

# The Political Construction of Necessity in Constitutional Democracies

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In the paper I will look at the institutional fora that provide for the construction of necessity in constitutional democracies, the most publicly visible of which are parliamentary debate or discourse, on the one hand, and judicial discourse, on the other (media discourses, to the extent that they are as visible as they are made to appear also play a significant role here of course, but I will probably not be able to pay much attention to this role). From these publically visible forms of the construction of necessity I will move on to reflect on the range of publically invisible sites of necessity-construction where notions of necessity are also determined such as executive caucuses, security assessments by intelligence agencies and other modes of governmental discourse that take place "behind closed doors", so to speak. In a third step I will then begin to look at the implications of the latter sites of construction on the former in order to question the extent to which parliamentary and judicial constructions of necessity still play a significant role in the constructions of necessity that determine our socio-economic and political "realities". The last set of quotation marks evidently suspends the predicative force of the word "reality". This suspension and the repetitive use of the word "construction" in this abstract should indicate clearly that some neo-Kantian approach to the question of necessity is at stake here, one in terms of which any invocation of "real necessity" would amount to speculative engagement with a "Ding an sich" to which the categories or institutional platforms of epistemological construction have no access.