

## Three Models of Emergency Politics

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The last three decades have been spent perfecting the techniques of emergency rule and dismantling the apparatuses of universal entitlement. This must certainly be the mode of governance that some rulers have in mind for meeting a coming climate change dystopia: a world of mass movement of displaced peoples meeting harsher border restrictions, scarce resources distributed on the basis of privilege, armed control of privatized essential services. However, even though it may grate against some received critiques of law, we cannot afford to jettison “necessity” and “emergency” altogether. It

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might not be perceived as such, but an emergency is already upon us, insisting on a response.

—Adam Bandt, “Had We but World Enough and Time (Reconsidering ‘Emergency’)”

Much of contemporary democratic theory, queer theory, and critical theory is shaped by a background of emergency, whether the emergency politics of the last decade’s ongoing war on terror, or the crisis politics of AIDS, or the emergency of immigration for the undocumented who live in a permanent state of exception with little access to the rule of law’s protections, or the declared crisis for the receiving population, for whom immigration is a perceived threat to the reproduction of their way of life. Even deliberative democratic theory emerges in relation to two (quite different) emergencies—Nazism, genocide, and the events of the Second World War and, thirty years later, West Germany’s departures from the rule of law in response to 1970s terrorism. The pervasiveness of emergency in social and political theory today is connected to current events but may perhaps also be infected by (while also being critical of) the media tendency to market everything as urgently exceptional and as, therefore, worth watching. In any case, this background of events is itself underwritten by the still influential idea, derived from the Nazi jurist Carl Schmitt, that politics becomes what it truly is only in the “state of exception,” in which decisionism reigns and the friend/enemy distinction gives meaningful, existential shape and purpose to a people and to governments. For many Schmittians, emergencies reveal a truth about democracies: they lack the form of sovereignty postulated by proper politics. In the endless talking that, on the decisionists’ account, characterizes deliberative and legislative processes, the central, definitive importance of sovereignty to politics goes missing. When emergencies force democracies out of deliberation and into decisionism, then what Schmittians take to be the proper elements of fully political life are made apparent. The daily deliberative democratic undermining of friend/foe politics screeches to a halt, and a sharpened sovereignty is (re)installed.

Social, legal, and political theorists have responded in several ways to invocations of emergency: some de-exceptionalize the exception by arguing that it is no longer exceptional but increasingly general. Thus, Giorgio Agamben highlights the camps and the biopolitics that, he argues, might have once dotted geographic and conceptual landscapes of legal orders but have now taken them over. No longer exceptions to the legal-political normality of liberal democracy, the camps are, on the contrary, significant

markers of the fundamentally postpolitical and biopolitical condition of late modernity's normality/emergency (part of which is our false assumption that we are living in democratic regimes that still distinguish public and private, under a rule of law that secures the conditions of normal, not emergency, politics and underwrites a still salient distinction between negative and positive "liberty").

Some others take the opposite strategy, though also in an effort to de-exceptionalize the emergency. Against the exceptionalism of emergency, they do not generalize the state of exception but rather insist that even in the context of emergency politics the rule of law must reign without interruption. Instead of using rendition, detention, and torture, liberal democracies can deal with suspected terrorists in regular courts, hold them in regular prisons, and grant them due process rights, just the same as they do with any other violators of law. This is a position defended ably by David Cole in recent years in the United States and also by Rainer Werner Fassbinder, in the context of a previous war on terror, which took place in the 1970s in West Germany and elsewhere. Fassbinder's defense of the rule of law comes in his contribution to the 1978 film *Germany in Autumn*, in which he (along with ten other directors of Germany's New Left Cinema in sequences of their own) explores the impact of terrorism on a democracy that readily resorted to exceptional measures to deal with political violence, while refusing to acknowledge or even address the root causes of that violence or its own ongoing uncomfortable implication in the Nazism it relegated to the "past."<sup>1</sup>

Still others, also seeking to de-exceptionalize the "exception," argue that not legality, per se, but deliberation (which at its best governs ordinary democratic life) is perfectly serviceable for those moments of emergency that seem to call for more centralized authority or decisionism. Elaine Scarry, whose work I discuss below, is one of those who defends deliberative democracy's capacity to inform and enhance civic efforts to think and act in an emergency.

Just as there is a variety of approaches to emergency, there is also a variety of emergencies, some of which exert more or less and also many *different kinds* of pressure on democratic life. Some social theorists have documented the variety of emergency politics, which encompasses public health emergency, terror attacks, and natural disasters, each one calling

1. I discuss the film and its context in detail in *Antigone, Interrupted* (Cambridge: Cambridge University Press, 2013), pt. 1, chap. 3.

for very different kinds of response. Other social theorists have also called attention to the constructedness of emergency, taking their bearings from the genealogical and critical work of Foucault or from the Baudrillardian idea of the simulacrum, in which events like the First Gulf War “did not take place.” This sort of scholarship usefully resists the enhancement of sovereign state forms that results from the manufacture or management of emergency politics. But we might also switch attention from the focus on the “construction” of emergencies (which has the aim, usually, of exposing them or of exposing the impossibility of “exposure” in a world of images) and ask instead how democratic theorists and activists might go further to democratize emergency, and to do so not to resist sovereignty but to claim it. To that end, we might highlight the importance of risking protest in such contexts—as when the US Occupy movement takes to the streets in the midst of a financial crisis, or when students in Montreal go on strike when their university tuition is raised by a since-defeated provincial government that claims tuition hikes are necessitated by economic realities. When those students demand free or very cheap education, are they unrealistic? Or do they seek to bring a new reality into being? Or both?

Democratizing emergency means seeking sovereignty, not just challenging it, and insisting that sovereignty is not just a trait of executive power that must be chastened but also potentially a trait of popular power as well, one to be generated and mobilized. Rather than oppose democracy and emergency, then, we might think about democratic opportunities to claim sovereignty even in emergency settings. I began this work in my book *Emergency Politics*, but I return to it now because a book published since then, by Scarry, offers new ideas to think with, and an older body of work by Douglas Crimp, collected in a later published volume, *Melancholia and Moralism*, is work I have only recently begun to think of as a contribution to the literature on emergency politics.<sup>2</sup> Engaging with the work of Scarry and Crimp as theorists of emergency adds to the non-Schmittian alternatives of emergency politics, and it helps to create a broader spectrum of options and perspectives. Working with their texts, I look here at three models of emergency politics: Deliberative, Activist, and (a particular kind of) Legalist. All are drawn from historical examples or present practices, and all, in some sense, are aimed at democratizing emergency and

2. Bonnie Honig, *Emergency Politics: Paradox, Law, Democracy* (Princeton, NJ: Princeton University Press, 2009); Elaine Scarry, *Thinking in an Emergency* (New York: W. W. Norton, 2011); and Douglas Crimp, *Melancholia and Moralism: Essays on AIDS and Queer Politics* (Cambridge, MA: MIT Press, 2002).

at de-exceptionalizing it. With Scarry and Crimp, and reworking material from *Emergency Politics*, I focus for most of this essay on various familiar emergencies—natural or nuclear disaster, a plague or public health emergency, the First Red Scare—and then broaden to look at a newer one: the food emergency wrought by fast foods and the last fifty years of the industrialization of agriculture.

More recently, climate change has become an emergency as well; in response to it, even progressives find themselves calling for climate czars, responding to the perceived failure of liberal democratic institutions to deal with the pressing problems of global warming in the quick and decisive ways they think are needed.<sup>3</sup> An exception to this is Adam Bandt's "Had We but World Enough and Time (Reconsidering 'Emergency')." Bandt says, regarding climate change, "The silver lining of our current dilemma is that we have no choice but to be in an emergency and suspend business as usual. . . ." But the business as usual that he wants to suspend is not the supposedly endless talk of deliberation, nor the rights of the rule of law, but rather the everyday of unpolitical life and its disengaged subjectivity: "In developing the new creative and active subject of the climate emergency, we must recognize the liberatory potentials open to us. . . . [S]o much of humanity's creative labour currently takes place in an affective realm and in 'public': what remains is for us to reclaim this as a new 'commons.'" The positive possibilities of "emergency" inform Bandt throughout: "even though it may grate against some received critiques of law, we cannot afford to jettison 'necessity' and 'emergency' altogether," he says. These may lead us not just to a pragmatic politics of survival but, beyond that, to new forms of collective living.<sup>4</sup>

I see intimations of such an alternative, a political overlife, or *survivance*, in the politics of food, as well, and I close by developing further some earlier developed ideas about food politics and the emergencies we face there. But where earlier I focused on how best to politicize food around discourses of rights and goods in the emergency setting of contemporary food production, here I extend those thoughts to think about how our food habits are a synecdoche of sorts for our politics, which are nutritionally impoverished.

3. See, for example, David Spratt and Philip Sutton, *Climate Code Red: The Case for Emergency Action* (Carlton North, Australia: Scribe Publications, 2008), 230–32. Cited in Adam Bandt, "Had We but World Enough and Time (Reconsidering 'Emergency')," *Australian Feminist Law Journal* 31 (2009): 15–32.

4. Bandt, "Had We but World Enough and Time," 32, 30.

## 1. Thinking in an Emergency

Scarry's 2011 book, *Thinking in an Emergency*, brings to the domain of emergency politics a deliberative sensibility. She argues against those who say emergencies require quick responses and maximum flexibility. For many Schmittians, emergency or crisis politics are inherently undemocratic—we cannot afford democracy in a crisis, Schmittians say, because we must act, and fast.<sup>5</sup> Normal legislative and deliberative processes must be suspended when crisis looms.

Against this view, Scarry promotes a democratic theory of emergency: she appreciates, she does not decry, deliberative democracy's impediments to war making, and she favors expanding such impediments. She argues in favor of a fully deliberative approach to emergency preparations in advance of any actual crisis. Such planning has an intrinsic value: it telegraphs the state's interest in the care and maintenance of its population while empowering people to self-care. And it also has an instrumental value: when crisis does strike, states and communities that have prepared in advance for emergencies have a better survival rate.

Scarry collects examples of the democratic processes and effects of preparing for emergencies and, later, weathering them together, collectively or in solidarity. She moves from the smallest to the largest, from individual crises, such as a sudden heart attack, to mid-level crises involving flood or fire, to global crises, such as a nuclear attack. She notes that when societies commit to training people (universally, as an act of citizenship) in CPR—cardiopulmonary resuscitation technique, a form of assisted emergency rescue breathing—their death rates go down. When civilians trained in CPR encounter people in need of help, when, due to illness or accident, someone's heart stops, strangers who know CPR do not freeze, they are not paralyzed, they do not panic and look around for an expert or authority to decide what to do. They act. They step in, their training kicks in, and they—often—do what is needed to save a life. (Swedes earn especially high marks from Scarry on this. It is notable that when Bostonians at the Marathon bombing showed they deserve to be in the Swedes' company, those who were singled out for exemplary preparedness were mostly individuals who had served in the military and had been trained.)

Scarry also looks at communities in Saskatchewan, Canada, who

5. Interested readers will find a detailed if somewhat strident account of the issue in William Scheuerman, *Liberal Democracy and the Social Acceleration of Time* (Baltimore, MD: Johns Hopkins University Press, 2004).

have mutual aid contracts and hold annual training exercises for natural emergencies such as flood, fire, or drought, and she is impressed by the seamlessness of regional aid that kicks into action when there is an emergency in the area. Trucks arrive, food is shipped, people show up, and everyone knows precisely what tool to bring, what tasks to perform, and so on. It is all laid out in their mutual aid contracts, the finest details specified, because without such measures and preparations everyone might show up with a shovel and no one with the rope that is also needed. (In the aftermath of the Boston Marathon bombing, the reason everyone admitted to the hospital alive survived their injuries was, in large part, because first responders followed an established emergency plan that distributed the injured among the area's hospitals and prevented any one hospital from being the one flooded with patients.)

Most of all, Scarry is impressed by the Swiss commitment to support public and private bomb shelters for *all* inhabitants of Switzerland in the event of a nuclear attack. She rightly contrasts that with the US decision not to bother trying to build shelters for the population at large (that is impractical, they say), while building incredible shelters for US government leaders. In the mountains of Virginia, she says, citing Paul Hodge, there is “a man-made cavern large enough to contain three-story buildings and a lake (large enough for water-skiing!).”<sup>6</sup>

There is an irresistible irony of these arrangements, which the public in the United States has never approved nor been enlisted to support. (That is, as Jeffrey Stout might say, there is no “buy-in.”)<sup>7</sup> In fact, the US public knows nothing about them. So consent is not possible here. But consent is absolutely necessary nonetheless. Not just for legitimation but for purposes of practicality: the privileged evacuation of the president to safety in an emergency *will* require the support of the unconsulted, and their acquiescence. For example, Scarry says, emergency plans call for specially designated members of the government, in an emergency, to have special badges and passes that mean they are “important” and must be let through—to the front of a line, to get on a bus, to pass through a traffic jam. But, she notes, such deference needs to be prepared for, people need to be trained into it. And no one has been trained into it, because no one is informed about the plans in place for emergencies. Thus, she says, clearly

6. Scarry, *Thinking in an Emergency*, 56.

7. Jeffrey Stout, *Blessed Are the Organized: Grassroots Democracy in America* (Princeton, NJ: Princeton University Press, 2010).

savoring the *democratic deliciousness* of the thought, “consent surfaces in unexpected ways: firing nuclear weapons does not require the population’s consent; building fallout shelters for the upper echelon of government does not require the population’s consent, but the president’s ability to get through a clogged road in an emergency will require the population’s assistance and consent.”<sup>8</sup>

What Scarry thematizes in terms of consent is something like what Bandt pursues, but under the banner of creativity. Like Scarry, he sees the democratic potential of emergency planning: “The laying out of an ‘emergency plan’ is less a Stalinist vision of a controlled society and more a map guiding a path to safety. Indeed, having a ‘plan’ for achievable actions might once have been thought of as reformist. Now, ironically, the hegemony of neoliberalism casts it as impossible.”<sup>9</sup> But it is neither. Such plans may carry in them the seeds of collectivity that overtake the survival they supposedly serve and point well beyond it to an unimaginable future, a survival. The idea of a possible future that outreaches what is imaginable now while being premised, nonetheless, on current practices of preparedness, reaches a bit beyond Scarry’s consent-based arguments, but it is not necessarily incompatible with a deliberative approach to emergency. What Bandt and Scarry share is the sense that emergency politics has a transformative dimension, hitherto untapped or unappreciated.

In sum, Scarry argues, emergency can and should be democratic and democratizing, but only if we approach it properly. Proper preparation, habituation, and training—modeled by CPR best practices, the mutual aid contracts in Saskatchewan, emergency shelter provisions for all—can be harnessed to the proper *democratic* aim of saving the population, and not just elites. Such preparations can make for better survival *and* also for better democracy, since the practice of preparing for emergency—making plans, having dry runs, fire drills, disseminating information for public review, and so on—socializes people into democratic habits and attitudes. In other words, emergency, survival, and democracy need not be at odds, not as such. Let us call Scarry’s way of thinking about emergency a deliberative democratic model of emergency politics. It is our first of three models.

8. Scarry, *Thinking in an Emergency*, 59.

9. Bandt, “Had We but World Enough and Time,” 31.



## 2. Acting in an Emergency

Our second model, the activist model, comes from Crimp, who is not a theorist of emergency, per se. He is an AIDS activist and art scholar, who developed a body of political writing out of experience with AIDS crisis activism and protest. That body of writing urges a certain orientation to emergency that contrasts usefully with Scarry's. This is in part because the emergency that shapes Crimp's views is not, as in Scarry, a heart attack or a nuclear explosion but a public health crisis that was unexpected, unprecedented, and greeted with government indifference, not dedicated secrecy (though admittedly both indifference and secrecy bespeak a certain elite remove from ordinary experience). Thus, in Crimp's work, the focus is on acting, not thinking (though of course he is thoughtful). Also by contrast with Scarry, Crimp is oriented not toward deliberation but toward one of its opposites: promiscuity. Crimp aims specifically to defend and to promote promiscuity as a democratic value of queer life that should not be sacrificed to emergency politics. Indeed, Crimp found himself in the 1980s in the paradoxical position of promoting "what many were endeavoring to blame—namely, promiscuity."<sup>10</sup> That is, Crimp, like Scarry, sees the costs of emergency, but where Scarry seeks to protect deliberation and to use it as a norm to guide us through emergency, Crimp does the same with and on behalf of promiscuity.

Crimp is a founding member of ACT UP, the 1980s activist group, AIDS Coalition to Unleash Power. In the process of combating AIDS, decrying the US government's neglect of a public health emergency, and challenging pharmaceutical companies to put profits *second*, ACT UP created a model of dissident politics that is still current today, in health politics and elsewhere: a campy, funny, and ironic protest politics that was also deadly serious. Crimp is not usually thought of as a theorist of emergency, but he should be. ACT UP was formed in the 1980s in response to the AIDS crisis, which was killing off people, young gay men and others, at alarming rates but was receiving little government attention or intervention. Private pharmaceutical companies were charged with being more interested in profits than in saving lives. The dominant mainstream public responses to AIDS in the 1980s were to demonize gay people for carrying or causing the disease and/or to demonize their sex practices and preach abstinence or "responsi-

10. These are Charles Barbour's words, in an unpublished discussant comment on this essay at a research workshop at the Whitlam Institute, University of Western Sydney, August 27, 2012.

bility.” Crimp supported safer sex practices but not the mainstream’s moralism against gay life, and not the promotion of the heteronormative couple form as the only natural or right one. He tried to combat the political-cultural effects of the epidemic, which cast gay male sex practices as indulgent, immoral, dangerous, and irresponsible instead of as he saw them: community forming, world building, pleasure making. He fought to make room for an appreciation of promiscuity, and promiscuous sex, as a valued form of life. He saw that what was at risk in the AIDS crisis was not just individual lives, always to be treasured, but also a world that had come into existence by way of queer practices of pleasure: promiscuity, intimacy, communality, and risk.

Within ACT UP there were several different approaches to the crisis and different ideas about how best to respond to it. There were, as just noted, protests against pharmaceutical companies for not accelerating their research. There were also protests against scientists, researchers, and the FDA for not opening up their clinical trials to those who were dying of AIDS and had no time to wait for the normal workings of the research process to produce a cure. In a crisis, it was argued, such normal procedures had to be suspended. There were protests against the government for failing to acknowledge and address itself to a public health crisis.

But AIDS activists did not just protest. They also developed their own practices of judgment, deliberation, and self-governance. They learned about the science of drug development and demanded and won a voice in clinical trials. And they took charge of efforts to educate the gay community and others about safe sex. These efforts at public education directly raised the question of how to survive a crisis, but many of these efforts were not, Crimp in effect argued, attentive enough to a key question, also focused on by Scarry: Who we will be, having survived, given how we survived?<sup>11</sup> Calls were issued to gay men to practice safe sex, and those who opposed the use of condoms, like politicians and church leaders, were criticized for that opposition. But what was safe sex?

For many, it was not just about using a condom and altering some sexual practices; it was about transforming a world: abandoning promis-

11. This is the Martha Minow question, the Michael Ignatieff question, and my question, in the context of emergency politics. See Martha Minow, “What Is the Greatest Evil?,” review of *The Lesser Evil: Political Ethics in an Age of Terror*, by Michael Ignatieff, *Harvard Law Review* 118 (2005): 2134. It is also the question of central importance to Bernard Williams. On this theme in Williams, see my “Difference, Dilemmas, and the Politics of Home,” *Social Research* 61, no. 3 (1994): 563–97; and *Emergency Politics*, 4–11.

cuity and leaving the bathhouses, sites of communal sex. Safe sex meant “responsible sex,” which now meant finding a single uninfected partner and restricting sexual activity to a monogamous relationship. This in turn might mean moving to places like Oklahoma, one of the several states recommended as “safe” because it had a relatively low infection rate. In response to all this, and in particular to a safe sex manual called “How to Have Sex in an Epidemic,” Crimp authored an essay titled “How to Have Promiscuity in an Epidemic,” in which he embraced promiscuity as a form of life, and resisted its stigmatization by those moralists and pragmatists who treated promiscuity as an indulgence or as a sign of gay male immaturity.<sup>12</sup> Embracing the supposed excesses of promiscuity, Crimp argued that promiscuous and collective sex practices built the communal ties and solidarities that could combat AIDS and help save lives by providing the routes and relationships that allowed people to share information and care for each other. Promiscuity was not life threatening, he argued, it was life supporting. He defended it against the hegemony of the heteronormative couple form that he saw others in the gay community embracing in response to emergency. Moving to Oklahoma was not a solution. Gay male promiscuity was an emergent form of life, it had values and ethics and politics of its own, and it was worth defending.

The struggle between sexual liberation and responsible, security-minded thinking imposed by an emergency was not limited to gay men, though their experience was often in the background—the subtext. A *Time* magazine cover in the mid-1980s depicted Adam and Eve naked, bound beneath the tree of knowledge, quaking with fear. Sex in the 1980s in the United States was at a turning point. The activism of the sixties, which sought out new realities by way of experimentation and new attitudes to pleasure or escapism, was represented (as it always had been but now the representation was more dominant) as a self-indulgence rather than a communal remaking. This is what Crimp spoke to when he said of the gay community, “Having adjusted our sex lives so as to protect ourselves and one another—we are now reclaiming our subjectivities, our communities, our culture . . . and our promiscuous love of sex.”<sup>13</sup> Over twenty years later, in the midst of a different, ongoing, emergency politics, these lines are relevant to us, in a new way. We could now read these few lines as follows: “Having adjusted our *democratic* lives so as to protect ourselves and one

12. Douglas Crimp, “How to Have Promiscuity in an Epidemic,” *October* 43 (1987): 237–71.

13. Crimp, “How to Have Promiscuity in an Epidemic,” 270.

another—we are now reclaiming our subjectivities, our communities, our culture . . . and our promiscuous love of *democracy*.” Thus, Crimp’s work invites us to ask a question that links his work and that of democratic theory. Not just: How to have promiscuity in an epidemic? But, inspired by that question and what it stands for: *How to have democracy in an emergency?*

For Scarry, the answer to this question is: by way of rule-governed procedures of deliberation, precommitment, and planning that assume and also generate a sense of the equal importance of survival for everyone.<sup>14</sup> For Crimp, though, such devotion to deliberation and rationality can rule out or marginalize promiscuity, which is about excess, sharing, risk, seeking out new relations and realities, creating new forms of life. For Crimp, democracy should be about these things too: not just mere life but more life, not just survival but sur-vivance, not just responsibility but (also) promiscuity.

We can map their divergence—Scarry’s and Crimp’s—perhaps a bit promiscuously, through a single term: “bottoming.”<sup>15</sup> Scarry borrows the term from John Locke. In his *Essay Concerning Human Understanding*, “bottoming” is a habit of mind necessary to penetrate mysteries. A kind of thinking, bottoming is a “thick” investigative process “that arrives at evidentiary and weighted objects” as it quests for the place where the argument “bottoms.” Locke contrasts “bottoming,” this form of mental diligence, this “due examination of particulars,” with a form of mental “‘laziness’ which allows the mind to take the first object that comes along.” This opens the way to associationism, which is precisely what he wants to preclude. Locke, Scarry says, calls this rapidity a “. . . prostituting [of] the mind’ because the mind *gives itself to the first comer*. It then wanders off to another subject,

14. But Scarry knows there is more to survival than mere life. She seems to understand the importance of more life and the sustenance of meaning. She approves of the Swiss plan to care for certain religious statues and artifacts, for example, and notes approvingly that the Swiss believe that preserving a population means not just keeping individual residents free from physical injury but also keeping intact networks of families, friends, and things—cultural artifacts—that are “precious to that population” and lend a certain reality to their world, and are lent by them a certain reality that makes them more than mere things (or that shows how dependent reality is on what we think, wrongly, are only and merely “things”). See Scarry, *Thinking in an Emergency*, 58. On the importance of such “things” to human worldliness, see, of course, Hannah Arendt on “work” and “objects” in *The Human Condition* (Chicago: University of Chicago Press, 1998)—a topic to which I turn in *Public Things*, forthcoming.

15. That my own path or approach here, which explores “bottoming” as a shared term in what is intentionally a somewhat loosely associative way, can be itself described as “promiscuous,” is an insight pressed on me by a student from the University of Sydney at a seminar at the University of Western Sydney in April 2013.

then another, then another.” This mind is promiscuous; it prizes surface over depth and practices infidelity. In Locke and in Scarry, bottoming is rendered serious and diligent by contrast with promiscuity and/as infidelity.<sup>16</sup>

For Crimp, however, as for many other queer theorists, bottoming is part of a world of sexual practices that build community by way of intimate association. Crimp affiliates these practices of community and risk (giving oneself “to the first comer”) with the promiscuity that Locke degrades and Crimp celebrates. What Crimp celebrates under the sign of promiscuity are all sorts of departures from the exclusive couple form that is held up as a norm for all. Most important, Crimp does not share Scarry’s devotion to deliberative processes and risk aversion, first, because he sees the promise and pleasure of spontaneity and, second, because in his context, calls for risk aversion are part of a set of homophobic and normalizing tactics, policies, and worldviews. Writing about sexual politics in the 1980s during the AIDS crisis, Crimp sees that invocations of safety and calls to avoid “risky” sex operate in complicity with new iterations of homophobia that stigmatize nonnormative sex.

He has a point, and it applies to democracy more generally, not just to queer politics, for democracy, we might note, is itself promiscuous. In the domain of political theory, democracy has coupled up with a series of partners—some better, some worse—since its inception (liberal democracy, social democracy, deliberative democracy, radical democracy, and more); there is hardly an adjective it won’t hook up with. So democracy is promiscuous in that sense. But, more to the point, democracy is arguably a form of politics that is at its best in circulation—switching alliances and allegiances, taking up new partners, staying on the move, and courting risk. We might think here of Alexis de Tocqueville’s fundamental identification of democracy with mobility, in *Democracy in America*.<sup>17</sup>

ACT UP’s famous “Freedom Bed” is a good image for promiscuous democracy. The bed is on wheels, it goes to different sites, it traverses public and private in ways that unsettle people (a bed? outdoors??), it is transgressive, and it instances freedom. When democracy comes to rest and starts worrying about its safety, identity, and its own reproduction, when it becomes risk averse and defensive, that is, when it wants to put the freedom bed back in the bedroom, when it seeks out safe politics, democracy is immobilized. That said, an immobile—or a less mobile—democracy has

16. Scarry, *Thinking in an Emergency*, 103–4.

17. See Alexis de Tocqueville, *Democracy in America*, ed. Phillip Bradley (New York: Alfred A. Knopf, 1966).

much to offer. There are things it can achieve, like certain rights and redistributions in bounded territories, but it also loses some of its promise and appeal, some of its capacity for promiscuous justice, which is needed to counteract the aggression with which we also respond defensively to emergencies or attacks. Often, in cases of emergency, this loss is the first thing we feel.

### 3. Legality in an Emergency

The question of how to have democracy in an emergency is the question posed by Louis Freeland Post in the context of the century-defining emergency of the United States in the last century—the emergency that became known as the First Red Scare. Post was assistant secretary of labor of the United States during the First Red Scare, in 1919–20, when aliens were rounded up arbitrarily for summary deportation after a series of bombings that were attributed to foreign anarchists. Post's story is normally told as follows: He fought for procedural rights and due process during a time of emergency in which immigrants and aliens were targeted for deportation and subjected to the arbitrary power of the state. He was a principled proceduralist, who anticipated later court rulings on the rights of noncitizens. He is a model of what the rule of law stands for—the equal treatment of powerful and powerless alike, by law, which is blind to unequal social status, even of aliens. He is the legalists' hero: he treated everyone, both citizens and aliens, as if they had human rights.

That is the standard story. But, in fact, Post did more than fight for procedural rights of due process, and he was, in any case, no mere proceduralist. He began his career forty years before the First Red Scare, in post-Civil War South Carolina, documenting the testimonies of white supremacist Ku Klux Klan members who were detained under President Grant's suspension of habeas corpus. Post never protested Grant's decision to suspend habeas corpus in order to break the Klan. Does this mean Post is merely a man of contradictions, as one historian suggests, noting that Post urged military preparedness as his wife campaigned for the Peace Party?

There *are* some contradictions here. For example, we also know that Post was considered a radical and that he was a social friend of the anarchist Emma Goldman, but it was Post who signed the deportation order to exile Goldman during the Red Scare. Goldman never forgave him. Still, to call Post a man of contradictions seems inadequate. First, the fact that he

and his wife parted ways over the politics of pacifism hardly rises to the level of contradiction. And second, this is a label rather than an explanation.

I will suggest that Post is a legalist, but a particular kind of legalist, who in some ways combines elements of both the deliberative and promiscuous models of emergency politics canvassed here. Post was a man with the wherewithal to negotiate the challenges of emergency politics because he was well acquainted with the law, whose details he “bottomed,” and he was well acquainted with the enemy, so-called, with whom he had conspicuously and promiscuously consorted. He was a progressive who had socialized with many on the radical left and was frequently teased by friends who said he looked like Trotsky.

Post is a hero to many lawyers now fighting in the United States against arbitrary deportation practices of the Department of Homeland Security and against detentions in Guantanamo. But the official story of Post’s principled proceduralism is too simple. For that proceduralism was underwritten, in Post’s case, by his commitment to a radical and promiscuous democracy, and this commitment of his is more important for us now than is his proceduralism. That is, there is no shortage of proceduralists to look up to in the US canon of political theory and practice, though they are not always around when you need them. But promiscuous democrats are in rather short supply these days. Post will press us beyond these two models, however, to consider emergency politics from a different perspective: that of the paradox of politics, in which we find it necessary to appeal to the people as we hope they might be but are not yet. Living in an era of fear, terror, and xenophobia, Post tried to work the paradox of politics to democratic advantage.

In April and May of 1919, a series of bombings and suicide bombings occurred in the United States and were attributed to anarchists. Attorney General Palmer and his assistant, a young J. Edgar Hoover, saw the bombings as an opportunity “to destroy the Union of Russian Workers and the new Communist Party” by arresting and deporting all those suspected of subversive activity.<sup>18</sup> Mindful of the recent Third International, Palmer and Hoover engineered the Palmer Raids, in late 1919 to early 1920, which swept up five to ten thousand (estimates differ) aliens and lined them up for deportation under the Sedition Act of 1918.

18. Charles Howard McCormick, “Louis Freeland Post,” entry in *American National Biography*, vol. 17, ed. John Garraty and Mark C. Carnes (New York: Oxford University Press, 1999), 731. See also Bruce Watson, “Crackdown!,” *Smithsonian* 32, no. 11 (February 2002): 52.

Initially, the Department of Labor, where Post was appointed, worked in tandem with the commissioner of immigration and the Justice Department. John W. Abercrombie, solicitor general of labor, went so far as to issue five thousand *blank* deportation warrants for use by Palmer's agents. The agents could arrest whom they wanted and just fill in their names on the warrants afterward. When Abercrombie left the Labor Department to run for the Senate, Post, by then assistant secretary of labor and one of many progressives appointed to the executive branch by President Wilson, took charge of deportation oversight. Post immediately stopped the Labor Department's cooperation with the Immigration Bureau and the Justice Department. He claimed the power of deportation for the Labor Department (exploiting some language in the act that created the Labor Department) and ordered that "all records be sent to Washington for his personal review."<sup>19</sup> As I detail in *Emergency Politics*, Post then considered the cases, one by one, narrowing the terms for deportation as far as he could within the frame of the law.<sup>20</sup>

First, he persuaded Labor Secretary Wilson that since the Communist Labor Party was more moderate than the Communist Party of America, only membership in the latter should be a deportable offense. Only the latter did not disavow the use of violence.<sup>21</sup>

19. Dominic Candeloro, "Louis Post and the Red Scare of 1920," *Prologue: The Journal of the National Archives* 2, no. 1 (1979): 41–55, esp. 44. The commissioner of immigration, Anthony Caminetti, resisted the takeover, of course, but Post replied that "power over deportation matters had never been given to the bureau [of immigration] and that Caminetti was merely an agent who had been assigned to brief cases for him." As Post later put it in his testimony before the Committee on Rules, "The Commissioner General of Immigration is not the dictator to the Secretary of Labor in warrant cases." He repeatedly characterized the immigration commissioner as a "sheriff" to the Department of Labor and as a mere adviser, and, finally and most brutally, as possessed of "no more authority than the private secretary of a Secretary would have." House Committee on Rules, "Investigation of Administration of Louis F. Post, Assistant Secretary of Labor, in the Matter of Deportation of Aliens," CIS-NO: H247–4, April 27, 30, and May 7, 8, 1920: 227. Hereafter, this work is cited as House Testimony or HT.

20. "The mere innocent member who is guilty of nothing but joining an organization. . . . I don't think that any man with an *American mind* would wish to have that kind of man deported without showing some evidence that he was culpable" (HT, 263). This move was continuous with earlier efforts made by Post, since taking up his position as assistant secretary of labor in 1913, to consolidate the power of the Labor Department over its bureaus. See Dominic Candeloro, "Louis Freeland Post: Carpetbagger, Single-taxer, Progressive" (PhD diss., University of Illinois at Urbana–Champaign, 1970), 155–65.

21. This directly contradicted J. Edgar Hoover, who insisted that "both organizations



Second, Post decided that people could not be subject to deportation just because their names were found on Communist Party membership lists. The party padded its rolls, listing inactive or unpaid former members and borrowing names from lists of other related but nonidentical organizations. More proof of membership would be required.

Third, and most radically, Post applied to these administrative cases standards of evidence and due process that normally would have, at the time in the United States, obtained only in judicial settings, not administrative ones. Post argued that, in adjudicating cases of deportation, it made sense to follow the rules of due process that, in other venues such as the criminal courts, serve as proxies for fairness.

Finally, Post used all his powers of reasoning—he “bottomed” the law’s resources—to find in favor of aliens marked for deportation whenever possible. Most crucially, he was well acquainted with the progressive Left in the United States—he was himself a member of it and so could tutor the US public on the fine differences between political and philosophical anarchism, for example. This was key because only political anarchists were subject to deportation. Finding some of those detained to be merely philosophical anarchists, Post released them.

Thus, in three months, Post and two assistants freed two to three thousand, or perhaps even as many as six thousand (estimates differ), detainees. Knowing the law well, Post exploited its resources. Reviewing thousands of cases in a matter of weeks, he almost always found the detail, technicality, or doubt that might warrant a detainee’s release.

Post’s use of technicality and hyperlegality was recognized as an “insurrection against Palmer.”<sup>22</sup> Though deportations did proceed, they were far fewer than would otherwise have been the case. When, by the spring of 1920, Post had canceled the warrants of most of those detained in Palmer’s raids and roundups, and released them, Palmer was livid. He charged Post with abusing his discretionary power and “demanded that Post be fired for his ‘tender solicitude for social revolution.’”<sup>23</sup>

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pledged themselves to overthrow the Government of the United States” and were in violation of “the provision of the Act of Congress approved Oct. 16, 1918.” Quoted in Candloro, “Louis Freeland Post,” 45.

22. William Leuchtenburg, *The Perils of Prosperity, 1914–32* (Chicago: University of Chicago Press, 1958), 79. See also McCormick, “Louis Freeland Post.”

23. Leuchtenburg, *The Perils of Prosperity*, 80. Of the five thousand arrest warrants sworn out in late 1919, “only a few more than 600 aliens were actually deported” (81). See Watson, “Crackdown!”

Post was called before the House Committee on Rules to answer Palmer's charges.<sup>24</sup> Was Post implementing the Sedition Act as he was required to do? Or was he using his discretionary power to undo it?<sup>25</sup> The public's impression, and that of the congressional committee, was very much the latter.<sup>26</sup> Post countered with the legally more precise claim that a deportation warrant, which is all Palmer and Hoover could issue, was merely a charge, not a finding. A warrant began a process of investigation, rather than marking the end of one. This clarification actually helped turn the tide of public opinion in Post's favor.<sup>27</sup> The committee was not so quickly won over, though, and took issue with Post's most radical invention: the procedural rules under which Post decided the cases before him. Post defended himself, but not just by way of proceduralism. In his House Testimony, he invoked other substantive values, such as Americanism, humanness, and justice: "when the executive department of the Government is the absolute judge of whether a man shall remain in this country or not, and the courts will not interfere, we should see to it that no injustice is done to the man," he said, reaching in this public forum beyond the hyperlegality for which he is now known and toward an empathy and futurity in which he placed his faith.<sup>28</sup> Mobilizing humanist and American ideals, he counteracted the sense of emergency that permeated the country and offered him-

24. Lucy Salyer, David Cole, and others suggest Post was impeached or "brought up on impeachment charges," referring to the hearings cited here. In fact, he was not impeached. An impeachment resolution was introduced "unostentatiously," by Kansas congressman Homer Hoch. But the resolution "did not come formally before the House" and although it should then have gone to a preliminary inquiry by the Committee on the Judiciary, "the Speaker referred it to the Committee on Rules" (whose record is here referred to as House Testimony [HT]). See Lucy Salyer, *Laws Harsh as Tigers* (Chapel Hill: University of North Carolina Press, 1995), 239; and David Cole, *Enemy Aliens* (New York: New Press, 2003), 123.

25. This, in a nutshell, is the recurring question in the literature regarding administrative power. Salyer parses it by way of a quotation from attorney Max Kohler, who criticized the Bureau of Immigration's exercises of administrative power under Commissioner Williams (1911): "The discretion wielded by men like Williams to interpret law turned immigration officials from 'law-enforcers' into 'self-constituted lawmaker[s]'" (*Laws Harsh as Tigers*, 154).

26. Indeed, one of his antagonists, Johnson, snipped at the hearing of the House Committee on Rules, "We have given you time to empty the jails as far as you could" (HT, 254).

27. Even such "unfriendly" witnesses as the *Spokesman-Review* (a newspaper so characterized by Post) were entirely persuaded by this clarification. Louis Post, *The Deportations Delirium* (Chicago: C. H. Kerr, 1923).

28. HT, 80–81.

self up as the exemplary guilty conscience of American democracy, hoping to awaken or stir the consciences of others with his own. He made clear the difficulty posed to his own integrity by the need to impose an unjust law and subject ordinary people to the harms of deportation:

I could not sleep at night for thinking of some of the cases where the man had to be sent out. They were good, hardworking and useful men, who would have made good American citizens; but it was proved that they were members of this organization, even though they did not know what its purpose was; even though they thought they were joining an organization of men from their own country; even though they thought that they were going to school. I have deported such men, because the evidence showed that it was clear that they belonged to the organization.<sup>29</sup>

Thus, Post raised the question of democratic integrity, both with regard to himself and, by implication, with regard to the country. Democratic integrity limits what we may do to survive an emergency on behalf of who we want to be afterward.

When Post made his appeals to American justice, he was not only using a rhetoric of persuasion to get himself out of trouble, as some might argue. He was also seducing the public into being a people they were not quite yet: a promiscuous, risk-taking, humanist people rather than a stay-at-home, risk-averse, fearful, and xenophobic people. He was interpellating the public into a democratic ideal by which they were not (yet) living. Calling people to become the nation they were not (yet?), he also called on them to respect rights that did not exist (yet?).

He also advised detainees to do something similar for themselves: to invoke the writ of habeas corpus while in detention and demand due process rights, even though he knew no court would likely side with them.<sup>30</sup> He

29. HT, 78–79. Here Post presents himself as bound by law and emphasizes his own feeling that he was forced by the law of the land and the responsibilities of his office to do things he thought wrong and unwarranted. By way of protest, Post referred repeatedly to the *usefulness* of the men he was forced to deport. The criterion of usefulness is fully at odds with the more deontic norm of individual liberty to which he also appeals, but it is unsurprising, as a political and historical matter, that Post would appeal to both.

30. “The Supreme Court has held that Congress has turned this whole matter over to our administrative department of the Government; that the question of whether an alien shall be allowed to continue to reside in the United States is a question of sovereignty and belongs on the Executive side of the Government and not on the judicial side. Consequently the courts have refused, on writs of habeas corpus, to interfere with the deci-

understood the power and powerlessness of law. He knew that law could be pressed into new directions only if claims were made in its name. This is what Post did and taught others to do, while also cultivating a public that would be receptive to such claims, after they were made, if not before.

The question for political theorists now is: How to tell Post's story? Is Post an example of our first model of democratic emergency, the one offered by Scarry, in which we prepare, deliberate, understand our constraints, and embrace impediments that prevent us from treating others unequally, both on behalf of their survival, as persons, and of ours, as a democratic community? Certainly, Post "bottomed" the law: his commitments and his legalist's proceduralism could arguably make him a great example of Scarry's deliberative theory of emergency.

But Post could also serve as an example of our second model: Crimp's promiscuous politics of emergency. This comparison might illuminate the ways in which Post's proceduralism was itself promiscuous—it took on all comers—and it was empowered by Post's own promiscuity—his networks were broad, he spoke with everyone, was a member of many groups and societies, and the men and women whose fates he decided were not strange and unknown to him. He was also, more like Crimp than Scarry, in favor of risk as a constitutive feature of vigorous democratic politics. (This necessarily involves encounters with others, unlike ourselves, or unlike the majority culture.) So we could see Post as part Scarry, part Crimp: a deliberative legalist who worked for equality, and a promiscuous democratic actor who sought to ward off securitarian thinking. But we would then miss out on what I take to be his most significant theoretical contribution. We are alerted to the risk of missing it by Hannah Arendt, who warns, "comprehension does not mean denying the outrageous, deducing the unprecedented from precedents, or explaining phenomena by such analogies and generalities that the impact of reality and the shock of experience are no longer felt."<sup>31</sup> Absorbing Post into either of our two models of emergency politics might obscure some of his more "shocking" traits, in

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sions of the administrative side of the Government in these cases unless there is absolute lack of jurisdiction. Where there is no evidence at all to support the case for deportation, the courts will interfere on *habeas corpus*. But they will not review the merits of the case because, they say, it is a question of sovereignty turned over to the Executive department of the Government and they have no right to cross the line" (Post, *Deportations Delirium*, 253).

31. Hannah Arendt, *The Origins of Totalitarianism* (New York: Harcourt, 1985), viii.

Arendt's sense. Post invites us to move beyond proceduralism, promiscuity, and (hyper)legalism to another theoretical register.

#### 4. The Paradox of Politics: Slow Food's Slow Revolution

When he stakes out new rights and tethers them to public goods that do not yet exist, Post enters into what is called the *paradox of politics*. The paradox of politics is one name for the problem, theorized most famously by Jean-Jacques Rousseau in *The Social Contract*: How to design a good polity when, to get good law, you need good men to author it, but to get good men, you need good law to shape and to socialize them?<sup>32</sup> How to break this circle of chicken and egg? Famously, Rousseau broke out of the paradox, or thought he did, by resorting to a lawgiver, someone—procedural or promiscuous—who comes along, miraculously, contingently, and gives good law to a people not yet able to generate it for themselves. Since Rousseau, most political theorists have thought of the paradox of politics as a problem of beginning, as a problem that touches politics when a regime is not yet in place, when a people has not yet formed. In fact, this problem is not one of beginning; it recurs daily as new citizens are born into a regime, or immigrate into it, and old ones are resocialized into its expectations, norms, and demands. In the story of Post, we see that the paradox of politics is always there. It is aggravated in moments of emergency, when the question of what should be done does not just express who we are, already, as Scarry suggests, but will also decide who we are, who we want to be; and in order to resolve it well we need already to be who we want to be (and to know who we want to be), before we decide. We are in that chicken-and-egg situation where cause and effect each presuppose each other.

Post tried to break the circle of chicken and egg by injecting into past and present something that was (perhaps) yet to come but that he intimated was already here. He enacted new rights and envisioned new political realities—an idealized America whose xenophobic impulses could be distinguished from and trumped by its sense of what was humane and just.<sup>33</sup> This focus on new rights and on their necessary connection to new

32. Jean-Jacques Rousseau, *On the Social Contract*, trans. Maurice Cranston (New York: Penguin Books, 1968).

33. In *Democracy and the Foreigner* (Princeton, NJ: Princeton University Press, 2001), I argue (against Rogers Smith) that these two dimensions of American political culture are actually indistinguishable, or, better, that they are mutually implicated and that we cannot just reach to the humane or the liberal dimensions of US politics to correct for the

realities is one of the things that distinguishes the perspective of the paradox of politics from the useful work of Scarry and Crimp. The problem of beginnings, to which the paradox of politics calls attention, is replayed in the context of new rights claims even in established settings. New rights may be absorbed into old, absorbent vernaculars, as proceduralists have done with Post's innovations when they say he "anticipated" the law, thus giving law all the agency and rewarding Post only for his perspicacity and daring. But, sometimes, new rights might create new relations and new realities. And how we tell their story affects which way things go. When we say, as many lawyers do today, that someone, like Post, "anticipated the law," we may help promote legitimacy for his innovations but we also defeat their promiscuity and rein in their generativity. In something like Scarry's terms, Post is turned by the legalist discourse of anticipation into someone who performed life-restoring CPR on a near-dead democracy. But he is not positioned as a party to a new mutual compact.

Is there another way? We may find instruction from another domain of political activity. In part because it is so new, contemporary food politics offers an alternative less easily subsumed under old vernaculars and established tables of value. In particular, the food politics group, Slow Food, has developed an interesting politics attuned to the challenges of innovation and subsumption. I discussed Slow Food's politics of new rights in *Emergency Politics*. But now, with Scarry's and Crimp's emergency politics helping to frame Post's, we can see for the first time how Slow Food combines elements of all these models of emergency politics: Scarry's deliberative democratic approach, Crimp's promiscuous activism, and Post's (also promiscuous) legalism. Moreover, Slow Food's founder, Carlo Petrini, has very recently elaborated on its mission, which, since 2007, has been adjusted in ways that further underwrite my claim that Slow Food's new rights claims are made in quest of a new reality, not just a new right, as such; indeed, they are made in quest of what Petrini now calls a "slow revolution."<sup>34</sup>

Slow Food began by declaring an emergency. In 1986, a McDonald's opened in Rome, near the Spanish Steps, and journalist Petrini declared an emergency and founded Slow Food, a group seeking to support local food producers in part by offering them help to secure entry into transna-

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racist and xenophobic bits that they actually postulate and presuppose. See, especially, chaps. 1 and 5.

34. Cited in Mark Bittman, "Slow Food Quickens the Pace," *New York Times*, March 26, 2013.

tional markets. Slow Food does not disdain profits but sees them as part of sustainability. This is what Petrini calls “virtuous globalization” (and others might see as vicious collaboration). They also try to halt the damage done by fast food and the forms of agriculture and food production supported by the fast food economy. They offer classes as part of a Taste Education Project to reeducate palates long blunted by mass food. They started an Ark Project, different from the Russian Arks, so named by Palmer and Hoover, which were tasked with removing aliens from US shores. Slow Food’s Ark Project, by contrast, promotes not homogeneity but biodiversity and rewards those working to save at-risk species of plants and animals from extinction.

Drawing on elements of all of our three models of emergency politics, Slow Food addresses the morality, politics, and economics of the food trade by allying taste with fairness and goodness—they embrace the good, the clean, and the just in food production. They are promiscuous in their unapologetic pursuit of pleasure. And they “bottom” the law to challenge EU food regulations that favor large food producers over local artisans and farmers. If Slow Food is positioned to draw on all three models, that may be partly because it stepped right into the paradox of politics. Understanding itself to be engaged in emergency politics, seeking to found an alternative to the current industrialized agriculture paradigm of fast food production, Slow Food began with the declaration of a new right (the right to taste) and called for its protection. As we just saw, a great deal depends on how we interpret this new right, the “right to taste,” and on how we respond to those who claim it. Is it an anticipation of future ones or an expansion of human rights already in place? That is difficult to establish since the new right to taste entangles us in animal rights or at least in animal welfare, as well as in environmentalism, climate protection, and more. Also, the right to taste seems laughable—it is surely too silly to be a human right, many object. But this is instructive, because it reminds us that all new rights appear silly at the moment of their emergence. The US Congress in 1920 thought due process rights for foreign anarchists was a joke, or else it was treason. The idea of women voting was once a silly joke to some . . . But we have a narrative that domesticates those developments—just as we have one that domesticates Post’s innovations. These are all part of the expansion of human rights, the domestication narrative says: promised, already there, just waiting to be unpacked, Habermasians would say. It is a legitimation narrative, and it is hard to resist, when you are on the outside trying to get in. But it obscures the distinctiveness of all new rights, which, like the right

to taste, may potentially carry with them the promise of a new world, a new mutual compact, a new reality.

The point here is not that the paradox of politics is the best model for emergency politics but that we should not obscure its perspective because it is instructive when we assess the promise and the limits of deliberative, promiscuous-activist, and (hyper)legalist models. The chicken-and-egg-like dependence of structures on virtuous people and of people on good structures (à la Rousseau) need not paralyze those faced with the paradox of politics at moments of (re)founding. Instead, it can guide those seeking political transformation, inviting us to see our three models as a variety of imperfect but often effective tactics, strategies, addresses, and rhetorics that may help progressives looking to innovate politically and ACT in dark times (which of necessity means acting in the paradox of politics). As Scarry makes clear in her book, the question is not whether habit will surface in an emergency (it surely will). The question is: Which habits will surface?

Slow Food knows this too and seeks to avoid ruination in the paradox of politics by jump-starting change with a series of interventions informed by a vision of a possible future (one that has undergone some change and adjustment since the organization's inception, including, in recent years, a greater emphasis on localism and the need to build local farm-to-table infrastructures). We may, we should, respond to contemporary challenges of emergency politics with better planning and more collective practices of responsibility and care. But we also know that the very institutions to which Scarry looks for guidance and organization are often far removed from the egalitarian ideals progressives would want them to implement. And so we have exemplars of other approaches here to consider: the Posts of the world who find a way to reroute accreted power so as to benefit the powerless and who do so by way of illicit rights claims that may open up new paths to empowerment, perhaps not now but later. Or groups like ACT UP, which unleash the power of collectivities that, when organized and driven, can fight not just for their rights but in defense of a world and insist on its reality, insisting that what counts is the way the world, their world, looks and feels to them, and not how it appears to those who look in on it for the first time, from afar, and recoil. Or groups like Slow Food, which work like community organizers to identify local leaders, nodal members, and charismatic figures by way of whose energies and creativity new and old desires might be (re)awakened from beneath the chemically induced murder of taste committed in the name of a common good, albeit one marked by reduction to the avoidance of emergency: food safety, security, efficiency, and overall profitability.



In *Blessed Are the Organized*, Jeffrey Stout's recent exploration of the ongoing, abundant work of community organization in the United States, a young woman is quoted criticizing the way that party politics work in America.<sup>35</sup> Without the delicacy and commitment of real organizing, people are only momentarily mobilized, and their own needs are never acknowledged or addressed. The focus is merely to get them to sign on to others' agendas. Thus, party politics fails the democratic tests that matter, she says. "Fast food democracy" is her term for it, and she is right. We live in an age of Junk Food, Junk Bonds, Junk Politics. Our addictions to these means there is little space left for real nutrition. The anti-soda pop of real politics is the protein-rich diet of the kinds of emergency politics outlined here, which is digested more slowly and builds real muscle. That diet lies somewhere between the junk food of the fast foodies and the fine, highly specified food of the snob foodies. It is the nutrition of democracy, and its condiments are buy-ins, commitment, pleasure, action in concert.<sup>36</sup> Such nutrition is clearly what drives Petrini, in a recent interview, to distinguish gastronomy from "gourmet-ism" as follows: "gastronomy is holistic. It's not only recipes and cooking but agriculture, physics, biology, genetics, chemistry, history, economy, politics and ecology. If we adapt this vision of gastronomy [away from "gourmet-ism"], our relationships with food and each other changes."<sup>37</sup>

What will we eat? is a question that is answered by our politics, which

35. Stout, *Blessed Are the Organized*, 209.

36. I note how lacking these are in the context of the politics of climate change, the debate about which features many calling for climate czars because democracy, it is thought, is part of the emergency. Regular people, untutored in science and unaware of the issues, will just go on as they have been until the earth is too far gone to recover from the disaster caused thereby, say many climate change activists, while corporate lobbying favors short-term corporate interests, not long-term societal or collective goods. Activists are not wrong about the current forms of democratic politics and their corruption or impotence to respond effectively to the climate challenge. But why conclude that democracy must therefore be overridden rather than restored? That is, why assume that a czarist top-down approach can solve the problem, when such an approach proceeds without the buy-in and commitment of those affected by the changes? This, I would argue, is a fast food approach to the problem that actually mimes the indolence that is the cause of the problem. Democracy is corruptible and inefficient, it is true. Or so it seems. But, at its best, it also generates dimensions of power and breadth of commitment that cannot be achieved otherwise. Only if we discount the worth of these can democracy be judged to be inefficient. Better, surely, to join with those like Bandt and see in this emergency an incitement to democracy rather than another good reason to dispense with it.

37. Bittman, "Slow Food Quickens the Pace."

subsidizes some foods, taxes others, and regulates still more in and out of existence, while catering to the multinational companies that have come to own food. But that same question—what will we eat?—is also a metaphor for our politics: What sorts of political foods offer us true nourishment, and which taste good now but do not authentically support us? The risk of this metaphor is that it plays into the biopolitics many rightly worry about at this particular moment. The promise of the metaphor, though, may be worth it. For it follows Friedrich Nietzsche's advice in supplementing the reasoned arguments addressed to our heads with a direct appeal to the gut, and in so doing it may have the more lasting impact. In Nietzsche, we have an invocation of health that may yet counter the biopolitical emphasis on making live and letting die. The health on behalf of which Nietzsche writes, after all, is organic to the self and the world, not the product of an efficiency-driven machinery of civic (re)production. Indeed, pleasure, not a trait of the biopolitical, is a key dimension of Nietzsche's life-centered vision, as it is also of Crimp's promiscuous activism, Post's paradoxical politics, and Slow Food's constitutive commitment to a right to taste. That commitment and the politics it postulates are evidenced in Petrini's claim that "a gastronome who is not an environmentalist is just stupid. Whereas an environmentalist who is not a gastronome is sad." That Petrini feels the need to go on and say more is surely a sign of the depth of our predicament: "It is possible," he says, "to change the world even while preserving the concept of the right of pleasure."<sup>38</sup> It is a democratically delicious thought.

This is a promiscuous politics, then, but one clearly tutored in the promise of the paradox of politics: "Everything has to start again, but everything already has started again. . . . We can access a new vision but it will take patience." Here we see the need for Scarry, too, especially her appreciation of slow, deliberative pacing, and the underlaborer skills of Locke. For, as Petrini concludes, "Politics is a problem, but you can already see the way. It's straight and determined, but this is a slow revolution. Slow. Slow."<sup>39</sup>

38. Bittman, "Slow Food Quickens the Pace."

39. Bittman, "Slow Food Quickens the Pace."