, and using these to open up a difference between ourselves and our historical *a priori*. Moreover, this critical problematization of our own historically situated point of view is carried out not in the name of a rejection of the normative inheritance of the Enlightenment or of modernity, but rather in the name of a fuller realization of one of its central values, namely freedom as autonomy.¹⁵ By allowing us to reflexively critique the social institutions and practices, the patterns of cultural meaning and subject formation, and

the normative commitments that have made us who we are, problematizing critique opens up a space of critical distance on those institutions, practices, and so forth, thereby freeing us up in relation to them, and thus also in relation to ourselves.

This account thus attempts to spell out in more detail the kind of antifoundationalist and self-consciously historicist conception of critique called for by Fraser and Nicholson. It also aims to be non-universalist, though this in a very specific sense. Following the spirit if not the letter of Fraser and Nicholson's account, this genealogical problematizing conception of the normativity of critique eschews universalism at the metanormative level, adopting instead a thorough-going metanormative contextualism that consists in two claims: first, that normative principles are always justified relative to a set of contextually salient values, conceptions of the good life, or normative horizons; and, second, that there is no context free or transcendent point of view from which we can adjudicate which contexts are ultimately correct or even in a position of hierarchical or developmental superiority over others.¹⁶ In other words, our normative principles can be justified relative to a set of basic normative commitments that stand fast in relation to them, but because we do not have access to a context-transcendent point of view, those basic normative commitments must be understood as contingent foundations.¹⁷ Contra Fraser and Nicholson, this metanormative stance is, however, compatible with holding fast to first order normative principles that are universal in their scope. Indeed, there is a sense in which the alternative sketched here is *more* compatible with first order normative commitments to universal respect and egalitarian reciprocity than the kinds of (quasi) metanarrative Kantian and Hegelian accounts. This is so because the structure of the account starts with a provisional commitment to these aspects of our normative inheritance, and then works back from those to the kind of contextualist and antifoundationalist metanormative stance that is most compatible with those commitments.¹⁸

CONCLUSION

By starting with provisional commitments to freedom as autonomy, universal respect, and egalitarian reciprocity, the genealogical alternative that I have sketched does mobilize some Kantian intuitions. But notice that it does so in a radically transformative way: rather than drawing on Kantian intuitions about practical reason or the necessary presuppositions for

linguistic communication in order to secure the normativity of critique, the genealogical approach views its provisional commitment to Kantian ideals as contingent foundations, and then works back from these to the kind of antifoundationalist and contextualist metanormative position that is most compatible with this commitment. In so doing, the genealogical approach is, like the Hegelian one discussed above, self-consciously historical; it views its provisional normative commitments as part of its historical inheritance. But notice that it is also self-consciously historical in a radically transformative way, first because, unlike the Hegelian account, it aims not at the vindication of our current historical *a priori* (or form of ethical life) but rather at its critical problematization. Second because its aim is the self-reflexive historicization of History, that is, of the Hegelian understanding of history that it takes to be distinctive of modernity. In other words, if history has a priority for this view, it is not because reason is historical; rather, it is because history is so central to the self-understanding of modernity. Thus, if our aim is the problematization of this self-understanding, this historical consciousness is what must be thought through.

In the end, although their account contains important seeds of the approach sketched here, Fraser and Nicholson seem to sidestep the normativity question. This is already suggested by their title, “Social Criticism without Philosophy,” which implies that social criticism can get by without getting embroiled in these abstract philosophical questions about whether and how normativity can be grounded. This goes hand in hand with Fraser’s preference for avoiding getting dragged into ongoing skirmishes between warring metaphysical sects and just getting on with the business of doing critique. Much as I respect that stance and the groundbreaking and influential work that it has inspired, I still think there is value in engaging in a deep and sustained way with the question of the normativity of critique, if only so that critical theory might finally figure out how to go beyond Kant versus Hegel.

NOTES

1. For illuminating discussion, see James Gordon Finlayson, “Modernity and Morality in Habermas’s Discourse Ethics,” *Inquiry* 43 (2000): 319–340. I also discuss the relationship between the Kantian and Hegelian aspects of Habermas’s normative strategy in Allen, *The End of Progress: Decolonizing the Normative Foundations of Critical Theory* (New York: Columbia University Press, 2016), [chapter 2](#).

2. Of course there are other prominent alternative voices. In Germany, one would think of theorists such as Christoph Menke and Martin Saar, both of whom have been heavily influenced by French philosophy; in the United States, feminist critical theorists Iris Marion Young and Wendy Brown both come to mind.
3. For McCarthy's version of this argument, see David Couzens Hoy and Thomas McCarthy, *Critical Theory* (Oxford: Blackwell, 1994), 38–42. For Habermas's affirmation of this reading, see Habermas, "From Kant's 'Ideas'."
4. For helpful analysis of the method of rational reconstruction, see Daniel Gaus, "Rational Reconstruction as a Method of Political Theory Between Social Critique and Empirical Political Science," *Constellations* 20: 4 (December 2013): 553–570.
5. For helpful analysis of the details, see William Rehg, *Insight and Solidarity: The Discourse Ethics of Jürgen Habermas* (Cambridge: MIT Press, 1994).
6. I have discussed his work in more detail in Allen, "The Power of Justification," in *Justice, Democracy and the Right to Justification: Rainer Forst in Dialogue*, ed. David Owen (London: Bloomsbury, 2014), and in [chapter 4](#) of Allen, *The End of Progress*.
7. For Fraser's version of this charge vis-à-vis Forst, see Fraser, "Identity, Exclusion, and Critique: A Response to Four Critics," *European Journal of Political Theory* 6: 3 (2007): 305–338.
8. For a helpful discussion of these worries with respect to Habermas's universal pragmatics, see Maeve Cooke, *Language and Reason: A Study of Habermas's Pragmatics* (Cambridge: MIT Press, 1994). For a related critique of Forst's conception of practical reason, see Kevin Olson, "Class, Power, and Justification in Forst's Political Theory," in *Justice, Democracy and the Right to Justification*.
9. For Habermas's account of this distinction, see *Justification and Application: Remarks on Discourse Ethics*, trans. Ciaran Cronin (Cambridge: MIT Press, 1994).
10. For a version of this critique that targets the Kantian strand/interpretation of Habermas's work, see James Gordon Finlayson, "The Persistence of Normative Questions in Habermas's Theory of Communicative Action," *Constellations* 20: 4 (December 2013): 518–532.
11. These are claims that Habermas attempts to make good in the long opening chapter of *The Theory of Communicative Action, Volume 1*, 1–141. For critical discussion, see Allen, *The End of Progress*, 50–61.
12. I discuss Benhabib's work as a neo-Hegelian response to Habermas in Allen, "Third Generation Critical Theory: Benhabib, Fraser, and Honneth," in *The History of Continental Philosophy, Volume 7, Post-Poststructuralism*, ed. Rosi Braidotti (Durham: Acumen Press, 2010). For Jaeggi's work on normativity in relation to a reconstructed conception of historical learning processes, see

- Jaeggi, *The Critique of Forms of Life*, trans. Ciaran Cronin (Cambridge: Harvard University Press, forthcoming).
13. On their view, it also leads Lyotard to a position that he cannot maintain consistently; see *ibid.*, 25. I won't debate issues of Lyotard interpretation here since these are orthogonal to my concerns.
 14. Given space constraints, I can only summarize the key points of my readings of these two difficult and wide-ranging thinkers here, and I will focus on the points that are most relevant for this discussion. For details, including textual references, see Allen, *The End of Progress*, chapter five.
 15. I discuss the role of this conception of freedom (and its relation to Kant) in Foucault's work in detail in Allen, *The Politics of Our Selves: Power, Autonomy, and Gender in Contemporary Critical Theory* (New York: Columbia University Press, 2008).
 16. For a more detailed discussion, see Allen, *The End of Progress*, [chapter 6](#).
 17. See Judith Butler, "Contingent Foundations: Feminism and the Question of 'Postmodernism,'" in Benhabib et al, *Feminist Contentions*.
 18. See Anthony Simon Laden, "Constructivism as Rhetoric," in *A Companion to Rawls*, ed. Jon Mandle and David A. Reidy (London: Blackwell, 2013).

BIBLIOGRAPHY

- Forst, R 2012, *The Right to Justification: Elements of a Constructivist Theory of Justice*, (trans.) J Flynn, Columbia University Press, New York.
- Forst, R 2014, "Justifying Justification: Reply to My Critics," in *Justice, Democracy, and The Right to Justification*, (ed.) R Forst. Bloomsbury Publishing, New York.
- Fraser, N 1989, "What's Critical About Critical Theory? The Case of Habermas and Gender," *Unruly Practices: Power, Discourse, and Gender in Contemporary Critical Theory*, University of Minnesota Press, Minneapolis, MN.
- Fraser, N 1995, "Pragmatism, Feminism, and the Linguistic Turn," in *Feminist Contentions: A Philosophical Exchange*, (eds.) S Benhabib, J Butler, D Cornell, and N Fraser, Routledge, New York.
- Fraser, N, and Honneth, A 2003, *Redistribution or Recognition? A Political-Philosophical Exchange*, Verso, London.
- Fraser, N, and Nicholson, L 1990, "Social Criticism without Philosophy: An Encounter between Feminism and Postmodernism," in *Feminism/Postmodernism*, (ed.) L Nicholson. Routledge, New York.
- Geuss, R 2008, *Philosophy and Real Politics*, Princeton University Press, Princeton.
- Habermas, J 1979, *Communication and the Evolution of Society*, (trans.) T McCarthy, Beacon Press, Boston.
- Habermas, J 1984, *The Theory of Communicative Action, Volume I: Reason and the Rationalization of Society*, (trans.) T McCarthy, Beacon Press, Boston.

- Habermas, J 1987, "The Entwinement of Myth and Enlightenment: Horkheimer and Adorno," *The Philosophical Discourse of Modernity*, (trans.) F Lawrence, MIT Press, Cambridge.
- Habermas, J 1990, "Discourse Ethics: Notes on a Program of Philosophical Justification," *Moral Consciousness and Communicative Action*, (trans.) C Lenhardt, MIT Press, Cambridge.
- Habermas, J 1998, *The Inclusion of the Other: Studies in Political Theory*, (trans.) C Cronin, MIT Press, Cambridge.
- Habermas, J 2003, "From Kant's 'Ideas' of Pure Reason to the 'Idealizing' Presuppositions of Communicative Action: Reflections on the Detranscendentalized 'Use of Reason'," *Truth and Justification*, (trans.) B Fultner, MIT Press, Cambridge.
- Honneth, A 2008, "Critical Theory" in *The Routledge Companion to Twentieth Century Philosophy*, (ed.) D Moran. Routledge, New York.
- Honneth, A 2009, "The Irreducibility of Progress: Kant's Account of the Relationship between Morality and History," *Pathologies of Reason: On the Legacy of Critical Theory*, (trans.) J Ingram, Columbia University Press, New York.
- Honneth, A 2014a, *Freedom's Right: The Social Foundations of Democratic Life*, (trans.) J Granahl, Columbia University Press, New York.
- Honneth, A 2014, "The Normativity of Ethical Life," (trans.) F Koch, *Philosophy and Social Criticism*, 40, 8, 817–826.
- Larmore, C 2004, "History and Truth," *Daedalus*, 133, 3, 46–55.
- McCarthy, T 1978, *The Critical Theory of Jürgen Habermas*, Beacon Press, Boston.
- Schaub, J 2015, "Misdevelopments, Pathologies, and Normative Revolutions: Normative Reconstruction as Method of Critical Theory," *Critical Horizons*, 16, 2, 107–130.

Nancy Fraser and the Left: A Searching Idea of Equality

Eli Zaretsky

*The right hand is the model and symbol of all aristocracies,
whereas the left hand is that of all plebeians.*

–Robert Hertz

I first met Nancy Fraser just after protestors pulled down the Berlin Wall, a year in which organizers promoted the bicentenary of the French Revolution under banners announcing, “The revolution is over,” “The idea of another society is impossible to conceive of,” and “We are condemned to live in the world as it is” (Furet 1999, pp. 14, 16, 502). In the years that followed I watched her participate in the “pink tide” in Latin America, the extraordinary explosion of critical theory in the Chinese and Japanese university, the struggles to redeem European social democracy in the wake of the economic crisis, the efforts to build a continuing North American radical presence – a Left – exemplified in Occupy Wall Street and the Sanders campaign, debates with Judith Butler, Axel Honneth, Seyla Benhabib, Ernesto Laclau, and Chantal Mouffe over the nature of the Left, and the struggle to redeem the egalitarian (i.e., socialist) element in the original feminist vision. At

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every moment, the problem of both sustaining and recreating the Left was central.

Nancy describes herself as a product of the 1960s, and this speaks to fundamental aspects of her character, such as rebelliousness and a strong sense of justice. However, I always saw her as struggling against the titanic undertow of the 1970s when François Furet celebrated the end of the revolutionary tradition and when the present-day capitalist order was established. What struck me then as now was how easily Left intellectuals in the United States repudiated their own history, especially in regard to Marxism. Even as Eugene Genovese, Eric Wolf, Immanuel Wallerstein, E.P. Thompson, and Eric Hobsbawm among others produced some of the most original Marxist works of all time, it became doxa to describe Marxism as “economist” and “reductionist.” This was all the more striking in Nancy’s immediate milieu, Frankfurt school critical theory. In the 1970s, when Nancy encountered this milieu, her fellow critical theorists were interpreting Jürgen Habermas to mean that the task of critical theory was to inject liberalism with such values as dialogue and recognition. Critical theory thereby ran the risk of devolving into a stand-alone, generally Kantian, moral philosophy, or else giving way to its equally anti-leftist other – alternative life styles and Foucaultian “transgression,” especially in the spheres of sex and gender.

Of course, there were many reasons for the turn from leftism to liberalism, including the disastrous history of Bolshevism and the implosions of a rudderless New Left. Many intellectuals, such as Axel Honneth and Rainer Forst, believed that a stand-alone moral philosophy was necessary to justify the otherwise merely reactive protests of the 1960s. Others, such as Jacques Derrida, believed that philosophy, properly read, offered a corrective to leftist “reductionism.” However, the main forces propelling critical theory of that period forward were the new racial, feminist and gay liberation movements, which brought to the fore issues of personal freedom and individual emancipation that had been largely relegated to the anarchist sidelines in the era of Marxist hegemony over the Left. While the civil rights movement, in my view, was transitional between the earlier era of social democracy and the emerging era of “new social movements,” feminism and gay liberation were wholly new. Under the impact of the civil rights revolution these movements marked Nancy in an intense and personal way, as they marked all women of her generation, giving them psychological as well as historical meaning, and providing great depth to the transformations of the 1970s. The same movements, however, were

also intrinsic to the emerging neoliberal order. They reflected not only demands for justice from women and gays but also the transformation of the family from a unit of social reproduction to a vehicle of personal life, the dissolution and reconstitution of the classic boundaries between public and private, and the interplay of narcissism and egoism in the formation of the neoliberal subject. So, we faced both a new subject, women and gays instead of the industrial working class, and a new locus of social change, the family and culture rather than the factory. Changes of such magnitude obviously necessitated a profound rethinking of the tradition of critical theory. The question confronting theorists like Nancy was whether this rethinking would lead to a strengthened Left or a revitalized liberalism.

To understand why this question is more than a matter of nomenclature, we have to ask why a Left exists at all. The answer lies in the generally fraught relations between liberalism and the Left. When our modern traditions of individual freedom and natural rights took shape in seventeenth-century Holland, England, and the North American colonies, they were accompanied by a formal notion of equality, as in “equality before the law” or “the equal worth of all individuals” or “All men are created equal.” However, it soon became clear, at least to some, that this was insufficient. The reason is that the cause of freedom is ambiguous when it is not connected to a substantial and concrete idea of equality. For example, not just the slaves, but also the slave owners fought for freedom, in the latter case, the freedom to dispose of their property as they saw fit, without interference from a “tyrannical” central government. So too did the Tea Party fight against universal health care on behalf of freedom. As these examples suggest, limitations on property rights and capital are frequently – though not always – the point at which the commitment to freedom needs to be informed by the demand for equality. Raising and justifying this demand was the unique contribution of the Left.

A Left is necessary, in other words, because there is a need to push liberal ideas beyond their self-imposed limits. When this is done, equality is no longer the opposite of liberty but its completion, or so leftists have argued. In the words of Steven Lukes (2003, p. 611)¹:

The left denotes a tradition and a project, which found its first clear expression in the Enlightenment, which puts in question sacred principles of social order, contests unjustifiable but remediable inequalities of status, rights, powers and condition and seeks to eliminate them through political action. Its distinctive core commitment is to a demanding answer to the question of

what equality means and implies. It envisions a society of equals and takes this vision to require a searching diagnosis, on the widest scale, of sources of unjustifiable discrimination and dependency and a practical program to abolish or diminish them.

In this view, the call for equality cannot come from liberal principles of equal human worth alone. Rather, it equally arises from social movements, such as the labor movement, the African-American freedom movements, the anti-war movements of the 1970s and, of course, feminism and gay liberation. The history of these movements reveals that the meanings of equality change historically, often in quite unpredictable ways. As examples consider the abolition of slavery, a form of labor that was essentially unquestioned for thousands of years, or gay liberation, a concept that was unimaginable before the 1960s. Although social movements that demand equality create new values, often surprising ones, they are not always or necessarily situated on the Left. The Left's job is not to create these movements but to be responsive to them: to listen, learn and grant both respect and esteem. At the same time, the Left has the responsibility of interpreting these movements in terms of an overall telos of equality, conceptualizing their relation to other movements and critiquing them from that point of view. In Karl Marx's formulation, quoted by Nancy (Fraser 1985, p. 97) in an early article, the purpose of a Left is "the self-clarification of the struggles and wishes of the age."

Given the nature of the Left as an ongoing project, one cannot understand Nancy's leftism as if it were another idea or intellectual current in the critical theory toolbox. Rather, it has to be understood as a stance, a commitment, a way that Nancy situated her life and work in regard to her particular moment of history. Seen from this vantage point, we can state more clearly the problem she faced in the 1970s. At root, there were two divergent ways of responding to the feminist and gay upheavals of the 1970s. On the one hand, the liberal insistence on the equal worth of all individuals encouraged a meritocratic reading of the upheavals of the 1960s and 1970s that simultaneously rejected discrimination against women and gays, but accepted the unequal structure of neoliberal capitalism. On the other hand, the traditions of the Left encouraged an egalitarian reading of those upheavals – one that integrated the protest against female and homophobic discrimination with an overall critique of the structural inequalities promoted by capitalism. On the one hand, then, one could call for inclusion; on the other, structural transformation. To be

sure, the distinction between liberal meritocracy and left-wing egalitarianism was not only relevant to understanding such new social movements as feminism and gay liberation. It also had implications for the broader question concerning the future of critical theory. In other words, it spoke to whether it would continue to develop an evolved liberalism, more toward a moral theory grounded in the theory of recognition, toward a Foucaultian notion of multiple, divergent anti-systemic movements, toward social democracy or some other mutation in the history of the Left.

My argument is that the distinction between meritocracy and equality, with its implications for the evolution of the Left, is at the core of Nancy's diverse and multitudinous work, becoming ever more prominent over time. In this contribution, I will show this by tracing four of her main ideas: (1) participatory parity; (2) the independence of recognition from redistribution and the need for a "bivalent" perspective; (3) the "threefold movement" (marketization, protection, and emancipation); and (4) the "hidden abode" of capitalism (politics, social reproduction, ecology). This sequence demonstrates a progression, from liberalism toward the left. This progression also was a voyage in self-discovery – a return to Nancy's radical origins in the 1960s (and before) – that stood in tension with much that was underway in critical theory. Finally, this evolution proceeded logically: each stage necessitated her further development, or so I will seek to show.

PARTICIPATORY PARITY

Let us start with participatory parity. The key to understanding this idea is to recall the powerful drive to reaffirm classical liberalism in Nancy's critical theory milieu. As a novice critical theorist, Nancy began by redefining the liberal idea of the subject to emphasize political participation, very much in line with the New Left concept of participatory democracy, inspired by the civil rights movement, especially in the South, and prevalent in the 1960s. The classical liberal view holds the political at arm's length, in order to preserve the individual's freedom to pursue his or her own, self-defined ends. In Nancy's restatement the subject is intrinsically political, taking-part in the construction of the world, of norms, of two-way relations, of the political community, and so forth. Hence, Nancy (2008, p. 16) described her idea of participatory parity as a "radical-democratic interpretation of the principle of equal moral worth."

The idea of participatory parity builds on but also clarifies the distinction between liberal and leftist conceptions of equality. Buried in the

above citation from Steven Lukes are two different meanings of equality. In the first case, equality is a *metric*. We envision a “society of equals” and we seek to remedy inequalities through material redistribution, the elimination of discrimination or more radical means such as affirmative action. This conception of equality remains within a liberal paradigm insofar as it is methodologically individualist. In other words, racial, gender, or class collectivities are understood in terms of the actions and fates of the individuals comprising them. This is also the case with the identity politics that flourished in the wake of the 1960s. Attachment to those who share one’s race or gender or sexual preference, like attachment to one’s nation or “people,” is a projection of self-interest or self-love, not a commitment to equality in the fuller sense of the word.

In the second sense, one understands equality not as a metric, but as a *dimension* of individual and collective life. This second meaning emerged in the eighteenth century with the dichotomy between republicanism and despotism. In a republic each individual participates equally in forming the laws. Through that experience, individuals bond with one another; equality is the expression of that bond. The concept of participatory parity gestures toward this second sense, which is also related to such concepts as solidarity, community, and commensality, or the sharing of a common meal. Nancy was working with this second sense of equality – without abandoning the first sense – when she first put forth her concept of participatory parity as a critique of Habermas’s theory of the public sphere. For Habermas the public sphere is composed of putatively equal rational individuals. For Nancy (1990, p. 67) it includes subaltern counter publics, “parallel discursive arenas where members of subordinated social groups invent and circulate counter-discourses, which in turn permit them to formulate oppositional interpretations of their identities, interests, and needs.”

By foregrounding participation, Nancy was building on, but also implicitly complicating the emphases on recognition, difference, and identity that had arisen in the 1970s. Those emphases reflected their roots in movements based on *difference* – feminist movements, gay liberation, movements of ethnic or racial difference. But in crowds, in common work, in shared purpose, and especially in extreme cases such as states of emergency, the awareness of difference – for example, of age, gender, race, or social class – tends to disappear. Every individual *feels* equal to other individuals in the sense that they identify with them. Drawing on this experience of participation, the Left claims to

stand for a *common*, that is *shared*, project, and therefore for the unity of the human species, in a way that the liberal ideal of equal worth does not. At the same time, the dangers of submerging individuality in the group point to the continued need for liberal restraints and formalisms.

REDISTRIBUTION AND RECOGNITION

If Nancy's first overriding idea, participatory parity, arose from the civil rights movement and the New Left, the next step in her thinking came directly from the feminist and gay liberation movements, which supplanted the New Left. Nancy's critical theory milieu of the late 1970s and 1980s located these movements under the rubric of "recognition." Once again, the root of the conception lay in the redefinition of the liberal idea of equal worth, in this case a redefinition begun by Hegel. According to the Hegelian paradigm, to be a *subject* requires not only recognition (*Anerkennung*) of oneself as distinct from others or from the external world, but also recognition by another self-consciousness whom one recognizes in turn. In this view, there is no direct *self*-consciousness; rather, self-consciousness follows from intersubjective relations, beginning of course with the mother/infant relationship. Ultimately, in Nancy's (2000, p. 109) summary, "recognition designates an ideal reciprocal relation between subjects in which each sees the other as its equal and separate from it."

The idea of recognition flourished in the context of the cultural and linguistic turns. One key book, very important to Nancy's development, was Richard Rorty's *Philosophy and the Mirror of Nature* (1979), which looked at truth, not as correspondence to an external reality, but as linguistically constructed. Two other bodies of work were Jacques Lacan's redefinition of Freud's theory of the unconscious as a theory of culture and discourse, which Nancy scorned, and the relational turn in American psychoanalysis, in which she was not interested. Most important for Nancy's work was Charles Taylor's *Multiculturalism and the Politics of Recognition* (1979), which linked the demand for recognition to identity and to new sources of the self. Identity and recognition were becoming master concepts for understanding the "new social movements." While Nancy's concept of participatory parity, with its dialogic and intersubjective accents, was also part of this "cultural turn," her distinctive approach led her into a new paradigm. Once again, her leftism was the driving force.

The key to understanding this second stage in Nancy's work is the tradition of distributive justice, which is at the center of classical political philosophy, both ancient and modern. In Nancy's view, philosophers of recognition, like Taylor, had "forgotten" about redistribution. In her account, there were two different forms of distributive injustice, socio-economic and cultural, and these corresponded to two domains of society, the economy and the status order. In her words, "the paradigmatic status injustice is misrecognition . . . the quintessential class injustice is maldistribution" (Fraser and Honneth 2003, pp. 49–50). This also implied two independent remedies, economic redistribution and cultural change. Participatory parity now became the criterion for judging misrecognition and maldistribution as forms of injustice. Just as men and women cannot be subjected to norms that they have not participated in framing, so they cannot be full, participating partners in social and political interaction minus the economic and cultural resources, such as money and prestige, that their fellow citizens enjoy.

Nancy's insistence on redistribution and recognition as coequal axes of justice led to her debates with Axel Honneth, for whom the demand for recognition – in the spheres of love, social esteem, and equal respect for all – served as the moral grounds for all political movements. According to Honneth, "being recognized by another subject is a necessary condition for achieving full, undistorted subjectivity. To deny someone recognition is to deprive her or him of a basic prerequisite for human flourishing" (Fraser and Honneth 2003, p. 28).

For Nancy, by contrast, the place of recognition within diverse social movements varied. For the labor movement, maldistribution was key, though recognition counted; for women, status injuries or misrecognition was central, though economic injustice mattered. Misrecognition only rose to the level of injustice when it interfered with participatory parity, in other words, when "some individuals and groups are denied the status of full partners in social interaction . . . as a consequence of institutionalized patterns of cultural values in whose construction they have not equally participated" (*ibid.*, p. 29). Demands for recognition did not rise to the level of justice when they were based on ethical considerations or a purported drive toward self-realization, which is how Nancy saw Axel's position.

At the time, what seemed to me especially valuable about this debate was that in pursuing their respective positions, both thinkers formulated social theories that reconnected their thought to the Marxist work of the

1960s. Their shared emphasis on the inseparability of philosophy and social theory was in danger of being lost among critical theorists of the 1970s and 1980s, threatening to sever the currents that linked critical theory to the Left. In *Injustice* (1978) Barrington Moore explained why this connection was so crucial, at least to the Left. While strong moral feelings and indignation animated all forms of protest, according to Moore, something fundamental changed with the rise of the modern Left. Traditional protest had typically taken the form of “anger at the failure of authority to live up to its obligations, to keep its word and faith with the subjects.” Such protests, Moore wrote, “toppled thrones” yet they were inherently limited. They accepted “the existence of hierarchy and authority while attempting to make it conform to an idealized pattern.” By contrast, the Left began “when people ask whether a specific social function needs to be performed at all, whether kings, priests, capitalists or even revolutionary bureaucrats may not be something human society could do without” (Moore 1978, p. 510). The implication is that a critique of justice must be based on a robust social theory, not on moral outrage, nor even on moral philosophy alone.

Following from her insistence that redistribution be considered along with recognition, Nancy’s entry point into social theory lay in the way that capitalism separated an economic and cultural order. In this regard, Max Weber, more than Marx, was her point of reference. Weber’s fragment, “Class, Status and Party” was especially important to her. According to this fragment, modern societies should be seen as composed of three domains or orders: an economic order, understood in market terms, a status order, ultimately rooted in charisma, honor, and prestige, and an institutionalized political order, characterized by parties and the state (Gerth and Mills 1958). In Nancy’s earliest formulations, a theory of justice had to concentrate on the economic and status orders. In later work (e.g., her 2010 *Scales of Justice*), she added politics in the sense of parties and other forms of representation, as a third axis of justice, concentrating on the shift from the nation-state to the world (Fraser 2008).

Nancy’s view of modern society as composed of separate, interacting domains captured something of the complexity that a revised critical theory would entail, but the task remained of comprehending society as a totality, albeit a multifaceted one, comprising both system and action. For Nancy, with her roots in the 1960s, this meant grasping society historically, as a stage in human evolution, and therefore it rested on a conception of capitalist social organization. However, Nancy had

(re)introduced a discussion of the economy into the debates over justice by emphasizing the distribution of resources, not the social relations of capitalism. As a result, many leftists found the dualism of Nancy's thought at that time unsatisfying. I remember the Venezuelan anthropologist Fernando Coronil describing himself as "ambivalent" about what Nancy called "bivalence" or "perspectival dualism," namely the need to think *seriatim* about culture and economics. To be sure, Nancy always insisted that any concrete example of injustice contained both cultural and economic dimensions, but this is not the same as demonstrating how the distinction between economics and culture or class and status was itself rooted in the structure of capitalism itself, or in its historical mutations. That, however, is what Nancy was striving to accomplish, or so it seemed to me. For example, on one occasion, accused of reifying or "ontologizing" the economics/culture distinction, Nancy responded "Far from ontologizing the distinction, I *historicized* it, tracing it to historical developments in social organization . . . to the rise of capitalism, arguably the first social formation in history that systematically elaborates two distinct orders of subordination, premised on two distinct dimensions of injustice" (Fraser and Honneth 2003, pp. 67).

THE TRIPLE MOVEMENT

In retrospect one can see that Nancy was at a turning point in her thought. To appreciate this one has to remember that her work arose from the passionate demand for recognition, which had begun in the civil rights movement and reached a fever pitch in women's liberation. Nancy sought the "self-clarification" of that demand, by honoring it, critiquing it, and restating it. In my view, what was needed at this point was not to add redistribution to recognition, but rather to distinguish between two forms of recognition: those based on meritocracy and those based on equality. To do so required an understanding of capitalism not as an economic system but as a social structure, with cultural and even political dimensions. In other words, capitalism had to be understood in terms of the rise of a bourgeoisie, the creation of the modern state, the emergence of a working class and the transformation of bourgeois into mass society, and not simply as a means of organizing an economy. In fact, a critique of redistribution was central to the twentieth-century Western Left; in other words, the Left had argued that demands based on the market – i.e., on redistribution – would fail to address the deep structures of inequality that

govern the modern world, such as imperialism and the disempowerment of the modern citizenry. Therefore, the demand for recognition could be seen as built on the twentieth-century Left, rather than serving as a new departure. Some reasoning of this sort must have inspired Nancy's restless search for a more complete and profound social theory than that of "Class, Status and Party."

How to honor the demand for recognition without succumbing to its meritocratic limitations? Nancy's first effort to answer that question had been to add an economic order to a status order. That had led to the search for a deeper theory of capitalism. Her next effort was to seek this in the work of Karl Polanyi. Born in Budapest in 1886, Polanyi was the son of an engineer-businessman, ruined by market upheavals, and a mother who ran a salon that included the Marxist thinker Georg Lukács, the poet Endre Ady, and the psychoanalyst Sándor Ferenczi. Polanyi grew up in the era when Hungary's national identity was being forged and developed a politics of moral and national regeneration termed "radicalism." One gets a sense of how Polanyi became relevant to recognition theorists by considering his critique of Marxism. Present during Hungary's brief Bolshevik revolution in 1918, he wrote, "Marxism views the world *from without*, for it, social development is automatism, propelled by the machinery of the class struggle. Radicalism views the world *from within* and recognizes in human progress its own work" (Condon 1976, p. 178).

Through her engagement with Polanyi's thought, Nancy was able to rethink the demand for recognition in a more anthropological and historical, if less purely philosophical, way. Polanyi's core idea was that in modern history, market considerations have overwhelmed social considerations in determining public policy. According to him, before the nineteenth century, markets were "embedded" in traditional social relations governed by considerations of status, self-respect, and the moral standards of the community; in a word, by relations of recognition. According to Polanyi, those relations were "natural" or "organic." By contrast, the nineteenth century witnessed the imposition of the instrumental relations of the market. Much of Polanyi's *The Great Transformation* (1944) described this imposition, especially through the new Poor Laws of 1834, which were an attempt to win the votes of the newly enfranchised middle classes, by destroying local forms of charity and mutual aid. In Polanyi's view, "society" reacted to marketization by creating the welfare state, a process he described as a "double movement," marketization and social protection.

In drawing on Polanyi's framework, Nancy made a great advance. Instead of conceiving of society as composed of two coequal domains, an economy and a status order, she now had an historical conception of how the market had been imposed on society. However, Nancy also critiqued Polanyi, a thinker rooted in the 1930s, in a way that reflected her New Left and feminist roots. As Nancy pointed out, what Polanyi called "society" contained oppressive elements, notably patriarchal rule, which derogated both women and homosexuals. These elements were not worthy of protection. Hence, in place of Polanyi's *double* movement, Nancy proposed a *triple* movement: marketization, protection, and emancipation. To my mind, this was a brilliant stroke, which brought the personal emancipation movements of the 1960s into relation with the social protection movements of the 1930s and 1940s. Most pregnant with possibility was the new idea of emancipation situated in relation to both markets and protection. Now Nancy could criticize the movements of the 1930s and 1940s for emphasizing protection to the neglect of emancipation, but she could also criticize the feminism of the 1970s for neglecting protection and thus allying itself with marketization. In short, if emancipation could ally with marketization, why could it not ally with social protection? This question became pressing with the economic crisis that began in 2007 and that underpinned Nancy's work on feminism, which is the work that led to her greatest renown.

At the same time, Nancy's concept of three coequal vectors in the history of modern struggles for social justice – marketization, protection, and emancipation – was not wholly satisfying, at least to me, for two reasons. First, marketization and protection were closely related to one another, in the sense that both were ways of organizing the economy. Emancipation, however, was something different, a new kind of "post-economic" demand that had arisen in the 1960s and that had as much or more to do with individual subjectivity as it did with social structure. Emancipation, in other words, reflected the rise of modern personal life. Therefore, the idea of three coequal vectors needed to be rethought. A second and related problem, to my mind, was that Nancy described what she called the "dangerous liaison" between feminism and neoliberal marketization that had arisen in the 1970s as historically contingent (Fraser 2009). Feminists, she argued, critiqued the patriarchal character of the welfare state precisely when neoliberals sought its dismantlement. In my view, however, the alliance of feminism and marketization was not contingent; rather, marketization destroyed the "natural" or "organic" economy in which women's historic subordination had been rooted, bringing

the question of emancipation to the fore. Thus, the feminist alliance with the market had flowed logically from the social position of women, making the task of a *left* feminism all the more difficult, but also all the more necessary.

THE HIDDEN ABODES OF CAPITALISM

The problem of distinguishing a meritocratic from an egalitarian response to the new social movements had led, then, to the problem of relating culture and economics in a theory of capitalism. While Polanyi was a theorist of the market, and not of capitalism, he conceived of the market in a fundamentally historical way, and thereby paved the way for the next – current – stage in Nancy’s work, her engagement with Marx’s theory of capitalism. Here, again, one sees the roots of her intellectual project in the thought of the 1960s, insofar as it is directed against reductive or economistic interpretations of capitalism. Marx, to be sure, was neither reductive nor economistic. In Volume I of *Capital*, he famously described what he called the “hidden abode” of production, which lay beneath the surface relations of the market. In market-based or exchange relations,

Freedom, Equality, Property and Bentham [rule]. Freedom, because both buyer and seller of a commodity, say of labour-power, are constrained only by their own free will. They contract as free agents, and the agreement they come to, is but the form in which they give legal expression to their common will. Equality, because each enters into relation with the other, as with a simple owner of commodities, and they exchange equivalent for equivalent. Property, because each disposes only of what is his own. And Bentham, because each looks only to himself. (Marx, 1992, p. 280)

When Marx coined the term “hidden abode,” he meant to evoke the exploitation, and the appropriation of surplus value, which underlay the market, creating not so much two different orders – economics and culture – as two opposed social classes, capital and labor, along with the political rule of a form of property, capital, which was guided by its control over the social surplus. In a much shorter discussion, later in *Capital*, Marx alluded to a second “hidden abode,” primitive or original accumulation, explicitly including slavery and the exploitation of the mines and plantations of the “new world” (Marx, 1992, p. 916).

In her reading of Marx, Nancy posited a three-fold “hidden abode”: politics, nature, and social reproduction. As she had argued in her work on

Polanyi, it was the process of *separation* (disembedding) that had formed modern society. But now the economy had become separated not from “society,” as in Polanyi, not from culture, as in Nancy’s earlier work, but from three necessary preconditions of a disembedded economy: politics, institutions of social reproduction, and the material and energetic environment or “nature.” In each case, this “separation” generated crisis, as the economy consumed and destroyed its own political, social-familial, and ecological preconditions. Thus a capitalist economy needs democracy and the state, but destroys them. It needs the labor of women within the family, but makes this labor impossible to sustain. It needs a freestanding reserve of energy and raw materials, but destroys that very reserve. Here, then, we have a major restatement of our conception of capitalism of a sort that can stand beside the formulations that animated Left intellectual life in the 1960s and 1970s. Arising from her effort to formulate a left response to the feminist and gay liberation movements, Nancy’s approach also responded to three great developments that begun in the 1960s and 1970s and that had entailed a full-scale reconceptualization of Marx: the shift from labor to gender as the dominant social contradiction, the insistence on the autonomy of politics (which was central to Hannah Arendt’s work, which lay behind Furet’s remarks concerning the French Revolution, and which informed Nancy’s idea of participatory parity), and the emergence of an ecological crisis, or even of an “ecological age.”

One needs to be cautious in discussing work that is still at an early stage but I will point to one way in which Nancy’s formulation advances our understanding of capitalism, as well as raise one question about it. In my view, one great advance in this work lies in the idea of “borders” between the economy and other spheres of society. Since the 1970s, Marxists have spoken of the “relative autonomy” of the political sphere but Nancy advances this idea by invoking a boundary between the economy and the state as the intermediate zone in which politics takes place. In this regard she emphasizes the *specificity* of the political sphere, even while developing a critical theory of capitalism. Politics, she argues, translates the experiences and needs of various groups into images, concepts, and forms of organization that have logic of their own and cannot be understood reductively, as the emanation of a social group. At the same time, the “economy” – by which one may mean capitalist social relations, markets, and the capital-infused and dependent state, establishes the contours and limits within which politics unfolds. The idea that demands for justice, such as feminism and gay liberation, arose at the border between the economy and politics,

replaces the idea of separate economic and cultural orders and is very much an advance. In developing this new idea, too, we may begin to unravel some of the conundrums that are involved in situating the problematic of justice historically, in other words of combining “stand-alone” conceptions of justice with a theory of modern history.

Something similar can be said in unpacking Nancy’s conception of feminism and gay liberation arising at the boundary between social reproduction (I would speak of the family and kinship here) and the capitalist economy. By removing paid labor (i.e., the “economy”) from the home, capitalism simultaneously obscured the place of women within social production, and created the famous Victorian “haven in a heartless world,” the crucible of modern personal life. In other words, the suppression of women under pre-1970s capitalist conditions proceeded through the occultation of their labor, but equally through the excitation of female narcissism. Here, too, it is at the *boundary* between the family and the economy in which feminist politics unfolded. This insight enables an historical and critical analysis of feminism, instead of a reductive interpretation that sees it largely if not entirely as a moral demand for recognition.

At the same time, one must ask whether something is not lost in Nancy’s restatement of Marx. For Marx, the contradictory character of capitalism resides *within* what he called the “economic structure” of society, and which he defined as “the total ensemble of social relations entered into in the social production of existence” (Marx). In bringing in politics and the family as well as technology (not “nature”), Nancy’s theory clarifies and advances Marx’s formulation. But in locating the contradictions of capitalist society *between* the economy and its abodes, Nancy runs the risk of defining the contradictions in terms of the requirements of the economic sphere: its need for a state, its need for social reproduction, its need for resources and energy. One warning sign is that Nancy does not explain whether in describing the abodes as “preconditions” she means them as historical (temporal) preconditions or as structural ones. One indication that Nancy may well solve this problem lies in her current work on race, which rests on the distinction between expropriation and exploitation, and therefore on the “economic structure” in its larger, expanded sense.

But wherever her future work leads her, her writings on feminism have had at least one lasting result. She draws a clear line between the meritocratic feminism that prevails in America today and socialist feminism. To be sure, the powerful emotional pulls – the identificatory cathexes – that created the modern feminist movement retain their power for her, but in

her account, those who speak of justice for women must also speak of capitalism. In this way, her work on feminism makes it possible to envision a return to the lived ideal of egalitarian relations between the sexes – in other words, to a mixed Left – of the sort that US abolitionists, socialists, communists, and the New Left all championed.

CONCLUSION

Let me conclude. Maintaining a critical perspective is always difficult because it runs against the conservative bent of the human mind, its main characteristic according to Freud's argument in *Beyond the Pleasure Principle* (1921). Global history since the 1970s certainly exemplifies this characteristic. At a moment when critical theory was consistently devolving into an emphasis on human rights that is hard to distinguish from imperialism, into an apolitical, if not conservative, constitutionalism, into a free-standing, abstract moral (Kantian) philosophy, or into an uncritical embrace of single-issue feminism, Nancy forged a different path. At the same time, I don't think Nancy could ever have found a more supportive, more enthusiastic, smarter or more creative group of friends and interlocutors than she found among her fellow critical theorists, many of whom have papers in this volume. This is not a paradox. Critical theory in Nancy's time flowed like a river into the delta of multiple possibilities. In Nancy's case, she followed a path of thinking about equality that brought the rigors of the abstract, philosophical terms of her training into dialogue with political movements struggling to realize equality, in other words, the Left.

Finally, although I have avoided speaking of Nancy's personal qualities in this contribution, let me end by mentioning three that are especially relevant to her leftism. First, the modern commitment to freedom is so shallow, so compromised, so easily abandoned in the face of short-term opportunities and practical constraints, that there is a need for "extremists" and risk-takers, sustained by an uncompromising commitment to political ideals. Nancy is such a person. More than anyone I have ever met, justice is at the center of her psyche. Secondly, the Left is not so much a mode of protest as a reflection on protest; it is a *way of thinking* about the world. Who, more than Nancy, embodies the truly inspiring character of thinking, freed from the ballast of prejudice and convention? The pleasure of watching pure thought in its mutative and creative moment of birth, and watching and sharing Nancy's pleasure in that birth, has made her public performances riveting. Finally, there is a paradoxical elitism

contained within the idea of the Left: for the Left to truly comprehend popular needs and aspirations, it must separate itself and rise above the clouds in which the popular mind resides. Nancy is no elitist, but there is something noble about Nancy: I will end by saying that.

NOTE

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BIBLIOGRAPHY

- Condon, L 1976, "Karl Polanyi in Hungary, 1900–19," *Journal of Contemporary History*, 11, 1.
- Fraser, N 1985, "What's Critical About Critical Theory? The Case of Habermas and Gender," *New German Critique*, 35 (Special Issue on Jürgen Habermas), 97–131.
- Fraser, N 1990, "Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy," *Social Text*, 25/26, 56–80.
- Fraser, N 2000, "Rethinking Recognition," *New Left Review*, 3, 107–120.
- Fraser, N 2008, *Scales of Justice: Reimagining Political Space in a Globalizing World*, Columbia University Press, New York.
- Fraser, N 2009, "Feminism, Capitalism, and the Cunning of History," *New Left Review* 56 (March–April).
- Fraser, N, and Honneth, A 2003, *Recognition or Redistribution? A Political-Philosophical Exchange*, (trans.) J Golb, J Ingram, and C Wilke, Verso, New York.
- Freud, S 1990 [1921], *Beyond the Pleasure Principle*, Norton: New York.
- Furet, F 1999, *The Passing of an Illusion*, University of Chicago Press, Chicago.
- Gerth, H, and Wright Mills, C 1958, *From Max Weber: Essays in Sociological Theory*, Oxford University Press, Oxford, UK.
- Lukes, S 2003, "The Grand Dichotomy of the Twentieth Century," in *The Cambridge History of the Twentieth Century Political Thought*, (eds.) T Ball and R Bellamy. Cambridge University Press, London.
- Marx, K 1992, *Capital Vol. I*, Penguin, New York.
- Moore, B 1978, *Injustice: The Social Bases of Obedience and Revolt*, M.E. Sharpe, New York.
- Polanyi, K 2001 [1944], *The Great Transformation*, Beacon Press: New York.
- Rorty, R 1979, *Philosophy and the Mirror of Nature*, Princeton University Press, Princeton, NJ.
- Taylor, C 1979, *Multiculturalism: Examining the Politics of Recognition*, Princeton University Press, Princeton, NJ.

NANCY FRASER'S BIBLIOGRAPHY

I. BOOKS

- Nancy Fraser, *Unruly Practices: Power, Discourse and Gender in Contemporary Social Theory* (University of Minnesota Press and Polity Press, 1989).
German translation: *Widerspenstige Praktiken: Macht, Diskurs, Geschlecht*, trans. Karin Wördemann (Frankfurt: Suhrkamp Verlag 1994).
- Seyla Benhabib, Judith Butler, Drucilla Cornell and Nancy Fraser, *Feminist Contentions: A Philosophical Exchange* (Routledge, 1994).
German translation: *Der Streit um Differenz* (Frankfurt: Fischer Verlag, 1993).
Turkish translation: (Istanbul: Metis, 2008).
Czech translation: (Prague: SLON Publishers).
- Nancy Fraser, *Justice Interruptus: Critical Reflections on the "Postsocialist" Condition* (Routledge, 1997).
German translation: *Die halbierte Gerechtigkeit*, trans. Karin Wördemann (Frankfurt: Suhrkamp Verlag, 2001).
Spanish translation: *Iustitia Interrupta: Reflexiones críticas desde la posición "post-socialista,"* trans. Maria Gomez (Bogota: Siglo del Hombres Editores, 1997).
Japanese translation: trans. Masaki Nakamasa (Tokyo: Ochanomizushobo Publishers, 2003).
Chinese translation: trans. Yu Haiqing (Shanghai: People's Publishing Company, 2009).
Italian translation: trans. Irene Strazzeri (Lecce: Pensa MultiMedia, 2009).
- Nancy Fraser and Axel Honneth, *Redistribution or Recognition? A Political-Philosophical Exchange*, trans. Joel Golb, James Ingram, and Christiane Wilke (London: Verso, 2003).

- German translation: *Umverteilung oder Anerkennung? Eine politische-philosophische Kontroverse*, trans. Wolfgang Burckhardt (Frankfurt: Suhrkamp Verlag, 2003).
- Czech translation: trans. Marek Hrubec (Prague: Filosofia, 2005).
- Polish translation: trans. Monika Bobako and Tomasz Dominiak (Wrocław: University of Lower Silesia Press, 2005).
- Spanish translation: *¿Redistribución O Reconocimiento?* trans. Pablo Manzano (Madrid: Ediciones Morata, 2006).
- Italian translation: *Redistribuzione o Riconoscimento? Una Controversia Politico-Filosofica*, trans. Emanuella Moreli and Michele Bocchiola (Meltemi, 2007).
- Chinese translation: trans. Zhou Suiming (Shanghai: People's Publishing Company, 2009).
- Japanese translation: 再配分か承認か?—政治・哲学論争, tr. Yasushi Kato (Hosei University Press, 2012).
- Korean translation: trans. Woen-sick Kim and Sung-hoon Moon (Seoul: Greenbee Publishers).
- Nancy Fraser, *Qu'est-ce que la justice sociale? Reconnaissance et redistribution*. Édition établie et introduction par Estelle Ferrarese (Paris: La Découverte, 2005; 2nd edition 2011).
- Nancy Fraser, *Reframing Justice: The 2004 Spinoza Lectures* (Amsterdam: Van Gorcum, 2005).
- Nancy Fraser, *Stretching the Radical Imagination: Beyond the Unholy Alliance of Identity Politics and Neoliberalism* (Verso, 2010).
- Swedish translation: *Den radikala fantasin: mellan omfördelning och erkännande*, trans. Sven-Eric Torhell (Gothenburg: Daidalos, 2003).
- Danish translation: (Periferi, 2006).
- Czech translation: *Rozvíjení radikální imaginace. Prerodžování, uznání, reprezentace*, ed. Marek Hrubec, trans. Zuzana Kubisova, Zuzana Uhde, Ota Vochoč (Prague: Filosofia, 2007).
- Nancy Fraser, *Scales of Justice: Reimagining Political Space in a Globalizing World* (Columbia University Press and Polity Press, 2008).
- Spanish translation: *Escalas de Justicia*, trans. Antoni Martínez Rui (Barcelona: Pensamiento Herder, 2008).
- Chinese translation: trans. Ouyang Ying (Shanghai: People's Publishing Company, 2009).
- Japanese translation: 正義の秤(スケール): グローバル化する世界で政治空間を再想像すること, tr. Mukaiyama Kyoichi (Tokyo: Hosei University Press, 2013).
- Korean translation: trans. Woen-sick Kim (Seoul: Greenbee Publishers, 2011).
- Swedish translation: *Rättvisans mått. Texter om omfördelning, erkännande och representation i en globaliserad värld*, trans. Henrik Gundenäs (Stockholm: Atlas Books, 2011).

- Bulgarian translation: trans. Vanya Serafimova (Sofia: Human and Social Studies Foundation, 2013).
- Nancy Fraser, *Adding Insult to Injury: Nancy Fraser Debates Her Critics*, ed. Kevin Olson (Verso, 2008).
- Chinese translation: trans. Gao Jingyu (Shanghai: People's Publishing Company, 2009).
- Korean translation: (Seoul: Greenbee Publishers, 2016).
- Italian translation: *Il danno e la beffa: un dibattito su ridistribuzione, riconoscimento, partecipazione*, tr. Cristian Lo Iacono (Lecce: Pensa MultiMedia, 2012).
- Nancy Fraser, *Dilemas de la justicia en el S. XXI: Género y globalización*, ed. María Antònia Carbonero Gamundi y Joaquín Valdivielso, trans. Meryl Wyn Jones and Joaquín Valdivielso (Palma, Mallorca: TECSED, Ediciones UIB, 2011).
- Nancy Fraser, *Fortunes of Feminism: From State-Managed Capitalism to Neoliberal Crisis* (Verso, 2013).
- French translation: *Le féminisme en mouvements. Des années 1960 à l'ère néolibérale*, tr. Estelle Ferrarese (Paris: La Découverte, 2012).
- Polish translation: *Drugi feminizm: od kapitalizmu państwowego do neoliberalnego kryzysu* (Warsaw: Wydawnictwo Krytyka Politycznej, 2014).
- Italian translation: *Fortune del femminismo. Dal capitalismo regolato dallo stato alla crisi neoliberalista*, tr. A. Curcio. (Ombre Corte Edizioni, 2014).
- Korean translation: Dolbegae Publishers (forthcoming).
- Turkish translation: Ida (forthcoming).
- Spanish translation: IAEN (Quito, Ecuador: National Institute of Advanced Studies in Ecuador; and Peru: Instituto de Altos Estudios Nacionales), forthcoming).
- Croatian translation: Prosvjeta (forthcoming).
- Portuguese translation: Autentica Editora (Brasil, forthcoming).
- Georgian translation: (Heinrich Boell Foundation South Caucasus Regional Office, 2017).
- The "Introduction" to this book is published as a Working Paper on the website of the Fondation Maison des sciences de l'homme/Collège d'études mondiales: http://halshs.archives-ouvertes.fr/docs/00/72/50/55/PDF/FMSH-WP-2012-17_Fraser1.pdf
- Robin Blackburn, Nancy Fraser, Gøran Therborn, and Rene Ramírez G., *Nuevas Fronteras de la Izquierda* (Quito, Ecuador: Instituto de Altos Estudios Nacionales, 2013).
- Transnationalizing the Public Sphere: Nancy Fraser debates her Critics*, ed. Kate Nash (Polity Press, 2014).
- Luc Boltanski et Nancy Fraser, *Domination et émancipation: pour un renouveau de la critique sociale*, ed. Philippe Corcuff (Presses Universitaires de Lyon, collection « Grands Débats/Mode d'emploi » 2014).
- English edition forthcoming from Rowman and Littlefield International.

II. EDITED BOOKS

- Revaluing French Feminism: Critical Essays on Difference, Agency, and Culture*, ed. Nancy Fraser and Sandra Bartky (Indiana University Press, 1992).
- Pragmatism, Critique, Judgment: Essays for Richard J. Bernstein*, ed. Seyla Benhabib and Nancy Fraser (MIT Press, 2004).

III. EDITED JOURNAL ISSUE

- ed. Nancy Fraser and Sandra Bartky, special issue on French feminist philosophy, *Hypatia: A Journal of Feminist Philosophy*, vol. 3, no. 3 (Winter 1989).

IV. SCHOLARLY ARTICLES AND BOOK CHAPTERS

- “Foucault on Modern Power: Empirical Insights and Normative Confusions,” *Praxis International*, vol. 1, no. 3 (October 1981) pp. 272–287.
Reprinted in *Social Control: Aspects of Non-State Justice*, ed. Stuart Henry (Dartmouth Publishers, 1994).
Reprinted in *Michel Foucault: Critical Assessments*, ed. Barry Smart (Routledge, 1994).
Reprinted in Norwegian translation in *Agora* no. 2–3 (2009).
- “Foucault’s Body-Language: A Post-Humanist Political Rhetoric?” *Salmagundi*, no. 61 (Fall 1983): 55–70.
- “The French Derrideans: Politicizing Deconstruction or Deconstructing the Political?” *New German Critique*, no. 33 (Fall 1984): 127–154.
Reprinted in German translation in *Zur Kritik des Poststrukturalismus*, ed. Jochen Schulte-Sasse & Peter Burger (Frankfurt: Suhrkamp Verlag, forthcoming).
Reprinted in Spanish translation in *Revista Mexicana de Sociología*, año XLV, vol. XLV, no. 4 (Octubre-Diciembre 1983): 1209–1229.
Reprinted in *Working Through Derrida*, ed. Gary Madison (Northwestern University Press, 1993), 51–76.
- “Michel Foucault: A ‘Young Conservative?’” *Ethics*, vol. 96, no. 1 (October 1985): 165–184.
Reprinted in Spanish translation in *Habermas y el Problema de la modernidad*, ed. Maria Herrera (Mexico City: University of Mexico Press).
Reprinted in *Critique and Power: Recasting the Habermas/Foucault Debate*, ed. Michael Kelly (M.I.T. Press, 1994), 185–210.
Reprinted in *Michel Foucault I: Critical Assessments*, ed. Barry Smart (Routledge, 1994).
Reprinted in *Feminist Interpretations of Foucault*, ed. Susan Hekman (Penn State University Press, 1996).

- Reprinted in *Power and Politics*, ed. Mark Haugaard and Stewart R. Clegg (Sage, 2012).
- “What’s Critical About Critical Theory? The Case of Habermas and Gender,” *New German Critique*, no. 35 (Spring/Summer 1985): 97–131.
- Reprinted in *Feminism as Critique*, ed. Seyla Benhabib and Drucilla Cornell (University of Minnesota Press and Polity Press, 1987), 31–56.
- Reprinted in Spanish translation in *Teoría feminista y teoría crítica*, ed. Seyla Benhabib and Drucilla Cornell (Valencia: Edicions Alfons el Magnànim, 1990), 49–88.
- Reprinted in *Feminist Interpretations and Political Theory*, ed. Carole Pateman and Mary Lydon Shanley (Polity Press and the Penn State Press, 1991), 253–276.
- Reprinted in *Philosophy and Critical Theory: The Essential Readings*, ed. David Ingram and Julia Simon-Ingram (Paragon House Publishers, 1992), 357–387.
- Reprinted in German translation in *Feministische Vernunftkritik: Ansätze und Traditionen*, ed. Ilona Ostner and Klaus Lichtblau (Frankfurt: Campus Verlag, 1992), 99–146.
- Reprinted in *Feminism and Philosophy: Theory, Reinterpretation, and Applications*, ed. Nancy Tuana and Rosemarie Tong (Westview Press, 1993).
- Reprinted in *Feminists Read Habermas: Gendering the Subject of Discourse*, ed. Johanna Meehan (Routledge, 1995).
- Excerpted in *The Polity Reader in Social Theory* (Polity Press, 1994), 201–212.
- Reprinted in *Feminism*, ed. Susan Moller Okin and Jane Mansbridge (Edward Elgar, 1994).
- Reprinted in Japanese translation in *The Latest American Work on Critical Theory*, ed. Martin Jay (Tokyo: Aoki Shoton, 1997).
- Reprinted in Chinese translation in *Feminist Theory*, ed. Lin Chun (Beijing).
- Reprinted in *Mapping Social Theory*, ed. Sebastian Budgen (Verso, 2003).
- Reprinted in *Sage Masters in Social Theory: Jürgen Habermas* (Sage, 2002).
- Reprinted in Portuguese translation in *Ex Aequo*, no. 8 (2003): 57–89.
- “Toward a Discourse Ethic of Solidarity,” *Praxis International*, vol. 5, no. 4 (January 1986): 425–429.
- Reprinted in *Feminist Ethics*, ed. Moira J. Gatens (Ashgate, 1998).
- “Women, Welfare, and the Politics of Need Interpretation,” *Hypatia: A Journal of Feminist Philosophy*, vol. 2, no. 1 (Winter 1987): 103–121.
- Reprinted with comments by Sheila Shaver and Lois Bryson in *Thesis Eleven*, no. 17 (1987): 88–113.
- Reprinted in *Politics and Social Theory*, ed. Peter Lassman (London: Routledge, 1989), 104–122.
- Reprinted in *The State and its Critics*, ed. Andrew Levine (London: Edward Elgar, 1992).
- Reprinted in *Moral Controversies: Race, Gender, and Class in Applied Ethics*, ed. Steven Gold (Wadsworth 1993), 20–43.

- Reprinted in *Applied Ethics in American Society*, ed. Diane Michelfelder (Harcourt Brace, 1996).
- Reprinted in *Contemporary Moral Problems*, ed. James White (West Publishing Company, 1996).
- Reprinted in *Moral Matters: Contemporary Perspectives on Moral Philosophy*, ed. Jeffrey Di Leo (Mayfield Publishing, 2002).
- “Social Movements versus Disciplinary Bureaucracies: The Discourses of Social Needs,” CHS Occasional Papers, no. 8 (Center for Humanistic Studies, The University of Minnesota 1987), 1–37.
- Reprinted in Spanish translation in *Dianoia*, vol. 32 (1986): 167–202.
- “On the Political and the Symbolic: Against the Metaphysics of Textuality,” *Enclitic*, vol. 9, no. 1–2 (1987): 100–114.
- Reprinted in *boundary 2* (1987): 195–209.
- Nancy Fraser and Linda Nicholson, “Social Criticism without Philosophy: An Encounter between Feminism and Postmodernism,” *Communication*, vol. 10, no. 3 (1988): 345–366.
- Reprinted in *Universal Abandon? The Politics of Postmodernism*, ed. Andrew Ross (Minneapolis: The University of Minnesota Press, 1988), 83–104.
- Reprinted in *Theory, Culture & Society*, special double issue on Postmodernism, vol. 5, nos. 2–3 (1988), 373–394.
- Reprinted in *Feminism/Postmodernism*, ed. Linda Nicholson (Routledge, Chapman and Hall, 1989), 19–38.
- Reprinted in *The Institution of Philosophy: A Discipline in Crisis?* ed. Avner Cohen and Marcelo Descal (LaSalle, IL: Open Court, 1989), 283–302.
- Reprinted in Spanish translation in *Feminismo/Posmodernismo*, ed. Linda Nicholson (Buenos Aires: Feminaria, 1992), 7–29.
- Reprinted in Turkish translation in *Birikim* no. 42 (1992), 67–77.
- Reprinted in *The Postmodern Turn: New Perspectives in Social Theory*, ed. Steven Seidman (Cambridge University Press, 1994).
- Reprinted in Japanese translation in *US-Japan Women's Journal* no. 17 (1994), 102–122.
- Reprinted in Chinese translation in *Women, The Longest Revolution: Best Essays from Contemporary Western Feminist Theory*, ed. Li Yinhe and Lin Chun (Beijing, 1997), 126–150.
- Reprinted in *Feminist Social Thought: A Reader*, ed. Diana T. Meyers (Routledge, 1997), 131–146.
- Reprinted in *Critical Concepts: Postmodernism*, ed. Victor Taylor (Routledge, 1998).
- Reprinted in *Justice: Alternative Political Perspectives*, fourth edition, ed. James Sterba (Routledge, 2002).
- Reprinted in *Theorizing Feminisms: North American Approaches in Context*, ed. Elizabeth Hackett and Sally Haslanger (Oxford University Press, 2005).

- Excerpted in *Just Methods: An Interdisciplinary Feminist Reader*, ed. Alison Jaggar (Paradigm Publishers, 2007).
- “Solidarity or Singularity? Richard Rorty between Romanticism and Technocracy,” *Praxis International*, vol. 8, no. 3 (October 1988), 257–272.
- Reprinted in *Reading Rorty: Critical Responses to ‘Philosophy and the Mirror of Nature’ (and Beyond)*, ed. Alan Malachowski (Basil Blackwell, 1990), 303–321.
- Reprinted in *Consequences of Theory: Selected Papers from The English Institute, 1987–88*, ed. Jonathan Arac and Barbara Johnson (Johns Hopkins University Press, 1991), 39–62.
- Reprinted in *Richard Rorty*, ed. Alan Malachowski (Princeton, 2002).
- Reprinted in Portuguese translation in *Redescrições*, vol. 2, no. 1 (2010): 52–72.
- “Talking about Needs: Interpretive Contests as Political Conflicts in Welfare-State Societies,” *Ethics*, vol. 99, no. 2 (January 1989): 291–313.
- Excerpted in *Public Culture*, vol. 1, no. 1 (Fall 1988): 39–51.
- Reprinted in *Feminism and Political Theory*, ed. Cass R. Sunstein (University of Chicago Press, 1990), 159–181.
- Reprinted in *Welfare States: Construction, Deconstruction, Reconstruction, Vol. III*, ed. Stephan Leibfried and Steffen Mau (Edward Elgar, 2008).
- “Introduction,” special issue on French feminist philosophy, *Hypatia: A Journal of Feminist Philosophy*, vol. 3, no. 3 (Winter 1989): 1–10.
- “Struggle over Needs: Outline of a Socialist-Feminist Critical Theory of Late-Capitalist Political Culture,” in *Women, the State, and Welfare: Historical and Theoretical Perspectives*, ed. Linda Gordon (University of Wisconsin Press, 1990), 205–231.
- Reprinted in Spanish translation as “La Lucha por las necesidades,” *Debate feminista*, Año 2, vol. 3 (marzo 1991): 3–40 and in *Propuestas 3* (1994): 1–18.
- Reprinted in *Free Spirits: Feminist Philosophers Diagnose Culture*, ed. Gary Percesepe and Kate Mehuron (Macmillan, 1994).
- Reprinted in Portuguese translation in *Cidadania e Feminismo*, ed. Marta Lamas (Sao Paulo: Debate Feminista, 1999), 105–141.
- Reprinted in Turkish translation as a pamphlet in the series, “Classic Feminist Essays” (Agora Press, 2006).
- Reprinted in French translation in *Qu’est-ce que lutter pour la reconnaissance?* ed. Estelle Ferrarese (Paris: Éditions Le Bord de l’eau, 2013), 41–83.
- “The Uses and Abuses of French Discourse Theories for Feminist Politics,” *boundary 2*, vol. 17, no. 2 (Summer 1990): 82–101.
- Reprinted in *Revaluing French Feminism*, ed. Nancy Fraser and Sandra Bartky (Indiana University Press, 1992), 177–194.
- Reprinted in *Theory, Culture & Society*, vol. 9, no. 1 (1992): 51–71.
- Reprinted in Spanish translation in *Hiparquia* vol. 4, no. 1 (Agosto 1991): 13–39.
- Reprinted in *Critical Theory Now*, ed. Philip Wexler (Falmer Publishers, 1991), 98–117.

- Reprinted in *Cultural Theory and Cultural Change*, ed. Mike Featherstone (Sage, 1992), 51–71.
- Reprinted in Swedish translation in *Häftan för Kritiska Studier* vol. 3 (1992): 49–64.
- A revised version is reprinted under the title “Structuralism or Pragmatics? On Discourse Theory and Feminist Politics” in *The Second Wave: A Reader in Feminist Theory*, ed. Linda Nicholson (Routledge, 1997).
- Reprinted in *Gendered Agents: Women and Institutional Knowledge*, ed. Paul A. Bové and Silvestra Mariniello (Duke University Press, 1998), 123–143.
- Reprinted in *French Feminists: Critical Evaluations in Cultural Theory*, ed. Jennifer Hansen and Ann J. Cahill (Routledge, 2007).
- Reprinted in Spanish translation in *Revista Diferencia(s)*, N°1. Año 1 (Noviembre 2015): 179–199 and online at: <http://www.revista.diferencias.com.ar/index.php/diferencias/article/view/30>
- “Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy,” in *Habermas and the Public Sphere*, ed. Craig Calhoun (M.I.T. Press, 1991), 109–142.
- Reprinted in *Social Text*, nos. 25/26 (Fall 1990): 56–80.
- Reprinted with an “Afterword: On modernity, postmodernism, and democracy” in *Postmodernism and the Re-reading of Modernity*, ed. Margaret Iversen, Francis Barker and Peter Hulme (University of Manchester Press, 1992), 198–232.
- Reprinted in Spanish translation in *Debate feminista* 7 (Marzo 1993): 23–58.
- Reprinted in Spanish translation in *Ecuador Debate* (Abril 1999): 139–174.
- Reprinted in *The Phantom Public Sphere*, ed. Bruce Robbins (University of Minnesota Press, 1993), 1–32.
- Reprinted in *Between Borders: Pedagogy and the Politics of Cultural Studies*, ed. Henry Giroux and Peter McLaren, (Routledge, 1993), 74–98.
- An earlier version appeared as Working Paper No. 10, Center for Twentieth Century Studies, The University of Wisconsin-Milwaukee (1990–91): 1–21.
- Excerpted in *Gender: Key Concepts in Critical Theory*, ed. Carol C. Gould (Humanities Press, 1997).
- A revised version is published under the title “Gender, Citizenship, and the Public Sphere: Toward a Feminist Reconstruction of Habermas,” in *Feminism, Citizenship, and Care*, ed. S. Sevenhuijsen (Utrecht: Anna Maria Van Shuurman Centrum, 1990), 50–69.
- Excerpted in *The Kettering Review* (Winter 1997).
- Reprinted in Spanish translation in *Instituciones Políticas y Sociedad: Lecturas Introdutorias*, ed. Romeo Grompare (Lima: IEP 1995).
- Reprinted in *Gender and Citizenship: Contentions and Controversies in East-West Debates*, ed. Joanne Regulska and Nancy Leys Stepan (Central European University, forthcoming).
- Reprinted in *The Cultural Studies Reader*, ed. Simon During (London: Routledge, 1999), 518–537.

- Reprinted in French translation in *Réseaux*.
- Reprinted in French translation in *Où en est la théorie critique?* ed. Emmanuel Renault and Yves Sintomer (Paris: La Découverte, 2003), 103–134.
- “The Force of Law: Metaphysical or Political?” *Cardozo Law Review*, vol. 13, no. 4 (December 1991): 1325–1331.
- Reprinted in *Feminist Interpretations of Jacques Derrida*, ed. Nancy Holland (The Pennsylvania State University Press, 1997), 157–163.
- Reprinted in *Violence and its Alternatives: An Interdisciplinary Reader*, ed. Manfred B. Steger and Nancy S. Lind (London: Macmillan, 1999).
- “From Irony to Prophecy to Politics: A Response to Richard Rorty,” *Michigan Quarterly Review*, vol. XXX, no. 2 (Spring 1991): 259–266.
- Reprinted in *Pragmatism: A Contemporary Reader*, ed. Russell B. Goodman (Routledge, 1995), 150–159.
- Reprinted in *Feminist Interpretations of Richard Rorty*, ed. Marianne Janack (Penn State University Press, 2010), 47–54.
- “Double Trouble: An Introduction,” *Hypatia*, vol. 6, no. 2 (Summer 1991): 152–154.
- “False Antitheses: A Response to Seyla Benhabib and Judith Butler,” *Praxis International*, vol. 11, no. 2 (July 1991): 166–177.
- “Introduction,” *Revaluing French Feminism*, ed. Nancy Fraser and Sandra Bartky (Indiana University Press, 1992), 1–24.
- “Sex, Lies, and the Public Sphere: Some Reflections on the Confirmation of Clarence Thomas,” *Critical Inquiry*, 18 (Spring 1992): 595–612.
- Reprinted in *Moral Controversies: Race, Gender, and Class in Applied Ethics*, ed. Steven Gold (Wadsworth, 1993), 508–519.
- Reprinted in German translation in *Geschlechterverhältnisse und Politik*, ed. Katharina Puehl (Suhrkamp Verlag, 1994), 19–42.
- Reprinted in Swedish translation in *Häften för Kritiska Studier*, vol. 26, no. 1–2 (1993): 66–80.
- Reprinted in *Legal Studies as Cultural Studies: A Reader in (Post)modern Critical Theory*, ed. Jerry Leonard (SUNY Press, 1995): 175–195.
- Reprinted in *Feminism, the Public and the Private*, ed. Joan B. Landes (Oxford University Press, 1998), 314–338.
- Nancy Fraser and Linda Gordon, “Contract versus Charity: Why Is There No Social Citizenship in the United States?” *Socialist Review*, vol. 22, no. 3 (July–September 1992): 45–68.
- A revised version is published as “Civil Citizenship against Social Citizenship?” in *The Condition of Citizenship*, ed. Bart van Steenberg (Sage, 1994), 90–107.
- A revised version is published in Spanish translation in *Isegoria: Revista Filosofía Moral y Política* no. 6 (November 1992): 65–82.
- A revised version is published in German translation in *Auf der Suche nach der Gerechten Gesellschaft*, ed. Günter Frankenberg (Fischer Verlag, 1994), 185–203.

- Reprinted in French translation in *Mouvements*, no. 94 (mai-juin 1998): 46–56.
 A revised version is published as “Reclaiming Social Citizenship: Beyond the Ideology of Contract versus Charity” in *Critical Politics: From the Personal to the Global*, ed. Paul James (Arena Publications, 1994), 59–75.
 Reprinted in Portuguese translation in *Revista Critica de Ciencias Sociais* 42 (May 1995): 27–52.
 Reprinted in Spanish translation in *Con/Textos* 1:2 (June 1997): 1–15.
 Reprinted in *The Citizenship Debate: A Reader*, ed. Gershon Safir (Minnesota University Press, 1998), 113–130.
- “Beyond the Master/Subject Model: Reflections on Pateman’s The Sexual Contract,” *Social Text* no. 37 (Winter 1993): 173–181.
- “Clintonism, Welfare, and the Antisocial Wage: The Emergence of a Neoliberal Political Imaginary,” *Rethinking Marxism* vol. 6, no. 1 (1993): 9–23.
 Reprinted in German translation in *Das Argument*, no. 202 (November/December 1993): 875–890.
- Reprinted in *Marxism in the Postmodern Age: Confronting the New World Order*, ed. Antonio Callari, Stephen Cullenberg, and Carole Biewener (The Guilford Press, 1994), 493–505.
 Excerpted in *Arena Magazine* no. 5 (June/July 1993): 18–22.
 Reprinted in Italian translation in *Parolechiave* no. 5 (1994): 125–149.
- Nancy Fraser and Linda Gordon, “A Genealogy of ‘Dependency’: Tracing a Keyword of the US Welfare State,” *Signs: Journal of Women in Culture and Society*, vol. 19, no. 2 (Winter 1994): 309–336.
 Reprinted in *Reconstructing Political Theory: Feminist Perspectives*, ed. Mary L. Shanley and Uma Narayan (Polity Press, 1998).
 Reprinted in Romanian translation in the Romanian-language edition of *Reconstructing Political Theory: Feminist Perspectives*, ed. Mary L. Shanley and Uma Narayan (Polirom, 2001).
 Reprinted in *Rethinking the Political: Gender, Resistance, and the State*, ed. Johanna Brenner, Yesim Arat, and Barbara Laslett (University of Chicago Press, 1995), 33–60.
 Reprinted in *History and Theory: Feminist Research, Debates, Contestations*, ed. Barbara Laslett, et. al. (University of Chicago Press, 1997).
- Reprinted in German translation in *Kritische Justiz*, vol. 26, no. 3 (1993): 306–323.
 Reprinted in *Critical Politics: From the Personal to the Global*, ed. Paul James (Arena Publications, 1994), 77–109.
 An earlier version is published as a Working Paper of the Center for Urban Affairs and Policy Research, Northwestern University (Fall 1991 series), WP 91 - 21.
 Reprinted in *Behaving Ourselves: The Government of Conduct and the Formation of Persons*, ed. Pat O’Malley, Nikolas Rose, and Mariana Valverde (forthcoming).

- A revised version is published as “‘Dependency’ Demystified: Inscriptions of Power in a Keyword of the Welfare State,” *Social Politics*, vol. 1, no. 1 (1994): 4–31.
 Reprinted in *Contemporary Political Philosophy*, ed. Robert Goodin and Philip Pettit (Blackwell Publishers, 1997).
 Reprinted in *For Crying Out Loud: Women’s Poverty in the United States*, ed. Ann Withorn and Diane Dujon (South End Press, 1996).
 Reprinted in *Foundations of the Welfare State*, Volume II, ed. Robert E. Goodin and Deborah Mitchell (Edward Elgar, 2000), 407–434.
- Reprinted in *The Subject of Care: Feminist Perspectives on Dependency*, ed. Eva Feder Kittay and Eller K. Feder (NY: Rowman & Littlefield, 2002), 14–39.
 Reprinted in *New Critical Writings in Political Sociology*, ed. Kate Nash, Alan Scott, and Anna Marie Smith (London: Ashgate Publishing, 2009).
 Reprinted in *Social Work Research*, ed. Ian F. Shaw, Mark Hardy, and Jeanne Marsh (SAGE Publications 2015).
- “After the Family Wage: Gender Equity and the Welfare State,” *Political Theory*, vol. 22 no. 4 (November 1994): 591–618.
 An excerpt is published under the title “After the Family Wage: A Postindustrial Thought Experiment” in *Gender Dimensions of Global Carework*, ed. Mary K. Zimmerman, Jacquelyn S. Litt, and Christine E. Bose (Stanford University Press, 2006), 305–310.
- A revised version is published under the title “After the Family Wage: A Postindustrial Thought Experiment” in *Gender Struggles: Recent Writings in Feminist Philosophy*, ed. Constance L. Mui and Julien S. Murphy (Rowman and Littlefield, 2001).
- A revised version is published under the title “Gender Equity and the Welfare State: A Postindustrial Thought Experiment” in *Democracy and Difference: Contesting the Boundaries of the Political*, ed. Seyla Benhabib (Princeton University Press, 1996), 218–241. This version is also reprinted in Turkish translation in the Turkish edition of this volume.
 Reprinted in German translation in *Feministische Perspektiven der Politikwissenschaft*, ed. Kathrin Braun, Gesine Fuchs, Christiane Lemke and Katrin Töns (Munich/Vienna: Oldenbourg 2000), 195–215.
 Reprinted in German translation in *Politische Theorie: Differenz und Lebensqualität*, ed. Herta Nagl-Docekal and Herlinde Pauer-Studer (Suhrkamp Verlag).
- Reprinted in German translation in *Pathologien des Sozialen: Die Aufgaben der Sozialphilosophie*, ed. Axel Honneth (Fischer Verlag 1994), 351–376.
 Reprinted in *Gender and Citizenship in Transition*, ed. Barbara Hobson (Macmillan, 2000), 1–32.
- A revised version is published under the title “After the Family Wage: A Postindustrial Thought Experiment” in *Ethical Issues for the New Millennium*,

volume 4 of the *Wayne Leys Memorial Lectures, 1994–1999*, ed. John Howie (Southern Illinois University Press, 2002).

An abridged version is published in *Social Justice* vol. 21, no. 1 (Summer 1994): 80–85.

An earlier version appears as a Working Paper of the Center for Urban Affairs and Policy Research, Northwestern University.

Reprinted in *Foundations of the Welfare State*, Volume III, ed. Robert E. Goodin and Deborah Mitchell (Edward Elgar, 2000), 310–337.

A revised version is published under the title “After the Family Wage: A Postindustrial Thought Experiment” in *Gender and Justice*, ed. Ngaire Naffine (Ashgate Publishers, 2002).

A revised version is published under the title “After the Family Wage: A Postindustrial Thought Experiment” in *Social Ethics*, ed. Thomas A. Mappes and Jane S. Zembaty (McGraw-Hill, 2007).

An excerpt is published under the title “After the Family Wage: A Postindustrial Thought Experiment” in *Global Dimensions of Gender and Carework*, ed. Mary K. Zimmerman, Jacquelyn S. Litt, and Christine E. Bose (Stanford University Press 2006), 305–310.

A revised version is published in Ukrainian translation under the title “After the Family Wage: A Postindustrial Thought Experiment” in *Body, Image, Order: Interdisciplinary Approach in Gender Studies*, ed. S. Strätling, K. Mishchenko, O. Bondarenko (Kyiv: Medusa, 2014).

“Reinventing the Welfare State,” *The Boston Review* vol. XIX no. 1 (March 1994): 25–27. (The following issue contains replies by Lawrence M. Mead and Frances Fox Piven and a response to them by me).

A shorter version is published in *Women and Welfare Reform: Women's Poverty, Women's Opportunities, and Women's Welfare* (Institute for Women's Policy Research, 1994): 88–94.

“Politics, Culture, and the Public Sphere: Toward a Postmodern Conception,” *Social Postmodernism*, ed. Linda J. Nicholson and Steven Seidman (Cambridge University Press, 1995).

Reprinted in *Spheres of Influence*, ed. Alex Benchimol and Willy Maley (2007), 265–294.

Excerpted in Spanish translation in *Criteria: Revista Internacional de Teoría de la Literatura y las Artes*, no 36 (2009): 52–64.

“From Redistribution to Recognition? Dilemmas of Justice in a ‘Postsocialist’ Age,” *New Left Review*, no. 212 (July/August 1995): 68–93.

Reprinted in *Theorizing Multiculturalism: A Guide to the Current Debate*, ed. Cynthia Willett (Blackwell 1998), 19–49.

Reprinted in *Feminism and Politics*, ed. Anne Phillips (Oxford University Press, 1998), 430–460.

- Reprinted in Spanish translation in *New Left Review*, Spanish edition 0 (2000), 68–93 and in *Utopias*, nos. 176/177 (2000).
- Reprinted in Hebrew translation in *The Power of Property: Israeli Society in the Global Age*, ed. Dani Filc and Uri Ram (Tel Aviv: The Van Leer Jerusalem Institute and Hakibbutz Hameuchad Publishing House, 2004), 270–297.
- Reprinted in French translation in *Les Cahiers du GRIF* (Paris, forthcoming).
- Reprinted in Portuguese translation in *Democracia hoje: Novos Desafios para a Teoria Democrática*, ed. Jessé Souza (Editoria Universiadade de Brasília, 2001), 245–282.
- Reprinted in Japanese translation in *Associe* (special issue on “Globalization and Feminism, forthcoming).
- Reprinted in *Multicultural States: Rethinking Difference and Identity*, ed. David Bennett (Routledge, 1998)
- Reprinted in Bulgarian translation in *Kritika i humanism*, vol. 16, no. 2 (2003).
- Excerpted in *Marx and Modernity*, ed. Robert J. Antonio London: Blackwell Publishers, 2002), 379–386.
- Excerpted in *The New Social Theory Reader: Contemporary Debates*, ed. Jeffrey C. Alexander and Steven Seidman (London: Routledge, 2001), 285–293.
- Reprinted in Polish translation in *Współczesne teorie socjologiczne* (Current Sociological Theories), ed. Jerzy Szacki et al. (Warsaw: Wydawnictwo Naukowe, 2006).
- Reprinted in Russian translation in Introduction to Gender Studies, Part II, ed. S. Zherebkin. (Kharkov: Kharkov Center for Gender Studies, Saint-Petersburg: Aleteia publishers, 2001), 258–288.
- Reprinted in *Identity and Belonging: Rethinking Race and Ethnicity in Canadian Society*, ed. Hier and Bolaria (Canadian Scholars’ Press, 2006), 233–248.
- Reprinted in *Critical Theory and International Relations: A Reader*, ed. Steven C. Roach (Routledge, 2006).
- Reprinted in Danish translation in *Anerkendelspolitik*, ed. Michael Hviid Jacobsen and Rasmus Willig (University Press of Southern Denmark, 2008), 58–94.
- Reprinted in Portuguese translation in *Cadernos de Campo* no. 14/15 (2006): 231–239.
- Reprinted in *Contemporary Marxist Theory: An Anthology* (University of Minnesota Press, 2012).
- Reprinted in *Multicultural Education: Major Themes in Education*, ed. David Gillborn (Routledge, 2014).
- Reprinted in Norwegian translation in *Agora*, vol. 3 (2007).
- “Recognition or Redistribution? A Critical Reading of Iris Young’s *Justice and the Politics of Difference*,” *Journal of Political Philosophy*, vol. 3, no. 2 (June 1995): 166–180.

- Reprinted in *Political Philosophy Today*, ed. Robert Goodin and Chandran Kukathas (Blackwell, forthcoming).
- "A Rejoinder to Yvonne Zylan," *Signs: Journal of Women in Culture and Society*, vol. 21, no. 2 (Winter 1996)
- "Multiculturalism and Gender Equity: The US 'Difference' Debates Revisited," *Constellations* Vol. 3, no. 1 (April 1996): 61–72.
Reprinted in Spanish translation in *Revista de Occidente* No. 173 (November 1995): 35–55.
Reprinted in German translation in *Neue Rundschau* (forthcoming).
- A revised version is published under the title "Equality, Difference, and Radical Democracy: The US Feminist Debates Revisited" in *Radical Democracy*, ed. David Trend (Routledge, 1996).
- A revised version is published under the title "Equality, Difference and Democracy: Recent Feminist Debates" in *Resiting the Political: Feminism and the New Democracy*, ed. Jodi Dean (Sage, 1996).
- A revised version is published in Bulgarian translation in *General and Applied Culturology* (forthcoming).
- A revised version is published under the title "Multiculturalism, Antiessentialism, and Radical Democracy" in *Rethinking Poststructuralism*, ed. Matthew Titolo, Sharon Oster, and Steve Pfaff (University of Minnesota Press, forthcoming)
- A revised version is published under the title "Multiculturalism, Antiessentialism, and Radical Democracy" in *Thought Matters*, ed. John J. Stuhr (Oxford University Press, forthcoming)
- A revised version is published under the title "Multiculturalism, Antiessentialism, and Radical Democracy: A Genealogy of the Current Impasse in Feminist Theory," in *Theorizing Feminisms: North American Approaches in Context*, ed. Elizabeth Hackett and Sally Haslanger (Oxford University Press, 2005).
- A revised version is published in French translation in *Cahiers du Genre* no. 39 (2005): 27–50.
- "Communication, Transformation, and Consciousness-raising," in *Hannah Arendt and the Meaning of Politics*, ed. Craig Calhoun and John McGowan (University of Minnesota Press, 1997).
Reprinted in Japanese translation in *Jokyo* (special issue on "Hannah Arendt and America," forthcoming).
- "Social Justice in the Age of Identity Politics: Redistribution, Recognition and Participation," in *The Tanner Lectures on Human Values*, volume 19, ed. Grethe B. Peterson (The University of Utah Press, 1998), 1–67.
Posted on *Critical Quest* website at <<http://www.criticalquest.info>>
A revised and shortened version is published in Spanish translation in *Revista Internacional de Filosofía Política* no. 8 (December 1996): 18–40.

- A revised and shortened version is published in French translation in *Politique et sociétés* vol. 17, no. 3 (1998): 9–36.
- A revised and shortened version is published in Spanish translation in *Apuntes de Investigación (del Centro de Estudios en Cultura y Política, Buenos Aires)* vol. II, no. 2/3 (November 1998): 17–36.
- A revised and shortened version is published in Italian translation in *Iride*, vol. 12, no. 28 (1999): 531–547.
- Excerpted in *Centre for the Study of Democracy Bulletin* (Westminster University, London, 2000).
- A revised and shortened version is published in *Culture and Economy After the Cultural Turn*, ed. Andrew Sayer and Larry Ray (Sage Publications, 2001), 25–52.
- A revised and shortened version is published in Spanish translation in *Política, Identidad y Narración*, ed. Gustavo Leyva, (México: Consejo Nacional de Ciencia y Tecnología/Universidad Autónoma Metropolitana-Iztapalapa/Miguel Ángel Porrúa, 2003).
- A revised and shortened version is published in *Matters of Culture: Cultural Sociology in Practice*, ed. Roger Friedland, John W. Mohr, Jeffrey C. Alexander, and Steve Seidman (Cambridge University Press, 2004), 227–254.
- A revised and shortened version is published in French translation in *La Revue du MAUSS* (May 2004)
- A revised and shortened version is published in Norwegian translation in *Agora* vol. 4 (2009).
- “Social Justice at the Threshold of the Millennium,” to be published in Spanish translation in *En el Umbral del Milenio* (Lima Peru: forthcoming).
- “Another Pragmatism: Alain Locke, Critical ‘Race’ Theory, and the Politics of Culture,” in *The Revival of Pragmatism: New Essays on Social Thought, Law, and Culture*, ed. Morris Dickstein (Duke University Press, 1998), 157–175.
- Reprinted in *The Critical Pragmatism of Alain Locke: A Reader on Value Theory, Aesthetics, Community, Culture, Race and Education*, ed. Leonard Harris (Rowman and Littlefield, 1999).
- Reprinted in *The Philosophy of Race: Critical Concepts in Philosophy* (Routledge, 2011).
- Reprinted in Japanese translation in *SHISO* (2011 vol. 11, no. 931): 59–78.
- “A Rejoinder to Iris Young,” *New Left Review*, no. 223 (May/June 1997): 126–129.
- Reprinted in *Theorizing Multiculturalism: A Guide to the Current Debate*, ed. Cynthia Willett (Blackwell, 1998), 68–72.
- Reprinted in Spanish translation in *Utopias*, nos. 176/177 (2000).
- Reprinted in Italian translation in *Multiculturalismo*, ed. Francesco Fistetti (Turin: Utet Università, 2008).
- Reprinted in Portuguese translation in *Brazilian Journal of Political Science* (forthcoming).

- “Heterosexism, Misrecognition, and Capitalism: A Response to Judith Butler,” *Social Text*, 52/53, Vol. 15, nos. 3 and 4 (Fall/Winter 1997): 279–289.
 Reprinted in *New Left Review*, no. 228 (March/April 1998): 140–149.
 Reprinted in Turkish translation in *Cogito* no: 16 (Fall 1998) Yapi Kredi Publishing, Istanbul: 302–313.
 Reprinted in *Feminism: Critical Concepts*, ed. Mary Evans (Routledge 2000).
 Reprinted in Japanese translation in *Associe* (special issue on “Globalization and Feminism,” forthcoming).
 Reprinted in Spanish translation in *El Rodaballo*, vol. 6, no. 10 (verano 2000): 25–29.
 Reprinted in French translation in *Quel présent pour la critique sociale?* ed. Bruno Frère (Paris: Desclée de Brouwer, forthcoming).
- “A Future for Marxism,” *New Politics* vol. VI, no. 4 (Winter 1998): 98–101.
- “Rethinking Recognition: Overcoming Displacement and Reification in Cultural Politics,” *New Left Review* 3 (May/June 2000): 107–120.
 Reprinted in Spanish translation in *Cuestiones actuales de sociología del género*, ed. Rita Radl Philip (Madrid: National Center of Sociological Research, 2001).
 Reprinted in Swedish translation in *Agora Yearbook 2002*, ed. Ingemar Lindberg.
 Reprinted in *Recognition Struggles and Social Movements: Contested Identities, Agency and Power*, ed. Barbara Hobson (Cambridge University Press, 2003).
 Reprinted in Spanish translation in *Magazine of the National University*, Bogota, Colombia, (October 2004).
 Reprinted in Portuguese translation in *Direitos humanos na sociedade cosmopolita*, ed. César Augusto Baldi (Rio de Janeiro: Renovar, 2004), 601–621.
 Reprinted in German translation in *Anerkennung*, ed. Hans-Christoph Schmidt am Busch and Christopher Zurn (Suhrkamp Verlag, 2009).
 Reprinted in *The Philosophy of Recognition: Historical and Contemporary Perspectives*, ed. Hans-Christoph Schmidt am Busch and Christopher Zurn (Lexington Books/Rowman and Littlefield, 2010), 211–223.
 Reprinted in Italian translation in *Quaderni di Teoria Sociale* (July 2007).
- Reprinted in Danish translation in *Anerkendelspolitik*, ed. Michael Hviid Jacobsen and Rasmus Willig (University Press of Southern Denmark, 2008), 95–110.
- Reprinted in Italian translation in *Lettera internazionale* 97 (2008), 11–15.
 Reprinted in Italian translation in *Multiculturalismo*, ed. Francesco Fistetti (Turin: Utet Università, 2008).
 Reprinted in Italian translation in *Per amore del mondo* (forthcoming.)
- “Why Overcoming Prejudice is Not Enough: A Rejoinder to Richard Rorty,” *Critical Horizons* vol. 1 no. 1 (February 2000): 21–28.
 Reprinted in French translation in *Le monde de débats* (forthcoming).
 Reprinted in French translation in *Mouvements*, no. 12 (Nov–Dec 2000): 93–97.

- An expanded version is included in *The Philosophy of Richard Rorty (Library of Living Philosophers)*, ed. Randall Auxier and Lewis Hahn (Open Court, 2010).
- “Recognition without Ethics?” *Theory, Culture & Society* vol. 18, no. 2–3 (April–June 2001): 21–42.
- Reprinted in *The Culture of Toleration in Diverse Societies*, ed. Catriona McKinnon and Dario Castiliogne (Manchester University Press, 2003), 86–108.
- An earlier version is reprinted in *The Turn to Ethics*, ed. Marjorie Garber, Beatrice Hanssen, and Rebecca Walkowitz (Routledge, 2000), 95–126.
- A revised version is published as “Recognition as Justice: A Proposal for Avoiding Philosophical Schizophrenia” in *Law, Justice, and Power: Between Reason and Will*, ed. Sinkwan Cheng (Stanford University Press, 2004), 139–157.
- Reprinted in Portuguese translation in *Lua Nova*, no. 70 (2007): 101–138.
- Reprinted in German translation in *Selbstachtung und Anerkennung: Beiträge zur Begründung von Menschenwürde und Gerechtigkeit*, ed. Hennig Hahn (Weimar: Bauhaus-Universitätsverlag Verlag, 2005), 152–177.
- Reprinted in Italian translation in *Post-filosofia*, 2 (2006).
- Reprinted in Portuguese translation in *Teoria crítica no século XXI*, ed. Jessé Souza and Patrícia Mattos (São Paulo: Ed. Annablume, 2007), 113–140.
- Reprinted in *Power and Politics*, ed. Mark Haugaard and Stewart R. Clegg (SAGE Publications 2012).
- “Redistribution, Recognition, and Participation: Toward an Integrated Conception of Justice,” in *World Culture Report 2000, Cultural Diversity, Conflict and Pluralism* (UNESCO Publishing 2000), 48–57.
- Reprinted in *Multiculturalism in Contemporary Societies: Perspectives on Difference and Transdifference*, ed. Helmbrecht Breinig, J. Gebhardt, and K. Loesch (Erlangen, 2002), 69–90.
- Reprinted in French translation in *Cahiers du genre* (forthcoming).
- Reprinted in Portuguese translation in *Equality, Difference and Human Rights*, ed. Daniel Sarmiento, Daniela Ikawa and Flavia Piovesan (2008).
- “Integrating Redistribution and Recognition: On Class and Status in Contemporary Society” in *Culture and Enlightenment: Essays in Honor of Gyorgy Markus*, ed. John Grumley, Paul Crittenden, and Pauline Johnson (Aldergate Press, 2002).
- Reprinted in Portuguese translation in *Interseções: Revista de Estudos Interdisciplinares* (forthcoming).
- Reprinted in Spanish translation in *Política, Identidad y Narración*, ed. Gustavo Leyva (México: Consejo Nacional de Ciencia y Tecnología, Universidad Autónoma Metropolitana-Iztapalapa/Miguel Ángel Porrúa, 2003).

- “Feminist Politics in the Age of Recognition: A Two-Dimensional Approach to Gender Justice,” *Studies in Social Justice*, vol. 1, no. 1 (2007): 23–35.
 Reprinted in *Nivedini* (forthcoming).
 Reprinted in French translation in *Actuel Marx*, no. 30 (September 2001): 153–172.
 Reprinted in Portuguese translation in *Revista Estudos Feministas* (forthcoming).
 Reprinted in French translation in *Rapports Sociaux de Sexe*, ed. Annie Bidet-Mordrel (Presses universitaires de France, 2010), 123–141.
 Reprinted in Spanish translation in *Arenal: Revista de Historia de las Mujeres*, vol. 19, no. 2 (2012): 267–286.
- “Social Justice in Globalization: Redistribution, Recognition, and Participation,” reprinted in Portuguese translation in *Revista Crítica de Ciências Sociais*, no. 63 (2002): 7–20.
- “Toward a Nonculturalist Sociology of Culture: On Class and Status in Globalizing Capitalism,” in *The Blackwell Companion to the Sociology of Culture*, ed. Mark Jacobs and Nancy Hanrahan (London: Blackwell Publishers, 2004), 444–459.
 Reprinted in French translation in *Le tournant de la théorie critique*, ed. Bruno Frère (Paris, Desclée de Brouwer, 2014).
- “Institutionalizing Democratic Justice: Redistribution, Recognition, and Participation,” in *Pragmatism, Critique, Judgment: Essays for Richard J. Bernstein*, ed. Seyla Benhabib and Nancy Fraser (MIT Press, 2004).
- “Social Justice in the Knowledge Society,” invited keynote lecture at conference on the “Knowledge Society” (Heinrich Böll Stiftung, Berlin, 2001).
- “From Discipline to Flexibilization? Re-reading Foucault in the Shadow of Globalization,” *Constellations: An International Journal of Critical and Democratic Theory*, vol. 10, no. 2 (June 2003): 160–171.
 Reprinted in *Law and Social Theory*, a volume of *The International Library of Essays in Law and Society*, ed. Roger Cotterrell (London: Ashgate, 2006), 383–394.
 Reprinted in Japanese translation in *SHISO* (forthcoming in 2011).
- “Hannah Arendt in the Twenty-First Century,” *Contemporary Political Theory* 3 (2004): 253–261.
 Reprinted in German translation in *Politik und Verantwortung*, ed. Waltraud Meints and Katherine Klinger (Hannover: Offizin Verlag, 2004), 73–86.
- “Redistribution, Recognition, and Cross-Redressing,” in *Gender Inequality: Feminist Theories and Politics*, ed. Judith Lorber, 3rd edition (Los Angeles: Roxbury, 2005), 76–82.
- “Mapping the Feminist Imagination: From Redistribution to Recognition to Representation,” *Constellations: An International Journal of Critical and Democratic Theory*, vol. 13, no. 3 (September 2005): 295–307.

- Reprinted in German translation in *Gender in Motion*, ed. Dominique Grisard, Jana Häberlein, Anelis Kaiser, and Sybille Saxer (Campus Verlag, 2007), 259–290.
- Reprinted in *The Future of Gender*, ed. Jude Browne (Cambridge University Press, 2007), 17–34.
- Reprinted in Festschrift for Kumari Jayawardena, ed. Neloufer De Mel and Selvy Thiruchandran (New Delhi: Women Unlimited Delhi, forthcoming).
- Reprinted in German translation in *Die Neuverhandlung sozialer Gerechtigkeit: Feministische Analysen und Perspektiven*, ed. Ursula Degener and Beate Rosenzweig (VS Verlag, 2006).
- Reprinted in Portuguese translation in *Revista Estudos Feministas* vol. 15, no. 2 (2007): 291–308.
- Reprinted in Italian translation in *Lotte, riconoscimento, diritti*, ed. Antonio Carnevale and Irene Strazzeri (Perugia: Morlacchi University Press, 2011), 249–271.
- Reprinted in Bulgarian translation in *Kritika i humanism* (2009).
- Reprinted in Japanese translation in *Journal of Humanities and Social Sciences* (Shinshu University, March 2010): 85–104.
- “Democratic Justice in a Globalizing Age: Thematizing the Problem of the Frame,” in *Varieties of World-Making: Beyond Globalization*, ed. Nathalie Karagiannis and Peter Wagner (Liverpool: Liverpool University Press, 2006), 193–215.
- Reprinted in *Pragmatism and Globalization*, ed. Thomas Hilde (Rodopi, forthcoming).
- “Reframing Justice in a Globalizing World,” *New Left Review* 36 (November–December 2005): 69–88.
- Reprinted in German translation in *Staat ohne Verantwortung*, ed. Ludiger Heidbrink and Afred Hirsch (Campus Verlag, 2008), 343–372.
- Reprinted in German translation in *Transnationale Menschenrechte: Schritte zu einer weltweiten Verwirklichung der Menschenrechte*, ed. Ingo Richter (Verlag Barbara Budrich, 2008), 85–104.
- Reprinted in *Global Inequality: Patterns and Explanations*, ed. David Held and Ayse Kaya (Polity Press, 2006), 252–272.
- Reprinted in Italian translation in *Filosofia e questioni pubbliche* vol. 10, no. 2 (2005): 13–33.
- Reprinted in *The Politics of Recognition: Explorations of Difference and Justice*, ed. Baukje Prins and Judith Vega (forthcoming).
- Reprinted in *Nationalism and Global Solidarities: Alternative Projections in the ‘Age of Globalization,’* ed. James Goodman and Paul James (Routledge, 2007), 168–186.
- Reprinted in Spanish translation in *Este País* (March 2006).
- Reprinted in *(Mis)Recognition, Social Inequality and Social Justice: Nancy Fraser and Pierre Bourdieu*, ed. Terry Lovell (Routledge, 2007), 17–35.

- Reprinted in Polish translation in *Krytyka Polityczna* (forthcoming).
- Reprinted in Spanish translation in *Derecho y Sociedad* (forthcoming).
- Reprinted in English and in Spanish translation in Proceedings of XXII World Congress of Philosophy of Law and Social Philosophy (Granada: AKAL Ediciones, 2006).
- Reprinted in Korean translation and in English in *BOL*, no. 4 (Insa Art Space, Arts Council Korea, Winter 2006): 4–52.
- Reprinted in *Recognition in Politics: Theory, Policy and Practice*, ed. Julie Connolly, Michael Leach, and Lucas Walsh (Newcastle UK: Cambridge Scholars Press, 2007), 16–36.
- Reprinted in *Inclusion and Diversity in Education*, ed. Peter Hick and Gary Thomas (Sage, 2008), 180–195.
- Reprinted in Portuguese translation in *Lua Nova* no. 77 (2009).
- Reprinted in Hungarian translation *Discrimination and Equal Chances in the Labor Market*, ed. Agnes Kover (forthcoming).
- “Transnationalizing the Public Sphere: On the Legitimacy and Efficacy of Public Opinion in a Postwestphalian World,” *Theory, Culture & Society*, vol. 24, no. 4 (2007): 7–30.
- Reprinted in *International Communication*, ed. Daya K. Thussu (SAGE Publications, 2012).
- Reprinted in *The Public Sphere*, ed. Jostein Gripsrud, Graham Murdock and Anders Molander (Sage, 2010).
- Reprinted in *Identities, Affiliations, Allegiances*, ed. Seyla Benhabib, Ian Shapiro, and Danilo Petranovic (Cambridge University Press, 2007), 45–66.
- Reprinted in German translation in *Anarchie der kommunikativen Freiheit. Jürgen Habermas und die Theorie der Internationalen Politik*, ed. Peter Niesen & Benjamin Herborth (Frankfurt am Main: Suhrkamp Verlag, 2007), 231–260.
- Reprinted in Italian translation in *Rivista delle Politiche Sociali* (forthcoming).
- Reprinted in *Ashgate Library of Essays on Philosophers and Law*, ed. Hugh Baxter (Ashgate 2015)
- An earlier version is published in *Globalizing Critical Theory*, ed. Max Pensky (Totowa NJ: Rowman & Littlefield, 2005), 37–47.
- The earlier version is reprinted in German translation in *Publicum: Theorien der Öffentlichkeit*, ed. Gerald Raunig and Ulf Wuggenig (Vienna and Turin: Republicart, Band 4, 2005), 18–30.
- The earlier version is posted on-line at www.republicart.net.
- The earlier version is reprinted in Slovene translation in *Teorija in praksa* vol. 43, nos. 1–2 (2006): 276–284.
- Reprinted in Portuguese translation in *Tratado de Direito Constitucional*, volume 2 *Constituição no Século XXI Contemporâneas*, ed. Felipe Dutra Asensi e Daniel Giotti de Paula (Elsevier, 2014), 78–98.

- “Identity, Exclusion, and Critique: A Response to Four Critics,” *European Journal of Political Theory* vol. 6, no. 3 (2007): 305–338.
- “Abnormal Justice,” *Critical Inquiry* vol. 34, no. 3 (2008): 393–422.
 Reprinted in Italian translation in *Lo spazio sociale della ragione: Da Hegel in avanti*, ed. L. Ruggiu and I. Testa, (Milano: Guerini, 2007).
 Reprinted in German translation in *Gerechtigkeit in Europa: Transnationale Dimensionen einer normativen Grundfrage*, ed. Helmut König, Emanuel Richter and Sabine Schielke (Bielefeld: transcript-Verlag, 2008), 41–80.
 Reprinted in Anthony Appiah, Seyla Benhabib, Iris Marion Young, and Nancy Fraser, *Justice, Governance, Cosmopolitanism, and The Politics Of Difference: Reconfigurations in a Transnational World*, introduction by Guenter H. Lenz and Antje Dallmann. Oeffentliche Vorlesungen, Distinguished W.E.B. Du Bois Lectures 2004/2005 (Berlin: Humboldt-Universitaet, 2007).
 Reprinted in Chinese translation in *International Studies of Social Science*, vol.11 (January 2008): 61–79.
 Reprinted in *Pragmatism and Justice*, ed. Chris Voparil, David Rondel and Susan Dieleman (Oxford University Press, forthcoming).
 Reprinted in Portuguese translation in *Direitos Humanos Fundamentais, Revista Mestrado em Direito*, vol.12, no. 2 (2012): 29–64.
 Reprinted in Portuguese translation in *Revista da Faculdade de Direito da Universidade de São Paulo*, vol. 108 (2013): 739–768.
- “Feminism, Capitalism, and the Cunning of History,” *New Left Review* 56 (March-April 2009): 97–117.
 Reprinted in Chinese translation in *World Philosophy*, no. 2 (2009).
 Reprinted in Swedish translation in *Häften för Kritiska Studier* (forthcoming).
 Reprinted in German translation in *Blätter für deutsche und internationale Politik* vol. 54, no. 8 (2009): 43–57.
 Reprinted in German translation in *Das Ende des Kasino Kapitalismus? Globalisierung und Krise*, ed. Blätter für deutsche und internationale Politik (Edition Blätter, 2009), 86–100.
 A revised version is reprinted in German translation in *Sozialphilosophie und Kritik*, ed. Rainer Forst and Martin Saar (Frankfurt: Suhrkamp Verlag, 2009).
 Posted online in Turkish translation in *Kültür ve Siyasette Feminist Yaklaşımlar*, no. 9 (October 2009) at <http://www.feministyaklasimlar.org/index.php?act=in>.
- Reprinted in Spanish translation in *New Left Review* (Spanish edition): 87–104.
 Reprinted in French translation in *Cahiers du Genre* numéro 50 (2011).
 Reprinted in Czech translation in *Gender, rovné příležitosti, výzkum* vol. 10, no. 2 (2009): 1–9.
 Reprinted in Portuguese translation in *Mediações*, vol. 14, no. 2 (forthcoming in 2009).

- Reprinted in Italian translation in *Fondazione Giangiacomo Feltrinelli, 1949–2009, a 60 anni dalla nascita del suo progetto* (Fondazione Giangiacomo Feltrinelli, 2009), 95–121.
- Reprinted in Japanese translation in *Hogaku Shirin*, vol. 109, no. 1 (2011).
- Reprinted in Turkish translation in *Neoliberalizm ve Feminizm Üzerine Feminist Düşünceler*, ed. Aynur Özügürlü (Ankara: Note Bene, 2012).
- Reprinted in *Citizenship Rights*, ed. Jo Shaw and Igor Štiks (Ashgate, 2013).
- Reprinted in *Feminist Theory: A Reader*, 4th edition, ed. Wendy K. Kolmar and Frances Bartowski (McGraw-Hill, 2012).
- Reprinted in Hebrew translation in *Gender and Capitalism: Feminist Encounters With Market Culture*, ed. Dana Olmert, Ronna Brayer-Garb, Orna Coussin and Yofi Tirosh (Jerusalem: The Van Leer Jerusalem Institute, forthcoming).
- Reprinted in Persian translation by Farzaneh Raji in *Zamaneh*. Accessible online at: <http://www.radiozamaneh.com/229492>.
- “Injustice at Intersecting Scales: On ‘Social Exclusion’ and the ‘Global Poor,’” *European Journal of Social Theory* 13, 3 (2010): 363–371.
- “Öffentlichkeit,” in *Habermas-Handbuch: Leben – Werk – Wirkung*, ed. Hauke Brunkhorst, Regina Kreide, Cristina Lafont (Stuttgart/Weimar: Verlag J.B. Metzler, 2009), 148–155.
- Reprinted in Chinese translation in volume (Beijing: Social Sciences Academic Press, forthcoming).
- Reprinted in English in *The Habermas Handbook: Life, Work, Impact*, ed. Hauke Brunkhorst, Regina Kreide, Cristina Lafont (Columbia University Press, forthcoming).
- “Who Counts? Dilemmas of Justice in a Postwestphalian World,” in *The Point is to Change It*, ed. Melissa W. Wright, Wendy Larner, Nik Heynen, Paul Chatterton, and Noel Castree, 40th anniversary issue and special volume of *Antipode* vol. 41, no. 6 (2010).
- Reprinted in German translation in Proceedings of the Congress of the German Sociological Association (forthcoming).
- Reprinted in French translation in *Rue Descartes* no. 67 (2010).
- Reprinted online in English and in French, Arabic, and Turkish translations in *Transeuropéennes* (2010) at <http://www.transeuropeennes.eu>.
- Reprinted in Spanish translation in *Anales de la Cátedra Francisco Suárez* vol. 44 (2010): 311–328.
- “Feminist Ambivalence and Capitalist Crisis: Between Marketization, Social Protection and Emancipation,” published in French translation in *Revue de l’OFCE* n° 114 (July 2010): 11–28.
- Reprinted in French translation in *Les discriminations entre les femmes et les homes*, ed. Françoise Milewski (Presses de Sciences Po, 2011).
- Reprinted in Portuguese translation in *DIREITO GV* (forthcoming).

“Marketization, Social Protection, Emancipation: Toward a Neo-Polanyian Conception of Capitalist Crisis,” in *Business as Usual: The Roots of the Global Financial Meltdown* (Volume I of Possible Futures book series), ed. Craig Calhoun and Georgi Derlugian (NYU Press, 2011), 137–158.

Reprinted in French translation in *Socioéconomie et démocratie: l'actualité de Karl Polanyi*, ed. Isabelle Hillenkamp, and Jean-Louis Laville (Éditions érès, 2013), 39–64.

A shorter version is reprinted in Italian translation in *La società degli individui* vol. 40, no. 1 (2011): 151–170.

A shorter version is reprinted in Spanish translation in Robin Blackburn, Nancy Fraser, Gøran Therborn, and Rene Ramírez G., *Nuevas Fronteras de la Izquierda* (Quito, Ecuador: Instituto de Altos Estudios Nacionales, 2013), 97–113.

A revised version is published in Spanish translation as “Reflexiones en torno a Polanyi y la actual crisis capitalista,” *Papeles de relaciones ecosociales y cambio global* no. 118 (2012): 13–28.

“Kritische Theorie im neuen Strukturwandel der Öffentlichkeit.” *Forschungsjournal Neue Soziale Bewegungen*, vol. 23, no. 3 (2010).

“Social exclusion, global poverty, and scales of (in)justice: Rethinking law and poverty in a globalizing world,” *Stellenbosch Law Review* 3 (2011): 452–462.

“Two Dogmas of Egalitarianism,” in Swedish translation in *Tiden* (forthcoming).

“Tales from the Trenches: On Women Philosophers, Feminist Philosophy, and SPEP,” *Journal of Speculative Philosophy*, vol. 26, no. 2 (2012): 175–184.

“On Justice: Lessons from Plato, Rawls and Ishiguro,” *New Left Review* 74 (March–April 2012): 41–51.

Reprinted in French translation in *Socio*, vol 1, no. 1. (2013): 121–134.

French translation posted online “en guise de bonnes feuilles” by *Mediapart* (April 7, 2013) at: <http://www.mediapart.fr/article/offert/bddd0555428814254flcee404637733f>.

Japanese translation posted online by Freeter Union Fukuoka at: <http://fnfuokuoka.jugem.jp/?eid=468> (April 2013).

A shortened version is reprinted in Norwegian translation in *Klassenkampen* vol. 45, no. 178 (August 6, 2013): 12–15.

Reprinted in Portuguese translation in *Revista Brasileira de Ciência Política*, no. 15 (setembro - dezembro de 2014): 265–277.

Reprinted in bilingual Catalan/English edition as a booklet in the Breus Collection of the Centre de Cultura Contemporània de Barcelona, no. 57 (2012).

“Can Society be Commodities all the Way Down?” *Economy and Society*, vol. 43, no. 4 (2014): 541–558.

Reprinted in German translation in *Blätter für deutsche und internationale Politik* (September 2012).

- Reprinted in Swedish translation in *Tiden* (forthcoming in September 2012). A shortened version is reprinted in Spanish translation in *Reinventar la izquierda en el siglo XXI*, ed. José Luis Coraggio and Jean-Louis Laville (Quito: IEAN, 2015). This version will also appear in the forthcoming French and Japanese translations of this book.
- This essay is published as a Working Paper on the website of the Fondation Maison des sciences de l'homme/Collège d'études mondiales (2012): http://halshs.archives-ouvertes.fr/docs/00/72/50/60/PDF/FMSH-WP-2012-18_Fraser2.pdf
- Reprinted in *Common Growl: Toward a Poetics of Community*, ed. Thomas Claviez (Fordham University Press, 2016), 139–158.
- Reprinted in Russian translation in *Sociologica*, no. 3 (2013): 50–61.
- Reprinted online in Polish translation by Feminist Think Tank Online Library at: <http://www.ekologiasztuka.pl>
- “A Triple Movement? Parsing the Politics of Crisis after Polanyi,” *New Left Review* 81 (May–June 2013): 119–132.
- Reprinted in Spanish translation in *New Left Review* (Spanish edition) 81 (julio agosto 2013): 125–139.
- Reprinted in Spanish translation in *Papeles de relaciones ecosociales y cambio global* no. 118 (2012): 13–28.
- A shortened version is reprinted in *Es Recht*, Luxemburg Gesellschaftsanalyse und Linke Praxis 2 (2013): 143–141.
- Reprinted in Chinese translation in *Foreign Theoretical Trends* (forthcoming).
- Reprinted in German translation in *Beyond Neoliberalism: Social Analysis after 1989*, ed. Marian Burchardt and Gal Kirn (Palgrave Macmillan 2017).
- “Feminism’s Two Legacies: A Tale of Ambivalence,” *South Atlantic Quarterly* (2015). Revised and reprinted in *Revisiting the Sixties: Interdisciplinary Perspectives on America’s Longest Decade*, ed. Laura Bieger and Christian Lammert (Frankfurt/M.: Campus, Fall 2013).
- Reprinted in Spanish translation in *Handbook of essential texts of contemporary feminism* (Fondo de Cultura Económica, forthcoming).
- “Publicity, Subjection, Critique: A Reply to My Critics,” in *Transnationalizing the Public Sphere: Nancy Fraser debates her Critics*, ed. Kate Nash (Polity Press, 2014). Excerpted online under the title, “Against Anarchism,” at: <http://www.publicseminar.org/2013/10/against-anarchism/#.UIXSISvXQo>.
- “An Exceptional Feminism?,” preface to *Injusticias de genero en un mundo globalizando: conversaciones con la teoría de Nancy Fraser*, ed. María Antonia Carbonero Gamundí (Rosario, Argentina: Homo Sapiens Ediciones, 2013).
- “Behind Marx’s Hidden Abode: For an Expanded Conception of Capitalism,” *New Left Review* 86 (2014): 55–72.
- Available in Romanian translation at: www.platzforma.md Platzforma Revista de atitudine website

- Reprinted in German translation as “Krise, Kritik und Kapitalismus,” in *Transit: Europäische Revue* 46 (Winter 2014/2015): 92–115.
- Reprinted in bilingual Catalan/English edition under the title “Repensar el Capitalisme,” as a booklet in the Breus Collection of the Centre de Cultura Contemporània de Barcelona, no. 70 (September 2014).
- Reprinted in Norwegian translation in special combined “Grand Theory” issue of *Morgenbladet* and *Samtiden* (forthcoming).
- Reprinted in Portuguese translation in *Revista Direito E Práxis* 6, 10 (2015): 704–728.
- Reprinted in Bulgarian translation in *Critique & Humanism*, 43, 1–2 (2014): 255–274.
- Reprinted in Japanese translation in *The Journal of Ohara Institute for Social Research*, no. 683684 (September, 2015): 7–20.
- Reprinted in *Critical Theory in Critical Times*, ed. Penelope Deutscher and Cristina Lafont (Columbia University Press, forthcoming).
- Reprinted in Japanese translation in *Toward a Social Nation in the 21st Century*, ed. Yoshio Miyake and Daisuke Kataoka (Junposha, forthcoming).
- Reprinted in Chinese translation in *Social Sciences Abroad*, no. 3 (2015): 76–85.
- “The Fate of Equality in a Financializing World,” in *Justice, Criticism, and Politics in the 21st Century. Working with Nancy Fraser*, ed. Mario Greco and Eduardo Rojas (Argentina: UNSAM, forthcoming).
- A shorter version is published under the title “The Fate of Equality: Whither Feminism?” in *Bulletine: Utgit av Senter for Tverfaglig Kjønnforskning* (Universitetet i Oslo, 2015).
- “Legitimation Crisis? On the Political Contradictions of Financialized Capitalism,” *Critical Historical Studies* vol. 2, no. 2 (2015): 1–33.
- Reprinted in French translation in *Les perspectives de la démocratie face aux transformations du capitalisme. Un dialogue avec Jürgen Habermas*, ed. Jean-François Kervégan and Isabelle Aubert (forthcoming).
- “Hegemony as Capitalist Strategy: For a Neo-Marxian Critique of Financialized Capitalism,” published in Spanish translation in *Debates y Combates* 8 (October 2015).
- Reprinted in French translation in *Hégémonie, populisme, émancipation: perspectives sur la philosophie d’Ernesto Laclau*, ed. Rada Ivekovic, Diogo Sardinho, and Patrice Vermeren (forthcoming).
- “Exploitation and Exploitation in Racialized Capitalism: A Reply to Michael Dawson,” *Critical Historical Studies* (Spring 2016): 163–178.
- “Enrichment: The New Form of Capitalism? A Reply to Boltanski and Esquerre,” *Teoria politica, Nuova Serie* VI (2016): 307–313.
- “Contradictions of Capital and Care,” *New Left Review* 100 (2016): 99–117.
- Delivered in French as the 38th annual Marc Bloch Lecture of the École des hautes études en sciences sociales; French text is posted online at: <https://>

www.ehess.fr/sites/default/files/pagedebase/fichiers/2016-conference-marc-bloch.pdf.

Video of lecture is posted online at: <https://www.ehess.fr/fr/media/38e-conference-marc-bloch-contradictions-sociales-capitalisme-nancy-fraser>

A revised version is published as "Crisis of Care? On the Social-Reproductive Contradictions of Contemporary Capitalism," in *Mapping Social Reproduction Theory*, ed. Tithi Bhattacharya (Pluto Books, forthcoming).

V. ESSAYS IN JOURNALS OF OPINION

"Postcommunist Reflections," *Dissent* (Fall 1999): 20–21.

Reprinted as "Postcommunist Democratic Socialism?" in *After the Fall: 1989 and the Future of Freedom*, ed. George Katsiaficas (Routledge, 2001), 200–202.

"Was ist gerecht?" *Die Tageszeitung*, nr. 17 398 (Sunday, 5 May 2001): 27.

"Frauen, denkt ökonomisch!" *Die Tageszeitung*, nr. 7633 (April 7, 2005): 4–5.

Reprinted in scientist's newsletter of the women's representative of the Freie Universitaet Berlin.

"Bourdieu: Une réflexion pour l'ère postindustrielle," *Le monde* (January 24, 2012). http://www.lemonde.fr/idees/article/2012/01/23/une-reflexion-pour-l-ere-postindustrielle_1632567_3232.html.

"Égalité, identités et justice sociale," *Le monde diplomatique* no. 699, 59th year (June 2012): 3. <http://www.monde-diplomatique.fr/2012/06/FRASER/47885>.

Reprinted in English in *Logos*, vol 11, no. 2–3 (summer 2012): http://logosjournal.com/2012/spring-summer_fraser/.

"How feminism became capitalism's handmaiden - and how to reclaim it," *The Guardian*, Monday 14 October 2013, print edition and online (with 500 responses) at: http://www.theguardian.com/commentisfree/2013/oct/14/feminism-capitalist-handmaiden-neoliberal?CMP=tw_t_gu.

Reposted online in Spanish translation at: <http://www.redseca.cl/>.

Reposted online in Italian translation at: <http://www.communianet.org>.

Also reposted online (with responses) in Italian translation at: <http://quaderni.sanprecario.info/2013/10/come-il-femminismo-divenne-ancella-del-capitalismo-di-nancy-fraser/>.

Reprinted in German translation in *Blätter für deutsche und internationale Politik* 12 (2013): 29–31.

Reposted online in Japanese translation at: <http://thirdfemi.exblog.jp/23471355/>.

"Democracy's Crisis," speech at Erasmus University Rotterdam on 7 November 2014 on receipt of an honorary doctorate, posted online at: <http://www.publicseminar.org/2014/11/democracys-crisis/#.VHOSQ4fy3Qo>.

Reprinted in Chinese translation in *Social Science Front* (forthcoming).

Andrew Arato and Nancy Fraser, "American Elections: A Dialogue on the Left," *Public Seminar* <http://www.publicseminar.org/2016/09/american-elections-a-dialogue-on-the-left/>.

Reposted online in Spanish translation at: <http://www.redseca.cl/>.

VI. INTERVIEWS

- "Gespraech mit Nancy Fraser," *die heute* (1996).
- "Dudas del postsocialismo: Entrevista con Nancy Fraser," by Luzdary Ayala V., *El Spectador* (domingo, 9 de noviembre 1997): 21–A.
- "Keine Kulturelle Anerkennung ohne Sozial Umverteilung: Anette Baldauf im Gespraech mit Nancy Fraser," *FrauenZeitung* Nr. 6 (Jaenner 1998).
- "Es geht nicht darum, Frauen zu Maennern zu machen: Nancy Fraser über Chancengleichheit im Zeitalter politischer Nullsummenspiele," *Frankfurter Rundschau* (Montag 9 Februar 1998): 7.
- "Izquierda del 2000: Entrevista con Nancy Fraser," *Caretas* (Abril 30, 1998): 45.
- "De como ser iguales pero diferentes y viceversa: Justicia social y redistribucion en los nuevos movimientos sociales: Entrevista con Nancy Fraser," *Cuestion de Estado* no. 23 (December 1998): 20–23.
- "Not Making a Virtue of Necessity: Nancy Fraser on 'Postsocialist' Politics," interview with Pam Alldred, in *Storming the Millennium: The New Politics of Social Movements*, ed. Tim Jordan and Adam Lent (Lawrence and Wishart, 1999), 127–139.
- "Interview with Nancy Fraser," by Serra Ciliv, *Cogito* (Istanbul, forthcoming).
- "Gespraech mit Nancy Fraser," by Alexandra Scheele, *Femina Politica: Zeitschrift für Politik-Wissenschaft*, vol. 11, no. 1 (Berlin, 1999).
- "Entretien avec Nancy Fraser," by Hughes Jallon, Yves Sintomer, and Stephen Wright, *Mouvements* (November–December, 1999).
- "Politics and Philosophy: An Interview with Nancy Fraser," by Jeffrey J. Williams, *the minnesota review* 50–51 (Oct 1999): 143–159.
- Reprinted in *Critics at Work: Interviews 1993–2003*, ed. Jeffrey J. Williams (NYU Press, 2004), 202–221.
- "Il Novecento? Donne offese ma vicenti: L'intervista con Nancy Fraser: I crimini sono emersi la lagge non risolve tutto," by Gabriella Mecucci, *L'Unita* (17 March 2000): 8.
- "Linking the Cultural Left and the Social Left: Interview with Nancy Fraser," *Soundings*, no. 15 (Summer 2000): 12–26.
- Reprinted in French translation in *Pensées critiques. Dix itinéraires de la revue Mouvements, 1998–2008* (Paris, La Découverte, 2009).
- "Radical Academia, Critical Theory and Transformative Politics: An Interview with Nancy Fraser," *Imprints: A Journal of Analytical Socialism*, vol. 4, no. 3 (Spring 2000): 197–212.

- “El feminismo en la era de la globalización: Entrevista con Nancy Fraser,” by Ana Ines Larre Borges, *Brecha*, vol. 16, no. 783 (December 1, 2000): 14–15.
- “Redistribución y reconocimiento en la sociedad postsocialista: Entrevista a Nancy Fraser,” by María Luisa Femenias and Maria C. Spadero, *MORA: Revista del Instituto Interdisciplinario de Estudios de Género*, 8 (2002): 115–121.
- “The Age of Recognition: An Interview with Nancy Fraser,” in *In welcher Gesellschaft leben wir eigentlich?* Band 3, ed. Armin Pongs (München: Dilemma Verlag, 1999).
- “Théorie de la société et théorie de la justice: Entretien avec Nancy Fraser,” by Estelle Ferrarese, *Variations* n°4 (automne 2003): 2–24.
- “Interview with Nancy Fraser,” by René Gabriëls and Yolande Jansen, *KRISIS* (Amsterdam, in Dutch translation, forthcoming). Reprinted in German translation in *Polar* (February 2005): 48–50.
- “Erkend als vrouw, niet als mens: Interview met Nancy Fraser,” by Annette van der Elst, *Filosofie Magazine* 12:8 (October 2003): 12–15.
- “Terug naar sociale gelijkheid: Rechtvaardigheid volgens Nancy Fraser,” by Annemie Halsema, *Lover: Tijdschrift over feminisme, cultuur en wetenschap*, 30:3 (2003): 26–28.
- “To Interpret the World and To Change It: An Interview with Nancy Fraser,” by Nancy Fraser and Nancy A. Naples, *Signs: Journal of Women in Culture and Society*, vol. 29, no. 4 (Summer 2004): 1103–1124.
- “Redistribution, Recognition and Representation in Capitalist Global Society: An interview with Nancy Fraser,” by Hanne Marlene Dahl, Pauline Stoltz, and Rasmus Willig, *Acta Sociologica* 47 (2004): 374–382. Reprinted in Danish translation in *Kvinder, Køn & Forskning* 4 (2005): 7–16.
- “Towards Global Justice: Interview with Nancy Fraser,” by Marek Hrubec, *Politologicka revue* 2 (2004): 147–160.
- “The Darkest Times and the Urgent Need for Meta-Politics: Interview with Nancy Fraser,” by Alexandra Scheele, *femina politica*, vol. 14, no. 1 (2005): 106–116.
- “Gespraech mit Nancy Fraser,” by Antonia Kupfer, *Österreichische Zeitschrift für Soziologie*, no 3 (2005).
- “The Politics of Framing: An Interview with Nancy Fraser,” by Kate Nash and Vikki Bell, *Theory, Culture & Society* 24,4 (2007): 73–86.
- “Los derechos de la mujer son derechos humanos: Entrevista con Nancy Fraser,” by Ana Mariani, *La Voz del Interior*, Cordoba, Argentina, Domingo, 29 Octubre 2006: C10.
- “La justicia en tres dimensiones. Entrevista con Nancy Fraser,” by Sonia Arribas and Ramón del Castillo, *Minerva* n° 6, October, 2007 (Madrid: Círculo de Bellas Artes).
- “Social Rights And Gender Justice in the Neoliberal Moment: A Conversation about Gender, Welfare, And Transnational Politics. An Interview with Nancy

- Fraser," Nancy Fraser with Kate Bedford, *Feminist Theory* 9, 2 (2008): 225–246.
 Reprinted in Spanish translation in *La Época* (April 27, 2010).
 Reprinted in Chinese translation in *Foreign Theoretical Trends* (2014.2, February).
- "Interview with Nancy Fraser," by Monika Bobako, *Krytyka Polityczna*.
- "Fra omfordeling til identitet og tilbage igen" (interview with Nancy Fraser), by Eva Eistrup, *Dagbladet Information*, vol. 64, no. 003 (January 3, 2008); available at: <http://information.dk/152560>.
- "Ahora no podemos esperar a un líder americano para constsruir el mundo," by Carlos Mulet, *Diario de Mallorca* (10 de diciembre 2007): 22.
- "Justicia 'anormal' en un mundo en globalización: Entrevista a Nancy Fraser," by Joaquín Valdivielso, *Revista Internacional de Filosofía Política* no. 30 (2007). pp. 91–100.
- "Ein lebendige und aggressive Frauenbewegung—Ein Gespräch mit Nancy Fraser," by Tom Gebhardt, *Mallorca Zeitung*, no. 402 (17, January 2008): 38–39.
- "Emancipation is not an 'all or nothing' affair: Interview with Nancy Fraser," by Marina Liakova, *Kritika i humanism*, vol. 26 (2008): 207–222.
 Posted online by *Eurozine* in English at <http://www.eurozine.com/articles/2008-08-01-fraser-en.html> and in French at <http://www.eurozine.com/articles/2009-04-21-fraser-fr.html>.
- "La justicia como redistribución, reconocimiento y representación: Entrevista con Nancy Fraser," by Martha Palacio Avendaño, *Barcelona Metropolis*, no. 74 (Spring 2009): 16–24.
 English translation posted online at: <http://mrzine.monthlyreview.org/2009/fraser160509.html>.
- "Classe, sesso, diritti: l'unità della giustizia," interview with Nancy Fraser by Giuliano Battiston, *Liberazione*, 3 dicembre 2008: 12–13 (culture section).
 Reprinted in *MicroMega*, no. 6(2009). Also posted online at: <http://temi.repubblica.it/micromega-online/micromega-62009-il-sommario-del-nuovo-numero-in-edicola-da-venerdi-27-novembre/>.
 Reprinted as "Le scale di giustizia dell'epoca post-westfaliana," in *Per un'altra globalizzazione: interviste di Giuliano Battiston* (edizione dell'asino, 2010): 41–53.
- "Reflections: Interview with Nancy Fraser," by Amrita Chhachhi, *Development and Change*, 42 (2011): 297–314.
- "Les dilemmas de la justice: Entretien avec Nancy Fraser," by Catherine Halpern, *Sciences humaines*, no. 203 (April 2009): 30–33. Reprinted in *Philosophies et pensées de notre temps* (Paris: *Éditions Sciences Humaines*, 2012). Reprinted in *La Reconnaissance: des revendications collectives à l'estime de soi* (Paris: *Éditions Sciences Humaines*, 2013): 59–65.
- "Interview with Nancy Fraser," by Mine Yildirim, *Express* (Istanbul, forthcoming).

- “Interview with Nancy Fraser,” by Ozlem Aslan, et. al., *Kültür ve Siyasette Feminist Yaklaşımlar* (Istanbul, forthcoming).
- “Interview with Nancy Fraser,” by Niccolo Milanese, *Europa: Democracy, Equality, Culture beyond the Nation State* (May 2009): 16–17.
- “Er drømmen allerede forbi?” by Rune Lykkeberg, *Information*, January 24, 2010, and online at: <http://www.information.dk/222286>.
- “Feminism and Neoliberalism: An interview with Nancy Fraser,” by Sasha Lilley, “Against the Grain,” WKPA Radio, San Francisco (broadcast on January 27, 2010); also available online at: <http://www.againstthegrain.org/program/274/id/041516/wed-1-27-10-feminism-and-neoliberalism>.
- “Recognition and Respect: Interview with Nancy Fraser,” by Nigel Warburton, in *Multiculturalism Bites*, Open University; accessible via iTunes at: <http://itunes.apple.com/itunes-u/multiculturalism-bites-audio/id449122394>.
An edited version is published in *Philosophy Bites Again*, ed. David Edmonds and Nigel Warburton (Oxford University Press, 2014).
- “Global Justice and the Renewal of Critical Theory: Dialogue with Alfredo Gomez-Muller and Gabriel Rockhill,” in *Politics of Culture and the Spirit of Critique: Dialogues* (Columbia University Press, 2011), 66–80.
Reprinted in French translation in *Revue Internationale des Livres et des Idées* (3–4/2009).
Reprinted in Spanish translation in Seyla Benhabib, Judith Butler, Nancy Fraser, Will Kymlicka, Michael Sandel, Immanuel Wallerstein and Cornel West, *La teoría crítica en Norteamérica: Política, ética y actualidad, Dialogos con Alfredo Gomez-Muller y Gabriel Rockhill* (La Carreta, 2008), 87–105.
Reprinted in French translation Paris: Editions du Félin, 2009).
Posted in English and in French online on website of *Eurozine*: <http://www.eurozine.com/articles/2009-04-21-fraser-en.html>.
- “Interview with Nancy Fraser,” by Vivienne Bozalek, *The Social Work Practitioner-Researcher*, Vol. 24, no. 1 (March 2012): 136–151.
- “‘Low cost’: usted paga menos y pronto le pagarán menos: Entrevista con Nancy Fraser,” by Lluís Amiguet, *La Vanguardia* (26 February 2012); also available online at: <http://www.lavanguardia.com/lacontra/20120229/54261572081/nancy-fraser-low-cost-usted-paga-menos-y-pronto-le-pagaran-menos.html>.
- Reprinted in Argentine newspaper Clarin (1 March 2012); available online at: http://www.revistaenie.clarin.com/ideas/politica-economia/Entrevista-Nancy-Fraser_0_655734681.html.
- “La crisi actual és més complicada que la Gran Depressió,” by Cristian Segura, *Ara* (3 March 2012): 27.
- “Los mercados se benefician de un vacío de gobierno global,” by Berta Ares, *Revista de Letras* (25 February 2012).

- "Nancy Fraser," in *North American Critical Theory after Postmodernism: Contemporary Dialogues*, ed. Patricia Mooney Nickel (Palgrave Macmillan, 2012).
- "Rencontre: Combative," by Julie Clarini, *Le monde* (16 November 2012): 9.
- "égalité = justice," by Jean-Marie Durand, *Les Inrockuptibles* (21–27 November 2012): 96–97.
- "Nancy Fraser on Marx and Habermas," by Wei Xiaoping, *International Critical Thought* vol. 3, no. 3 (September 2013).
- "Entrevista com Nancy Fraser," by Ingrid Cyfer and Raphael Neves, *Redistribuição, reconhecimento e representação: diálogos sobre igualdade de gênero*, ed. Maria Aparecida Abreu (Brasília: IPEA, 2011), 201–214.
- "Féminisme et libéralisme ont entretenu des liaisons dangereuses," by Cécile Daumas, *Libération* (12 April 2013): 20–21.
- "Pour une imagination radicale: Un entretien de Nancy Fraser avec Estelle Ferrarese," by Lucia Sagradini and Alexander Neumann, *Variations* vol.18 (2013). Accessible on line at: <http://variations.revues.org/659>.
- "Something has gone wrong with feminism: a conversation," Bjørk Grue Lidin and Nancy Fraser, *Hysteria*, no. 1 (2013).
- "Crisis and Experimental Capitalism: An Interview with Nancy Fraser," by Sarah Stein Lubrano and Johannes Lenhard, *King's Review* (2014). Accessible online at: <http://kingsreview.co.uk/magazine/>.
- "El nou feminisme no vol canviar el sistema sinó accedir al poder: Entrevista con Nancy Fraser," by Sílvia Marimon, *Ara* (Barcelona, 14 June 2014), pp. 34–35. Accessible online at: http://www.ara.cat/premium/cultura/Nancy-Fraser-feminisme-sistema-accedir_0_1156684341.html.
- "Obama Es Todo Palabrería: Entrevista con Nancy Fraser," by Berta Ares, *Revista de Letras, La Vanguardia*, 1 julio 2014.
- "Video Interview with Nancy Fraser," by Mirco Lomoth for the Einstein Foundation, Berlin: <https://vimeo.com/95874245>
- "Si las élites no reaccionan, las cosas se pondrán muy feas: Entrevista con Nancy Fraser," by Milagros Pérez Oliva, *El País*, 3 August 2014. Accessible online at: http://cultura.elpais.com/cultura/2014/08/01/actualidad/1406894402_616551.html
- "Nancy Fraser: la igualdad como participación paritaria," by Pablo Marín, *La Tercera*, 3 October 2014: 61. Accessible online at: <http://papeldigital.info/lt/2014/10/03/01/paginas/061.pdf>
- "Ahora el feminismo del Norte tiene que mirar al del Sur: Entrevista con Nancy Fraser," by Mariana Carbajal, 5 October 2014. Accessible online at: <http://www.pagina12.com.ar/diario/sociedad/3-256849-2014-10-05.html>
- "An astonishing time of great boldness: On the politics of recognition and redistribution: Jo Littler interviews Nancy Fraser," *Soundings: A journal of politics and culture* 58 (2015).

- Also posted online by *Eurozine* at: <http://www.eurozine.com/articles/2015-01-23-fraser-en.html>
- “Ravnopostavenostta: gramatika na osporvaneto i praktiki na protesta sled 2011 [Parity: The Grammar of Contest and Its Readings in the Protests after 2011]: An Interview with Nancy Fraser,” by Dimitar Vatsov, tr. Ina Dimitrova. *Critique & Humanism*, 43, 1–2 (2014): 275–294.
- English translation posted online by *Eurozine* at: <http://www.eurozine.com/> A shorter version is published in *Kultura* 2,2794 (January 16th, 2015), Sofia: Kultura Foundation: 10–11 and posted online at: <http://www.kultura.bg/bg/article/view/22952>
- “Modaiolo e neoliberista il femminismo ci ha tradite,” by Francesca De Benedetti, *la Repubblica* (31 March 2015), p. R2 Cultura and posted online at: http://www.repubblica.it/cultura/2015/03/31/news/fraser_modaiolo_e_neoliberista_il_femminismo_ci_ha_tradite_-110891868/?ref=twhr
- “Entretien avec Nancy Fraser,” by Jean-Louis Laville and Magali Saussey, *Penser l'économie solidaire*, special issue of *Revue française de socio-économie* 15, 1st semester (2015): 253–259.
- “A Feminism Where ‘Lean In’ Means Leaning on Others,” by Gary Gutting, *The New York Times* (15 October 2015), The Opinionator, posted online at: <http://opinionator.blogs.nytimes.com/2015/10/15/a-feminism-where-leaning-in-means-leaning-on-others/>
- Reposted online in Spanish translation at: <http://www.redseca.cl/>
- “The battle for neoliberal hegemony: an interview with Nancy Fraser,” by Roque Urbieta Hernandez And Fabiola Navarro, Open Democracy posted online at: <https://opendemocracy.net/roque-urbieta-hernandez-fabiola-navarro-nancy-fraser/battle-for-neoliberal-hegemony>
- “Che cosa significa essere marxisti oggi: Nancy Fraser in conversazione con Gloria Origgi,” *MicroMega* (2016).
- “Clinton defiende un tipo de feminismo neoliberal, solo para mujeres privilegiadas,” interview by Álvaro Guzmán Bastida, *CTXT. Contexto y Acción*, no. 61 (20/04/2016), posted online at: <http://ctxt.es/es/20160420/Politica/5507/Nancy-Fraser-feminismo-Hillary-Clinton-Bernie-Sanders-reconocimiento-Hegel-redistribucion-representacion-Estados-Unidos-Entrevistas-Elecciones-en-Estados-Unidos.htm>
- “The Frontline of American Critical Theory – Interview with Nancy Fraser,” by Masao Higurashi in Japanese in *The Transformation of the Contemporary Social Theories*, ed. Masao Higurashi, Ichiro Obase, and Yoshifusa Ichii (Minerva Publishers 2016), 173–187.
- “Hillary Clinton e il nuovo spirito del femminismo: intervista a Nancy Fraser di Massimo Cuono e Leonard Mazzone,” *L'indice dei libri del mese*, no. 6, 1 June 2016: 7; and at: <http://www.lindiceonline.com/incontri/interviste/nancy-fraser-hillary-clinton-spirito-del-femminismo/>

- “Une femme à la Maison Blanche: Un symbole qui ne suffit pas,” interview with Nancy Fraser by Marc-Olivier Bherer, *Le monde*, 28 juillet 2016: 26.
- “Capitalism’s Crisis of Care: A Conversation with Nancy Fraser,” by Sarah Leonard, *Dissent* (Fall 2016): 30–37. Featured on *Public Philosophy Journal* at: <http://community.publicphilosophyjournal.org/current/>
- “Expropriation as Racialization in Capitalist Society: An interview with Nancy Fraser by George Yancy,” in *35 Interviews of Philosophers on Race*, ed. George Yancy (Oxford University Press, forthcoming) and posted on “Race and Capitalism” website at: <http://raceandcapitalism.com/>
- “Discussion avec Nancy Fraser,” by Marie Garrau, Ariane Dupont-Kieffer, et André Lapidus, *Panthéon-Sorbonne magazine*, n. 18 (juin-septembre 2016): 32–35. Video excerpts online, at: <https://www.youtube.com/watch?v=9ZnjxOcNc8A>
- “Hillary, feminist sans âme,” propos recueillis par Axel Gyldén, *l’Express* n. 3407 (19.10.2016): 54–55.

VII. REVIEWS

- “Review of Frederick A. Olafson, *The Dialectic of Action: A Philosophical Interpretation of History and the Humanities*,” *International Studies in Philosophy*, vol. XIV, no. 2: 112–113.
- “Review of Judith Hicks Stiehm, *Women’s Views of the Political World of Men*,” *Signs: Journal of Women in Culture and Society*, vol. 11, no. 4 (Summer 1986): 795–797.
- “Review of Linda Nicholson, *Gender and History* and Joan W. Scott, *Gender and the Politics of History*,” *NWSA Journal*, vol. 2, no. 3 (Summer 1990): 505–508.

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