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### Techne as a Means of Saving a Republic

The third definition of techne, a means of inventing new social possibilities, has far less strict epistemological requirements than the handbook definition of techne that requires knowledge that is knowable, reliable, and transferable (Pender 18). These requirements make the handbook definition only suitable for static and decontextualized forms of knowledge (26). The third definition is also less strict epistemologically than the second definition, a rational ability to effect a useful result. In the useful result definition, techne is a rational art characterized by “the complete permeation of action by plan” (22). This third definition weakens that requirement as there are no ready-made rules for success or established methods. This view of techne cannot be taught through explicit precepts. Instead, experiential and embodied knowledge is required for the artist to react to the *kairos* of the situation (29).

From an axiological perspective, both the useful result and new social possibilities definitions focus on producing something, but the change associated with a new social possibility is far greater than a simple useful result. The useful result definition could consider anything from crafting a table to curing a sick patient, but these results are not viewed for their ability to disrupt the dominant power relations. With the third definition, techne is examined for its ability to challenge the status quo. The knowledge of production is not disinterested with its social and political end: it is focused on this new social possibility it creates (27).

As a contemporary example of the third definition of *techne*, I chose Hagan Scotten's letter of resignation from the Department of Justice. More broadly, the *techne* is the ordered system of liberty that we have developed for over two hundred years and that is at risk today. Hagan Scotten is a former Assistant United States Attorney for the Southern District of New York. Before that role, Scotten served three tours of duty during the Iraq war, earning two Bronze Star Medals. Upon leaving the military, Scotten graduated from Harvard Law School and served as a law clerk for Brett Kavanaugh on the US Court of Appeals and later for Chief Justice John Roberts on the US Supreme Court. Upon being instructed to dismiss conspiracy, wire fraud, and bribery charges against New York City Mayor Eric Adams, Scotten and six other Justice Department officials resigned. In his resignation letter on February 13, Scotten wrote, "No system of ordered liberty can allow the Government to use the carrot of dismissing charges, or the threat to bring them again, to induce an elected official to support its policy objectives" (Scotten).

Scotten's resignation was not the prescribed actions of some handbook that explains how to preserve a system of ordered liberty. There is no course at Harvard Law that gives explicit instructions for how to confront an attempt to dismantle a system of liberty. It also would not give the appropriate respect to Scotten heroic actions to simply argue he was making a rational decision to affect a useful result—the protection of the republic. Axiologically, Scotten's actions were much more profound in their attempt to steer the government in the correct direction. Moeller and McAllister explain that *techne* "requires a more experiential kind of knowledge, one that resides in the artist's 'muscles and nerves' as much it does in any information she learns" (Pender 29). Career professionals in the United States Justice Department do not have "explicit precepts" they follow to guard against a slide back from the rule of law, instead it is "ingrained in [their] being and body" (29). Scotten explains, "There is a tradition in public service of resigning in a last-ditch effort to head off a serious mistake." In this last-ditch attempt to avoid this serious mistake, Scotten does exactly what Atwill and Lauer explain *techne* allows,

“that techne creates opportunities for cultural critique by making tacit social practices explicit” (30).

Scotten was forced to make the tacit practices of the justice system explicit for Acting Deputy Attorney General Emil Bove. While the rules for defending our system of liberty are not explicitly written out, “when agents who have not been socialized into the practices of certain rhetorical situations must learn by art what those who have long been in those situations have done by habit” (30). Defending the republic is engrained in Scotten’s being and body. It was engrained during his three tours in Iraq. It was instilled during his education at Harvard Law and in his career while clerking for conservative justices Roberts and Kavanaugh. So when agents who have not been socialized in defending the ordered system of liberty—Emil Bove, Pam Bondi, and Donald Trump—attempt to dismantle that system, artists like Scotten and his heroic colleagues make those practices explicit with their resignations.

Works Cited

Pender, Kelly. *Techne, from Neoclassicism to Postmodernism: Understanding Writing as Useful, Teachable Art*, Parlor Press, LLC, 2011. ProQuest Ebook Central,  
<http://ebookcentral.proquest.com/lib/unomaha/detail.action?docID=3440270>.

Scotten, Hagan. "Re: United States v. Eric Adams, 24 Cr. 556 (DEH)."  
<https://www.nytimes.com/interactive/2025/02/14/nyregion/scotten-letter.html>.