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An Interview with Nancy Fraser

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Vicki Bell: In your current work, would you say that what you're attempting to do is to describe something that's already happening? Or are you trying to lend some support to something that's emergent, or do you see yourself more as trying to bring about change through your work? In my mind, this is the same question as, 'What is the role of the (political) theorist?'

Nancy Fraser: The short answer is: all of the above. And I agree that what underlies your question is one's conception of the role of the critical theorist. So everything depends on figuring out how to get the various tasks you outline in the right relation to one another. Let me explain what I have in mind by way of a historical contrast. In the early 1980s, when I was first starting to publish, I still had one foot in the activist milieu associated with the new social movements, especially second-wave feminism. In those days, the relation between theory and practice seemed relatively fluid. It felt natural to address problems that emerged out of political practice and to trust that one's reflections would filter back down to the grassroots, if not directly, then through various intermediaries. Thus, it seemed possible to write for at least two different publics at once: on the one hand, one could address one's fellow academics, criticizing mainstream theoretical paradigms and exposing their ideological distortions and blind spots; on the other hand, one could engage the social movements with which one identified, giving systematic expression to their aspirations and evaluating proposals for realizing them. What united these enterprises was an overarching ethos in which theoretical clarity and political confidence seemed to go hand in hand. There was an unspoken but vividly felt sense that the political objectives were clear and that the road to achieving them was open. Today, however, the situation is different, largely because the overall political landscape is so much darker. Emancipatory movements still exist, to be sure,

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but their energies tend to be dwarfed by the twin forces of neoliberalism and reactionary chauvinism. In addition, the earlier sense of clarity has given way to a 'new obscurity' (to use Habermas's phrase), in which progressive currents lack both a coherent vision of an alternative to the present order and also a plausible scenario as to how such a vision, if one existed, could conceivably be realized. Certainly, there are many reasons for this historical shift, but I will mention just one, which looms large in my current thinking: the new salience of globalization, which is exploding the previously taken-for-granted idea that the bounded territorial state is both the appropriate frame for conceiving questions of justice and the proper arena for waging struggles to achieve it. As that doxa recedes in the face of intensified experiences of transnationalization, many of the assumptions that undergirded earlier projects of critical theorizing and political practice are being called into question – revealed to be indefensible expressions of what Ulrich Beck calls 'methodological nationalism'. In this context, it becomes harder to sustain a productive relation between theory and practice. As both terms of that relation are destructured, each of them needs to be rethought.

The upshot is that I find myself trying in my current work to do simultaneously all of the things that you mentioned at the outset. One aim is to describe a new grammar of political claims-making, in which what is at issue are not only first-order questions of justice, but also meta-questions about how first-order questions ought to be framed. In attempting to map a new discursive constellation, I find myself stepping back from immediate practical questions and taking the perspective of an observer. Thus, I have proposed to conceive present-day arguments about distribution, recognition and representation as a species of 'abnormal justice' in which the taken-for-granted parameters of 'normal justice', such as a shared sense of 'who counts', are up for grabs. At the same time, however, I am also trying to clarify the aspirations of those social movements that seem to me to carry our best hopes for an emancipatory future. Insofar as I wear this second hat, which is closer to the participant's perspective, I see myself as trying to theorize concepts and formulate arguments that can be of use to those movements. This involves giving an explicit systematic conceptual spin to what some social actors are already doing or saying. An example is my account of *misframing*. That is my term for a type of meta-injustice that arises when first-order questions of justice are framed in a way that wrongly excludes some from consideration – as when the national framing of distributive issues forecloses the claims of the global poor. Although they don't themselves use the term, many globalization activists seem to me to rely implicitly on such an idea. In making their assumption explicit and giving it a name, I am trying to enrich the pool of justifications at their disposal. But that is not all. Even as I describe discursive structures and make explicit implicit claims, I am also offering a *Zeitdiagnose* that serves to criticize counterproductive forms of left thinking and practice. An example is my diagnosis of the shift in political claims-making from redistribution to recognition, which has proved so disabling for the left in recent years. When

speaking in those accents I am drawing my own conclusions about what is to be done. Thus, all three of the objectives you distinguish are conjoined in my current work. Together they entail a complex conception of the role of the critical theorist. Perhaps I could summarize it like this: a situated thinker, with determinate partisan identifications, who nevertheless cultivates the practice of relatively distanced reflection aimed at disclosing, and fostering, possible links between existing social struggles and historically emergent possibilities for emancipation.

Kate Nash: In your *New Left Review* article, 'Reframing Justice in a Globalizing World', you're talking about questions of representation alongside recognition and redistribution; this is a new development in your work. The word 'representation' is ambiguous and you seem to be using it in its symbolic sense, talking about 'frame', but in some way you're also clearly relating it to democracy. Please could you say a bit more about the relationship between the idea of symbolic representation and representation as accountability to groups in some way?

NF: Great question! By way of background, I should note that the incorporation of political representation as a third dimension of justice constitutes a major revision of my framework, which was originally two-dimensional. During the ten-year period in which I developed the original theory, I often encountered readers who asked, 'What about the political?' and my answer was always, 'Ah! But don't you see that distribution and recognition *are* political, because both of them concern power asymmetries and structures of subordination. The political is already there, in those economic and cultural dimensions of (in)justice. There is no need to treat it as a separate dimension.' In the back of my mind, however, I worried that that answer might not suffice. And so, beginning in the late 1990s, I began to qualify my elaborations of the original theory. If you look at my writings from that period, you will find many formulations like the following: 'In my view, justice has at least two dimensions, economic redistribution and cultural recognition. But there is also the possibility of a third, political, dimension, which I cannot develop here.'

In those early days, when I first began to worry that I might need to introduce the political as a distinct category, I was thinking of the sorts of issues that preoccupy political scientists: do all of those who are included in principle in a given political community really have equal voice? Can all participate fully, as peers, in political life? As you know, political scientists typically approach such questions in terms of political decision rules. Studying the effects of different electoral systems on political voice, they weigh the relative merits of, say, proportional representation versus winner-take-all, first-past-the-post systems. What interested me, however, was not such technicalities but the larger question that lies behind them: can the relations of representation be unjust in and of themselves, apart from the effects of maldistribution and misrecognition on their operation? That

question nagged at me because I have always conceived injustice in terms of institutionalized obstacles to parity of participation in social life. In my framework, each type of institutionalized obstacle corresponds to a dimension of (in)justice. So it has always been crucial for me to distinguish different kinds of obstacles to participatory parity. From the beginning it was clear to me that there could exist (and did!) economic and cultural obstacles to parity, which is why I originally conceived justice in terms of those two dimensions. Later, however, I began to ask myself whether political obstacles to parity could exist even in the absence of maldistribution and misrecognition. For example, could an electoral system, operating in a context of relatively fair distribution and reciprocal recognition, leave ideological minorities permanently voiceless? If so, that would be a case in which the relations of representation were *per se* unjust. And in time, I came to believe that such distinctively political injustices *are* in fact possible.

But this was not the decisive consideration that led me to incorporate representation as the third dimension of justice into my framework. Decision rules typically involve first-order political injustices, which arise *within* the established frame of a bounded polity. My primary concern, by contrast, is with meta-level political injustices, which arise as a result of the division of political space *into* bounded polities. An example is the way in which the international system of (supposedly) sovereign states gerrymanders political space at the expense of the global poor. Channelling the latter's claims into the domestic political arenas of relatively powerless, if not wholly failed, states, this system denies them the means to confront the offshore architects of their dispossession – and thereby shields transnational malefactors from critique and control. It was my interest in such meta-injustices of misframing, which are at the centre of present-day struggles over globalization, that decided me in the end to take the plunge and introduce the political dimension of justice into my framework.

Well, all of that is by way of background. Now I must explain why I chose the term *representation* to name this dimension. One motive, I confess, was to preserve the alliteration with redistribution and recognition. Another was to exploit the polysemy of the term, which, as you point out, can mean both symbolic framing and political voice. It is important to me to conceive the political dimension of justice in a way that draws on both of those meanings and discloses the relation between them. The reason is that I am committed to deploying this dimension at two levels. On the one hand, I intend representation to encompass those familiar questions about electoral rules that I just described. At this first-order level, representation has the straightforward sense of political voice and democratic accountability. This sense correlates with an equally familiar sense of political injustice, which I have called *ordinary-political misrepresentation*, and which consists in the politically institutionalized denial of participatory parity among those who are already included in principle within a bounded polity. On the other hand, I also intend representation to encompass newly salient questions about the (in)justice of boundaries and frames. At this meta-level, the term

calls attention to the patterning of the broader space within which bounded polities are embedded and so, to the question of who is included, and who excluded, from the circle of those entitled to participate within them. Evoking representation's symbolic meaning, this second level correlates with political injustices of misframing, which arise, as I have said, when the partitioning of political space blocks some who are poor or despised from challenging the forces that oppress them. In this latter idea, of misframing, the two senses of representation converge. When political space is unjustly framed, the result is the denial of political voice to those who are cast outside the universe of those who 'count'. Thus, representation concerns the intersection of symbolic framing and democratic voice. As the term that names the political dimension of justice, it allows us to grasp the question of the frame as a question of justice.

VB: This next question follows, to an extent, because I also wanted to take up the language of framing, and in a sense to ask a sort of 'So what?' question in relation to the question of justice and the frame. It just so happened that as I was thinking up questions for you I was also preparing a seminar on Michel Callon's work, where he's also talking about the frame. Now, he's talking about it as a *technical* issue, which is to say that framing is a technical issue within politics, a necessity. It's about the necessity of excluding in order to govern, so that the framing will, of course, attempt to render some issues non-political, while others are allowed to be raised within it. Now, what's interesting, I thought, about bringing your work alongside this use of the frame in Callon, is that it highlights a sense that I had in your work that you think the frame really does work to exclude, and that this is always bad rather than necessary. His argument is that the frame will produce externalities, which seems a bit different from yours. For example, a factory's economic decisions are made within a frame. So say a factory produces toxic waste. It may invest in order to do something about that production, or it may not. If it invests in it, it attends to that externality, but if it doesn't, then, you know, it ignores its externalities. Now, I was wondering what you might think of that? Is that a way of thinking about a frame that you would approve of? Because it seems to me that the crucial difference between that way of thinking, and the way of thinking – as I understand it – that you're proposing, is that it wouldn't be a solution from Callon's point of view, to widen the frame, or to have a meta-institution. The solution would be much more on the same level as the production of the frame. So it might encourage people, within the frame, to take account of their externalities, rather than having a meta-moment. So it's about how people understand the consequences of what they're doing within the frame.

NF: That's an interesting question. At first glance, the approach you sketch seems to present an alternative to mine, stressing attention to externalities in lieu of reframing. But whether it is really in the end incompatible with mine depends on how one interprets it. Suppose we agree that at least some

transnational injustices can be remedied by reforms aimed at holding liable those who produce negative externalities that degrade the lives of others who reside beyond their borders and/or are not their fellow citizens. Then the question arises, does this solution avoid a meta-moment of reframing? I think not. For starters, the notion that one is obligated to avoid harming those beyond one's borders assumes an enlarged, transnational sense of who counts as one's fellow subjects of justice; conceptually, therefore, we have already moved beyond the Westphalian frame. Institutionally, moreover, this solution requires some transnational regulatory and policing powers to enforce the obligation on recalcitrant actors, such as outlaw states and large transnational corporations, some of which are bigger than many states. Also required are transnational courts or arbitration bodies to resolve disputes about standing, liability, and damages and to determine penalties and compensation. If such powers are to be legitimate, finally, they must be accountable to everyone potentially affected. Their design, staffing and operation must be subject to democratic oversight based on fair transnational mechanisms of representation. Absent such post-Westphalian powers and mechanisms of accountability, attempts to deal with unjust transboundary externalities are doomed to fall short – witness the ease with which Union Carbide has minimized its liability for Bhopal. As I understand it, then, Callon's approach *does* require a meta-moment of reframing. And if that is right, then his approach is not incompatible with mine.

In any case, I agree with him that politics, as we have known it historically, always involves a frame in the sense of closure, which means that there is always an inside and an outside – hence, that exclusions arise as a matter of necessity. Thus, I do not imagine we could ever get beyond framing altogether, to a point where absolutely nothing was excluded. Nevertheless, it is not the case that any frame is as good as any other frame, which is one conclusion your question seemed to invite. It won't do, in other words, to say, 'Any frame is going to exclude and to produce externalities. Therefore, it doesn't matter which frame we use. Instead of worrying about reframing, we should focus on getting firms and other actors to internalize the externalities they produce.' That may sound like a coherent position, but it is normatively and politically inadequate – for at least two reasons. First, given present levels of economic integration and ecological interdependence, we face political problems that cannot be handled by the Westphalian frame – such as the problem of global warming. In such cases, we have no choice but to look for other frames, which will often (though not always) mean bigger frames, including, for some issues, global frames. Second, there is the problem of power. The fact is, some interests derive substantial benefit from a world in which others have no venues where they can lodge claims against offshore powers and be taken seriously. And that is an injustice – in part because those 'others' are deprived of the basic democratic right to a say in decision-making that profoundly affects them. In these situations, it makes perfect sense to ask: is there a better frame? Granted, as I noted before, any frame will produce exclusions. But the question arises as to

whether these are *unjust* exclusions, and if so, whether there is a way to remedy them. Granted, too, any remedy will produce its own exclusions, which may generate claims for further reframing, if the newer exclusions are seen as unjust. Thus, in the best-case scenario, we should envision an ongoing process of critique, reframing, critique, reframing, and so on. In this scenario, framing disputes appear to be a permanent part of the political landscape and will never be resolved definitely, once and for all. But this means we need spaces and institutions where those questions can be democratically debated and addressed.

KN: Another question about the boundary-setting of political community. I think there's no doubt that you're right that what you call the Westphalian–Keynesian system does produce injustices, and that we have got used to thinking of justice within its terms. One of the really difficult areas to think about outside that frame is welfare, and economic redistribution, and partly because it depended, as I understand it, historically, on a certain exclusionary version of solidarity which was often racialized. The left has had a lot of difficulty with that in the first place, but now we're talking about developing solidarity from the North to the South, for example, and against these existing and even quite virulently rejuvenated forms of national solidarity. I wonder if you have any kind of thoughts about that?

NF: This question could not be more pressing: assuming we agree that justice requires redistribution across borders, is it possible to envision a form of transnational solidarity that is sufficiently robust to support it? Many people contend that the answer is no. In their view, any 'we' is necessarily erected against a corresponding 'they'. By definition, however, a global 'we' could have no corresponding 'they'. Ergo there can be no global 'we'. Despite its appearance of irresistible logic, I believe we should resist this line of reasoning, which prematurely forecloses the search for other ways of understanding, and building, solidarity.

To explain why, let me distinguish three different kinds of supports that can underpin solidarity, either separately or in combination with one another. First, there are what I would call 'subjective' supports, such as ethnonational identity, which base solidarity on sensed affinity and posited similarity, themselves constructed in opposition to an excluded 'other'. This schema corresponds to the exclusionary form of racialized solidarity you mentioned. Second, there are what I would call 'objective' supports, such as cognitive awareness of causal interdependence or mutual vulnerability, which can generate solidarity based in shared interest. Third, there are what I would call 'communicative' supports, such as the experience of participating in common public arguments and decision-making structures, which lead to solidarity based in shared political practice; one variant of this third type is the kind of solidarity that Habermas, writing about formally constituted bounded polities, has called 'constitutional patriotism'. If we take into account these additional possibilities, we can restate the question like this:

can some combination of objective and communicative supports underpin an enlarged, transnational solidarity that is sufficiently robust to sustain redistribution across borders? Or, failing that, can such a combination be strengthened by the addition of a different kind of subjective support, one that is not ethnonational or unjustly exclusionary?

Interestingly, that last idea has surfaced in the recent arguments about European identity. Those arguments have engaged many people, including some, like Habermas, who regard the European Union as a model or a stepping-stone to something bigger. All sides agree that it is not enough to base a European identity on appeals to objective causal interdependence. That would not suffice to demarcate Europe from the rest of world; nor is it thought capable of generating a sufficiently thick 'we' to support transnational redistribution. And many doubt that constitutional patriotism alone could take up the slack, if and when the EU constitution were ratified. So most parties to the debate, including Habermas, seek an additional, subjective support of some kind. But there the agreement ends. Conservatives advocate a European identity based on an enlarged, continental form of cultural nationalism; insisting that what binds Europeans together is a shared ethos of Judeo–Christian values, they would erect the European 'we' in opposition to Muslim 'they', which makes the admission of Turkey a non-starter. Meanwhile, liberals and social democrats look instead to negative features of a shared European history, which includes untold wars and several genocides; evoking the idea of 'never again', they would counterpose the tolerant, pacific 'we' of the European present to the sectarian, bellicose 'they' of the European past.

The second view suggests an attractive possibility: a relatively thick, subjective alternative to ethnonationalism, which projects the condescension normally reserved for present-day ethnicized others onto one's own past self. Yet the version under discussion here is problematic. Offering a highly selective view of Europe's history, it focuses exclusively on internecine conflicts within the continent. Airbrushing out of the picture all transcontinental aggressions and depredations, it omits consideration of European colonialism and imperialism. If the latter were acknowledged, however, they would point to a much larger, transcontinental 'we' that also includes the postcolonial world. So what about that possibility? Could a broader, transcontinental understanding of 'never again' supply the necessary subjective support for a relatively thick transnational solidarity that includes, but is not limited to, Europe? Could this notion, based on a critical interpretation of history, provide an alternative to ethnonationalism and add some substantive heft to the thin notions of causal interdependence and communicative patriotism? In theory, yes, but sceptics will note that it is hard to envision the route by which it could be created in practice. The proposal to base solidarity on a global 'never again' assumes that the beneficiaries of historical injustice are prepared to take responsibility for it. It appears, therefore, to beg the question, by presupposing the very outcome that it hopes to foster.

So what other strategies for building solidarity are possible? Another approach worth considering is the one that informs the transcontinental activist milieux of the World Social Forum (WSF). This conception has some affinities with the objective interest model, on the one hand, and the communicative model, on the other. But it goes beyond thin notions of interdependence and constitutional patriotism to offer a thicker transnational identity, grounded in an us-versus-them opposition. Here the stress is more on the 'them' than on the 'us', as the latter are interpellated simply as those who share a common enemy. Unlike the case of the Conservatives' Europe, however, that enemy is not identified in ethnocultural terms. Rather it is defined systemically and functionally, as those who occupy the commanding heights of neoliberal globalizing capitalism. This approach is attractive on at least two counts: first, its systemic character avoids any hint of racial-ethnic demonization; and, second, it correctly identifies one, if not *the*, major source of transnational injustice. For such reasons, this formula resonates with the many disparate constituencies that make up the WSF, including trade unionists and indigenous peoples, international feminists and landless peasants, environmentalists and undocumented immigrants – constituencies that are otherwise pitted against one another. The result is a communicatively generated, interest-based solidarity that derives its affective force from a historical narrative of predation, various in its local particulars, but linked to a global system.

What undergirds WSF solidarity, then, is a combination of several different supports: first, an explicit renunciation of ethnocultural sectarianism and an express validation of cultural plurality; second, a shared context and practice of political communication (a 'forum') that generates a communicatively based solidarity reminiscent of constitutional patriotism, but not focused on a bounded polity; third, a loose-knit organizational model that allays the constituents' fears of coercive hegemonization; and, fourth, an overarching interpretive horizon that allows members to situate their struggles within the frame of neoliberal globalizing capitalism and to posit a common enemy. In general, then, and despite all its defects, the WSF suggests a model of solidarity that combines some of the strengths and avoids some of the weaknesses of other models. Without wanting to idealize a flawed real-world institution, I believe that this model of solidarity holds some promise for addressing the tough questions of transnational welfare and redistribution that you have raised.

KN: The next question also concerns frames, but it comes largely from political theory rather than activism. The question is, how can framing itself be made democratic? How is it possible to democratically contest the frame within which the political community, which is doing the contesting, is situated? How can the political community of the 'all affected', as you put it, be formed out of a political community which is not already that of those who are all affected?

NF: This kind of contestation has both conceptual and institutional preconditions. Conceptually, it rests on the capacity for reflexivity, the ability to jump to another level and reflect about one's first-order practice. That capacity is built into the sociolinguistic human life form generally and into the practice of politics specifically. One way to understand politics is as a kind of meta-practice, which seeks to order first-order social practice through intentional collective action. Reflexivity is also a hallmark of political radicalism, which is distinguished from other orientations by its willingness to step back from apparently discrete issues and to problematize the deep structures that underlie them. The capacity to interrogate the frame, to make it an object of critique and political action, is yet another instance of reflexivity, and a radical one at that. In this case, we take first-order politics as the object of our reflection. Not content simply to treat problems in the form in which they are given within the established frame, we make the frame itself the focus of attention and potential reconstruction. The result is a form of meta-politics, in which the exclusions of ordinary political practice are exposed and contested. In the *New Left Review* essay that you mentioned earlier, I called this meta-contestation *the politics of framing*.

But the politics of framing also has institutional presuppositions. What makes this politics possible, in a practical way, is the growing gap between the two tracks of politics – one informal, and located in civil society, the other formal, and institutionalized in the state. According to the Westphalian political imaginary, these two tracks are supposed to be aligned: national civil society is supposed to map neatly onto the national state, which is in turn supposed to be held accountable to the national public sphere. In reality, however, they don't line up. Despite Herculean state-led efforts to make the Westphalian vision a reality, the two tracks of the political were never perfectly isomorphic, even in the heyday of social democracy. Today, moreover, the gaps between civil society processes of contestation and state-centred processes of legislation and administration are especially dramatic. Many of us participate in several different civil society arenas and public spheres, some of which are national, to be sure, but others of which are local, regional, transnational and global. In this situation of non-isomorphism, non-state-centred public spheres become spaces for contesting state-centred frames. It is precisely from such post-Westphalian public spheres, which trespass the boundaries of territorial states, that claims against misframing are now being launched. This is not to deny that these spaces, too, are structured by power asymmetries that marginalize some voices vis-a-vis others. But that disparity, too, can be reflectively addressed by meta-contestation about the unjust dynamics of existing contestation.

KN: Elsewhere in your work you've made a pretty compelling argument for strong counter-public spheres. My question is, how does that translate, if you're talking about jumping up a level, for example, in terms of reflexivity? How do we envisage a strong counter-public, without a world state and without a global civil society?

NF: This question goes to the heart of my current work. I am trying to understand how counter-public spheres could conceivably play an emancipatory, democratizing role under current conditions. This problem arises because, as I just said, public spheres and sovereign public powers do not line up. Although I just cast that fact in a positive light, as the enabling condition for contesting misframing, it also has a negative side: when public spheres don't align with states it is hard to imagine how the opinion generated within them could be either normatively legitimate or politically efficacious. Let me explain.

From the standpoint of critical theory, public spheres fulfil their emancipatory, democratizing function when the public opinion formed within them is both legitimate and efficacious. In this formulation, *legitimate* means formed through fair and inclusive processes of communication, while *efficacious* means capable of influencing the use of public power and of holding public officials accountable. Both ideas were relatively clear when viewed through the Westphalian lens. From that perspective, legitimacy would be achieved if and only if national public spheres became genuinely inclusive of all citizens and enabled all of them to participate as peers in communicative processes of public opinion formation. Analogously, efficacy would be realized if and only if national public opinion attained sufficient political force to subject the actions of national state officials to citizen control. The result was a reasonably clear picture of what was at stake in deploying the concept of the public sphere in critical theorizing.

In the case of transnational publicity, however, the stakes are by no means clear. What could it mean to posit the *legitimacy* of transnational public opinion, when the interlocutors are not fellow citizens with equal participation rights and a common status as political equals? And what could it mean to speak of the *efficacy* of transnational public opinion, when it is not addressed to a sovereign state that is capable in principle of implementing the interlocutors' will and solving their problems? Absent plausible answers to these questions, all our talk of transnational public spheres remains merely descriptive, lacking a conceptual grounding in critical theory.

In a recent essay (this volume), I have tried to reconstruct the notions of legitimacy and efficacy in a form that is suitable to current conditions. Without rehearsing that argument here, let me simply note that the nonalignment of states with public spheres introduces difficulties of two different kinds. One problem arises when transnationalization of the formal institutional track of politics outstrips that of the civil society track, leading to a *deficit of democratic legitimacy*. This is the case today with the European Union, where existing transnational administrative and legislative bodies are not matched by a European public sphere that could hold them accountable. At the global level, in contrast, the reverse is true. There, existing transnational publics are not matched by comparable administrative and legislative powers, which leads to the second problem: a *deficit of political efficacy*. We witnessed a dramatic example of this latter sort of deficit in the

world-wide anti-war demonstrations of 15 February 2003, which mobilized an enormous body of transnational public opinion against the impending US invasion of Iraq. Although this outpouring of opinion could not have been more forceful or clear, it lacked an addressee capable of restraining George W. Bush; and so, it remained powerless to realize its will.

What these examples suggest to me is that critical theorists must address the problem at both ends. Overcoming the legitimacy deficit requires the creation of enlarged transnational public spheres in which all affected can participate as peers. Overcoming the efficacy deficit requires the creation of new transnational public powers, which can implement democratically formed transnational popular will. Yet if the result were a perfect alignment of counter-publics with state-like powers, we would have recreated the Westphalian imaginary on a larger scale and closed the gaps where critical reflexivity flourishes. What is needed, rather, is some new, *post-Westphalian* configuration of multiple public spheres and public powers. But critical theorists are only beginning to formulate this problem. We are far from having convincing answers.

VB: I want to ask a final question which returns to the idea of misframing. It seems that your work has a sort of optimism about it. There is an optimism that this troublesome little question 'Is this frame fair?' or 'Are we representative?' *will be* debated, or that it really *could be* debated in institutions in a meaningful way. One of our MA students wrote a fantastic essay this year about export-processing zones. Reading your work on global injustice I was thinking, well, supposing you – or the people affected – went to a country, say, in Southern Africa, and said, 'This export processing zone that you've set up here, you know, it's treating these citizens unfairly', because the labour laws are suspended, or the companies are given special provision in relation to the laws of the land and so on. The government's argument would be, 'Well, yes, of course it does. But we're doing it for the future good of this nation' or 'We're doing it so that we can attract investment into the country, so that we will, ultimately, become part of global capitalism.' So the justifications are not without logic. So I suppose the question is, where does your optimism come from that, you know, we can debate these in a way that reaches beyond a laying out of today's different, and incompatible, political logics?

NF: What you've described is a classic collective action problem. Suppose we are talking about South Africa, whose government is certainly not the worst in the world. Given the presumption of good intentions, on the one hand, and the magnitude of the injustices they are trying to redress, on the other, the justifications you cite sound eminently reasonable. The argument runs: 'This is the way the game is organized, and we have no choice but to play the game. Given the way things are, export-processing zones represent our best shot – to attract industry and create jobs, to accumulate capital for ongoing development projects.' And it's true, if we treat the rules of the game

as unalterable constants, then this strategy makes good sense. But is this really the only possibility? Suppose workers in 19th-century England had said, 'Well, you know, we have no choice but to play the existing game and to try to get the best deal we can within it.' If everyone had said that, there would have been no labour movement, no eight-hour day, no welfare state, and so on. History is constantly generating such collective action problems. In these situations, people must decide whether to accept the given architecture and to function within it – in which case, they will act as you have described. But if, on the other hand, they come to believe that others will join them in a struggle to change the architecture, then other, better possibilities open up. It is true, of course, that they could lose, in which case things could turn out even worse. Because there are no guarantees, people contemplating such struggles must try to figure out whether they are strong and numerous enough to risk trying to change the game, instead of playing as it lays.

I'm not sure whether this way of thinking is cause for optimism. The fact is that I can't ever remember such a dark period in my lifetime. So I'm not optimistic now, certainly not compared to the 1960s and 1970s. But I am aware that history is punctuated by moments in which people overcome these collective action problems, when they rewrite the rules and change the game. This has happened in the past and will doubtless happen again. Of course, the result will not be perfect justice, but some differently imperfect arrangement. The social-democratic welfare state was an achievement, although it was premised on unjust exclusions, both internal and external. Now we, who are aware, with the advantage of hindsight, of those exclusions, have a chance to redress them by changing the rules of the game yet again.

This is another crucial job for the critical theorist: to reflect on the historical situation one inhabits, to ask oneself, what do the times 'demand'? What are the challenges, the opportunities, the perils? And I must say that, based on my recent teaching experiences, I do feel there is something new in the air today. Are we on the brink of a new explosion of emancipatory radicalism, one comparable to 1968? Probably not. But I find that my current undergraduates are quite different from their predecessors of 5 to 10 years ago. Today's students have little patience for identity politics and are passionately interested in capitalism. So while I can't exactly say I'm optimistic, I am invigorated by the prospect of engaging a new set of challenges. And I see my job – coming back to your first question again – as trying to articulate what these are. This means trying to develop, along with others – because it's not an individual job – terminology and concepts that can clarify the perils and prospects of the present age. If I were able to help create some arguments or conceptual resources that turned out to be of use in emancipatory social struggles, I would feel that the time I spend doing critical theory was time well spent.

Reference

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