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Comment on Nancy Fraser's 'Transnationalizing the Public Sphere'

Yann M. Boutang

T IS quite easy to agree with the attempt by Nancy Fraser to 'reformulate' and 'reconstruct', and not 'jettison' a critical theory of the public sphere. Whoever thinks that sophisticated constructions of the nation-state are henceforth behind us should share the same theoretical priorities.

I completely agree with the idea that many multiculturalist, feminist or anti-racist movements share a conceptualization of sovereignty that belongs to the nation-state paradigm (nationalism appearing as one of the problems, statism being another). Let us add that the traditional left is more guilty of this than activists. The refusal to grant the right to vote in legislative elections to the 14 million immigrants in the European Union is not the doing of the right alone.

Equally, Fraser is quite right to underline the fact that the definition of citizenship and political participation is one of the decisive moments in the construction of an effective 'transnational public sphere' and of a virtuous core in globalization.

I share just as much the pertinent critiques that Fraser makes of the implicit presuppositions in the work of Habermas regarding his definition of the public sphere. In particular, the idea that 'public opinion' necessarily relates to the *demos* (the citizens of the nation-state), that is to say, to a bounded community organized according to a unitary market, with a common language and culture. These are exactly the criteria of the nation as understood by Gellner (1983; the criterion missing in Fraser available in Gellner is exoformation, that is, the huge question of education).

On the other hand, I was rather disappointed by the article. I shall confine myself to only three observations.

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- (1) When it brings up the question of sovereignty, the article does not mention the powerful critique of the very idea of sovereignty developed by Negri (1997) and Hardt and Negri (2000). Equally, one could point to the gap separating the republican concept of the state from that operating in the absolutist state. It is a pity, for this would have enriched the problematic of the state beyond the Habermasian standpoint. The distinction between the *demos* or the People, and the Multitudes or the Multitude would have made it possible to escape the vicious circle between legitimacy and sovereignty.
- (2) On the subject of Habermas himself, it is a pity that no account was taken of his recent view about the construction of a new institutional framework to enable a European opinion to be expressed. Habermas surely does not agree with the idea that there does not exist, and will not exist, something like a European demos, and that consequently a European constitution could not come into existence (Habermas, 2001). Indeed, he has recently argued alongside Derrida that, even if one cannot at the moment find something approaching a European demos, the expression of a European public opinion is henceforth effective and opens the way for the creation of a federal state which will in time replace the nation-states (Habermas and Derrida, 2003). The emergence of a European Union as a major political ensemble does not have a place in this article. The European Union appears there, but as a unified market. The process of establishing the constituency of the new institutions as well as the dynamic role of the public sphere are not taken into account. Hence the relative weakness of the last part of the article as far as practical recommendations are concerned.
- (3) A final question: must the problem of the 'transnational public sphere' be reduced to the question of a *new* public space? This explicitly implies that the state alone (and nowadays it is only a nation-state or a confederation of states within international organizations like the UN) can produce publicity or public sphere. Perhaps we should be thinking about the distinction between a statist public sphere and a non-statist common public sphere.

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