



## Critical Reflection on Nancy Fraser’s Theory of Justice

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### Abstract

Complying with the development needs of the globalization era, Nancy Fraser’s theory of justice criticizes and reconstructs Western theorists’ theory of justice, as represented by John Rawls and Axel Honneth, post-1990s. To understand the connotation and value orientation of such theory correctly, this paper analyzed and evaluated its contributions and limitations through critical reflection on the dimensions and normative foundations determined by such theory.

**Key words:** Nancy; Justice; Criticism

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### INTRODUCTION

Nancy Fraser is a famous contemporary American political philosopher, who restructures the theory of justice by criticizing the justice system of Western society represented by the U.S. as well as criticizing the theory of recognition of theorists represented by Axel Honneth and Charles Taylor. Her theory has attracted broad attention from many Western left theorists for its distinct characteristics.

While criticizing the justice system and correlative theory of Western capitalist society since the 1990s, Nancy Fraser proposed the theory of justice that takes participation equality as its normative foundation and takes redistribution, recognition, and representation as its dimensions. She thinks that justice should first have the dimension of redistribution. In addition, she proposes that the theory of justice of such theorists as Karl Marx, John Rawls, and Ronald Dworkin be summarized by way of analytical distinction. For my purpose here, however, we need not commit ourselves to any one particular theoretical account. We need only subscribe to a rough and general understanding of socioeconomic injustice informed by a commitment to egalitarianism (Nancy, 1997, p.14). Regarding the cultural dimension of justice, according to Fraser, the injustice of the cultural dimension mainly takes the form of “wrong recognition during social intercourse”, and the aim of “recognition is to free the individuals or groups from the subordinate status of social culture as well as endow all social members with equal cultural status and identity”. Regarding the political dimension of justice, according to Fraser, people’s appeal for redistribution and recognition goes beyond territorial states in the context of globalization. This concerns the nature of state power and decision rule. That is, justice should have the political dimension of representation. The principle of problem-solving procedures can only be provided for each dimension by establishing a relevant principle telling us who are qualified to participate in social life as members. The term of political representation can mean both symbolic framing and political voice (Nancy, 2008, p.146). Regarding the normative foundation of justice, Fraser proposed that the normative foundation of justice is participation equality. According to this norm, justice requires social arrangement that permit all (adult) members of society to interact with one another as peers (Nancy, 2003, p.36). The realization of participation equality requires equal distribution of material resources,

regardless of the participants' differences in sex, race, and other features.

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## 1. REFLECTION ON THE DIMENSIONS OF NANCY FRASER'S THEORY OF JUSTICE

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Fraser's theory of justice criticizes and reconstructs the theory of justice of Western theorists represented by Rawls and Honneth post-1990s. The most distinct feature of such theory is as follows: complying with the change of era, it has enriched the value pursuit of the theory of justice, taken participation equality as its normative foundation, and expressed Fraser's reflection on the value goal of the theory of justice and the exploration of its realization conditions and methods. The redistribution, recognition, and representation dimensions determined by such theory are integration and reconstruction of the theory of distributive justice, theory of recognition, and theory of global justice. In some sense, they have subverted people's traditional understanding of and reflection on justice. The thought of this theory integrating construction logic and value has drawn attention from Western scholars for its scientific rationality and usefulness in theory and practice.

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## 2. REFLECTION ON THE REDISTRIBUTION DIMENSION OF JUSTICE

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Although Fraser's identification of redistribution as one of the dimensions of justice inherits contemporary Western justice theory, it endows this concept with new meanings, namely the theory of justice struggling on equitable distribution after Marx. However, this view has been challenged by scholars. In the article "Is Nancy Fraser's Critique of Theories of Distributive Justice Justified", Ingrid Robeyns points out that Fraser ignores the differences between different theories of distributive justice, it seems to be an oversimplified judgment of Rawls' theory and it certainly does not hold for Amartya Sen's the capability approach (Robeyns, 2003, p.538). Rawls' theory of justice developed in the U.S. in the 1950s and 1960s. The political task of his age is advocating real equality as well as proving the necessity of the welfare state, rather than discussing how to design a just welfare state. But Robeyns agrees Fraser's critique of the theory of Dworkin's Equality of Resources, because in that he assumes that they are effectively protected by certain liberties and legal rights. This makes it very difficult to incorporate issues of recognition. He holds that as long as we are able to eliminate discrimination, preference-deformation, and prejudice, cultural justice will be taken care of, so that we can then focus on economic justice

(Ibid., p.542). Compared with Fraser's theory, Robeyns think Sen's the capability approach is promising as a broad theory of social justice that can encompass both the cultural and the economic (Ibid., p.551).

Should Fraser downplay the differences among the different theories of distributive justice? In fact, Rawls, Dworkin, and Sen's theories of justice all have their own characteristics. Rawls' theory of distributive justice can be summarized as institutional justice, while Dworkin wishes to realize justice through the equal distribution of resources. Sen's the capability approach was initiated by searching for a better perspective on individual advantages than can be found in the Rawlsian focus on primary goods. He think any substantive theory of ethics and political philosophy, particularly any theory of justice, has to choose an informational focus, that is, it has to decide which features of the world we should concentrate on in judging a society and in assessing justice and injustice (Sen, 2009). Fraser indiscriminately regards the theory of the above-mentioned theorists as the theory of distributive justice and ignores the differences among their studies on the theory of distributive justice. In addition, Fraser summarizes the theories of the above-mentioned theorists by taking a one-sided approach through the concept of redistribution. The issue of redistribution is not all that is discussed by Rawls in *The Law of Peoples* and by Sen in *The Idea of Justice*. Therefore, by taking redistribution as one dimension of justice and ignoring the studies carried by theorists of justice, Fraser can hardly convince supporters of such theorists as Rawls, Dworkin, and Sen. Redistribution must be redefined to enable it to cover the main ideas of the above-mentioned theorists.

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## 3. REFLECTION ON THE RECOGNITION DIMENSION OF JUSTICE

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The theory of recognition is one of the important origins of Fraser's theory of justice. According to Fraser, the overall characteristic of justice in the era of "post-socialism" is interruptus both distributive justice and the justice of recognition, and the current theories of justice fail to combine the two well. Thus, Fraser agrees with the basic viewpoint of the theory of recognition, and thinks the harm and insult caused by rejection of the appeal for recognition is the criterion judging whether the social system is fair or not. Under the background of the globalization of neo-liberalism, the problem of economic inequality is worsening, and the issue and problem of redistribution and recognition, respectively should be taken as the dimensions of the theory of justice. Nevertheless, Fraser considers recognition as one of the dimensions of justice while theorists, such as Honneth and Taylor, regard recognition as a normative foundation. In the article "Struggling over the Meaning of Recognition", Nikolas Kompridis studies the controversy between

Honneth and Fraser about how to view the issue of recognition, and holds that the view taking recognition as an issue of justice and the view taking recognition as an issue of self-realization are both built on false arguments. Since the very meaning of recognition is itself contestable, not just in theory but in practice, it may be wiser to resist defining it too strictly in relation to this or that normative ideal (Kompridis, 2007). As the appeal for recognition is very uncertain, identification of the wrong recognition requires subject experience and discourse without subject. Fraser's theory neglects subjective experience but stresses subjectless discourses that is prepared to privilege the latter at the expense of the former reveals a certain positivist residue in her thinking, as though we could give an account of misrecognition without need of a suffering subject (Ibid.).

The precondition under which both Honneth and Fraser identify it is that they both consider recognition as the tool for interpretation, solve the problems of recognition, identity, and justice through medical methods, and attempt to instrumentalize those that cannot be instrumentalized. As recognition cannot be redistributed, the concept of "recognition of deconstruction" put forward by Fraser needs unavoidably associate the issue of recognition with the issue of identity. However, it is the issue of identity that she wants to clearly distinguish from the issue of recognition. As a result, the logical error of a circular argument arises. Nevertheless, the theoretical system advocated by Fraser is different from traditional theories of justice, such as liberalism, equalitarianism, and communitarianism, and it is also different from the view highlighted by the theory of recognition, which states recognition plays a dominant role in the theory of justice. It is dedicated to integrating the two kinds of appeal, namely the appeal for recognition and the appeal for redistribution, into the theory of justice's common dimensions. Its value orientation that struggles for the realization of the dual goals (namely, redistribution and recognition) reflects its creativity and era while deepening the understanding of justice.

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#### 4. REFLECTION ON THE REPRESENTATION DIMENSION OF JUSTICE

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Fraser takes representation as the independent dimension of the theory of justice, with a view to expand the application scope of the theory of justice as well as respond to the appeal in the globalization era for justice. According to her, the reason why justice should be reconstructed from a global perspective is that the Westphalian frame clearly defines the subject of justice. However, along with globalization, adjustment must be made to the Westphalian system so as to well respond to the appeal in the globalization era for justice. This means

that the core problems concerning justice (including the nature of justice, subject of justice, and means of justice realization) have all changed and need to be redefined. The two main forms of pursuit of justice, namely redistribution and recognition, have both made one's focus on justice change due to the collapse of this frame system. This is a new feature of the pursuit of justice in the globalization era, which means we should not only rethink about such problem from the epistemology aspect of "what is justice", but also think at the ontological level of "what the theoretical framework of justice realization under the context of globalization is" and "how the subject of justice should be defined". As Fraser said that not just the "what" but also the "Who" is up for grabs (Nancy, 2008, p.15). Fraser puts forward the concept of post-Westphalia, which provides theoretical support for thinking about the paradigm shift of global justice beyond national boundaries. She proposed that the subject of justice should be determined by following the principle of "all people restricted", justice should take participation equality as the normative foundation; contain the dimensions of redistribution, recognition, and representation; and finish the reconstruction of the theory of justice.

Fraser constructs the theory of global justice by introducing the dimension of representation, which is different from the current various theories about global justice. Among them are the theory of global justice represented by Rawls' *The Law of Peoples*; the constructive postmodern global justice theory represented by that of David Ray Griffin, which advocates the world's religions, morality, and non-governmental organizations should be all mobilized to realize global justice; the theory of global justice represented by that of Thomas Pogge, which advocates the internal and external functions of government should be improved and global institutional rule reform should be promoted; the theory of global justice represented by that of Otfried Höffe, which advocates global justice regulations should be laid down and global national organizations should be established; and the pluralism global justice theory of deconstructive postmodernism represented by Deleuze, Lyotard, and Derrida, which advocates heterogeneous pluralism. Fraser uses the concept of representation to stress the viewpoint of the representation of common people rather than political elites, which provides new perspectives and research fields to solve the problems existing in current global justice systems. However, when the root cause of injustice is reviewed from a global perspective, though the existing international regimes have improved, the phenomenon that the superpowers intervene in international orders have not substantially changed. The global justice of representation proposed by Fraser does not really reveal the nature of global injustice and cannot shake the foundation of neo-liberalism. Therefore, the theory of global justice constructed by, to a certain extent, has the flavor of populism.

## 5. REFLECTION ON THE NORMATIVE FOUNDATION OF JUSTICE

Fraser proposes that participation equality should be taken as the normative foundation of her theory of justice. She thinks that justice requires social arrangements where all social members influence each other as equal subjects. This concept requires that the material resources must be so distributed as to ensure the independence and opinions of the participants as well as that institutionalized cultural value model should show equal respect for all the participants. But Rainer Forst does not identify with the theory of justice put forward by Fraser that takes participation equality as the basis and takes recognition, redistribution, and representation as the dimensions. He proposes solving problems of domination and unreasonable arbitrary rulings through a kind of justificatory monism and diagnostic-evaluative pluralism in the article "First Things First: Redistribution, Recognition and Justification" Such theory takes justification as the standard and "puts first things first" as the methodology of theoretical construction. The most fundamental principles of justice do not require specific forms of distributing certain goods; rather, they demand that every such distribution has to proceed in the most justifiable way (Forst, 2007, p.295). Forst suggest we distinguish conceptually between fundamental (Or minimal) and maximal justice. Fundamental justice call for the establishment of a basic structure of justification, i.e. one in which all members have sufficient status and power to decide about the institutions they are to live under. Maximal justice then means the establishment of a fully justified basic structure, i.e. of a basic structure that grants those rights, life chances and goods that citizens of a just society could not reciprocally deny each other (Ibid., 296).

It can be seen from the analysis above that Fraser makes participation equality more applicable through practical methods, as the form of wrong recognition might deny the common humanity of participants or deny the uniqueness of participants. Practical methods are adopted due to the complexity of wrong recognition and in order to oppose the opinion put forward by some distribution theorists that justice should limit those abilities shared by all human beings. Adoption of practical methods can hinder recognition that can tell apart different people and is necessary to recognize common humanity in a general sense. The distinctive idea is put forward by recognition theorists that everyone always needs to be recognized cannot explain why only some of the social differences have given rise to the appeal for recognition, nor explain the appeal for recognition is made only in some aspects. Therefore, the theory of distribution and theory of recognition cannot cover all on this issue, points out that practical methods are adopted absolutely in view of the diversity and complexity of the forms of

wrong recognition. This question cannot be answered or solved from the abstract philosophical viewpoint, but only through critical social theory. Nevertheless, it is unwise for Fraser to take participation equality as the criterion proving the reasonableness of the pursuit of justice and the conceptual tool that analyzes the phenomenon of injustice, for the concept of equality has decisive significance and is not a more practical idea of participation. Injustice takes many forms, including economic exploitation (or exclusion) and lack of cultural recognition. It is unnecessary to confine languages of social analysis of these forms.

## CONCLUSION

Through the introduction and analysis above, a comprehensive understanding can be gained of the characteristics and value orientation of Fraser's theory of justice. Undoubtedly, her theory has made some contributions. On the other hand, the challenges from many theorists also indicate there is much to improve of such theory.

Theoretical contributions made by Fraser should be fully affirmed. Firstly, her theory truly reflects the diversity of the pursuit of justice and the theoretical predicament in contemporary Western capitalist countries against the background of globalization. Fraser discovers that neither the theory of distributive justice, nor the theory of recognition justice, nor even the theory of global justice can objectively interpret the pursuit of justice in the capitalist social system or provide valuable guidance for people in pursuit of justice. Her idea of theoretical construction that attempts to integrate the three justice theory systems provides a way of thinking for people to push aside confusion regarding justice as well as broaden the horizon for studies and the construction of the theory of justice.

Secondly, Fraser has made an active and beneficial exploration for the realization of the goal of justice theory integration. To realize the goal of theoretical integration, the normative foundation must be laid for distributive justice, recognition justice, and global justice to belong to the same frame theory. For this purpose, Fraser proposes that participation equality should be taken as the normative foundation of her theory. The application of the concept of participation equality has created basic conditions that can help to construct norms for the realization of redistribution and recognition integration, and provide standards for identification of the properness of the pursuit of recognition and redistribution. Whether it is the issue of recognition or the issue of distribution, those in pursuit of justice must prove what they have encountered has prevented them from equally participating in social life. Though the concepts of redistribution, recognition, and representation are not new to us, Fraser's singular contribution is to have constructed

a careful bifocal theory that can attend simultaneously to the recognition and distribution dimensions of social institutions, without inaccurately reducing either one to the other. Only such a theory can be sufficiently attentive to the interconnections, the interferences, the mutual reinforcements, and the negative and positive feedback loops that occur between economic and cultural forms of injustice (Zurn, 2003).

Thirdly, Fraser's reconstruction of the justice theory paradigm is a positive and useful exploration for the conversion of the paradigm of the contemporary justice theory. Her discussion of social justice has shifted from a focus on external material elements for the subjects to enjoy equal status to a recognition of subjects and attention to self-realization, which not only reflects an ethical turn of contemporary political philosophy, but also the latest development direction of critical social theory. She has not only inherited the traditional critical social theory created by the Frankfurt School, but also dedicated herself to pursue material expression on life and its significance. She highlights the dimension of recognition, but does not allow recognition to be unrestricted. She stresses the importance of economic equality and representation, and wishes to restore the stable relationship among morality, law, and politics. This is in order to rebuild social order as well as realize the goal of equality, democracy, and justice.

The limitations of Fraser's theory should be viewed objectively. First, the studies by Fraser do not discuss too much the criticism on the theory of distributive justice, which is the main reason why her theory seems more a kind of cultural criticism theory. Judith Butler in the article *Merely Culture* point out that the cultural focus of left politics has abandoned the materialist project of Marxism, that it fails to address questions of economic equity and redistribution, that it fails as well to situate culture in terms of a systematic understanding of social and economic modes of production; that the cultural focus of left politics has splintered the left into identitarian sects, that we have lost a set of common ideals and goals, a sense of a common history, a common set of values, a common language and even an objective and universal mode of rationality; that the cultural focus of left politics substitutes a self-centred and trival form of politics that focuses on transient events, practices, and objects rather than offering a more robust, serious and comprehensive vision of the systematic interrelatedness of social and economic conditions (Butler, 1997, p.34). This indicates that there are dissenters of the theory of justice constructed by Fraser, including left critical theorists, recognition theorists, and liberal justice theorists, though her theory has exerted great influence and reflected the newest research trend of the Western theory of justice, but as she confess that we are far from having convincing answers (Nancy, 2008, p.157). Second,

takes redistribution, recognition, and representation as the dimensions of justice and believes they enjoy equal status, which is inconsistent with the decisive role of the economic basis highlighted by Marxism. Though the struggle for recognition has become the pursuit that cannot be ignored for the realization of justice, income inequality still remains the central issue of the 21<sup>st</sup> century. Although both critical theorists and recognition theorists realize the importance of the pursuit of recognition in the theory of justice, neither of them identifies that the economy is the root cause of social conflict. In this regard, Fraser has undoubtedly neglected the economic reason behind recognition and representation. Fraser's theory of justice becomes less persuasive as it downplays the fundamental role of the dimension of the economy in the theory of justice. According to her, what follows economic injustice and cultural injustice is political injustice. As a result, some people are prevented from participating in social interactions with the same status as others; the interactive relationship among people fails to be studied under social material conditions; the factors that coordinate the relationship among people is summarized as some social structure and the decisive role of economic factors are neglected; and the economic field, cultural field, and political field are taken separately and unrelated. Therefore, her theory has some limitations. What is more, critical theorists keeping up with the times should never pay scant attention to forms of social injustice caused by legal systems and political structures. Insufficient studies in this field means that such theory needs further improvement.

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