CHARTING SHIFTS AND MOVING FORWARD IN ABNORMAL TIMES: AN INTERVIEW WITH NANCY FRASER

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ABSTRACT

In this interview Nancy Fraser elucidates important conceptual topics of her theory, she also shares her analysis of the global financial crisis and how it has changed the setting for theorists of justice. Her account reminds us of critical theory's important role in helping us think - and act – differently in difficult times.
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Nancy Fraser[2] is one of the leading thinkers in political theory and social theory. Fraser's theory has been widely discussed in political philosophy and it has deeply influenced the way we talk about social justice. Her case that "redistribution requires recognition" has challenged not only theorists who have focused on "redistribution" but also those who focused solely on "recognition" to reconsider the injustices that were left out of their frameworks. To such a degree that *Redistribution or Recognition?: a political philosophical debate*[3] - the book in which she and Axel Honneth debated the question of redistribution versus recognition - has become mandatory reading for all those interested in social justice.

Since then, Fraser has revised her theory and added a third dimension to her framework as she came to understand that *representation* was an equally important dimension of justice. Such revision surfaced due to her recognition of the "Westphalian" framing of justice as problematic in capturing injustices of the present. Hence, the introduction of representation as a dimension of justice, the consequences of this understanding, as well as her proposal of a *critical reflexive justice* were among her main concerns in the book *Scales of Justice*[4]. Her recent work has continued on this line o questioning, that is: how should we understand the challenges of justice that arise from a post-Westphalian frame? Fraser's effort has been of "mapping the terrain and pointing to some critical-conceptual resources that should be reconstrued"[5]. With this spirit, in her recent work she has taken up the challenges that the feminist movement has to overcome to become aligned with social justice in *Fortunes of Feminism*[6] as well as tackled how the public sphere should be reformulated in

Transnationalizing the Public Sphere[7].

In this interview Nancy Fraser clarifies these developments by elucidating important conceptual topics of her theory, she also shares her analysis of the global financial crisis and how it has changed the setting for theorists of justice. Her account reminds us of critical theory's important role in helping us think - and act – differently in difficult times.

JSM: I would like to start with a question about the aftermath of *"Reframing Justice in a Globalizing World"[8],* which conveyed a major revision in your theory. From a two-dimensional theory of justice that aimed at encompassing the economic demands of redistribution as well as the cultural demands of recognition, you added a third (political) dimension to your framework by establishing representation as an equally important dimension of justice. In hindsight and considering that urgent global problems such as the financial crisis, global warming, global health crisis, among others, seem more pressing than ever, do you still think that "globalization is changing the way we argue about justice" or has it already changed? Have the injustices of misrepresentation been more adequately explored in the grammar of justice? Could you please share your thoughts on the changes you've seen on this matter.

NF: That's a great question! I think that the picture would be mixed, actually. I definitely think that there is more awareness of the need for a global perspective, the need to break out from an exclusively Westphalian framing of justice questions. I think people understand that issues like climate change or financial predation have a global dimension and that they can't be addressed exclusively at the national territorial state level. I also think that we've had important social movements - including the movement of movements, the World Social Forum - that have promoted this broader way of thinking. However, I think what has changed since then is the sort of overuse of brute power by the global financial interest so that people are, I think, perhaps scared.

Take the European Union and the Greek situation, this was a case in which because of the European Union integration, a sort of integration of markets but without full fiscal integration - a real full political integration - you get a situation where a country like Greece is deprived of the old historic power of the state to control it's currency and to run deficit financing and to

maintain level of social services through borrowing. They no longer have the capacity to do that, they're very much under the thumb of the European Central Bank and the creditors. At the same time there is this whole new regime of the bond markets, and everyone saying that the "Greek bonds is like junk bonds and we're not going to let them borrow anymore money" and so forth.

So here you get a problem of scale, a problem of levels. You've got a government at a national level, you got a regional political community, as they call it, you've got transnational investors and corporate powers, you've got central banks that are accountable to no one and you've got global financial markets. Everything is out of line so that the scale, the level, where you generate political communicative - political power - remains the nation-state, that's where the Greek electorate mobilizes and so on. But because of this problem of scale, they don't have the capacity to solve their own problems through their own state. Now, I think we've all seen that the financial markets and the central bankers were determined to make an example of Greece, to show the rest of Europe and the world that even if you elect an anti-austerity government, you are not going to put that policy into practice. So this is just like a lesson in these problems of scale and misframing of the justice question through a mismatch of scale.

I think we all see this and the other side of this is a sort of inadequacy of solidarity, we don't have broad enough solidarity to mobilize people to oppose this kind of misframing. The Greeks were basically left alone to hang out to dry. The other European, even the social movements and the Left parties in Europe, did not really support them. So I believe the analysis in *Scales of Justice* about the problem of scale - about mismatches of scale, about, therefore, *misrepresentation and the misframing of questions of justice in the wrong scale* - remains relevant and I think that the things I've been talking about are a good illustration.

JSM: Still tracing the developments in your framework, whereas the two-dimensional account was defined in terms of *"adding insult to injury",* you have affirmed that slogan *"no redistribution or recognition without representation"* seems to adequately capture the injustice of misframing. This injustice requires a normative principle for evaluating frames. Considering the principles that could fulfill this role you now consider the *all-subjected principle* as the standard. This also marked a change in your recent work, as you initially appealed to *the all-affected principle*[9]. You have argued that this principle has advantages

such as the fact that it is a powerful term engrained in modern history and its potential to satisfy the requirements of critical theory, such as the emancipatory potential of the theory's norms. Could you please comment on the advantages of this principle?

NF: The first thing I want to say to set the stage for this is that for me the sort of normative principle that is fundamental for questions of justice is the idea of *parity of participation.* So in condemning forms of maldistribution, or misrecognition, or misrepresentation, the idea is that these are states of affairs, situations, that block some people from participating on a par with others so they violate the norm of parity of participation. What I think I didn't see clearly enough in the earlier period when I was developing this model was that there was a prior question: "parity of participation among whom?" I call this the question of the "who". So I reject the idea that everybody has exactly (or should have exactly) the same standing as everybody else in the whole globe for every question. I am not for this kind of one-size-fits-all cosmopolitanism or globalism. On the other hand, it's very clear that you can't simply answer this "who" question by appealing to the boundaries of political communities, formal citizenship and so on. There are arrangements that generate injustices that are transborder and if you say that parity of participation among the fellow citizens of a bounded state is right then you misframe questions that are transborder questions.

Given this problem, I was looking for a third alternative. Not taking the bounded political community as the unit, and not taking the globe as the unit. But rather the idea was that different questions might require different definitions of "who counts", not a one-size-fits all answer. So that means that you need a sort of principle to think about this question. The most common response to this would be "everyone who is affected", whether they are fellow citizens or whether they are spread more broadly outside the territorial boundaries, everyone who is affected. And this so called *all-affected principle* is actually built in to Habermas's discourse theory, the principle (D): "all that are affected need to have equal standing as participants in discourse". But the more I thought about that, I realized that it opened a can of worms. We have this sort of butterfly idea "everybody is affected by everything", so how are you going to distinguish the forms of affectedness that are such that they really do or should confer moral standing, participation rights in political decision-making?

That's when I began to think that what I have named the *all-subjected principle* would be a

better alternative because what that says is that everybody who is subject to the rule-making and rule-enforcing power of a govern structure is in a sense a subject of that structure, even though we are not in these structures necessarily citizens with official participation rights. Nevertheless, we're subject to their power, to their capacity to make and enforce binding rules, and that seems to me be a strong kind of affectedness that is meaningful and it's a political relationship.

When you are affected by coercively enforceable rules and you are subjected to them, you stand in a political relationship to the rule-making bodies and you stand in a relationship of co-subjection to fellow participants, who are also in that relation to the rule-making authority. That really is a political relation. It seems to me that it is the right sort of answer, the right sort of principle that one who wants to think about "who counts". In other words, the fact that citizens of very poor and weak states - and some cases even failed states - are also subject to the rule-making authority of, say, the IMF, however indirectly, that matters. That gives them standing to claim, the right to have a say in these matters, just as we think citizens have the right to say in their governments. So there's a sort of rhetoric in modern history that talks from subject to citizen, from being the object of the law you must obey to being the author of the law with others - participating in making, approving and debating and so on. That's what I wanted to capture: that so much of governance today is occurring at the hands of these nebulous and unaccountable bodies, whether we're talking about the TRIPs, the Intellectual Property Regime, bodies like the NAFTA, the Trans-Pacific Partnership (TPP), the IMF and so on - these institutions have enormous power over our living conditions and we should be citizens, we are now merely subjects. So my idea was by proposing an *all subjected principle,* everyone who was subjected to a given regulatory framework (governance framework) should have participation in rights in a political sense. I think that's a promising answer to the "who counts" or "who should count".

JSM: This question follows, as I would like to focus on the concept of emancipation that you develop in *Between Marketization and Social Protection: Resolving the Feminist Ambivalence*[10]. In it, you point out to the possibility of a new alliance of emancipation and social protection, pointing out to the ambivalence that is inherent to emancipation, that is, that it could ally either with the forces of marketization or with those promoting social protection. In your current work, you have emphasized the connection between second-wave feminism with globalized capitalism. You wrote in a challenging piece published in *The Guardian*[11] that

"feminism became capitalism's handmaiden". Therefore, it's possible to say, following your line of thought, that emancipation's ambivalence within the feminist struggles ended up, unwantedly, weighting in favor of marketization. In that case, could you elaborate on how consequences of this form of emancipation - such as the valorization of wage labor and the devaluation of unpaid carework - is problematic, specifically in terms of social justice.

NF: I should clarify that what I'm talking about here for the most part is the dominant, or hegemonic, current of feminism on the Global North, although you probably have versions of the same thing here. This is essentially liberal feminism. It's a feminism that's focused on trying to get a smattering of highly educated, accomplished, professional women into positions in the corporate hierarchy or the government hierarchy. It's not about overturning hierarchy or abolishing hierarchy, it's about getting a fair share of women at the top of hierarchies. So already that's problematic with respect to a feminism that would really want to improve the conditions for all women. I consider this as a liberal individualistic meritocratic feminism focused on climbing the corporate ladder, we sometimes use the expression "breaking the glass ceiling" or, as Sheryl Sandberg[12] has popularized, the expression "leaning in" - it means playing tough, just like men. You don't sit back and make nice, but go after and negotiate hard in the corporate boardroom to get a raise or your promotion.

Now, one thing that is very clear about this is that in order for this thin stratum of very educated, privileged women to benefit from this kind of feminism, something else has to happen: they have to be able to offload their care work - their domestic labor, their childcare, their eldercare - all to somebody else. Who is that somebody else? It is typically racialized or immigrant women, poor women, often from rural regions who are coming to try to get a better life an who are taking up these service jobs, sometimes domestic work in private households, nannies, maids, and so on. Sometimes they go to work in childcare centers or in nursing homes, in institutional setting, but in either case they're very low paid, they're very precarious jobs, jobs with very little dignity with virtually no autonomy, a kind of intrusive supervision and, moreover, what's happening to their carework? Who's taking care of their kids? So we get this concept of the "global care chain", in which the most privileged women are offloading their carework to somebody else, who, in turn, has to offload their carework to someone even less privileged, until you get these care-chains that literally circle the whole globe. What's the bottom line here? This "leaning in" feminism by definition cannot be

feminism for all women.

The only kind of feminism that could be a feminism for all women would have to be one that took a hard critical look at the whole way that our society is structured around the division between paid productive work and unpaid reproductive work and that is a gendered division. Thus, we'd have to have a feminism movement that was focused on that and on trying to transform it, reimagine it, and reinvent the whole relationship between paid work and personal relations of care and solidarity. So I think that the liberal hegemonic feminism of the Global North has ended up accepting instead of challenging these thin, market-centered, understandings of what gender equality means. For them, it just means an equal chance to climb the ladder, leaving everybody else behind. To "crack the glass ceiling", leaving others to sweep up the shards of glass on the floor. Accepting this definition of what equality is means that this feminism converges very nicely with the ideology of neoliberalism, it doesn't challenge it. It's a far cry from feminism that I encountered and was very active in my youth and I think we need to criticize this feminism ruthlessly and develop alternatives.

JSM: In *Transnationalizing the Public Sphere* you confront the challenge of how to conceptualize the public sphere in a post-Westphalian world. By arguing that *political citizenship* can no longer demarcate "who" is the public, the condition of *legitimacy of public opinion* as centered in citizens loses its meaning. As was discussed above, the *all-subjected principle* is a path that you consider more promising to fill that role. I want to ask about the second condition of a critical conception of publicity, that is, *political efficacy.* Both elements of political efficacy, that is, the *translation condition* and the *capacity condition* relate to power structures (binding laws, administrative power and capacity to realize the public's design). Has your thinking evolved concerning public capacity and its obstacles in a transnational world. Could you share your reflections regarding this issue?

 NF: I think in a nutshell we could say that today the capacities of corporate capital have far outstripped the capacities of public political agencies. The capacities of private economic power are much greater then the capacities of public political powers. So we really do need, in my view, to build up, strengthen, public political capacities so that they are able to actually reign in and control the private corporate powers. It's the same issue that we spoke about a little while ago, about the power of the bond markets, the investors: they fly around the world picking one country after another and just trying to destroy their capacity to govern. So,

there's a huge problem having to do with this capacity. It's part of the new kind of capitalism we have.

This is a big difference between what I have called the state-managed capacity of the Post-World War II era and the present financialized capitalism. In the state-managed capitalism there were international structures, especially the Bretton Wood framework, which actually in a sense gave states the capacity to control their own currencies and, therefore, to run a public debt and use it for countercyclical crisis management, to promote full employment, and so forth. The change in the international order has obliterated those capacities. Now, our public powers are subject to the bond markets, to the private investors. So we don't have public powers that are adequate to solve many of our problems. I am talking, of course, about democratically elected, accountable, public powers, not authoritarian. We don't have public powers that could actually deal with climate change, that have the capacity to punish polluters and those who emit too much carbon and so on. We just don't have them. We're at their mercy and this is very serious. I think that is basically what I want to say on the capacity side of it, and I believe that this remains a very pressing and important issue.

Now, the translation side is also significant. This is a case where you generate public opinion and then you have to be able to translate it into administrative power. Somebody has to implement the opinion. You have to get it to the power-holders, again, presumably democratically elected, accountable, power-holders. Here, the questions have to do with the role of monopoly, corporate media outlets, the commercialization of the public sphere, the difficulty of getting out voices of subaltern perspectives - all of that means that even when you have a certain public opinion, it can become impotent, it's not efficacious, it can't actually constrain. The whole point – and this is really Habermas's key point - of this concept of the public sphere, you're talking about a kind of counterpower, a communicative power that can actually confront institutional power. A power that says: "no, you don't have the right to do that. You have to do something else." For this power to mean something it has got to be able to constrain the institutional powers. And there are many issues as to how translation, from the informal civil society spaces of opinion-making to the official decision-taking bodies, whether we're talking about parliaments, whatever, do not proceed correctly, it goes awry. So I haven't changed my mind, I believe that both the capacity idea and the translation idea remain crucial for a critical theory of a public sphere and I think each of them names a

real problem.

JSM: They are linked and one important issue is how to relate these capacities to some of the obstacles that cosmopolitan theory has to encounter. I'm thinking here of the differences between moral and political cosmopolitanism and the difficulties that the latter faces in terms of implementation.

NF: Look, I am very impatient with the new vogue of anarchism among the young people. I believe that you don't have democracy without a coercive power. It has to be a public power, a democratically accountable, popularly organized and elected power. It can be to some degree decentralized for some questions, but there is no substitute for this. You're fooling yourself if you think you can get rid of injustice without a coercive power and certainly not in a situation like the present where you have, you know, ExxonMobil, Union Carbide, all of these criminal dispoliers of the environment for example. So I think moral cosmopolitanism is quite insufficient, I think anarchism is quite insufficient and even a certain kind of legal human rights cosmopolitanism is quite insufficient. I think we've been too intimated by a certain rhetorical talk taken from Kant that a "world state can only be a soulless despotism". Well, I don't want one world state for everything, but I think for issues like climate change they can only be addressed at the world issue, the global level, and for there we do need world level, public powers with the ability to coerce, compel obedience.

JSM: You have described the present context as one of "abnormal justice": a time in which the "grammar of justice is up for grabs", as questions surface not only regarding substantive claims of justice, but also in regards to the conceptual space within which they arise and who is entitled to such claims. In this setting, you argue for a conception of "reflexive justice". It is interesting to note that in your point of view the best scenario for our times wouldn't be one of "renormalization". The cultivation of abnormality *per se* is also eschewed as your signal to the idea of "reflexive justice" as the best suited for the present. This idea articulates the "opening" to contestation as well as the "closure", which enables political decisions. *Reflexive justice*, you have argued, provides guidance in abnormal times. Due to the importance of this idea, could you elucidate how reflective justice can be understood within the perspective of critical theory?

NF: This idea of abnormal justice I owe to Thomas Kuhn and Richard Rorty. Thomas Kuhn

distinguishes normal science from what he called revolutionary science. Normal science being when you have a community of inquirers where you share a sense of what counted as a relevant problem, what counted as a procedure for validating hypothesis, and what counted as disproving a hypothesis. Whereas what he called a revolutionary situation in science was one where there was no shared paradigm and so you had a much wilder discourse. Rorty, then, took that contrast and generalized it to discourse as such and he distinguished between those, let's say, islands - registers, arenas, subjects - in which you could proceed by more or less following a shared script that everyone shared. You might disagree to the answer of the question but you agreed to what the question was at least. He distinguished this normal discourse from abnormal discourse which he associated with novelty, innovation, he sometimes used Harold Bloom's idea of strong poetry: somebody who comes along and just starts talking a whole new vocabulary, a whole new language, and it might even seem unintelligible but if it has a kind of charisma and so on, then, other people start talking, and it becomes normal. Rorty's idea was that this is how a lot of cultural change happens, through these periods of normal discourse and periods of breakthroughs, which then get renormalized.

So what I did was take this and apply it not to discourse in general but, specifically, to disputes and arguments about justice. I should say, I don't remember if I cited him, but there is one sort of predecessor for this and that is Jean-François Lyotard who wrote about something he called *the differend,* which is a kind of abnormal justice but he didn't develop it in the way that I did.

In any case, my idea is if there are some contexts in which those who disagree about questions of justice share enough about *what* counts as a question of justice, *who* counts as a subject of justice, and what's the *frame*, what's the *procedure* for resolving the dispute. Those are the situations that I call normal justice. But there are other moments, other contexts, when whatever consensus there was breaks down and, again, things become wilder: people start talking pass each other, it's a dialogue of the deaf. And I believe that something like this is a way of describing our situation today and. Again, it's related to this shift from a state-organized capitalism of the Post World War II era to this new neoliberal, globalized, financial capitalism of the present. The state-managed capitalism really located (or identified) the arena of justice within the national territorial state and for the most part thought of it in terms of distribution and it mainly understood the subjects of justice as fellow citizens so that is more

or less something normal in this sense.

With the cracking of that whole world and the development of this new world, in which boundaries are routinely crossed without the bat of an eye by corporations, by militaries, by carbon emissions, by disease, by arms trafficking, you name it, everything is up for grabs. So we now have arguments over justice in which people do not share the same presuppositions. Some are assuming a global frame, others are sticking to the old national frame, some are assuming something in between, some are talking about distribution, others are talking about recognition and so on. This is, so far, just a description of the present.

The question that I wanted to pose having described things in this language was: "What should we be looking for to resolve this question?" And I started out by thinking that this situation of abnormality has a good side and a bad side. The good side is that it is more open, so that people who in the past were really just thrown into the margins because there was a consensus that they didn't share, these people, now have a greater ability to challenge and to get their claims out, to articulate a different language, a different frame, that's the good side: it allows us to contest invisible injustices, injustices that were swept under the rug in the previous normality. The bad side, though, is that because there is so much openness it becomes very hard to imagine how you can actually reach an agreement, take a decision, implement policies and so forth. It's too open. The practice of justice has both moments: critique and then reconstruction. For critique is the practice of opening and reconstruction is a kind of a closure. Abnormal justice has the opening but not the closure; normal justice has the closure but not the opening, so these are mirror images. The idea of reflective justice was supposed to be a grasping for some way of having both: having both opening and closure. I don't know exactly how to translate it – this is an intuition - into a concrete example. At one point I had the idea – and this is just a thought experiment, it is not a real proposal - of something like "framing courts" where you could come and say: "this way of framing the question is wrong" and then you could have a venue where people from different sites could argue about whether it was right or whether it was wrong and then reach a decision, that's the kind of idea of what reflective justice is. What it means is a place where you could call into question first-order assumptions and find some way of solving the dispute about them.

JSM: Notwithstanding the problematic scenario that was outlined and also taking into account your writing, in which you frequently consider the positive and negative aspects of

the situations you evaluate, you often seem to conclude on an optimistic note. Do you consider yourself an optimist?

NF: I think there are two levels to talk about this. One is a serious intellectual level and another has to do with another more personal level, an issue of temperament. On the serious intellectual level I would subscribe to the formula of Antonio Gramsci: "pessimism of the intellect, optimism of the will". When you look around the world today, I look straight and see that there are a lot of reasons to be very, very, worried. If the climate science is right, we really don't have a lot of time. We are living in a world that seems systematically incapable of dealing even with that issue, let alone all the other issues. So, I think there that this realism definitely leans on the side of pessimism. Thinking about some of the issues that were brought up today in the meeting[13], there are ways in which Brazil, and certainly the United States, is going backward. I don't know about you, but we have more inequality, we are losing rights that we had before, apparently you are as well, so it's a dark time, no question about that. But the point of doing critical theory is based on the hope that by clarifying what is really going on, by marking the distance between what is and what ought to be, or what could be, you give people some tools to think differently and act differently. Whether this is enough to make a difference, we'll see.

Now, at the different level I think that temperamentally (on a personal level) although I am deeply in my gut a philosopher and intellectual, I also have a very strong activist orientation. I was a militant in my youth, in the civil rights movements, in the antiwar movement, in the student movement, in feminism and so on. I have a long history in that and all of my instincts and impulses in my intellectual work come from a certain emotion of indignation, when I see something wrong I get upset and I try to think of that. Of course that might suggest in my writings that I believe that it is possible to fix things. Yes, in theory it is possible, there's no reason why we can't fix things. Will we do it? Remains to be seen.

Notes:

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[3] Nancy Fraser and Axel Honneth. *Redistribution or Recognition?: a political-philosophical exchange.* London: Verso, 2003.

[4] Nancy Fraser. *Scales of justice: reimagining political space in a globalizing world.* New York: Columbia University Press, 2009.

[5] Nancy Fraser, "Transnationalizing the Public Sphere: on the legitimacy and efficacy of public opinion in a post-Westphalian world," in *Transnationalizing the Public Sphere,* ed. Kate Nash (2014; Malden: Polity Press), p. 10.

[6] Nancy Fraser, *Fortunes of Feminism: from state-managed capitalism to neoliberal crisis and beyond,* New York: Verso, 2013

[7] Nancy Fraser. *Transnationalizing the Public Sphere,* edited by Kate Nash. Malden: Polity Press, 2014.

[8] This article was initially presented in 2004 as the second Spinoza Lecture delivered at the University of Amsterdam and it was initially published in *New Left Review* 56, 2009. It became a chapter of both *Scales of Justice (2009)* and *Fortunes of Feminism* (2013), which attests its importance in the present framework argued by Fraser.

[9] The idea of "all-affected" was in the first version of "*Transnationalizing the Public Sphere: on the legitimacy and efficacy of public opinion in a post-Westphalian world"* published in *Theory, Culture & Society* 24(4) (2007), 7-30. Fraser's current view is centered on the "all-subjected principle". See chapter 4, "Abnormal Justice" in *Scales of justice* and chapter 7, "Publicity, Subjection, Critique: A reply to my critics" in *Transnationalizing the Public Sphere.*

[10] Nancy Fraser, "Between Marketization and Social Protection: Resolving the Feminist Ambivalence," In *Fortunes of feminism: from state-managed capitalism to neoliberal crisis and beyond.* New York: Verso, 2013.

[11] Nancy Fraser, "How Feminism became capitalism's handmaiden an how to reclaim it," *The Guardian,* 14, October, 2013.
http://www.theguardian.com/commentisfree/2013/oct/14/feminism-capitalist-handmaiden-neoliberal

[12] Sheryl Sandberg, Facebook's COO and former Google executive wrote the bestselling book "Lean In: Women, Work, and the Will to Lead" (New York: Alfred A. Knopf, 2013) which aims at guiding women in achieving their full potential by getting to the top of their careers. Her argument is that the key to equality is the promotion of more women in power.

[13] Nancy Fraser is referring here to the discussion that followed her talk on equality for the *I Coloquio Internacional Universidades Participativas*, which took place on the same day as this interview. The participants mentioned in their questions the recent attempts by Brazilian lawmakers of passing legislation to restrict women's rights, gay's rights as well as proposals of criminalizing social movements by comparing their acts to terrorism.