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THE THINGS I WON'T TELL YOU: PRIVACY, A RHETORICAL STRATEGY

A Thesis in

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by

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ABSTRACT

This thesis introduces privy as a rhetorical form of resistance. Privy is a rhetorical form which denotes the status of being granted access to information (i.e. “to be privy”). When invoked by marginalized subjects for whom their visibility enables further oppression, privy becomes a useful rhetorical form to resist rhetoric’s injunction to public disclosure. Through its use, subjects preserve the queer conditions of indeterminacy which inaugurate rhetorical agency, thus provoking a paranoid response from their audiences. This thesis applies the concept of privy to the Shitty Media Men list, a document of collecting anonymous disclosures of sexual misconduct within the media industry, as well as transgender stealth discourse. Through these case studies, this thesis reveals three implications of privy. First, privy is the means by which marginalized subjects may assert sovereignty over the circulation of knowledge. Second, privy troubles distinctions between ally and marginalized subject, thereby confusing hegemonic hostility’s target. Third, privy exposes the entitlement inherent within rhetoric’s, and scholarship’s, emphasis on publicness.

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Chapter 1

Introduction

It's not your place to ask. How might you react to this assertion? Perhaps baffled, if you thought your question was perfectly reasonable, or even benign. After all, it was just a question. Or, perhaps you might feel embarrassed by the realization you've overstepped your place—you've asked too much. You've mistakenly presumed someone's confidence, and now you feel rather foolish because that presumption has been revealed.

What conditions produce each of these responses? In the first case, one has felt entitled to ask the question—or, even further, entitled to know the answer to the question. Faced with an obstacle to this knowledge, they wonder why this barrier even exists. In the second, one stumbles across the boundary, and embarrassed by the realization of their trespass, backtracks. The barrier is respected. The first response arises from conditions of entitlement; the other results from conditions of deference.

While the scenario above names an interpersonal conversation, the denial of access to knowledge also functions rhetorically. Speech that dictates how and among whom knowledge may circulate carries political implications: some are trusted, while others are not. Some are privy, others are not. The ability to confer or withhold access to knowledge must be freely chosen—while knowledge might be stolen against one's will (as when a secret “gets out” or someone is outed), privacy (granting access to knowledge) cannot be. For this reason, privacy can be a last resource of agency for marginalized individuals who may lack the ability to guard other forms of power.

I developed the concept of privacy through my conversations with friends about gender identity, sexual orientation, and experiences with sexual violence. One moment in particular

crystallized these discussions: at a group meeting a friend was describing how they had been closeted about being gay, to which an ally proudly interjected, “I knew all along!” My friend retorted to a round of laughter, “Yeah, so did I.” To our varying levels of being out or not, we knew people close to us suspected things. We also knew it frustrated them to not be told outright (for some of us, that’s another reason we didn’t tell them). Occasionally this frustration would finally be revealed when we did tell them: they would plaintively ask why we hadn’t told them earlier. Our answer was apparent: because they weren’t trustworthy. It was the lack of trust, not the lack of knowledge, which became the priority among my friends. As one friend put it: “He knows, but he doesn’t *get* to know.”

There are some things we didn’t—don’t—share with others because they aren’t trustworthy, or sometimes simply because they don’t need to know. They didn’t earn our confidence, but their frustration reveals they thought they were entitled to it. It wasn’t the knowledge (or lack of it) that was bothersome to them—it was the recognition that they weren’t privy to it. And my friends and I—those who didn’t tell—guarded this privilege carefully. We controlled who was privy, even if we couldn’t control who knew.

The concept of being privy, or privy, has not previously been explored by rhetoricians. Secrets, knowledge, and passing have been theorized, but the subversive potential of privy has not. In fact, the word “privy” is not defined in scholarship, rhetorical or otherwise. This thesis introduces this concept to rhetorical theory to recognize the theoretical implications and subversive potential of withholding access to knowledge—a technique utilized in the margins but undeveloped in scholarship.

My thesis will develop a rhetorical understanding of privy, or being granted access to knowledge, and how privy informs and constrains discourse about social justice. I have chosen

two causes for which visibility has been both a principle strategy *and* an integral component to the oppression these activists confront: the #MeToo movement against sexual violence and the transgender movement for basic human rights. As both movements have increased in visibility and prominence, so has the hostility they face. The decision to disclose has become even more vexed, for as the political momentum of one's disclosure has increased, so have the attending risks.

It is this incongruity that has spurred countervailing discourses that support the overall goals of justice but critique the means of disclosure upon which participation is predicated. Until the risks of disclosure have lessened, the impetus to disclose cannot be responsibly advocated. Thus, these counterdiscourses have devised strategies of withholding access to information to frustrate the hostility that meets visibility. In doing so, these counterdiscourses employ the concept of *privy* to reveal the distrust fomented by oppression as well as the entitlement shared among oppressors and their dissidents. While a lack of trust is not the only *motivation* for not disclosing—people may choose not to disclose due to the emotional labor involved¹ or disclosure simply being irrelevant to whatever argument one is making²—this reason does indicate a rhetorical *strategy* of withholding a form of capital (trust).

My thesis analyzes these counterdiscourses to develop the rhetorical concept of *privy*. *Privy* is the status of being granted access to information (i.e. “to be *privy*”). These activists who refuse to the terms of disclosure upon which most advocacy is predicated withhold *privy* as an enactment of queerness as Erin Rand defines it: “the general economy of undecidability

¹ See Medeiros, Zoë. “Why I Stopped.” *Not that Bad: Dispatches from Rape Culture*, edited by Roxane Gay, Harper Perennial, 2018, 243-251.

² See Coates, Jennifer. “I am a Transwoman. I am in the Closet. I am not Coming Out.” Medium, medium.com/@jencoates/i-am-a-transwoman-i-am-in-the-closet-i-am-not-coming-out-4c2dd1907e42 Date accessed: October 9, 2018.

from which agency emerges.”³ In my thesis, I will argue that these activist discourses demonstrate three implications for how rhetorical scholarship might understand rhetorical agency. First, by delineating a class of people as untrustworthy, these activists assert their sovereignty over the circulation of knowledge. This assertion of sovereignty is a particularly important enactment of agency for subjects whose identities and experiences are often thrust unwillingly into publicness; by guarding these identities or experiences for themselves and attempting to construct a divide between public/private, they gesture toward a proprietary nature of knowledge that cannot be seized. Second, by troubling distinctions between ally and marginalized subject, they inculcate a paranoia by which people cannot presume to know who is either a victim-survivor of sexual violence or a transgender individual, thus discombobulating hostility’s trajectory. In other words, instead of revealing which individuals are marginal, they confuse the assumption that the margins are easily discernable. The effect of this strategy is that transphobic and misogynist forces are unable to detect targets for violence or harassment, and this frustration produces a self-consciousness (paranoia): if you can’t detect the target, they could be anyone. Third, by revealing the form of a secret whose content might never be willingly revealed, the activists expose the entitlement inherent within dominant *and* resistant rhetorical strategies: both are predicated upon the exposure of the contents of secrets, either for subsequent surveillance and discipline or representation of the violence of injustice.

Conceptual overview

My analysis builds upon the work of scholars at the intersection of queer and rhetorical theory. Scholars in these fields have written extensively about concepts adjacent to privacy—the

³ Rand, Erin J. *Reclaiming queer: Activist and academic rhetorics of resistance*. University of Alabama Press, 2014. See p. 6.

closet, disclosure, secrets, and the public/private divide. The following section will highlight these terms and suggest how privacy extends these discussions.

The closet describes the relations of power producing the trope of secrecy and disclosure around sexuality.⁴ It describes “the relations of the known and the unknown, the explicit and the inexplicit around homo/heterosexual definition,” according to Eve Sedgwick, and thus can be understood as a performance of silence that creates conditions of who must disclose, what can be figured by others without one’s own awareness, and the resulting unequal power relations.⁵ The closet is produced by the oppressive conditions of heteronormativity which socially produce expectations about what must be disclosed (deviance from the norm, i.e. homosexuality) and what can be assumed (e.g. heterosexuality or closeted homosexuality).⁶ Thus, while it may feel like an individualized experience, it is “better understood as the culture’s problem, not the individual’s.”⁷ The closet’s rhetorical dimensions have been understood as uniquely *constituting* the identity it describes; sexuality is discursively constituted by the closet (and coming out through confession)⁸ in ways other identities are not.⁹ Disclosure and coming out are not, therefore, one and the same.

The rhetorical function of disclosure can be rendered distinct from that of coming out because of the historical context in which sexuality was created. Coming out of the closet, as it

⁴ Grindstaff, Davin Allen. *Rhetorical secrets: Mapping gay identity and queer resistance in contemporary America*. University of Alabama Press, 2014.

⁵ Sedgwick Kosofsky, Eve. "Epistemology of the Closet." *Berkley: The University of California Publishers* (1990). See p.3.

⁶ Warner, *Publics and Counterpublics*.

⁷ Warner, *Publics and Counterpublics*, 52.

⁸ Foucault, Michel. "The history of sexuality: An introduction, volume I." *Trans. Robert Hurley. New York: Vintage* (1990).

⁹ In other words, coming out as gay constitutes the identity of being gay, whereas the closet is not the defining aspect of being, say, undocumented or atheist—an atheist need not come out of the closet in order to be legible as an atheist. However, gay identity is understood *through* the closet, imbuing the disclosure of coming out with constitutive power. “If gay, then closet.”

has been theorized by critical theorists, has been linked with Foucault's notion of confession, in which an authority figure (e.g. psychiatrist, priest, judge) legitimizes a confession.¹⁰ However, rhetorician Edwin Black¹¹ has distinguished confession from disclosure: "The point of [Catholic] confession is not disclosure; rather, it is to bring the impalpable operations of consciousness *under the regulation of morality*."¹² Black attributes the distinction of disclosure from confession to medieval Pauline theological beliefs and the subsequent Enlightenment era in which the dispersion of knowledge served a more democratic, public appeal. If disclosure is not the same as Catholic confession, and if it operates with more democratic appeal than the authoritative figure in the church, it must be theorized differently.

However, critical theorists in the 1990s, adopting the genealogical work of Michel Foucault, did not follow this vein established by Black. Instead, they analyzed sexuality as a prominent battleground for the distinction between private and public, in which sexuality *continued* to be governed by the regulation of morality.¹³ For these theorists, it is the advent of sexology and psychiatry in the late 19th century—not the Age of Enlightenment—that strengthened (rather than weakened) the confessional hold on the regulation of morality.

Current scholarship's conflation of coming out and disclosure demonstrates an important cultural shift in understandings of identity. Recent scholarship has applied the concept of the closet to non-sexual identities and experiences such as disclosure of an atheist identity¹⁴ or

¹⁰ Foucault, Michel. "The history of sexuality: An introduction, volume I." *Trans. Robert Hurley. New York: Vintage* (1990).

¹¹ Edwin Black (1988) Secrecy and disclosure as rhetorical forms, *Quarterly Journal of Speech*, 74:2, 133-150, DOI: 10.1080/00335638809383833

¹² Black, Edwin. "Secrecy and disclosure as rhetorical forms." *Quarterly Journal of Speech* 74.2 (1988): 133-150. Emphasis added, p. 140.

¹³ See Berlant, Lauren, and Michael Warner. "Sex in public." *Critical inquiry* 24.2 (1998): 547-566.

¹⁴ Cloud, Doug. "Rewriting a Discursive Practice: Atheist Adaptation of Coming Out Discourse." *Written Communication* 34.2 (2017): 165-188.

undocumented status.¹⁵ This move signals an interest in updating the term to reflect how our cultural understandings of identity have changed. Instead of gender or sexual identity being necessarily validated by an external authority (i.e. psychiatrist), it is now culturally understood as an internal sense of self. The turn away from confessional understandings of disclosure have likewise been theorized to accommodate the changing discursive conditions of survivor discourse, in which survivors of sexual violence struggle to be the experts of their own experience.¹⁶ Disclosures need no external authority to be understood as true. This shift has prompted a turn away from confessional understandings of coming out. The closet needs updating. As identity is becoming more commonly understood as an internal truth rather than one which comes into being through confession, “coming out” becomes more akin to disclosure: it is an act of revealing something previously unknown or unspoken.¹⁷

Scholars at the intersection of queer and rhetorical theory work to understand (coming out of) the closet as a site of surveillance that produces marginal subjectivity. Those within the closet are surveilled by those outside. The closet is always theorized as an oppressive force: “The closet is the defining structure for gay oppression in this century,”¹⁸ characterized by “disempowerment and sheer pain.”¹⁹ From such a perspective, liberation comes from coming

¹⁵ Seif, Hinda. “‘Coming out of the shadows’ and ‘undocuqueer’: Undocumented immigrants transforming sexuality discourse and activism.” *Journal of Language and Sexuality* 3.1 (2014): 87-120.

¹⁶ Alcoff, Linda, and Laura Gray. “Survivor discourse: Transgression or recuperation?” *Signs: Journal of Women in Culture and Society* 18.2 (1993): 260-290.

¹⁷ The struggle for transgender self-determination regarding psychiatric diagnosis and hormone therapy demonstrates this. Transgender activists contest the medical requirement of a psychiatric diagnosis of gender dysphoria as the prerequisite for hormone therapy because of how this a) enforces classist barriers to medical care, b) legitimizes medical transition only through the label of psychiatric deviance (diagnosis), and c) infringes upon self-determination by bringing gender identity under the purview of psychiatry. The growing support for the lifting of these regulations demonstrates a growing understanding of identity as something internally known, rather than something which must be externally validated.

¹⁸ Sedgwick, *Epistemology*, 71.

¹⁹ Sedgwick, *Epistemology*, 68.

out²⁰ or by confusing the regulatory gaze that constructs the closet (as when one ‘queers’ by defying categorization). However, I am interested in how the gaze “within” the closet can become an empowering one. Black notes that the mere reveal of information is not equal to that of initiating someone into a secret:

There is an important distinction between regulating a condition and destroying it, being initiated into a mystery and having a mystery disclosed. An initiation into a mystery preserves the mystery. The initiate shares the mystery only with a cadre of the elect, sometimes even taking a vow to preserve their monopoly. But the concept of disclosure implies a dissipation of mystery. From an economic standpoint, one could say that an initiation into a mystery preserves the capital; an exposé expends the capital.²¹

My thesis extends this important caveat proposed by Black, to analyze how the “capital” of a secret can be preserved and utilized by marginalized groups, to distinguish the “haves” from the “have-nots.” For marginalized groups whose “capital” of legitimacy and authenticity can only be exchanged under exploitative conditions (i.e. the price of advocacy is further exploitation), keeping certain information private preserves the status of those partaking in this privacy. No one can be “outed” because the value does not reside in the information itself, but in the selective nature by which it was shared. The capital is not information, in this case. The capital is trust. The point is not that you know—the point is that I told you.

The closet’s relation to the public/private divide also orients rhetorical scholars to its implications for the scope of rhetorical study. Nancy Fraser troubled the distinction between public and private by explaining the distinction itself as a strategy to exclude women and

²⁰ See Signorile, Michelangelo. *Queer in America: Sex, the media, and the closets of power*. Univ of Wisconsin Press, 2003.

²¹ Black, 141.

feminist groups from political advocacy.²² Instead, she concludes there are multiple publics rather than a singular public, and calls for critical theory to “expose ways in which the labeling of some issues and interests as ‘private’ limits the range of problems, and of approaches to problems, that can be widely contested in contemporary societies.”²³ Foss and Foss likewise challenge the assumption that the public realm is the only one fit for the study of communication; they instead call for scholarly attention to interpersonal (or private) realms of communication, highlighting ordinariness rather than noteworthiness in their work through the inclusion of private forms of communication “not intended for and often not made visible in the public realm”.²⁴ Lauren and Berlant extend this critique of the public/private divide, demonstrating that anything rendered private (homosexuality, for example) must be done publicly; therefore, everything deemed private is always already public, and the distinction between these two realms is a heteronormative enforcement of the closet.²⁵ Thus, the very distinction between public and private is invented and deployed strategically to reinforce mechanisms of power, be they misogynist or heteronormative. These critiques of the public/private divide demonstrate the relevance of that which is deemed “private” to public and political realms.

My thesis extends these feminist and queer challenges to the public/private relation, demonstrating that the public performance of privacy can serve liberatory political goals—not to reinscribe an actual private sphere, but to critique publicity for its inherent exploitation of marginalized identities. In particular, my case studies analyze public narratives of private disclosure to better understand how the decision to maintain privacy is a political one. Thus, my

²² Fraser, Nancy. "Rethinking the public sphere: A contribution to the critique of actually existing democracy." *Social text* 25/26 (1990): 56-80.

²³ Fraser, p.77.

²⁴ Foss, Karen A., and Sonja K. Foss. *Women speak: The eloquence of women's lives*. Waveland, 1991. Pg.15.

²⁵ Berlant, Lauren, and Michael Warner. "Sex in public." *Critical inquiry* 24.2 (1998): 547-566.

thesis considers how survivors of sexual violence create and challenge public narratives of the impact of disclosure on an individual's sense of privacy. I question whether bringing this violence into the public realm is always politically productive (as disclosure imperatives in the #MeToo movement suggest). How do survivors envision guarding these private details of trauma--keeping them private--empowering? Might it be liberating for transgender individuals, whose privacy and self-determination are routinely denied by the pharmacological-medical establishment, government regulation, and the invasive scrutiny of everyday social interactions, to (finally) be able to guard their own identity close, to deny others' access to the details of it, to establish for themselves what is or is not up for public scrutiny? I do not attempt to reinscribe a distinction between public/private--instead, I want to consider the ways in which attempts to construct such a distinction may serve liberatory political goals when these attempts are made not by occupants of traditionally public roles, but instead, by marginalized ones.

To this end, I want to briefly consider what it means to be private in an etymological sense. In Huebert's history of the term, he offers four distinct meanings associated with privacy since its emergence in the 15th and 16th centuries. Privacy originally marked an absence of status; within a society which privileged the public over the private, privacy was interpreted as a deficiency or lack (this sense of lack lives on in words such as deprivation). Privacy also came to reveal capitalistic gain, as in private property as a "refuge from the chaos of public life."²⁶ In the early modern period, a third meaning of privacy arose which associated privacy with concealment (particularly of female genitalia, e.g. *private parts*), "offering ways of naming the secret parts of the body while, nominally at least, leaving their secrecy intact."²⁷ Lastly, Huebert notes a sense of privacy as interiority, introspection, or inner self.

²⁶ Huebert, Ronald. "Privacy: the early social history of a word." *The Sewanee Review* 105.1 (1997): 31.

²⁷ Huebert, 33.

The third meaning of privacy is one which Huebert dismisses as being “obsolete,” for “the association between privacy and secrecy is not nearly as strong as it used to be, though it survives in such formulaic phrases as ‘private and confidential.’”²⁸ However, in a later essay analyzing the gendered experiences of privacy in the 17th century, Huebert notes that for women, privacy also meant an intimate bond of trust.²⁹ These senses of privacy—secrecy and intimacy—are ones I extend in this thesis. Struggles for social justice have prompted further reflection upon the connection of these terms. The refusal to make public private things about oneself—to conceal elements of one’s identity or past—indicates a guarding of a secret. Moreover, the guarding of this information among confidantes or trusted networks highlights a shared sense of privacy—one that does not correspond to self-introspection, but instead a sense of privacy constructed by trust and guarded from public circulation. In other words, a social sense of privacy, a shared privacy.

Secrets describe this social aspect of privacy. Rhetorical scholar Grindstaff develops the notion of the rhetorical secret around the concept of sexual desire and social power, extending Sedgwick’s work on the closet. Grindstaff describes the rhetorical secret (what Sedgwick might have called the closet) as “presum[ing] that sexual identity is a private phenomenon that can be known through simple acts of disclosure in order to claim social agency.”³⁰ The assumption that sexuality is an expression of private desire functions to constrain the right to be public, which Grindstaff calls “our most precious right as citizens.”³¹ Importantly, Grindstaff’s conception of the rhetorical secret is linked inexorably to sexual desire. To this point, he recommends that “queer ethics begin with the body...desire, not identification, must become queer ethics’

²⁸ Huebert, 32.

²⁹ Huebert, Ronald. "The Gendering of Privacy." *The Seventeenth Century* 16.1 (2001): 37-67.

³⁰ Grindstaff, 134.

³¹ Grindstaff, 155.

predominant form....desire is our most powerful form of resistance.”³² The bonds and relationships formed by desire are vital to Grindstaff’s conception of queer resistance because they defy the assumption that sexuality is private or individualized.³³

However, I want to conceptualize a queer resistance that recognizes the ways in which factors as guarded as sexuality are made to be public despite efforts by individuals to keep them private. While my case studies—#MeToo discourse and transgender stealth discourse—do not deal with matters of sexuality (as sexual violence is not a matter of sexuality, but violence), the experiences of being sexually assaulted and the identity of being transgender are two matters which sit at the contested intersection of public and private—they are experiences and identities closely guarded by the individuals who hold them, but often expected to be public (or made publicly available upon request).

I am not suggesting that these experiences of sexual violence or transgender identity are in fact private, or can be made private. Instead, I am interested in the resistance enacted when things that are expected to be public are guarded as private. In other words, when expected access is denied, how does this frustrate power relations? Such resistance understands the right to privacy not as oppositional to the right to be public, but as coterminous: a public declaration of what will remain secret (or private). Thus, I expand my application of the rhetorical secret beyond sexual desire. My thesis will instead examine instances of survivors of sexual violence refusing to make disclosures about the details of their assault and transgender individuals’ resistance to disclosure (an act of self-determination exercised under dangerous and demoralizing conditions of policing to which transgender individuals are subject). I complicate Grindstaff’s assertion that the right to be public is a precious right, by adding that for those for

³² Grindstaff, 156.

³³ Grindstaff, 148.

whom publicness is the precondition for violence, the ability to assert one's own right to privacy is also a precious right.

Case Overview

To study privacy, I will analyze how it is utilized by marginalized subjects to contest the assumption that disclosure has, will, or should take place. My two case studies are counterdiscourses to the #MeToo movement and transgender rights movement. I have chosen responses to the #MeToo and transgender movements for several reasons: the primary movements have recently formed (2017 and 2015, respectively) and are widely known. They have both been recognized as activist movements or “tipping points.”³⁴ Most importantly, #MeToo and transgender activists respond to oppression that is often predicated upon visibility (e.g. the silencing and harassment that follow survivors coming forward about sexual violence, and the transphobic violence which many visibly gender non-conforming individuals face) while themselves predicating their strategies upon visibility.

Thus, within each movement counterdiscourses have arisen to contest the visibility tactics of the #MeToo and transgender movements. Both counterdiscourses are made up of self-identified survivors or transgender individuals who themselves critique the means (i.e. disclosure) by which these movements garner credibility. These counterdiscourses critique disclosure as a necessary requirement for political participation—not only because of the dangers of visibility, but also because these individuals' personal goals may be incompatible with public disclosure (even if these dangers were removed).

Shitty Media Men

³⁴ Steinmetz, Katy. “The transgender tipping point.” *Time*, 29 May 2014. <http://time.com/135480/transgender-tipping-point/>

My analysis of the #MeToo counterdiscourse will focus primarily on the Shitty Media Men list, an anonymously crowdsourced document created by Moira Donegan in October 2017 which named alleged perpetrators of sexual misconduct in the media industry.³⁵ Donegan created the document in the wake of the Harvey Weinstein scandal and subsequent discussions of sexual assault and harassment (specifically in the workplace) which spurred the #MeToo movement. While the majority of the momentum of the #MeToo movement was gained through the disclosures of masses of women, the Shitty Media Men list quietly (at first) filed away allegations from anonymous women in the media industry.³⁶ Anonymity served as a protective measure for those making allegations, limiting the risks associated with disclosures of sexual misconduct. At the time (October 2017), public allegations against powerful men in the media industry swirled—this effect of the Weinstein scandal was called “the Weinstein effect.”³⁷ By offering the cover of anonymity, the Shitty Media Men list circumvented the risks of public disclosure while continuing to warn women about dangerous men. Additionally, the crowdsourced function of the list created a network of women linked by their shared mistrust of public disclosures as the best strategy for protection. The Shitty Media Men list demonstrates how vulnerable populations use privacy as an alternative to public disclosure, navigating the risks of publicness as well as the risks of keeping such information private.

While Donegan’s Shitty Media Men list created an alternative to public disclosure and thus highlighted the risks of disclosure as an unacceptable cost to survivors, a blogpost by Alisa Zipursky explains that the figure of the courageous survivor who speaks out has unintended

³⁵ Donegan, Moira. “I started the Media Men List. My name is Moira Donegan.” *The Cut*. www.thecut.com/2018/01/moira-donegan-i-started-the-media-men-list.html

³⁶ While the gender identities of the anonymous contributors cannot be determined, Donegan, the creator of the document, has explained the document as a way in which women try to protect themselves. See Donegan.

³⁷ “The Harvey Weinstein Effect.” *USA Today*. www.usatoday.com/pages/interactives/life/the-harvey-weinstein-effect/ Date accessed: October 9, 2018.

consequences for those survivors who do not: “When we talk about the courageous survivor who speaks out, we often make the harmful implication that those of us who don’t speak out lack courage.”³⁸ Zipursky also critiques #MeToo’s incitement to disclose for placing the responsibility of speaking up on survivors rather than men who might confront toxic masculinity themselves. Lastly, her critique addresses the men performing shock at learning of the allegations against men in their industry; she quotes Ann Friedman’s tweets to explain how knowledge of sexual predators is only shocking for those who had strategically been excluded from this knowledge: “If you can’t ID the Harvey of your industry, it’s because the women you work with don’t trust you enough to tell you about him. Either that or you’re the Harvey.”³⁹

Zipursky and Friedman point to two important ramifications of the #MeToo movement, but these ramifications are pointed in different directions. Zipursky primarily notes the ramifications of the incitement to speak on *survivors* who choose not to disclose due to concerns for safety, self-preservation, or privacy. Friedman, on the other hand, goes further to consider those *excluded* from the whisper networks intended to protect women by circulating knowledge of sexual predators. Friedman’s addressing those who are untrustworthy demonstrates privacy as a rhetorical strategy: by pointing out those who are not privy, one redirects responsibility away from the survivor and instead to those guilty of (or complicit with) cultures of sexual violence. Taken together, Zipursky’s and Friedman’s critiques problematize the ways in which survivors are rendered responsible by the #MeToo movement (and other means of advocacy which necessitate disclosure, such as formal reporting procedures) while non-survivors are implicated

³⁸ Zipursky, Alisa. “Me Too” and why I don’t feel optimistic right now. *Healing Honestly*. 21 October 2017. <http://healinghonestly.com/pop-culture/me-too-and-why-i-don%E2%80%99t-feel-optimistic>

³⁹ Friedman, Anne, tweet. 5 October 2017. <https://twitter.com/annfriedman/status/916010062673469440>

as guilty of sexual violence or passive bystanders. *Do something*, Zipursky and Friedman urge these bystanders. *If you don't act, you're complicit*.

Transgender stealth discourse

My second case study focuses on transgender stealth discourse. This counterdiscourse challenges the strategy of transgender visibility that the transgender movement has undertaken, instead highlighting the fact that some transgender people are not recognized as transgender and are instead perceived to be cisgender (i.e., they live stealth/go stealth). I track this stealth discourse through two pressing issues for transgender rights and safety: discourse about bathroom bills and discourse about intimate partner violence.

When bathroom bills rose to notoriety with the passage of HB2 in North Carolina in 2016, many critics denounced such legislation on the grounds that it discriminated against transgender individuals. However, one thread of critique revealed the flawed premise upon which the bill was constructed: transgender people are not always visible as transgender. The assumption that transgender people are reliably visible as transgender has been critiqued by transgender individuals such as Ashley Smith, a woman who took a photo with Republican Texas governor Abbott in 2017, at a time when the state was debating whether to implement a bathroom bill. Smith's photo, which had gone viral on Facebook and Instagram, was captioned, "How will the Potty Police know I'm transgender if the Governor doesn't?"⁴⁰ Similar critiques of bathroom bills were launched in March 2015 amid the proposals of bathroom bills in Canada, Florida, Texas, Kansas, and Minnesota; the hashtag #WeJustNeedToPee went viral as

⁴⁰ Garza, Lisa Maria. "Transgender 'bathroom buddy' photo with Texas governor stirs tempest." *Reuters*, 19 July 2017. <https://www.reuters.com/article/us-texas-lgbt-governor-idUSKBN1A41P8>

transgender individuals shared selfies of themselves in public bathrooms in protest.⁴¹ The sentiment of these protests is highlighted by Skyler Jay, a guest on *Queer Eye* (2018), in an interview about his experience as the first transgender man on the show.⁴² While not remarking specifically on bathroom discourse, the concept of the unnoticeably transgender individual is highlighted in his discussion of his on-screen conversation with Tan (the fashion expert of *Queer Eye*), in which Jay remarks, “I really wish this one line would have made it into the show, because it’s something I saw to every person I interact with who says ‘you’re the first trans person I’ve met.’ I always come back with, ‘that you know of.’ And then I always explain that I may be the first openly trans person they’ve met, but we’re everywhere.”⁴³ Though these transgender individuals disclose their being transgender, they do so to reveal the little-noticed ubiquity of transgender individuals who do not disclose. Instead of advocating for more or better visibility, these transgender activists reveal the false assumption of hypervisibility that many cisgender people harbor. In so doing, they reveal entitlement as the hegemonic force challenged by privacy: the idea that someone’s identity as transgender is not readily accessible to cisgender individuals is unfathomable to those attempting to regulate transgender bodies. By calling attention to this entitlement, transgender individuals reveal the impossibility of such regulation.

While the ubiquity of unnoticeably transgender individuals is centralized in bathroom bill discourse, dating violence discourse highlights the danger of the moment of becoming noticeable as a transgender person. This leads me to expand my analysis from bathroom discourse to discourse about dating violence that targets transgender individuals. Domestic and intimate

⁴¹ Sainty, Lane. “Trans people are protesting discriminatory bathroom laws on social media.” *Buzzfeed*, 12 March 2015. https://www.buzzfeed.com/lanesainty/trans-people-are-protesting-discriminatory-bathroom-laws?utm_term=.vfQn5GbMj#.pv2lMOAdw

⁴² Jay, Skyler. Interview with BJ Kaspar. “Skyler Jay reveals his true feelings on *Queer Eye*’s trans makeover episode.” *Them*, 6 July 2018. <https://www.them.us/story/skyler-jay-reveals-his-true-feelings-on-queer-eyes-trans-makeover-episode>

⁴³ Jay, “Skyler Jay.”

partner violence resulted in over half of the murders of transgender women in the first five months of 2015⁴⁴, prompting FORGE, a transgender advocacy organization, and the National Center for Transgender Equality to release a resource list for dating safety. Since 2014 (the year of the “transgender tipping point”⁴⁵), the murder rates of transgender individuals have risen each year.⁴⁶ Transgender women of color are the most frequent victims of these murders.⁴⁷ It is no wonder that amidst this violence, the decision to disclose one’s identity as transgender is fraught with risk assessment.

The risks balanced by transgender women who decide to (or not to) disclose their transgender history are cast in sharp relief to the entitlement expressed by transphobic men who simultaneously expect their partners to disclose their transgender history while expressing murderous intentions to transgender women. In July 2017, comedian Lil Duval said he would murder a transwoman if he was having sex with her and found out she was transgender.⁴⁸ Charlamagne Tha God responded that transwomen who do not disclose their transgender identity should go to jail.⁴⁹ These comments went viral, drawing criticisms from Laverne Cox and Janet Mock, among others. The comments made by Lil Duval and Charlamagne Tha God exemplify more than just the dangers transgender women face, and more than the belittling of violence

⁴⁴ Forge Forward. Ending Trans Domestic Violence Murders. *Forge Forward*. <http://forge-forward.org/wp-content/docs/2015-03-Ending-Trans-Domestic-Violence-Murders.pdf>

⁴⁵ Steinmetz, Katy. “The transgender tipping point.” *Time*, 29 May 2014. <http://time.com/135480/transgender-tipping-point/>

⁴⁶ Human Rights Campaign. “Violence against the transgender community in 2018.” *Human Rights Campaign*. <https://www.hrc.org/resources/violence-against-the-transgender-community-in-2018>

⁴⁷ Adams, Nick. “Honoring known cases of deadly anti-trans violence in 2017.” GLAAD, 14 December 2017. <https://www.glaad.org/blog/glaad-calls-increased-and-accurate-media-coverage-transgender-murders>

⁴⁸ Hawkins, Derek. “‘I don’t care, she dying’: Comedian Lil Duval says he would kill a sexual partner if he learned she was a transgender woman.” *The Washington Post*, 31 July, 2017. https://www.washingtonpost.com/news/morning-mix/wp/2017/07/31/i-dont-care-she-dying-comedian-lil-duval-says-he-would-kill-a-sexual-partner-if-he-learned-she-was-transgender/?utm_term=.b9953e053aef

⁴⁹ Hawkins, “‘I don’t care.’”

against transwomen. These comments exemplify the entitlement expressed by cisgender individuals—the assumption that they have the right to know who is and is not transgender.

The entitlement demonstrated by cisgender individuals and the broader transgender movement is exposed by stealth discourse. While the transgender movement lauds visibility and positive representation of transgender individuals as a primary strategy for transgender liberation, the stealth discourse critiques the strategy of visibility for the threat of violence which often follows disclosure. To live stealth—to be read as cisgender—is not only a survival mechanism (as the discourse of intimate partner violence reveals), but also one of political engagement (as the discourse of the bathroom bills reveals). When Paige questions James’s incitement to disclose, we as the audience are left questioning whether disclosure and honesty are truly as compatible as James’s entitlement would lead us to believe. When James eventually replies by disclosing his own secret (a gambling addiction) and asking when the right time would have been to disclose that to Paige, we realize that “we all have disclosures, and there are no simple rules about when they should come.”⁵⁰ Demands for disclosure are unjust as long as the conditions of disclosure are unjust; privacy becomes a means of survival, a political strategy, and a challenge to the prevailing rhetorical constructs of political speech.

Preview

My thesis will be divided into an introduction, three body chapters, and a conclusion. My first body chapter, the literature review, will situate the rhetorical strategy of privacy within feminist rhetorical strategies. My second body chapter will develop my analysis of the Shitty Media Men list. My third body chapter will develop my analysis of transgender stealth discourse. My conclusion will reflect upon the significance of privacy as a contribution to rhetorical theory.

⁵⁰ Richards, Jen. “We had sex, but I never told him I was trans.” *New Now Next*, 4 August 2017. <http://www.newnownext.com/we-had-sex-but-i-never-told-him-im-trans/08/2017/>

My first body chapter will distinguish privacy from various rhetorical theoretical concepts. This literature review will describe previously theorized feminist strategies of resistance to build a foundation of rhetorical strategies upon which privacy might be added. In other words, the conceptual overview situates privacy in theory, and the literature review will situate privacy as a rhetorical strategy that responds to the precarious conditions of publicness upon which many rhetorical strategies are predicated. This chapter will also distinguish privacy from rhetorical silence, since privacy is not silence but speech which points to silences or absences—not to reveal the content behind silence or the presence behind absence, but to reveal the conditions that engender silence as a viable rhetorical strategy for marginalized subjects.

Chapter 2 will analyze the Shitty Media Men list created by Moira Donegan. I will not analyze the list itself because the names of the accused or the misconduct of which they were accused are not pertinent to my analysis. Instead, I will analyze Donegan's account of the list: her reasons for having created it and how contributors purportedly used the list—what the list meant to its creator and users. I will subsequently use Zipursky's and Friedman's analyses, both of which address those who are not privy, to explain how the withholding of privacy is a public display of sovereignty. These examples demonstrate how marginalized individuals use privacy to advance political goals distinct from the goals of the broader #MeToo movement while evading the hostility often accompanying strategies of visibility.

Stealth discourse will be the focus of my final body chapter. While the transgender movement has seen gains in positive representations in popular culture and increased awareness of the problems transgender individuals face, this increase in visibility has coincided with increasing murder rates of transgender individuals and discriminatory legislation. Similarly to the #MeToo movement, the transgender movement has largely celebrated visibility as a primary

strategy for political advances. The Shitty Media Men list and stealth discourse have a corresponding similarity: they call attention to how the evasion of visibility can be a strategy of resistance. I will analyze how two different discourses—bathroom bill discourse and intimate partner violence discourse—highlight the risks accompanying living publicly as a transgender individual, as well as the reality of transgender individuals who live stealth (and therefore withhold privacy from others). Stealth discourse, in calling attention to the undetected transgender individuals who live among cisgender individuals without their knowing, demonstrate several implications of privacy as a rhetorical strategy. First, by recognizing transgender identity as something which may not be disclosed or detected, the phenomenon of stealth calls attention to the agency some transgender individuals may be enabling when choosing to withhold privacy. Second, by calling attention to the imperfect nature of reading transness or cisness, stealth discourse turns the cis gaze onto itself—cisgender people then question how their own gaze is embedded with assumptions about gender normativity. Lastly, by acknowledging the ways in which transgender identity may be considered private, stealth discourse exposes the incitement to speak not only from dominant discourse (needing to detect transgender people to surveil them and commit violence against them), but also from resistant discourses (needing to identify positive representations of transgender individuals).

My conclusion will reflect upon the practical implications of privacy, proposing, while not determining, what a queer politics might look like. Paranoia (what don't I know?) and desire (why won't they tell me?) are amplified through the performance of withholding privacy. I propose that the indeterminacy privacy enables constitutes a starting point, rather than a stalemate, for the practice of a queer politics. In the absence of an apparent text of injustice—

without evidence that injustice has occurred—we can still act in ways that promote justice, prevent violence, and assume responsibility for that which has not been made public.

Chapter 2

Literature Review

Privyzy departs from one of the fundamental aspects of the rhetorical tradition: its emphasis on publicness. While rhetorical scholars have critiqued the unequal terms by which different subjects might access the public sphere, such critiques have maintained the value of publicness to which all rhetors are expected to aspire. Privyzy, however, turns the rhetorical tradition towards the private—not with the goal of “liberating” private speech into the public realm, nor to necessarily discover that which is said in private, but to recognize how public gestures to that which remains private critique the conditions of publicness upon which traditional rhetoric rests. For when the conditions of justice are wedded to vulnerability and surveillance, such conditions are themselves unjust.

Rhetorical study has generally focused on public texts which influence people to think or act in a particular way. While no single definition of “rhetoric” unites the field, the discipline’s origins in Ancient Greek democracy remain influential: rhetoric is canonically recognized as persuasive speech accomplished by citizens in the public sphere with political implications.¹ The stickiness of this definition can be observed as attempts to expand the definition of rhetoric in one dimension cling to its other constitutive parts.

This chapter highlights some of the most prominent challenges rhetorical scholars have made to the scope of rhetorical study: rhetoric need not be persuasive, rhetoric is more than speech, rhetorical acts ought not be understood as a drive toward citizenship, and rhetoric’s distinction between private and public is a false construction used to delegitimize discourse

¹ Raymie E. McKerrow (2010) “Research in Rhetoric: A Glance at our Recent Past, present, and potential future,” *The Review Of Communication*, 10:3, 197-210.

which has been excluded from the public sphere.² Together, these scholars establish a feminist strand of critique that challenge the foundational assumptions of rhetoric. These feminists reveal how the rhetorical canon obscures marginal subjects—women, people of color, non-citizens, and LGBTQ+ individuals—through the definition of rhetorical study. In pointing out what rhetoric “isn’t,” scholars have identified the masculinist, white supremacist, nationalist, and heterosexist assumptions shaping the discipline.³

This thesis extends the work of these feminist scholars to analyze how rhetoric’s commitment to publicness strengthens the aforementioned presuppositions. To this end, I overview the discipline’s emphasis on visibility politics as the primarily political strategy predicated upon publicness, paying particular attention to the attendant risks of visibility. I then describe some of the critiques of visibility politics offered by scholars of race and colonialism. Central to these critiques is that the presumption of optional visibility hails from a white perspective, thus ignoring the violent and compulsory visibility of racialization.⁴ In particular, Vorris L. Nunley’s work on African American hush harbors—spaces in which Black people could speak to Black audiences away from the white gaze—offers a generative foundation to study rhetorical practices sequestered from the oppressive gaze of the public.⁵

² For critiques of rhetoric qua persuasion, see Sonja K. Foss and Cindy L. Griffin, “Beyond persuasion: A proposal for an invitational rhetoric,” *Communications Monographs* 62, no. 1 (1995): 2-18. For critiques of rhetoric qua speech, see Cheryl Glenn, *Unspoken: A Rhetoric of Silence* (Carbondale: Southern Illinois University Press, 2004). For critiques of rhetoric qua drive toward citizenship, see Karma Chavez, “Beyond inclusion: Rethinking rhetoric’s historical narrative,” *Quarterly Journal of Speech* 101, no.1 (2015): 162-172. For critiques of rhetoric’s distinction between private and public, see Flores, Lisa A. “Creating discursive space through a rhetoric of difference: Chicana feminists craft a homeland.” *Quarterly Journal of Speech* 82, no. 2 (1996): 142-156.

³ See Chavez, “Beyond Inclusion” and McKerrow, “Research in Rhetoric.”

⁴ Yancy, George. *Black bodies, white gazes: The continuing significance of race in America* (Lanham, Maryland: Rowman & Littlefield, 2016).

⁵ Vorris L. Nunley. *Keepin’ it Hushed: The Barbershop and African American Hush Harbor Rhetoric* (Detroit: Wayne State University Press, 2011).

Being in public is not without risk: in public we are surveilled, harassed, assaulted. Being public is also not a choice: we are thrust into publicness. The conditions of publicness and the conditions by which we enter into publicness are distributed unequally. Thus, remaining in private has been a tactic of those marginal subjects for whom privacy is often withheld and publicness is met with various assaults on dignity and personal agency (to say nothing of literal physical assault).⁶ This tactic of remaining in private, or guarding from public, is what I call privy.

The rhetorical study of privy is vexed, for if discourse is not public, how ought a scholar study it? The latter half of this chapter describes a theoretical justification of the study of privy. To do so, I draw on rhetorical concepts such as passing and the fourth persona, which are public gestures to the unseen or unheard, while also distinguishing privy from these strategies. Lastly, I draw upon Erin Rand's theorization of rhetorical agency to establish a theoretical foundation upon which privy builds. This locates privy as a queer rhetorical act which preserves agency through forestalling a determination of what can be known.

Critiques of rhetoric

Rhetoric's emphasis on persuasion has been critiqued by Foss and Griffin's concept of invitational rhetoric. They argue that rhetoric's definition as persuasion has a patriarchal bias because persuasion describes a conscious intent to exert control over and dominate others through demonstrating superior skills or authority. Guided by the feminist values of equality, immanent value, and self-determination, Foss and Griffin offer an alternative to "rhetoric as

⁶ For discussion of the risks of living out as transgender, see Chris Godfrey, "Transgender Men and Women Discuss the Politics of 'Passing,'" *Vice*, March 25, 2015, https://www.vice.com/en_us/article/wd7enm/passing-when-youre-transgender. For discussion of the risks of reporting sexual violence, see Adelaida Tamayo, "I Didn't Report Being Sexually Assaulted. Here's Why: US Student Rape Victims Still Need Title IX," *Human Rights Watch*, December 14, 2017, <https://www.hrw.org/news/2017/12/14/i-didnt-report-being-sexually-assaulted-heres-why>.

persuasion:” invitational rhetoric. Described as “an invitation to understanding as a means to create a relationship rooted in equality, immanent value, and self-determination,” invitational rhetoric offers critics an alternative way of understanding rhetoric.⁷ Rather than resulting in hierarchical relations of dominance and submission, invitational rhetoric aims to foster a sense of equality among rhetor and audience. Within this relationship, one may feel appreciation and value for the different perspective offered, whether one comes to agree with it or not. Invitational rhetoric allows a rhetor to approach an audience with a sense of openness rather than an anticipation of resistance. The goal of invitational rhetoric is to foster understanding through sharing different perspectives; through perspective-sharing, individuals come to understand an issue in its complexity and feel a sense of respect for perspectives different from their own.

Cheryl Glenn has critiqued rhetoric’s emphasis on language, emphasizing how silence communicates just as speech can. Situating her critique of rhetoric within feminist terms, Glenn describes how canonical rhetoric’s focus on language has primarily represented men while silencing women, for public realms of rhetoric such as education, politics, law, and religion had no provision for women’s participation. To recognize the contributions of marginalized populations for which speech is constrained by conditions of inequality, Glenn turns to analyzing silence as a “rhetorical art that can be as powerful as the spoken or written word.”⁸ However, in analyzing silence as a rhetorical art, Glenn does not argue that it is better, more effective, or more appropriate than speech, but instead argues that “the question is whether our use of silence is our choice (whether conscious or unconscious) or that of someone else.”⁹ Silence’s meaning

⁷ Sonja K. Foss and Cindy L. Griffin, "Beyond persuasion: A proposal for an invitational rhetoric," *Communications Monographs* 62, no. 1 (1995): 5.

⁸ Cheryl Glenn, *Unspoken: A Rhetoric of Silence* (Carbondale: Southern Illinois University Press, 2004). 9.

⁹ Glenn, *Unspoken*, 13.

must be interpreted according to the context in which it is used—and so, for that matter, must speech’s meaning.

While Foss, Griffin, and Glenn offer alternatives to the what counts as rhetoric, Karma Chavez offers a critique of the foundational concept of “citizenship” upon which rhetoric has been predicated. Chavez remarks upon how the field of rhetoric has historically concerned itself “almost exclusively with citizen discourses, mostly from white men in *public*.”¹⁰ She further emphasizes that while rhetorical scholars have also acknowledged the rhetorical contributions of women, people of color, indigenous folks, and immigrants, rhetorical scholarship has nonetheless focused on appeals to and/or for citizenship, thereby taking citizenship for granted.¹¹ By continually focusing on a spirit of inclusion—extending citizenship to those without—rhetoricians have sought to enhance rather than critique the very concept of citizenship and the structures which grant power to such a designation.¹² And, as Chavez notes, “projects of inclusion will not fundamentally change Rhetoric; however, posing alternative ontologies and epistemologies very well may.”¹³ Chavez points to a vital component of feminist critique of the rhetorical canon: mere inclusion does not unsettle the biases within rhetorical studies. Moreover, an attitude of inclusion within rhetorical studies does not adequately account for rhetorical practices which may not seek inclusion, but instead, seek to maintain independence from hegemonic forces. In other words, inclusion is not a just strategy because it reifies oppressive and restrictive terms of engagement. To fully grapple with these oppressive conditions, rhetorical scholarship ought to account for alternative strategies of rhetorical practice that do not seek

¹⁰ Karma Chavez, “Beyond inclusion: Rethinking rhetoric’s historical narrative,” *Quarterly Journal of Speech* 101, no.1 (2015): 163.

¹¹ Chavez, “Beyond Inclusion,” 163.

¹² Chavez, “Beyond Inclusion.” 166.

¹³ Chavez, “Beyond Inclusion,” 166.

inclusion. Privy, as one such rhetorical practice, does not seek inclusion, but rather independence and autonomy from representational public discourse.

Lisa Flores critiques the very distinction between public and private that traditional rhetorical scholarship has reinforced. Through an analysis of Chicana feminists' rhetorical practices, Flores argues that "while much of rhetorical history investigates the influence of discourse that is clearly public, such as speeches, for marginalized groups whose access to the public sphere has been limited, 'private' discourse plays a public role."¹⁴ Public discourse is situated in geographical spaces that exclude Chicana feminists. Simultaneously, the symbols created for Chicanas have been created and utilized by patriarchal and/or white supremacist rhetors to turn Chicanas into spectacles. Therefore, Chicana feminists have rejected mainstream definitions through establishing and affirming their own identity. By highlighting their experiences of the everyday or seemingly mundane in their rhetorical practices, Chicana feminists blend the private and public. Flores' critique of the distinction between public and private points to a similar, but distinct, critique offered by privy (the critique being that rhetoric need not be public). Both Chicana feminists' rhetorical practices and privy critique rhetoric's sole emphasis on the public; however, Flores's critique implodes the very distinction between public/private, arguing that so-called "private" rhetoric plays a public role, whereas privy is a public attempt to carve out a space for "private" rhetoric to exist protected from public scrutiny. Privy is nonetheless a public act—we might publicly perceive a turn away from the public, through silence, anonymity, or outright refusals to speak on a particular topic. Flores's analysis of Chicana feminists' rhetorical practices informs my analysis of privy through her acknowledgement that the terms of publicness are at times coercive such that

¹⁴ Flores, Lisa A. "Creating discursive space through a rhetoric of difference: Chicana feminists craft a homeland." *Quarterly Journal of Speech* 82, no. 2 (1996): 145.

resistant rhetorical practices develop in ways that may not be recognized as rhetorical according to established standards of rhetorical analysis. By attending to the rhetorical practices of marginalized groups, rhetoricians can better understand how constraints enable different understandings of what rhetorical practices might be.

Privyacy likewise offers a critique of the terms upon which rhetorical study is predicated. Privyacy is the status of being granted access to information. Withholding or granting privyacy is a rhetorical strategy that can be utilized by marginalized subjects for whom oppressive violence may be predicated upon visibility. Because privyacy is a status that must be granted willingly, its deployment can be understood as a rhetorical strategy available even under enormous material constraints (for though knowledge can be wrested or stolen, access may not be). While the aforementioned rhetorical scholars have offered nuanced critiques of rhetoric's emphases on persuasion, language, citizenship, and a public/private divide, I offer privyacy as a critique of rhetoric's emphasis on publicness. My critique acknowledges that attempts to cleave public from private are always already misguided. However, even if the distinction between private and public is not a theoretically consistent one, my analysis acknowledges the role of an *imagined* distinction in activist discourse. While scholars have noted women's exclusion from public discourse, they have analyzed feminist discourse as frustrated attempts to join or form a public discourse. However, privyacy acknowledges the ways in which marginalized groups may assert privacy in a public forum, to frustrate attempts of dominant publics to understand these marginalized groups' knowledges. Such an aversion to public recognition offers a critique of traditional rhetorical appeals predicated upon public recognition.

Visibility politics: A drive to publicity

Visibility politics typifies this kind of appeal to public recognition. A rhetorical strategy used by undocumented youth, environmental conversation activists, survivors of sexual violence, and LGBTQ+ individuals, visibility politics has been utilized by marginalized groups to gain public attention for advocacy efforts.¹⁵ Visibility politics is described as a “theory and practice which assume that ‘being seen’ and ‘being heard’ are beneficial and often crucial for individuals or a group to gain greater social, political, cultural or economic legitimacy, power, authority or access to resources.”¹⁶ To render oneself legible as marginal to dominant groups, particularly when one’s marginal status is not necessarily visibly apparent, is a practice of visibility politics. The rhetorical force behind visibility politics is that attempting to obscure, hide, or diminish one’s marginal status may offer material benefits or safety—one’s marginal position is not detected, or, if it is, one’s attempt to fall in line with the dominant order appeases oppressors. Thus, taking on the risks of visibility might be interpreted as an altruistic or self-effacing act. Along with risks of visibility, such as oppressive surveillance and verbal or physical harassment, there are likewise limitations of visibility: when one becomes visible, one sacrifices one’s privacy.¹⁷ Thus, some social movements have attempted to mitigate the attending risks of visibility politics through mediating factors such as anonymity.

¹⁵ For scholarship on visibility used by undocumented youth, see Karma R. Chavez, *Queer migration politics: Activist rhetoric and coalitional possibilities*. University of Illinois Press, 2013. For scholarship on environmental conservation activists, see Kevin Michael DeLuca. *Image politics: The new rhetoric of environmental activism*. Routledge, 2012. For scholarship on survivors of sexual violence, see Stephanie R. Larson. “‘Everything inside me was silenced’:(Re) defining rape through visceral counterpublicity.” *Quarterly Journal of Speech* 104, no. 2 (2018): 123-144. For scholarship on visibility politics as utilized by gay and lesbian individuals, see Bonnie Dow. “Ellen, television, and the politics of gay and lesbian visibility.” *Critical Studies in Media Communication* 18, no. 2 (2001): 123-140.

¹⁶ Dan Brouwer. “The precarious visibility politics of self-stigmatization: The case of HIV/AIDS tattoos.” *Text and Performance Quarterly* 18, no. 2 (1998): 118.

¹⁷ Brouwer, “The precarious visibility,” 128.

For instance, the Guerrilla Girls utilize strategies of visibility politics, staging protests and public art demonstrations, while mitigating the risks towards their careers by the cover of anonymity offered by gorilla masks and pseudonyms.¹⁸ Anne Demo describes four benefits the Guerrilla Girls experience by virtue of their use of anonymity: protection from retribution, a sense of omnipresence within the art community that heightens awareness among non-members, the formation and maintenance of a collective identity, and keeping attention focused on issues rather than individuals. While these benefits also undergird the enactment of privacy, anonymity guards identity, whereas privacy might guard identity, but could also guard non-identity related information such as details of abuse or transgender history. Therefore, privacy need not be performed by an anonymous individual.

Charles E. Morris III's analysis of the fourth persona offers a nuanced understanding of how a single rhetor might negotiate the potential risks and rewards of visibility. Morris offers the fourth persona to identify the dynamics of passing, or a closeted rhetor communicating to a mixed audience of those who perceive the pass and those who are tricked. Morris defines passing as "self fashioning that constructs and preserves an ethos of gender and sexual 'normalcy,'" which is motivated by the drive to survive or resist dominant oppressive cultural practices.¹⁹ For example, J. Edgar Hoover sought to put to rest rumors of a homosexual relationship by engaging in passing behaviors such as impersonation, deflection, and silence in the public sphere.²⁰ The fourth persona is the audience who perceives the act of passing and participates by keeping such a secret. The fourth persona is therefore a form of negotiated visibility, though it does not exploit

¹⁸ Anne Teresa Demo. "The Guerrilla Girls' comic politics of subversion." *Women's Studies in Communication* 23, no. 2 (2000): 133-156.

¹⁹ Charles E. Morris III. "Pink herring & the fourth persona: J. Edgar Hoover's sex crime panic." *Quarterly Journal of Speech* 88, no. 2 (2002): 228.

²⁰ Morris, "Pink herring," 230.

visibility for political purposes, as visibility politics does. Morris defines this fourth persona as “an invisible audience for whom the pass is legible; who in turn collaborates in preserving by silence the perilous secret kept from unsuspecting dupes...a collusive audience constituted by the textual wink...[which] possesses an intuition that renders a pass transparent.”²¹ Thus, the fourth persona is constituted by a public performance of passing; this nuances the scholarly conversation around the rhetorical possibilities of visibility by asking, “Visible to whom?”

However, there are several factors which distinguish the fourth persona and passing from the concept of privacy. While the fourth persona is meaningful because of its juxtaposition with the second persona (the duped audience), privacy becomes legible to all and does not require a dual audience in order to be invoked. In other words, privacy’s rhetorical potential is not contingent upon its use being obscured from a dominant audience, while the fourth persona is constituted by this obfuscation. Privacy can be invoked through a public demonstration of what remains a secret (“I’m not telling any of you the details of my assault.”). The secret is named as such, and thus constitutes a single audience, whereas passing constitutes two audiences (the second and fourth persona). Second, privacy emphasizes the form of a secret—that there is a secret—whereas the fourth persona acknowledges the content of a secret (marginal sexual identity, for example). Therefore, passing as a rhetorical act reifies the power conferred by *obtained* knowledge—for marginalized individuals pass in order to keep knowledge private. Privacy, on the other hand, emphasizes the power of *willingly sharing access* to knowledge, whether or not the knowledge itself is shared. In other words, passing attempts to keep one from being found out, whereas privacy is less concerned with being found out and is more concerned with the conditions under which information is exchanged. Third, passing navigates the risks of

²¹ Morris, “Pink herring,” 230.

marginalization which accompany visibility to accomplish a particular task: survival or resistance. Privy, however, names and exposes the risks themselves to illustrate the unjust conditions which cede meaning to visibility in the first place. In other words, passing accepts the terms of risky visibility, while privy aims to challenge these terms. For these reasons, privy describes a distinct rhetorical strategy from passing and the fourth persona.

The risks of visibility are therefore accepted by the approach of visibility politics, while passing via the fourth persona avoids the risks of visibility by negotiating a kind of contingent visibility (visible to some, but not all). However, privy calls attention to the risks of visibility while attempting to evade these same risks. If visibility's rhetorical thrust comes from the shock of a subject taking on such risks for their cause, privy's power rests in a subject rejecting these conditions of liberation, for if the conditions of liberation are themselves oppressive, new conditions of liberation must be produced. Additionally, even if visibility politics does not result in violence, its successes are not ensured. Even more importantly, visibility politics has been critiqued by numerous scholars for the underlying assumption that marginalized subjects are relegated to private realms as a form of oppression, when in fact their very marginalization is publicly constructed and maintained. In fact, marginalized subjects are often denied the relief privacy might offer. Thus, the concept of visibility politics is predicated upon an oppressive gaze which racializes, genders, and sexualizes as its minoritizing function, rendering those who fit hegemonic norms transparent.²² The following section summarizes these critiques of visibility politics, situating privy as a rhetorical strategy used by those for whom visibility is a flawed, if not futile, attempt at liberation.

²² Yancy, George. *Black bodies, white gazes: The continuing significance of race in America* (Lanham, Maryland: Rowman & Littlefield, 2016), xix.

Critiques of visibility politics

Visibility's efficacy as a political strategy has been heralded by rhetorical scholars even as it has been critiqued.²³ Morris and Sloop pointed to this when they asked, "Is it better to be 'marked' publicly as a way to alter perceptions about one's subjectivity in a positive manner, or are there more benefits to remaining 'unmarked,' outside of the strongest disciplinary gazes?"²⁴ However, they quickly reorient their argument to focus not on whether representation (being "marked") is desirable, but instead, to focus on the forms visibility might take, explicating the risks of normalization, eroticization, or commodification of queer kissing as an act of visibility politics.²⁵ Bonnie Dow has likewise noted the limitations of visibility through media representation; in her analysis of Ellen DeGeneres's coming out as a lesbian, Dow notes that these narratives replace political awareness and activism with personal or relational conflicts.²⁶ For all the potential of visibility politics, the risks of domestication or co-optation remain. Indeed, rhetorical scholars have avoided advocating for remaining unmarked, perhaps because such a move might be interpreted as synonymous with the hegemonic instruction to hide, remain invisible, or disappear.

The very notion of visibility politics as a viable strategy has been critiqued by various scholars outside the rhetorical tradition for whom publicness does not promise conditions of liberation, but instead, further oppression. For example, Kimberlé Crenshaw notes that for people of color, there may exist a "generalized community ethic against public intervention, the product of a desire to create a private world free from the diverse assaults on the public lives of racially

²³ See Dow, "Ellen," 135-136; Morris, Charles E., and John M. Sloop. "'What lips these Lips have kissed': Refiguring the politics of queer public kissing." *Communication and Critical/Cultural Studies* 3.1 (2006): 1-26.

²⁴ Morris and Sloop, "What lips," 7.

²⁵ Morris and Sloop, "What lips," 7.

²⁶ Dow, "Ellen," 131-135.

subordinated people.”²⁷ Because the public realm has often facilitated the transparency of whiteness, George Yancy explains, people of color are already rendered hypervisible by the white gaze, such that a public self is not a choice but a compulsion enforced by the white gaze.²⁸ These scholars demonstrate that the premise of visibility politics—that exposure is liberatory—rests upon a faulty assumption that visibility can be chosen. In fact, visibility politics largely ignores that various acts of violence within white supremacy utilize public display *as* an act of violence. In understanding the compulsory nature by which whiteness renders racial minorities always already visible *as* an act of violence, this study of privacy attempts to recognize the ways in which moves away from compulsory publicness counteracts the compulsions of the hegemonic gaze. By enforcing an inherent publicness upon non-white bodies, white supremacy complicates the relationship between visibility as political strategy and the political strategies available to people of color. This thesis extends this critique of visibility politics to consider the means by which populations rendered vulnerable by a compulsion to publicness negotiate these terms of political action. Just as race is read onto the body, so is gender.

Vorris Nunley has expanded upon the notion of rhetorical practices guarded from broader public discourse in his work on African American hush harbors. Nunley uses the term hush harbor to describe “geographies such as the slave quarters, woods, and praise houses where Black folks could speak frankly in Black spaces in front of Black audiences,” away from the “disciplining gaze of Whites and Whiteness.”²⁹ These hush harbors were “quasi-public or hidden spaces” in which Black people could speak therapeutically and strategically with each other,

²⁷ Kimberlé Crenshaw, “Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color,” *Stanford Law Review* 43, no. 6 (1991): 1257.

²⁸ Yancy, “Black Bodies,” 192.

²⁹ Vorris L. Nunley. *Keepin’ it Hushed: The Barbershop and African American Hush Harbor Rhetoric* (Detroit: Wayne State University Press, 2011): 23.

affirming African American knowledges and perspectives without alteration for the comfort of White audiences.³⁰ Nunley's work establishes a vein of scholarship into which this thesis taps: in studying these spaces which have specifically evaded broader public (read: White) attention, his texts are not only hush harbors themselves but references and tropes in broader public discourse which allude to the existence of hush harbors.³¹ While Nunley focuses on the spatiality of hush harbors as an important component which produces subjectivities, my analyses will extend the spirit of his critique to discourse not tied to space; online discourse (in the case of the Shitty Media Men list) and a lack of discourse altogether (transgender individuals living stealth). Nunley's work importantly acknowledges the influence of discourse guarded from public view in shaping resistance and forming oppositional subjectivities.

Additionally, the compulsion to visibility can be understood through the lens of how national identity is projected onto the body. As Gayatri Gopinath writes in her analysis of South Asian diasporic cultural representations, Western conceptions of recognition and visibility are impossible for non-heterosexual female diasporic subjects because diasporic and nationalist ideologies invest the female diasporic subject with representing household, community, and nation of origin, while recognizing lesbian subjectivity as a result of "being too long in the West."³² In other words, the female diasporic subject is invested with the symbols of heritage, nation, and family such that queerness is precluded from the female diasporic subjectivity by this diasporic and national ideology. Thus, an emphasis on coming out or visibility does not account for the practices of female diasporic queers—practices which are illegible under patriarchal

³⁰ Nunley, 23-24, 27.

³¹ Nunley, 171.

³² Gayatri Gopinath. *Impossible desires: Queer diasporas and South Asian public cultures* (Durham: Duke University Press, 2005), 18-19.

frameworks of visibility. Additionally, Karma Chavez notes that visibility through the act of coming out can adopt a politics of respectability and inclusion, rather than a critique of who has access to public legitimacy: white, urban, middle-class citizens.³³ As Chavez writes, “In the United States the predominant narrative of coming out as a political act is a citizenship narrative,” such that gay undocumented youth coming out as such not only challenge audiences to accept their sexual identity, but also challenge the very logic of citizenship upon which visibility politics is based.³⁴ If these DREAM activists cannot appeal to the rights of citizenship inherent within political acts in the United States, they fundamentally challenge the notion of citizenship as a prerequisite for political participation through visibility politics. The risk of deportation—of literal removal from a space in which one might politically engage—accompanies visibility for undocumented individuals such that visibility is a means by which they might participate in *and* be excluded from political constituency.

Collectively, these critiques of visibility politics complicate how rhetoricians might understand the drive to publicness inherent within our field. Marginalization is not always exclusion from publicness that visibility might solve—in fact, publicness can be the very means of marginalization. Therefore, rhetoricians must find a way to attune to the rhetorical practices of resistance to the oppressive conditions of publicness upon which political participation in the field of rhetorical studies is recognized.

Theoretical Justification

The concept of privacy moves away from rhetoric’s privileging of publicness, towards an understanding of rhetoric that points to the private. This poses a theoretical query for rhetorical criticism: what does rhetoric in private look like, and how would we study it? In this section I

³³ Chavez, *Queer Migration Politics*, 98.

³⁴ Chavez, *Queer Migration Politics*, 94.

explore this question by considering two themes that animate this project of defining privacy. The first of these themes is the ethics of the desire to know. The quandary considered in this section is not how we might study private rhetoric, but whether we ought to. The second theme is that of rhetorical agency. Here, I offer a justification for studying private rhetoric while also detailing a methodological foundation for doing so. I then trace these themes through my two case studies.

Privacy highlights the exchange of information as a process implicated in power relations. Centralizing this process transforms the question of “what do you know?” to “how did you find out?” This transformation fundamentally shifts the nature of academic inquiry to be self-conscious about the means by which information is acquired, and to justify the process of inquiry itself. Therefore, if our object of analysis is one to which we are not privy, we as scholars must provide an account for our study of it; if we are privy to our object, we must consider how the nature of scholarship by necessity extends privacy to others reading our scholarship.

Privacy highlights this relationship between epistemology and justice which is so often obscured in scholarship. At its core an epistemological endeavor, academia is the pursuit of knowledge. While justice might be another goal of academia, it remains secondary. Indeed, Gayatri Spivak notes that ethics is the “experience of the impossible,” insofar as even profound engagement with a subject inevitably leaves “a sense that something has not got across.”³⁵ In other words, there is always something which escapes recognition, and ethics demands we account not only for that which we see but that which remains unseen or hidden. Similarly, Sara Ahmed notes that “we need to know that all cannot be revealed to avoid positioning the others as

³⁵ Gayatri Spivak, “Translator’s Preface and Afterword to Mahesweta Devi, *Imaginary Maps*,” in *The Spivak Reader*, eds. Donna Landry and Gerald MacLean (New York: Routledge, 1996), 271.

revelations,” for such a desire for knowledge can result in the reproduction of violence.³⁶ In Ahmed’s view, the drive to know can replicate exploitative conditions such as colonialism in which the colonized subject is rendered a spectacle for others’ consideration. Thus, the resulting feminist ethic is to be accountable to that which cannot be revealed, “recognizing the limits of what one can receive from others, the limits, in other words, of knowledge.”³⁷ Both Spivak and Ahmed articulate a fundamental relationship between ethics and knowledge that, if engaged seriously, estranges the scholar from her analysis; the analysis becomes strange because as much as it reveals, it also points to that which is concealed. Knowledge is not coterminous with ethics, but in fact, ethics may necessitate limits on what can be known and by whom.

Privy offers feminist scholars a way to approach this constraint not as an obstacle to scholarship, but as an invitation to consider the ethics of scholarship itself. By approaching inquiry through Spivak’s definition of ethics (the experience of the impossible), privy reveals that scholarship need not be premised on the known, but also, necessarily, include the unknowable. Here, the unknowable as boundary becomes a subject of analysis. What are we, as scholars, not privy to? How do we continue our pursuit of knowledge ethically, respecting these boundaries delineating what we ought not know?

This question of ethics might be resolved through a queer theoretical approach to rhetorical criticism which recognizes indeterminacy, excess, and deferrals of meaning as genesis rather than terminus. Such an approach likewise shifts attention away from a pursuit of knowledge for knowledge’s sake, towards considerations of scholarship guided by ethics oriented to social justice. This queer approach methodologically resolves the previous question

³⁶ Ahmed, Sara. “Foreword: Secrets and Silence in Feminist Research,” in *Secrecy and Silence in the Research Process: Feminist Reflections*, eds. Róisín Ryan-Flood and Rosalind Gill (Routledge, New York, 2010), xix.

³⁷ Ahmed, “Foreword,” xix.

by taking the boundaries themselves as objects of analysis. Understanding these boundaries as liminal spaces at which meaning must be deferred provides scholars the opportunity to honor the boundaries encountered through research, considering not what is beyond the boundary but instead, what the boundary itself communicates. I draw upon Erin Rand's theorization of queerness—as the economy of undecidability which provides the possibility of rhetorical agency—in order to establish a theoretical justification for this methodological approach.

Rand's definition of queerness establishes a theoretical basis upon which I build the concept of privy. For Rand, queerness is “the lack of a necessary or predictable relation between an intending agent and the effects of an agent.”³⁸ In other words, there are gaps between the agent and the act, as well as the act and its effects, and it is in these gaps that queerness emerges as indeterminacy, excess, and a deferral of meaning. It is out of these conditions of uncertainty and risk—out of queerness—that rhetorical agency emerges.³⁹ For Rand, while queerness creates the conditions of rhetorical agency, at the moment of agency being actualized through action or interpretation, queerness is displaced through a deferral of the possibility of acting or speaking otherwise.⁴⁰ Form, for Rand, is the manner by which discourses become intelligible and create conditions ripe for queerness: as “specific instantiations of institutional power,” forms “operate like subject positions from which discourse can be intelligible and socially recognizable.”⁴¹ Forms such as polemics or humor offer resources of queerness because they create the possibility of being read otherwise and of gesturing toward the unsaid.

³⁸ Erin Rand, *Reclaiming Queer: Activist and Academic Rhetorics of Resistance* (Tuscaloosa, University of Alabama Press, 2014), 23.

³⁹ Rand, *Reclaiming Queer*, 25.

⁴⁰ Rand, *Reclaiming Queer*, 164.

⁴¹ Rand, *Reclaiming Queer*, 164.

I offer privy as one such form which renders salient the boundary between the known and unknown. While Rand analyzes how queer theorists finesse the academic form in order to “assert the possibility for its political effects,” I offer privy as a form which challenges scholars to acknowledge that the academic form is itself necessarily incomplete.⁴² In other words, privy is a form which exposes how the drive to know—through scholarship or political strategy premised upon visibility—creates the conditions for (while also foreclosing) rhetorical agency. It is this drive to knowledge which seeks to affix meaning and determine effects, sometimes at the expense of honoring the boundaries which ethics imposes. By studying the form of privy itself, rather than seeking to discover that to which we are not privy, we may respond to the boundaries ethics imposes while also considering ethical responses which are not premised upon our own privy. In other words, studying privy allows us to hold ourselves and others accountable even to that which we are not privy. Instead of demanding information be shared with us in order to justify a response, we may consider such information superfluous to the pursuit of social justice.

How, then, does the form of privy become legible to the rhetorical critic honoring such ethical boundaries? Queer theorists are uniquely attuned to the study of the oblique, uncategorizable, and liminal, and I now extend my discussion to include the utility of both paranoid and reparative reading practices to become sensitized to the boundaries privy reveals. Jean Bessette explains the anticipatory manner in which many queer theorists have approached texts as paranoid, drawing on Sedgwick’s description of paranoid reading practices as “already suspicious of specific kinds of wide-reaching systemic injustices that take the form of normativity.”⁴³ When we approach texts in this way, the existence of injustice is a foregone

⁴² Rand, *Reclaiming Queer*, 41.

⁴³ Bessette, “Queer Rhetoric in Situ,” 150.

conclusion. Thus, reparative reading practices which center “multiplicity, surprise, rich divergence, consolation, creativity, and love” offer a more situated and contingent hermeneutic with which to approach texts.⁴⁴ Rather than anticipate that which has yet to be revealed, reparative readings attend to contextual nuances that may reveal an act expected to be normative as, in fact, anti-normative (or vice versa).

However, reparative reading practices describe a hermeneutic practice that operates in response to a text—the manner in which a text is constituted is taken for granted. The text is self-evident. Publicly available. Visible. Thus, while reparative reading might open up possibilities of complex and contextual analyses, such analyses are predicated upon an assumption of already-existing texts. If Bessette advocates for acts to be evaluated within the specific context(s) in which they are found, I ask, how did we find them? How do we account for that which we didn’t find? The expectation of a self-evident text, which seems inherent to Bessette’s analysis and more broadly to the field of rhetorical criticism, furthers an assumption that the critic is either already privy to such knowledge (or might wrest it nonetheless). In short, awaiting the arrival of a text before making evaluative claims—what Bessette might call suspending judgment in order to avoid anticipation and allowing oneself to be surprised—does not account for the political imperative of action or evaluation when a text has not yet presented itself, because one may not be privy to it.

If the formation or existence of a text is itself questioned, as when we know ourselves not to be privy to a text, paranoid reading practices may, in fact, offer multiplicity, surprise, creativity, and love. For instance, sexual violence is known to be a significantly underreported

⁴⁴ Heather Love, “Truth and Consequences: On Paranoid Reading and Reparative Reading,” *Criticism* 52, no. 2 (2010): 237.

crime.⁴⁵ It would be naïve to consider only reported instances of sexual violence as our “texts” for this epidemic—critics pursuing justice in fact ought to anticipate the occurrences of sexual violence that we do not (perhaps cannot) know. When considering the texts which may never be brought to public visibility, paranoia, as it expressed through tactics of anticipation and suspicion, may in fact be an ethical imperative for rhetorical critics. Particularly because disclosure operates as both the medium through which justice *and* violent repercussions can be delivered, paranoia may be the only means by which a text is rendered.⁴⁶ In short, how do we analyze that to which we are not privy? The critic’s drive to challenge oppressive power dynamics would necessitate anticipation, if not of the intentions or effects of an act, at least to the existence of an act. The paranoia I describe, though anticipatory, ought not be mistaken with determinism; just because one is not privy to a text does not mean for certain that it exists, only that the likelihood of its existence is probable and cannot be determined, given the power dynamics working to obscure its existence. Thus, I contend that paranoid reading practices such as anticipation and suspicion provide a necessary counterpart to reparative reading practices, though I temper this contention with an abstention from determinism.

It is this liminal space of (not) knowing that this thesis analyzes. If strategies of public advocacy and resistance are first defined by their being public, there are many forms of rhetoric which would go unrecognized as such. If something cannot be known to be true or false—if its very existence is unclear—one might act in such a way that preserves each possibility equally. This would then inaugurate the “economy of undecidability” Rand describes as queerness.

⁴⁵ “The Criminal Justice System: Statistics,” *RAINN*, accessed January 30, 2019, <https://www.rainn.org/statistics/criminal-justice-system>.

⁴⁶ Eve Sedgwick writes in relation to plausible deniability as a manner of evading culpability of homophobia: “obtuseness itself arms the powerful against their enemies.” See Eve Sedgwick, *Epistemology of the Closet* (Berkeley: University of California Press: 1990): 7.

Rather than seeing such an evasion of detection as an instance in which the powerful necessarily claim plausible deniability, this thesis recognizes the ways in which activists expose the inherently unjust conditions of advocacy which enable the powerful to claim plausible deniability. These activists call into question the very threshold of evidence answerability and accountability demands. The form revealed by these activists, privy, reminds critics of the excesses beyond what activism or scholarship reveals.

The first counterdiscourse I study is the anonymous and crowd-sourced document “Shitty Media Men,” in which contributors accused men in the media industry of sexual violence. The document was created within weeks of the *New York Times* publishing allegations of decades of sexual abuse committed by Harvey Weinstein and the subsequent virality of #MeToo. This document was an informal mode of reporting to other women in the media industry who might be dangerous and therefore avoided. Once the document became public, the anonymity and informality of the network sparked debate about the risks of disclosure through formal reporting procedures. After the list was circulated to a news agency, it was closed and, after months of speculation about the creator of the document, Moira Donegan wrote a piece published by *The Cut* in which she outs herself as the creator of the list and explains the document’s purpose and use. My analysis will recognize the Shitty Media Men list as a demonstration of how victim-survivors of sexual harassment and assault guard information about their abuse while strategically employing privy as a mode of protection and feminist resistance. Even after the list was circulated beyond this privy group of women, the form of privy remained salient to those responding to the list, as the existence and necessity of underground whisper networks (networks of privy) was highlighted.

While scholars are offered a glimpse only because of the list's exposure, the list nonetheless offers a model of what feminist advocacy might look like out of the public eye. Donegan's article explores the motivations and implications of similar forms of advocacy which evade formal reporting procedures or the tactics of visibility politics. When advocacy operates by trade of privacy rather than in public, initiation into the privy network is a means by which vulnerable subjects may establish control: women's withholding privacy allows for queerness because this privacy might be extended (or withheld) at any moment. Even if the list is leaked—the information shared without privacy extended—privacy continues to function as a rhetorical form: we know the content of the list (even its creator), but through accessing the list we come to realize how much might be being withheld. We catch a glimpse and realize that there is likely much more not being shared with us.

This sense of what is not being shared is further expanded in my second case study, which is about the experiences of transgender individuals living stealth and how this is implicated within transgender activism since the “transgender tipping point” of 2014. Since this “tipping point,” transgender issues have grown increasingly prominent in public discourse, alongside the rise of both anti-transgender legislation and the murder rate of transgender individuals. Visibility is a fraught issue for transgender individuals; it is the harbinger of political representation and transphobic violence simultaneously. Since 2014, two arenas have arisen as prominent battlegrounds for transgender safety and dignity: bathroom bills and the increasing murder rates of transgender individuals (especially in dating violence). As many transgender activists seek to navigate the risks and promises of visibility, the experiences of transgender individuals living stealth shed light onto issues of the constraints of visibility as a primary rhetorical strategy and the possibilities of guarding privacy even from allies. The phenomenon of

stealth troubles the cisnormative assumption that all transgender individuals are visible as transgender, therefore undermining what I call the “cisgender gaze.” In other words, stealth exposes the fallibility of cisnormativity. Additionally, by highlighting but not privileging disclosure and visibility, the phenomenon of stealth exposes assumptions within rhetorical studies that knowledge must be shared publicly in order to operate rhetorically. Rather, knowledge to which one is not privy performs rhetorical work precisely by virtue of its form, rather than its content, being known.

The drive to know that to which one is not privy can be understood as both unethical and superfluous to rhetorical agency. In the case of transgender individuals living stealth, the drive to know someone’s gender history without being privy not only constitutes an assault to the sovereignty of that individual over personal information, but also assumes a level of deceit or trickery of those who are outed as having lived stealth. This undermines the authority and truth of transgender individuals’ public performances of their gender while assuming a higher status of authority; this cisnormative stance is unethical because it relies upon essentialist frameworks of domination. Moreover, the drive to know is superfluous to rhetorical agency because the form of privacy allows for indeterminacy and excess which is itself the resource for rhetorical agency. The impending crisis for the cisnormative gaze is one which opens up further possibilities of rhetorical agency: acknowledging the uncertainties and fallibility of one’s own subject position, one becomes conscious of the queerness that proliferates around them.

Together, these case studies demonstrate that guarding access to knowledge, or privacy, can be an effective rhetorical strategy for marginalized subjects whose oppression is in part contingent upon their visibility. Even when that knowledge is revealed, the function of access being withheld maintains rhetorical force by reminding audiences that they had not known, and

likely continue not to be aware of, forms of resistance that have been heretofore obscured. The resulting uncertainty within public discourse regarding what is unknown inaugurates anticipation among hegemonic forces—*what am I not being told?*

Chapter 3

Shitty Media Men

On October 5, 2017, *The New York Times* published an article detailing allegations of sexual harassment and sexual assault by Harvey Weinstein, a high-profile producer and one of the founders of the Weinstein Company. The allegations spanned over three decades and included at least eight legal settlements. Three days after the article was published, Weinstein was fired from the Weinstein Company.

Weinstein's behavior had previously been considered an open secret within Hollywood, but after the *New York Times*' unveiling of decades of coverups and serial offenses, international discourse circulated about sexual violence in the workplace, the power of celebrity to insulate offenders through tactics of intimidation, and the flawed reporting procedures upon which many survivors rely. Many other celebrities began to be accused of sexual harassment, including Louis C.K., Kevin Spacey, and Matt Lauer; these 'outings' of sexual offenders became known as the Weinstein Effect. The #MeToo movement went viral as women shared stories of their own experiences of sexual harassment and assault, demonstrating the widespread nature of sexual violence. In December 2017, *Time* named the Person of the Year the Silence Breakers, featuring those who spoke out against sexual harassment and assault. In January 2018, a group of Hollywood celebrities launched Time's Up, a legal defense fund providing aid to victims of sexual harassment and assault in the workforce.

What precipitated after the Weinstein scandal was unique in that the problem of sexual violence refused to be atomized to the actions of a single individual. Allegations were collected into a broader context of sexual violence through the hashtag "me too," building upon the work

of Tarana Burke to recognize and address the serious and persistent problem of sexual violence.¹ The initial Weinstein coverage by the New York Times highlighted not only the allegations of sexual misconduct, but also the contracts employees of the Weinstein Company had signed agreeing not to criticize its leaders, eight legal settlements between Weinstein and women who had accused him of sexual misconduct, decades of internal memos detailing accusations, and Weinstein's powerful influence in Hollywood as a frequently cited deterrent to reporting.² The assaults were not the only—or, arguably, even the primary—story: how Weinstein leveraged his power and fame to avoid legal or even professional consequences was. This prompted what was later termed the “Weinstein Effect,” in which nearly powerful individuals (primarily, though not exclusively, men in the entertainment industry) were publicly accused of sexual misconduct.³ And, while the Weinstein Effect revealed how the institution of celebrity fosters a sense of immunity among high-profile sex offenders, the #MeToo movement revealed that the issue of sexual harassment was not contained to any single industry, but was instead pervasive and common.⁴ Time's Up, a legal defense fund founded by women in Hollywood on January 1, 2018 in response to the revelations of widespread sexual misconduct in the media industry, attempts to address the financial barriers many survivors face when considering legally reporting harassment

¹ Tarana Burke. “#MeToo Founder Tarana Burke on the Rigorous Work That Still Lies Ahead.” *Variety*, 25 September 2018, www.variety.com/2018/biz/features/tarana-burke-metoo-one-year-later-1202954797/. Accessed 20 February 2019.

² Jodi Kantor & Megan Twohey. “Harvey Weinstein Paid Off Sexual Harassment Accusers for Decades.” *The New York Times*, 5 October 2017, www.nytimes.com/2017/10/05/us/harvey-weinstein-harassment-allegations.html. Accessed 20 February 2019.

³ Vox reports that 263 powerful individuals have been accused of sexual misconduct between April 2017 and January 9, 2019. “Robert ‘R.’ Kelly is one of the 263 Celebrities, Politicians, CEOs, and Others Who Have Been Accused of Sexual Misconduct Since April 2017.” Vox, updated 9 January 2019. www.vox.com/a/sexual-harassment-assault-allegations-list/robert-r-kelly. Accessed 20 February 2019.

⁴ Heidi M. Przybyla. “‘Weinstein Effect’ is Boosting Inquiries About Workplace Harassment.” *USA Today*, 14 November 2017. www.usatoday.com/story/news/politics/2017/11/14/u-s-government-may-see-weinstein-effect-boosting-reports-workplace-harassment/862613001/ Accessed 20 February 2019.

and assault.⁵ Time's Up's efforts highlight how the legal system precludes many survivors from seeking legal justice on an economic basis.

However, in the midst of these viral movements, another, lesser known form of dissent crystallized. In October 2017, the same month of the Weinstein Scandal and #MeToo, a Google spreadsheet entitled "Shitty Media Men" circulated via email among women in the media industry. The document contained allegations of sexual misconduct against men in the media industry, including names of offenders, their industry affiliations, and descriptions of the alleged misconduct. Anyone with the link to the document could read and add⁶ allegations anonymously. After being live for 12 hours, the document was closed for editing, though screenshots of the list were later circulated. Over 70 men were named, of which 14 were accused by multiple users of either sexual assault or rape. In the subsequent months, several of the men on the list either resigned or were fired.⁷

The Shitty Media Men sparked a different kind of controversy than the other protests against sexual harassment and assault in the workforce. The anonymity of the list's contributors, as well as the unclear purpose of the list, spurred accusations that the list was irresponsible, circulated false accusations, or puritanical.⁸ If these allegations were in fact true, critics argued, why wouldn't the women come forward as Weinstein's accusers or #MeToo protestors had? *Why be so sneaky if you're telling the truth?*⁹

⁵ "History." *Times Up*. <https://www.timesupnow.com/history> Accessed 20 February 2019.

⁶ Theoretically, the document would have also allowed users to anonymously delete allegations as well. However, concerns about deleted content have not gained significant traction in subsequent discourse about the document.

⁷ Marie Solis. "Is It Finally Time to Take the 'Shitty Media Men' List Seriously?" *Newsweek*. 28 December 2017. <https://www.newsweek.com/it-finally-time-take-shitty-media-men-list-seriously-762260> Accessed 20 February 2019.

⁸ Donegan, Moira. "I Started the Media Men List. My name is Moira Donegan." *The Cut*. January 10, 2018, <https://www.thecut.com/2018/01/moira-donegan-i-started-the-media-men-list.html>. Accessed 20 February 2019.

⁹ For scholarship on discrediting women survivors of sexual abuse through accusations of hysteria, untrustworthiness, and attention-seeking, see Emily Gaardner, "Gender Politics: The Focus on Women in the Memory Debates," *Journal of Child Sexual Abuse*, 2000, vol. 9 issue 1, 91-106, especially 96.

The Shitty Media Men list is significant because of its unique approach to advocacy and reporting of sexual misconduct; the list ensured the anonymity of its contributors. Through the anonymity offered by the document, survivors circumvent the scrutiny and backlash accompanying public allegations of misconduct—one of the major deterrents survivors of sexual misconduct cite when discussing the lack of reporting. However, the trade-off of this anonymity is that because the list was an informal reporting process meant to be kept from formal purview, those adding to the list were doing so without the hope of formal redress. The goal of the document, then, was not to seek justice, but to warn other potential victims of who to avoid. Therefore, the list is a unique form of advocacy in that unlike the public outings of celebrities under the Weinstein Effect or offenders in the workplace through Times Up, which seek justice from formal institutions for *past* offenses, the Shitty Media Men list functions as a warning, thereby assuming the inevitability of *future* misconduct.

The Shitty Media Men list raises concerns about the conditions under which advocacy related to sexual assault occurs. But when the crime committed is a violent violation of privacy, does the public nature of advocacy exacerbate the violation? And, when public advocacy around sexual violence works the way it's intended, what does it achieve? In short, the list prompts us to reassess what justice around the issue of sexual violence looks like, and what forms of dissent might help achieve it.

This chapter will analyze the Shitty Media Men list through the lens of confrontational rhetoric to examine how the list critiques the inadequacies and injustices of the established reporting mechanisms for sexual assault, as well as the premise of visibility politics: that publicly exposing one's oppression induces social change. First, I offer an overview of the characteristics of confrontational rhetoric. Then, I explain how the Shitty Media Men list demonstrates

confrontation through its revelation of the inconsistencies and inadequacies of existing systems through which survivors might seek justice. Lastly, I explain how the document establishes conditions for rhetorical agency through its formation of privy audiences. This concept of “privy,” or being privy, is a rhetorical form with which critics can better understand modes of advocacy that evade publicness because of the inherent risks of public exposure.

Confrontational rhetoric

Confrontational rhetoric arose as the field of rhetoric sought to analyze modes of address enacted by protest movements of the 1960s. These forms of protest—civil disobedience, the sit-in, riots—had previously been unaccounted for in rhetorical scholarship. Confrontational rhetoric was followed by several other theoretical frameworks, namely, social movement rhetoric and critical rhetoric. Despite having declined in citational relevance since its inception in the 1960s, I contend that confrontational rhetoric has continued relevance today. As the inception within rhetorical scholarship of recognition of visibility politics, confrontational rhetoric offers ruminations on the advantages and costs of visibility as a rhetorical strategy. By not taking the calculated risk of visibility for granted, confrontational rhetoric foreground three critical components of public dissent that social movement and critical rhetorics have failed to highlight. First, the risks associated with visibility create the circumstances of martyrdom for she who dissents. Therefore, the very decision to employ visibility as a political tactic is a calculated risk which itself should be the subject of analysis. Second, the dissent often reveals the ways in which current establishments maintain oppression by stifling dissent through established rules of legitimacy and standards of civility. Notably, the revelation of this “secret” is not a true revelation but rather an open secret left unacknowledged by those in power. Third, by revealing

that the current establishment is rigged, confrontation demands a revolution that is unlikely to be satisfied, thereby prioritizing moral imperatives over strategic ones.

These three components highlight how the discipline came to understand visibility as an effective political strategy with complex ethical implications. However, these components of confrontation have become foregone conclusions in rhetorical study of public dissent. In reviewing these components of confrontational rhetoric, I seek to reframe the nature of visibility not as an inevitable component of dissent, but a calculated risk that challenges preconceived notions of a satisfactory outcome of activism. In doing so, I question the fundamental assumptions of risk, publicity, and dissent that have come to pervade rhetorical scholarship. With these components destabilized, I offer privy as a rhetorical form which acknowledges and seeks to balance the risks of publicity with the necessity of dissent.

According to Robert Cathcart, confrontation occurs under circumstances of “societal breakdown or when moral underpinnings are called into question.”¹⁰ Often, this breakdown occurs when “channels for peaceful protest and reform become so clogged that they appear to be (and, in fact, may be) inaccessible to some.”¹¹ When the existing system will only confer legitimacy unto those forms of dissent which do not effectively dismantle injustice, confrontation exposes this inherency upon which the institution relies.¹² This reveals the ‘secret,’ or, forces the institution to confront the flaws to its own claim to legitimacy.

Confrontation disrupts ‘business as usual’ through tactics such as civil disobedience, sit-ins, and riots to reveal that the cogs of the existing system will only perpetuate the injustices the

¹⁰ Cathcart, Robert. “Movements: Confrontation as Rhetorical Form.” *Southern Speech Communication Journal* 43.3 (1978): 233-247. 97.

¹¹ Haiman, Frank. “The Rhetoric of the Streets: Some Legal and Ethical Considerations.” *Quarterly Journal of Speech* 53 (1967): 99-114. 105.

¹² Cathcart, “Movements.”

system allows. This has resulted in accusations of anarchy, as protestors forego existing legitimized channels precisely because these sanctioned avenues are designed to stifle dissent.¹³ By going outside of the parameters of legitimate dissent, protestors expect, rather than evade, punishment from the establishment, in the hopes that “their willingness to suffer penalties for their convictions may communicate a message to the consciences of others and thus pave the way for social change.”¹⁴ In other words, protestors accept that they are compelled to martyrdom by the ethical imperative of their cause, and their martyrdom might take the form of public disgrace, harassment, assault, or literal death. Thus, moral claims surpass strategic ones as protestors seek what is desirable, even when it seems impossible according to the established terms which determine strategy.¹⁵ Decisions for these protestors therefore express “the ultimate supremacy of moral over strategic motives regardless of the outcome, and in fact because the outcome is so vitally important.”¹⁶ This impresses the need for critics to attend not only to the effects of visibility politics, but the constraints under which such decisions are made.

Operating outside of the realm of ‘strategy,’ and therefore inviting what one knows to be an unjust response by the institution, protestors become scapegoats and martyrs. Protestors realize they have nothing to lose because they are doomed to injustice.¹⁷ Thus, they abandon themselves to the inevitability of extreme personal and cultural consequences.¹⁸ Burgess notes that “in the extremity, this is indeed the stuff of which martyrs and martyred movements are made.”¹⁹ The only fitting response the established order might offer is a moral one—not a

¹³ Haiman, “Rhetoric of the Streets.”

¹⁴ Haiman, “Rhetoric of the Streets,” 104.

¹⁵ Burgess, Parke. “The Rhetoric of Moral Conflict: Two Critical Dimensions.” *Quarterly Journal of Speech* 56:2 (1970), 120-130.

¹⁶ Burgess, “Moral Conflict,” 125.

¹⁷ Scott, Robert L. and Donald K. Smith. “The Rhetoric of Confrontation.” *Quarterly Journal of Speech* 55.1 (1969): 1-8.

¹⁸ Burgess, “Moral Conflict.”

¹⁹ Burgess, “Moral Conflict,” 130.

strategic one—which would undermine their very claim to legitimacy. The only solution is a totalistic one. The spark to burn down the system is provided by self-immolation.

At first glance, confrontation may seem to ‘fail’ on its own terms because its demands are rarely satisfied. However, confrontation may influence moderates to accept reformist positions as a reasonable compromise.²⁰ Thus, instances of confrontation merit rhetorical study as catalysts which reorient or accelerate the trajectory of broader aligned movements. The association of confrontation with the radical fringe of broader, more efficacious, social movements may explain the field’s shifting focus to establish a common definition and theory of social movements. Rather than focus on fringe discourses such as confrontation, rhetorical scholarship in the 1970s and 1980s refocused on establishing a theoretical basis for the study of social movements.²¹ As this scholarship tried to organize phenomena into a coherent organizational structure of a “movement,” aspects of confrontational rhetoric such as exposing the secret of institutions’ illegitimacy fell from focus. And in the 1980s, the rise of critical rhetoric broadened focus from the specific tactics of individuals or even social movements, instead analyzing the overarching systems of oppressive power. With this broadening in scope, the figure of the individual martyr falls away.

These two conditions of confrontational rhetoric—the open secret of the illegitimate institution and the role of the martyr—remain significant considerations for the viability of visibility politics today. As this chapter demonstrates, the condition of martyrdom is an important determinant in what forms of dissent crescendo into public focus. By attending to the form of privacy, critics may become better attuned to ‘the secret,’ or, the oppressive conditions

²⁰ Short, Brant. “Earth First! and the Rhetoric of Moral Confrontation.” *Communication Studies* 42.2 (1991): 172-188.

²¹ See Michael C. McGee, “‘Social movement’: Phenomenon or meaning” *Central States Speech Journal* 31.4 (1980); Stephen E. Lucas, “Coming to terms with movement studies,” *Central States Journal*, 31.4 (1980).

of dissent which prevent its public expression. These oppressive conditions undermine the legitimacy of existing institutions which promise justice but nonetheless give rise to privy. In other words, when it becomes apparent that people are not using sanctioned means of dissent such as reporting procedures for sexual misconduct in a workplace or the criminal justice system, this exposes those institutions' illegitimacy: they're not trustworthy.

Shitty Media Men

Once the Shitty Media Men list was leaked to reporters, it promptly went offline. Then, the hunt: journalists sought to identify the creator of the list. Months later, Harper's Magazine announced an upcoming essay by Katie Roiphe would reveal the identity of the list's creator, prompting outrage over Twitter as writers for Harper's pulled their upcoming articles in protest of Harper's decision to reveal the creator.²² Within a day of Harper's essay being published, however, Moira Donegan published a piece on *The Cut* in which she revealed herself as the creator of the list and explained why she created (and subsequently took down) the document.

In this section I will explain how the Shitty Media Men list exposed three secrets. The first secret exposed was that of the media industry's illegitimate claim to morality. By revealing open secrets that had previously been circulating, the Shitty Media Men list demonstrates that industries used plausible deniability to evade holding perpetrators accountable. The second secret was exposed through the document's use of anonymity: that any advocacy premised upon visibility is itself an unjust strategy because of its expectation of a martyr. Third, the document calls into question the very notion of justice by orienting efforts around preventing violence rather than responding punitively to violence.

²² Jaelyn Peiser. "'Media Men' List Creator Outs Herself, Fearing She Would Be Named." *The New York Times*. 10 January 2018. www.nytimes.com/2018/01/10/business/media/a-feminist-twitter-campaign-targets-harpers-magazine-and-katie-roiphe.html. Accessed 20 February 2019.

Exposing industry’s illegitimate claim to morality: Plausible deniability

Throughout the piece, Donegan explains her rationale for creating the document as an editable Google spreadsheet. Donegan specifically intended the document to not have the power to inflict consequences upon those who were named in the document, for without enforcement mechanisms or legal authority, “it offered an impartial, rather than adversarial, tool to those who used it.”²³ Without the obligation to presume innocence or protect the company from liability, the document was intended to eliminate the specter of mistrust accompanying more formal reporting procedures.²⁴ Additionally, Donegan began the document because open secrets about these men had circulated for years without consequence: “it seemed like no one in power cared about the women who were most vulnerable...sexual harassment and assault, even when it was violent, had been tolerated for so long it seemed like much of the world found it acceptable...I assumed that people with authority didn’t care about what we had to say.”²⁵ With this, Donegan reveals prevailing industry norms of silence and inaction that foster the continuation of sexual misconduct—this inaction is the ‘secret’ revealing the industry’s illegitimate claim to integrity.²⁶ Why report, the document asks pointedly, when reporting institutions and those in power already know about the violence—they just don’t care enough to do anything about it?

As the document did eventually become public against Donegan’s intentions, however, enforcement mechanisms began to be invoked: some named men quit their jobs, while others were fired. However, Donegan casts doubt on the impetus for these consequences finally taking place, calling herself naïve for thinking, once the document was made public, that “the focus

²³ Donegan, “I Started the Shitty Media Men List.”

²⁴ Donegan, “I Started the Shitty Media Men List.”

²⁵ Donegan, “I Started the Shitty Media Men List.”

²⁶ For more on the reluctance of individuals to speak on the record about perpetrators of sexual violence, particularly Harvey Weinstein, see Rebecca Traister. *Good and Mad: The Revolutionary Power of Women’s Anger*. New York, Simon & Schuster, 2018, pp. 136-141.

would be on the behavior described in the document, rather than on the document itself.” This self-admitted naivete is immediately followed by a bitter expression of relief that some assailants were facing consequences such as being fired: “I assumed that people with authority didn’t care about what we had to say. In this sense, at least, I am glad I was wrong.”²⁷ These competing feelings of cynicism and relief gesture toward the source of the list’s influence: not that it revealed previously unknown truths, but that it revealed previously well-known truths. Men were being fired, Donegan insinuates, not because companies were finally learning about the violence they had committed, but because the publication of these open secrets denied the plausible deniability the companies had previously been able to maintain. This plausible deniability circulates like currency, it is an “epistemological privilege of unknowing,” a careful study in ignorance.²⁸ Once the list had been leaked, these companies lost their alibi of ignorance and, in a cost-benefit analysis of profit versus liability rather than a crisis of conscience, decided firing men was the best response.

Exposing visibility’s illegitimate claim to morality: Collateral damage

However, men were not the only ones bearing the consequences of the list’s leak: Donegan was fired after the document went public, lost friends, grew fearful for her own safety, and is now being sued by one of the men named on the document for libel.²⁹ Despite her best efforts, Donegan became the martyr she had assiduously attempted to elude through anonymity. This consequence, however, nonetheless revealed another secret about visibility politics generally, and feminist advocacy specifically: “protecting women is a position that comes with

²⁷ Donegan, “I Started the Shitty Media Men List.”

²⁸ Eve Sedgwick, *Epistemology of the Closet* (Berkeley: University of California Press: 1990): 5.

²⁹ Ruth Spencer. “Stephen Elliot Sues Moira Donegan, Creator of Shitty Media Men List.” *The Cut*. 11 October 2018. www.thecut.com/2018/10/stephen-elliott-sues-moira-donegan.html. Accessed 20 February 2019.

few protections itself.”³⁰ Here, Donegan highlights the injustice of visibility politics: that being thrust into the public eye often results in becoming a martyr, an additional, potentially final, blow to the already-oppressed. However, unlike the martyr mandate of confrontational rhetoric, this was not an inevitability of Donegan’s document. In fact, she had tried to evade public attention: the document was not meant to be shared publicly, her own status as creator of the document was unknown to its users, and she only came out publicly as the creator once her identity had already been procured by a reporter. Donegan’s efforts to evade martyrdom place the document outside the realm of visibility politics precisely because she does not treat extreme personal consequences as an inevitability or cost of entrance. She rejects this cost of entry on the grounds that such a cost is unacceptable collateral damage.

That this effort ultimately failed does not eclipse, but actually highlights, the list’s critique of visibility politics because it reveals this cost as visibility’s own secret: public advocacy predicated upon visibility itself is an illegitimate claim to morality because it necessitates collateral damage. This secret is exposed through the form of privacy in that Donegan attempted to evade publicness by operating through networks of privacy and anonymous individuals. Privacy is therefore a rhetorical form which seeks to evade publicness precisely to expose the unjust expectations publicness demands. While visibility puts its hope in a martyr, privacy calls bullshit on that stacked deck. Calls for a martyr aren’t just—they’re bloodthirsty.

“Justice” that requires a martyr isn’t just

The manner in which the Shitty Media Men List was used reveals a vision of justice oriented around prevention rather than penal. This reorientation reveals the inadequacy of punitive justice systems because it presumes future injustices rather than addressing the

³⁰ Donegan, “I Started the Shitty Media Men List.”

conditions which perpetuate danger. Through its use of anonymity and crowd-sourcing, the Shitty Media Men list attempts to redress the limitations of both formal and informal reporting mechanisms, to ultimately alter conceptions of what justice looks like and how it might be pursued without further casualties.

The exigence for the creation of the list was not sexual violence that had already occurred, but instead, the inadequacies of existing reporting mechanisms. These inadequate reporting mechanisms placed survivors in a position of precarity (the threat of martyrdom if one came forward to report) and heightened risks for future assaults because repeat offenders might not be known to potential victims. The flaws of formal reporting procedures were apparent to Donegan as she created the list: media companies use plausible deniability as well as flawed reporting mechanisms to prevent survivors from securing justice.³¹ This has severely undermined survivors' trust in formal enforcement procedures, explaining their reluctance to report.³² Survivors doesn't rely upon enforcement because they cannot trust the enforcers to do their job properly. This led to Donegan creating a list which reoriented efforts for justice from punitive to preventative.

Donegan explains that formal reporting procedures, whether legal or professional, are flawed for two reasons: "risks of using any of the established means of reporting were especially high and the chance for justice especially slim." Donegan's critique of formal reporting recognizes that even when survivors of sexual violence use exposure through reporting

³¹ Laurie Penny. "'Me Too' Just Gave Society a Conscience." *Time*. 18 October 2017. www.time.com/4987390/me-too-shows-pervasive-sexual-abuse/ Accessed 20 February 2019.

³² A year later, in September 2018 during the lead up to Christine Blasey Ford's testimony accusing Brett Kavanaugh of sexually assaulting her, #WhyIDidntReport trended on Twitter in response to President Donald Trump's questioning the legitimacy of Ford's accusation. Through this hashtag, survivors explained their reluctance to report, including the risk of retaliation, internalized victim-blaming, and the desire to move on from the assault. See AJ Willingham and Christina Maxouris. "#WhyIDidntReport: These Tweets Show Why People Don't Report Sexual Assaults" *CNN*, updated September 21, 2018. <https://www.cnn.com/2018/09/21/health/why-i-didnt-report-tweets-trnd/index.html>. Accessed February 19, 2019.

procedures, they often don't become martyrs. Instead, they are often vilified—asked “how [they] responded to men's inappropriate behavior...what [they] were wearing or whether [they'd] had anything to drink.”³³ Therefore, Donegan created the list to allow for users to anonymously edit the document. This was intended “protect its users from retaliation: no one could be fired, harassed, or publicly smeared.”³⁴

Donegan notes that women had previously attempted to circumvent these risks through whisper networks, or “informal alliances that pass on open secrets and warn women away from serial assaulters” through word of mouth. However, Donegan was dissatisfied by the limitations of whisper networks: while they are good at protecting their members, the process of becoming a member is often unreliable, elitist, insular, and exclusionary to women of color.³⁵ In short, vulnerable individuals slip through the cracks, despite the very function of a whisper network being to protect vulnerable individuals. Donegan attempted to address this shortcoming through the crowd-sourced nature of Google: the list's “open-sourc[ing] would theoretically [make it] accessible to women who didn't have the professional or social cachet required for admittance into whisper networks.”³⁶ It should be acknowledged here that Donegan's reliance on the gender binary excludes gender non-conforming individuals, as she repeatedly names women as the vulnerable population the list sought to protect.

While the list's going public exposed the immorality of the media industry's claims to legitimacy, the list was never intended to be public. Instead, it operated as a digital, anonymous whisper network. Donegan describes the list as a “first attempt at solving what has seemed like

³³ Donegan, “I Started the Shitty Media Men List.”

³⁴ Donegan, “I Started the Shitty Media Men List.”

³⁵ Jenna Wortham. “We Were Left Out.” *The New York Times Magazine*. 13 December 2017.

www.nytimes.com/interactive/2017/12/13/magazine/the-reckoning-women-and-power-in-the-workplace.html
Accessed 20 February 2019.

³⁶ Donegan, “I Started the Shitty Media Men List.”

an intractable problem: how women can protect ourselves from sexual harassment and assault.” Orienting the problem towards how women can protect themselves from sexual violence reorients an understanding of justice away from responding to past injustices, and instead envisioning true justice as preventing future injustices. By establishing a protective stance, the list assumes the inevitability of sexual aggression. As a whisper network’s chief function is to warn others, it presumes an ongoing risk of sexual violence. The list does not attempt to intervene in aggressors’ behavior—it attempts to intervene in the behavior of potential survivors. Therefore, by circumventing mechanisms of enforcement, the list does not attempt to redress past injustices—it attempts to prevent future ones. This preventative effort focuses on the actions of women, interpolated as potential victims of sexual violence, and therefore attempts to recuperate their agency.

This reorientation of advocacy towards what women can do to protect themselves of course reanimates old debates about whose responsibility it is to prevent sexual assault. Whereas the list frames women as agents who can use the information in the list to protect themselves, if they don’t, are they to blame for their assault? On the other hand, casting women as lacking *any* ability to prevent assault denies their agency completely. The debate over agency is a losing battle: it falls to either victim-blaming or victimizing—neither productive for the list’s purported goal: preventing future sexual violence.³⁷ Rather than stagnating in this stalemate, the list dispenses with the goal of an infallible strategy. Instead, the list recognizes the reality of imperfect situations in which women always already find themselves. Donegan argues the list accepts the premise that “individuals should be able to choose for themselves what behavior they could tolerate and what they would rather avoid.” Thus, Donegan dispenses with strategies that

³⁷ Donegan, “I Started the Shitty Media Men list.”

are only just in theory—instead, Donegan is interested in making an attempt, however imperfect, to respond to the constraints inherent to circumstances of sexual violence. It is no use pretending this pervasive violence is not also imminent, the list suggests. However, by only describing aggressors' behavior rather than prescribing appropriate responses to these aggressors or describing the behavior of women, the list attempts to leave women's choices of how (or if) to respond up to them.

Thus, the list reveals the secret that punitive forms of justice will never be a satisfying solution for the problem of sexual violence. Previous forms of advocacy related to sexual violence sought justice for violence that had already occurred: the rapist is fired, jailed, expelled, etc. However, abandoning an enforcement mechanism, the Shitty Media Men list forgoes forms of justice which involve the assailant. Instead, the list prioritizes the protection of and solidarity among women survivors. The list thus suggests that consequences for the assailant will never be as satisfying as preventing future assaults—it is not possible to calculate an appropriate punishment for sexual violence, because the effects of trauma cannot be reversed. Punitive justice isn't satisfying because it treats sexual violence as a foregone conclusion. Therefore, even advocacy efforts to reform existing reporting procedures will ultimately fail to provide a satisfactory solution.

Thus, the Shitty Media Men list exposes three secrets of the media industry, visibility politics, and our sense of justice. First, through its naissance out of swirling open secrets, the list revealed that the media industry is more invested in preserving its plausible deniability than protecting women from perpetrators of sexual violence. Corporate profit trumps morality. Second, visibility is an unjust strategy because of its expectation of a martyr and tacit acceptance of collateral damage. Appeals to publicness also belie an inherent misogynistic bias, as faith in

exposure does not account for the ways in which women's public accounts are often met with doubt, hostility, and blame. Third, the list's attempt to enact justice through prevention highlights the inadequacy of penal justice systems to deliver safety to vulnerable populations.

The Shitty Media Men list implores us to take seriously the collateral damage endured by survivors of sexual violence who engage in public advocacy. If the struggle for justice demands survivors take on these further assaults to dignity and privacy, Donegan insists on a safer alternative. This alternative attempts to elude the risks of public visibility by forming an anonymous network of individuals who are privy to this information. In the following section, I outline the rhetorical form of privy, or being granted access to knowledge. By understanding the list and its circulation through this lens, I seek to demonstrate how marginalized subjects for whom exposure is part and parcel to their oppression might assert sovereignty over the circulation of their narratives.

The Form of Privy

This section explains several features of the rhetorical form of privy. Here, I draw upon Erin Rand's concept of rhetorical forms to better understand how conditions of queerness arise. Erin Rand describes rhetorical agency as arising out of conditions of queerness, otherwise recognized as indeterminacy, excess, and a deferral of meaning.³⁸ Rhetorical forms enable rhetorical agency as the means by which discourse becomes intelligible, or meaning can be rendered through the "stylistic practices of the agent."³⁹ Rhetorical agency might therefore arise as stylistic freedom in creating an intelligible text or through the interpretation of a text. I offer privy as a rhetorical form which attempts to preserve these conditions of undecidability, or

³⁸ Erin Rand, *Reclaiming Queer: Activist and Academic Rhetorics of Resistance* (Tuscaloosa, University of Alabama Press, 2014), 22.

³⁹ Rand, *Reclaiming Queer*, 21.

queerness. In the following section I will describe several features of the Shitty Media Men list which, together, construct the form of privy. Similarly to Rand's examples of polemics and humor, the form of privy creates conditions for queerness in that its text elides a consistent interpretation and establishes an indeterminate limit as networks of privy individuals grow. The five features of privy are that it is networked, privileges trust over truth, is premised upon skepticism, forms community, and replaces knowledge with trust as a form of social currency.

Privy is Networked

Donegan insists that the document she created was meant to be private. However, she also intended it to be circulated beyond the initial group of individuals with whom the list was first shared. So what does Donegan mean by "private"? Clearly, she did not intend the list to go "public"—that is, accessible to those who would publish an article about it. The document also instructed users not to share the list with men. She wanted the list to be shared among women who would use it for its intended purpose—to warn individuals who might be vulnerable to sexual violence within the media industry, and those who were already suffered sexual violence within the media industry. The document's open-sourcing also allowed it to be shared outside of Donegan's immediate circle of confidantes, creating a nebulous border of this privy audience. As each recipient became privy, the network grew to unknown proportions. Eventually, once the document became public, this nebulous membership proved useful in that the number of women participating in the endeavor could not be determined.

This shareability imitated the advantageous function of whisper networks while the digital dimension intended to diminish the barriers to entry. Donegan's use of "private" therefore insinuates that she defines "private" as shared among a privy audience: one that gains enough trust to have the document shared with them. How that trust was established, though, suggests a

dynamic of privacy which preserves the rhetorical agency of the list's users: each user is left to decide who to invite to view the list. The network was trusted not necessarily to share accurate information, but instead, to have others' best interests in mind and share the document with like-minded individuals.

Privacy Privileges Trust over Truth

After the document had already begun circulating, Donegan added a disclaimer to the top of the document: "This document is only a collection of misconduct allegations and rumors. Take everything with a grain of salt."⁴⁰ Donegan added the disclaimer as the list went viral and she began to worry about the possible responsibility she, as the list's creator, might assume as fact-checker. This disclaimer indicates the document does not insist upon the veracity of the claims, unlike many forms of advocacy which insist upon believing survivors in order to combat the pervasive doubt reporting structures and assailants employ to discredit accusers. Without the responsibility of evaluating the veracity of claims or taking on the role of enforcement, plausible deniability is dispensed with. Users are implored not to claim themselves as truth-tellers, but instead, to claim themselves as trustworthy.

In this way, the disclaimer departs significantly from norms of sexual violence advocacy related to truth that implore the public to believe the veracity of survivors' claims. Rather, the document does not attempt to evaluate the allegations as true or false; just as it does not affirm each allegation as true, neither does it seek to undermine claims for a lack of specificity, corroborations, or interrogations into the behavior of the accuser. The document does not purport to circulate truth. Instead, it circulates trust.

Trust the Skeptics

⁴⁰ Donegan, "I Started the Shitty Media Men List."

Additionally, Donegan acknowledges that without fact-checking, the spreadsheet operates on assumptions of trust rather than assumptions of veracity: “The spreadsheet only had the power to inform women of allegations that were being made and to trust them to judge the quality of that information for themselves and to make their own choices accordingly. This, too, is still seen as radical: the idea that women are skeptical, that we can think and judge and choose for ourselves what to believe and what not to.” Here, Donegan characterizes trust in a seemingly contradictory way: women can be trusted to be skeptical—not just of men, but of each other. For this very reason, they trust each other—they trust the skeptics. This disclaimer alters how the document circulates—the document does not circulate truth or knowledge, but instead, circulates *trust* through a shared skepticism.

Because readers are free to interpret the document as they wish—in fact, are encouraged to do so by the document itself—their rhetorical agency is enabled. The document could not determine or predict how allegations might be interpreted, and in fact facilitated this aspect of its queerness. Therefore, the list creates the conditions for queerness through its maintenance of indeterminacy, excess, and deferred meaning. Nor could the document determine with whom the document might be shared; each privy recipient was left to decide who else to include in this network and according to what qualifying factors. That the list was eventually leaked highlights the riskiness of this form: once privy is extended, it can’t be revoked.

Privy as a rhetorical form interpolates its audience as continually having to guess at the significance or accuracy of the content to which they are privy, assign meaning to their own membership in a privy network, and to decide who else to initiate into the network. Since the Shitty Media Men list impels its audience to make sense of the accusations therein “with a grain

of salt,” it is queer in that it produces conditions in which agents are empowered as much to belief as they are to disbelief.

Privy Provides Community

Donegan remarks upon the power of the document as a cathartic experience of building solidarity, as survivors realize they were part of an underground community much bigger than they had already realized. As men listed on the document were named by multiple contributors, the serial nature of sexual assault was uncovered. Individuals felt supported knowing their stories were corroborated by other women who had also experienced similar violence from the same assailant. This solidarity built among the women was an unintended byproduct of the document. In fact, this benefit did not end once the document was leaked, but in fact grew: Donegan describes one of the small benefits of being known as the creator of the document as having had many frank conversations with other survivors who trust Donegan enough to discuss with her their own experiences. Through these conversations, Donegan articulates that women are “being challenged to imagine how we would prefer things to be”—how sexual violence might be prevented, how different forms of advocacy might spark more sustainable flames of resistance than previous efforts had.

Knowledge is Beside the Point

The fact that the list did, in fact, go public reveals the flaw in privy: trust can be misplaced, and access may be granted to those who do not follow the terms of privy. However, the document’s function of anonymity provides a release valve for this flaw. As the document went public, focus switched from those who were named to the revelation that an underground network had been so expansive. Because of the list’s shareable and anonymous functions, the magnitude of this privy audience is unknowable. However, this unknowable magnitude itself

struck fear into men in the media industry who had not realized how many women had been privy to their misconduct.⁴¹ In fact, Donegan notes that one of the outcomes of the document going public was that “suddenly, men have to think about women, our inner lives and experiences of their own behavior, quite a bit. That may be one step in the right direction.” While men violated women’s privacy and presumed the inevitability of reporting institutions’ doing so as a deterrent for women to come forward, they had never anticipated that their own privacy might be violated in such a way that protected the survivors’.

Of course, for all the list attempted to circumvent confrontation’s mandate of a scapegoat, Moira Donegan did, in fact, become one. She lost friends and her job. She mentions in her article in *The Cut* that she lives in constant fear of harassment—that her decision to out herself was one under the duress of knowing she would be outed otherwise. However, the leak of the list does not collapse the form of privacy because privacy is not merely sharing information or finding out a secret; privacy is about being granted permission to access knowledge. Even once the list went public, those who read the list did not constitute a privy audience, because they had not been willingly granted access to the document. Privacy offers a rhetorical form distinct from secrets in that secrets can be found out (e.g. being “outed”), while privacy is a conscious choice that cannot be wrested by force. Even if someone finds out a piece of information, the legitimacy of the process by which this information was acquired may be called into question. Privacy thus orients us to respectful and transparent modes of seeking justice.

As a case in point, Donegan is currently being sued for libel by Stephen Elliot, one of the accused men on the list. Elliot is reportedly intending to subpoena Google to release metadata of

⁴¹ Molly Fischer. “Maybe Men Will Be Scared for a While. But Maybe to Fear Women is to Begin Seeing Them as People.” *The Cut*. January 17, 2018. www.thecut.com/2018/01/maybe-men-will-be-scared-for-a-while.html Accessed February 20, 2019.

who viewed or contributed to the list. While this would likely create risky conditions for these women and sets a dangerous precedent for possible future iterations of anonymous crowdsourced activism, even if this information were released, it would not erase the rhetorical agency sparked by the document. The existence of an underground privy network injects public discourse with self-conscious suspicion, such that even when the list was leaked, or if the metadata is released, the very existence of other privy networks cannot be determined. The very existence of the Shitty Media Men list creates a public paranoia among perpetrators who might ask themselves, “Who knows what I did?” In this way, mere knowledge of the existence of a text is beside the point: the point is that whisper networks exist, and more importantly, *that you weren't part of them.*

Conclusion

Over the last few years, the problem of sexual violence has been highlighted as a systemic problem bolstered by formal and informal institutions that silence survivors. From the mass disclosures of #MeToo to the more recent testimony of Dr. Christine Blasey Ford, survivors are often heralded for their bravery while bracing for the sting of victim-blaming, disbelief, harassment, and threats to their physical well-being. The cost of public advocacy as a survivor of sexual assault is devastating—devastating enough to prevent many survivors from sharing what happened to them. Moira Donegan’s Shitty Media Men document sought not only to create a safer world in which women might not become victims, but also protest the extreme price many survivors pay when seeking such safety. By evading public recognition, the Shitty Media Men list re-interprets the conditions of advocacy, that they might become less violent to the vulnerable populations advocacy is meant to protect.

In demonstrating privacy as a rhetorical form, the document attempts to preserve the sovereignty of survivors. I am not equating sovereignty with power, agency, or the ability to

control. Instead, I understand sovereignty as authority. By restricting the circulation of survivor narratives among privy audiences, the list dispenses with the goal of appealing to hostile audiences who cannot be trusted (e.g., reporting agencies within the media industry, the criminal justice system, the general misogyny of public discourse). Without appealing to these hostile audiences, survivors maintain their own subject positions as authorities of their own experiences. And, by operating in a network of privy, even the list's leak does not erase the authority of survivors to be able to say, "You weren't allowed to know."

The notion of privy helps develop rhetorical understandings of how the oppressed negotiate, and might be expected to negotiate, the terms of their own liberation. Rhetoric's emphasis on public advocacy neglects the cost of publicness for those whose exposure to the public is part and parcel of their oppression. The *Shitty Media Men* document highlights this cost of advocacy as an unjust requirement of public advocacy. The implications of this reverberate for rhetorical theory and praxis. If retreat from the public can be conceived not as passive silencing but as an active form of resistance, we are oriented to wonder what forms of resistance operate without our knowing—not so that we might uncover this information, but so that we might, in acknowledging that which we have not been entrusted to know, preserve the agency and sovereignty of those most vulnerable to exposure. This positions us to consider why we may not be privy. It prompts us to consider how to gain and foster trust because we are not entitled to it. It requires us to hold ourselves accountable, because someone else may be observing whether we do.

Where the fear of being exposed had not been enough to prevent misconduct or negligence, the desire to be trusted might.

Chapter 4

Stealth Discourse

Since the “transgender tipping point” of 2014, advocacy for transgender rights has become recognized by the mainstream.¹ Transgender visibility has increased with TV shows such as *Transparent* (2014-) and *Orange is the New Black* (2013-), as well as Caitlyn Jenner’s coming out and subsequent reality TV show *I Am Cait* (2015-2016). However, this increase in visibility has coincided with increasing homicide rates of transgender individuals since 2014² as well as anti-transgender legislation such as bathroom bills³, the military ban⁴, and attempts to legally defining gender as immutable and biological⁵. As transgender visibility increases, so does its violent opposition.⁶

While many of the cultural representations of transgender individuals have established a discourse premised upon the visibility of transgender subjects, there have been several instances of advocates for transgender rights complicating this faith in visibility politics. *Her Story* (2016) provides an entry point to this alternative discourse which complicates issues of transgender visibility. An Emmy-nominated fictional online short video series, *Her Story* illustrates various moments of anxiety and fear that permeate the experiences of being visible as transgender; for the two transwomen protagonists, Violet and Paige, being recognized as a transwoman is an

¹ Steinmetz, Katy. “The transgender tipping point.” *Time*, 29 May 2014. <http://time.com/135480/transgender-tipping-point/>

² See Human Rights Campaign, <https://www.hrc.org/resources/violence-against-the-transgender-community-in-2018>

³ Kralik, Joellen. “Bathroom Bill’ legislative tracking” *National Conference of State Legislatures*. 28 July 2017. <http://www.ncsl.org/research/education/-bathroom-bill-legislative-tracking635951130.aspx>

⁴ “Trump signs new transgender military ban.” *BBC*. 24 March 2018. <https://www.bbc.com/news/world-us-canada-43525549>

⁵ Green, Erica L., Benner, Katie, & Pear, Robert. “Trump Administration eyes defining transgender out of existence.” *The New York Times*. 21 October 2018. <https://www.nytimes.com/2018/10/21/us/politics/transgender-trump-administration-sex-definition.html>

⁶ This exigence also spurred the anthology *Trap Door: Trans Cultural Production and the Politics of Visibility*, eds. Reina Gossett, Eric A. Stanley & Johanna Burton. New Museum, 2017.

experience fraught with both disappointment and fear. Upon meeting, Allie (a cisgender lesbian) tells Violet (a transgender woman) that Violet is the first transgender person Allie has met, to which Violet replies, “That you know of.” This phrase (“that you know of”) troubles the assumption that all transgender individuals are hypervisible as transgender. Allie’s shocked face highlights that many cisgender individuals assume an infallible ability to detect transgender individuals as such. While Violet does not “pass” as a cisgender woman, her friend, Paige, goes stealth in her new relationship with James (a cisgender man).⁷ When Paige is outed in a local magazine, she and James struggle to reconcile. James laments, “You should have told me,” to which Paige responds, “Should I have?” As James discloses his own secret (a gambling problem) and wonders when he should have shared his secret, he demonstrates that “we all have disclosures, and there are no simple rules about when they should come.”⁸ In confronting James’ sense of entitlement, Paige asserts that her gender history is her story to choose to (not) tell. James’ redemption is not merely that he is unphased by Paige’s gender history, nor that he painfully offers his own disclosure out of reciprocity. Instead, James is redeemed when Paige realizes that he is hurt not by the realization of her gender history, but by the fact that they did not have a sufficiently intimate relationship where she might volunteer such information. Paige’s trust is more valuable than her secrets.

⁷ While passing and stealth are often conflated, they refer to distinct experiences. Passing, in the context of transgender experiences, refers to the experience of a trans person being perceived as cisgender, while stealth denotes an active effort by the trans person to be perceived as cisgender. However, this distinction is not always clearly maintained in academic literature (as an example, see Pfeffer, Carla A. “Stealth (Transgender Passing).” In *The SAGE Encyclopedia of LGBTQ Studies*, edited by Abbie E. Goldberg, 1129. Thousand Oaks, CA: SAGE Publications, Inc., 2016. doi: 10.4135/9781483371283.n397.) or in LGBTQ+ online spaces (see “Glossary of Terms – Transgender,” GLAAD Media Reference Guide – Transgender, *GLAAD*, <https://www.glaad.org/reference/transgender>. Accessed April 4, 2019.). Passing has been identified by some within the transgender community as a controversial term because it implies that one is not genuinely what they are passing as (see “LGBTQ+ Definitions,” Trans Student Educational Resources, <http://www.transstudent.org/definitions/>. Accessed April 4, 2019.).

⁸ Jen Richards, “We Had Sex, But I Never Told Him I’m Trans,” *New Now Next*, August 4, 2017, <http://www.newnownext.com/we-had-sex-but-i-never-told-him-im-trans/08/2017/>.

Her Story's divergence from more mainstream discourses of transgender advocacy hinge upon the issue of visibility. Is the political strategy of increased visibility of transgender individuals qua transgender as sustainable as it is effective? While visibility and representation prompt audiences to acknowledge the indignity and violence many transgender individuals face, visibility is also one means by which transgender people become vulnerable to transphobic attack. More importantly, rhetorical appeals that are premised upon visibility necessarily preclude transgender individuals who live stealth⁹ from participating in transgender rhetoric (i.e., rhetoric performed by transgender individuals). Because the very concept of transgender rhetoric is premised upon transgender rhetors, transgender individuals living stealth are left with the choice to either reveal their gender histories or speak from a cisgender standpoint. Put otherwise, transgender individuals living stealth cannot speak for themselves, according to established discursive rules of visibility, publicness, and rhetorical participation. In this way, transgender subjects living stealth experience something akin to the demi-rhetoricity posited by Melanie Yergeau: "demi-rhetoricity...is a horrifically useful strategy for denying the agency, rhetorical being, and personhood of autistic people," whereby the diagnosis disclosures of autistic people ("I am autistic") work paradoxically to negate these disclosures: since clinical understandings of autism see self-knowledge as antithetical to autism, no one diagnosed with autism would be able to speak from a self-consciously autistic standpoint.¹⁰

⁹ My use of the term "stealth" rather than "in the closet" is informed by Lal Zimman's work with transgender individuals. He notes that some transgender individuals use the term "stealth" rather than "in the closet" (and therefore "disclose" rather than "come out") to avoid the negative connotations associated with non-disclosure, instead reflecting "the relatively neutral attitude held by many in the transgender community toward being stealth" (62). For more information on this terminology, see Lal Zimman, "'The Other Kind of Coming Out': Transgender People and the Coming Out Narrative Genre," *Gender & Language* 3 no. 1 (2009).

¹⁰ Melanie Yergeau, *Authoring Autism: On Rhetoric and Neurological Queerness*. Duke University Press, 2017. 32, 140.

Similarly, stealth is a standpoint precluded from rhetorical subjectivity, if we are to take rhetoricity at face value: one cannot speak from a stealth standpoint while remaining stealth. In other words, just as the autistic person is precluded from rhetorical subjectivity due to clinical understandings of autism, stealth transgender individuals are precluded from rhetorical subjectivity due to the very definition of stealth. However, while Yergeau's intervention into recognizing the rhetoricity of autistic subjects relies upon challenging the basis of this definition of autistic (as well as definitions of rhetoric), my intervention recovers the *subjectivity* of stealth transgender individuals without recognizing individual transgender subjects. Here, crucially, I rely upon Erin Rand's definition of rhetorical agency as arising out of conditions of undecidability: by recognizing stealth as a subjectivity without an agent (for the disclosure of stealth eliminates its possibility), conditions of undecidability are preserved. In other words, no transgender person living stealth can speak from the position of living stealth; therefore, stealth discourse creates conditions of queerness by naming that which can never actualize. This demonstrates the productive power of privacy as a rhetorical form which evades foreclosure. "All" can never be known.

The strategy *Her Story* exemplifies, bringing the subject of stealth into discourse, acknowledges the scrutiny, surveillance, and risk with which visibility is met, and navigates these repercussions by pointing out the fact that not all transgender individuals are visible as such. Some transgender individuals choose to go stealth, or live after transition without disclosing that they are transgender. By pointing out that some transgender individuals aren't perceived as transgender (without identifying these individuals), this strategy reminds us that visibility is neither a strategy equally available to all transgender individuals nor a personal or

political goal of all transgender individuals.¹¹ Cisgender audiences are thus reminded that their perception of gender is fallible, and that transgender individuals ought not be obligated to assume the risks of visibility to receive basic rights and dignity. These two strategies—visibility and publicly invoking the phenomenon of stealth—work in tandem, though they use oppositional forms. Ultimately, the duality of these two strategies seeks to navigate the “deep sense of possibility that also exists in an interval of anxiety” provoked by the heightened visibility of transgender individuals.¹²

This chapter analyzes instances of transgender advocates using this second rhetorical strategy by publicly acknowledging the phenomenon of stealth. Their public acknowledgement of stealth invokes the rhetorical form of privacy. Privacy calls attention to the ways we are (not) privy to certain information such as someone’s gender history.¹³ Many transgender individuals use the term “stealth” to describe the experience of not disclosing oneself to be transgender and being perceived as one’s gender identity.¹⁴ Living stealth is a personal choice that has become politicized not only by cisnormative essentialized assumptions that one’s “true” gender is the gender one is assigned at birth, but also by coming out discourse that privileges visibility while

¹¹ Nor is living stealth an option available to all transgender individuals. For more on how the privilege of passing as cisgender often serves to maintain narratives of whiteness, economic privilege, heterosexuality, and citizenship, see Toby Beauchamp, “Artful Concealment and Strategic Visibility: Transgender Bodies and U.S. State Surveillance After 9/11,” *Surveillance & Society*, 6 no. 4 (2009): 356-366.

¹² Reina Gossett, Eric A. Stanley, & Johanna Burton, “Known Unknowns: An Introduction to *Trap Door*,” in *Trap Door: Trans Cultural Production and the Politics of Visibility*, ed. Reina Fossett, Eric A. Stanley, & Johanna Burton (New York: Massachusetts Institute of Technology, 2017), xv.

¹³ My use of the term “gender history” is distinct from “gender identity” and acknowledges the ways in which a transgender individual who “complete[s] a transition” from one gender role to another, and is thus perceived in ways that align with their gender identity, may have a gender history of being transgender to disclose, rather than a gender identity to disclose. For more information on this terminology, see Lal Zimman, “‘The Other Kind of Coming Out’: Transgender People and the Coming Out Narrative Genre,” *Gender & Language* 3 no. 1 (2009): 54.

¹⁴ My use of the term “stealth” rather than “in the closet” is informed by Lal Zimman’s work with transgender individuals. He notes that some transgender individuals use the term “stealth” rather than “in the closet” (and therefore “disclose” rather than “come out”) to avoid the negative connotations associated with non-disclosure, instead reflecting “the relatively neutral attitude held by many in the transgender community toward being stealth” (62). For more information on this terminology, see Lal Zimman, “‘The Other Kind of Coming Out’: Transgender People and the Coming Out Narrative Genre,” *Gender & Language* 3 no. 1 (2009).

denigrating non-disclosure or “closetedness” as internalized shame or fear.¹⁵ Confronted with this impasse, some transgender individuals (who are out as transgender) have utilized the strategy of privy to confront the impasse itself.

Privy is the status of being granted access to information (i.e., “to be privy”) and is distinct from being knowledgeable. One might be privy to information, but not actually be told such information, or, one might find out information to which one is not privy (as when one is “outed”). Privy is a rhetorical form which recognizes trust, rather than knowledge, as a form of social capital; as Edwin Black explains, “an initiation into a mystery preserves the capital; an exposé expends the capital.”¹⁶ Extending privy to someone initiates their membership into a trusted circle of initiates, while an exposé (a technique of visibility politics) exhausts this social capital. Particularly for marginalized subjects whose subordination depends on the visibility of their subject position (e.g., a visibly transgender person is at risk of increased transphobic violence), privy remains a viable strategy for resistance because it allows marginalized subjects to assert sovereignty over the flow of social capital even as the flow of information might be wrested by force. And when the restricted flow of this social capital is revealed publicly, as when transgender advocates reveal the form of privy, logics premised upon visibility are disrupted. In other words, by pointing out the fact that you are not privy to certain information, I highlight the flaws in your abilities to perceive and discern while also marking you as untrustworthy. Rather than debating what is or isn’t true, I’ve reoriented the conversation to all the reasons you aren’t privy.

The content of the secret which is guarded is in perpetual question, as without privy, it cannot be verified. Thus, privy is a rhetorical form which preserves conditions of

¹⁵ See Zimman, “The Other Kind,” 61-62.

¹⁶ Black, 141.

undecidability by leaving unspecified the secret's content while revealing its form. As a technique utilized by transgender subjects to obscure the "content" of the secret (who is transgender), this undecidability produces confusion: who within the struggle for transgender rights is transgender, and who is an ally to the transgender cause? As these distinctions blur, transphobic individuals are left with an ambiguous target for their hostility. They cannot trust that those advocating for transgender rights are themselves transgender, nor can they trust themselves to discern who is and isn't transgender. Thus, the directionality of their transantagonism is uncertain.

The undecidability preserved by the form of privacy is likewise demonstrated through the indefinite deferral of its conferral. In other words, until you are privy, you are left wanting, waiting. And because privacy operates through the social capital of trust, you are wanting, waiting for someone to trust you. Why don't they trust you? What about you is so untrustworthy? Privacy is a form which reflects back onto the investigator an image of herself as she is seen: untrustworthy.

A key characteristic of trust identified by Annette Baier is the presence of goodwill to balance the attendant vulnerabilities of trusting another.¹⁷ Where someone does not extend trust, they might have deemed the other to harbor ill will, or might have deemed their possible vulnerability as too risky. For transgender individuals, these are not unreasonable concerns—transantagonism is commonplace, whether expressed through legislation such as the trans panic defense or interpersonal encounters of misgendering. Through refusing to extend privacy, and instead invoking its form, advocates for transgender rights assert that trust must be earned; no

¹⁷ Annette Baier. "Trust and antitrust," *Ethics* 96 no. 2 (1986): 235.

one is entitled to trust. More specifically, by guarding gender histories, advocates assert that no one is entitled to the disclosures of these histories—advocates included.

The invocation of privacy by some advocates for transgender rights points to forms of advocacy which have not been recognized by a discipline that privileges public speech. While the discipline of rhetoric celebrates the public, the rhetorical strategy of privacy is a public declaration of that which remains private. Instead of aspiring to public access, marginalized subjects reject the conditions of vulnerability which public advocacy demands. Their public refusal of publicness therefore does not actually provide safety through privacy but acts as a critique of publicness itself.

Background Literature

Rhetorical practices by or about transgender individuals have only recently been recognized by rhetorical critics. Many scholars have focused on the rhetorical practices of specific transgender activists, including a special edition of *QED: A Journal In GLBTQ Worldmaking* on Chelsea Manning.¹⁸ One theme predominates in the literature on transgender rhetoric: the rhetorical strategies used by transgender activists to advocate for their rights, protections, and dignity are predicated upon increased (and better) public visibility.¹⁹ This faith in publicity is by no means surprising, as the field's emphasis on public speech predominates. However, the dangers of visibility for transgender individuals are likewise acknowledged by these same scholars. The lack of attention to transgender stealth or passing discourse among

¹⁸ See Eric Darnell Pritchard, "'This is Not an Empty-Headed Man in a Dress': Literacy Misused, Reread and Rewritten in Soulopoliz." *Southern Communication Journal* 74, no. 3 (2009): 278-299; Ruth Osorio, "Embodying Truth: Sylvia Rivera's Delivery of Parrhesia at the 1973 Christopher Street Liberation Day Rally." *Rhetoric Review* 36, no. 2 (2017): 151-163; Leland G. Spencer, "Coming Out, Bringing Out: God's Love, Transgender Identity, and Difference," in *Transgender Communication Studies*, eds. Leland G. Spencer & Jamie C. Capuzza (Lanham: Lexington Books, 2015), 182-192.

¹⁹ See Isaac West, *Transforming Citizenships: Transgender Articulations of the Law*. New York: New York University Press, 2013; Heather L. Hundley & J.S. Rodriguez, "Transactivism and Postmodernity: An Agonistic Analysis of Transliterature," *Communication Quarterly* 57 no. 1 (2009): 35-50.

rhetoricians belies the field's penchant for glorifying that which seeks to be public, at the expense of acknowledging rhetorical texts which gesture toward the unknowable.

Notably, Dana Cloud's analysis of Chelsea Manning's disclosures productively engages how disclosure is used by transgender subjects—in this case, Chelsea Manning—as a strategy for emancipation.²⁰ Cloud argues that the news coverage of Manning's disclosures of state secrets and her gender identity “secret away” such disclosures to protect the violated state through the “privatizing imperative of capitalism.”²¹ In secreting away, or guarding her disclosures as private knowledge and “therefore not available as resources for a democratic political life in common,” the news media attempted to obscure Manning's challenges to cisnormativity and the state: Manning is either an active traitor to the military state, or her treason is a symptom of queer psychopathology.²² For Cloud, Manning's coming out as a transgender woman “exposes the naturalization of cisgendered norms...[and challenges the] heteronormative private family as the site of social reproduction.”²³ For Cloud, Manning's disclosures in the form of coming out and whistleblowing, are empowering acts of resistance.

Cloud understands Manning's disclosure as emancipatory while the news media's secreting away (or purposeful obfuscation) of Manning's gender identity is oppressive and normative. However, Cloud's case study does not account for transgender subjects who do not wish to disclose their transgender history; in Cloud's argument, the hegemonic state practices secreting, while disclosure is an act of exposing the oppressive forces at work. Thus, secreting is a rhetorical strategy used by those in power to relegate resistance to the private realm. I extend

²⁰ Cloud, Dana. “Private Manning and the Chamber of Secrets.” *QED: A Journal in GLTBQ Worldmaking*, vol. 1, no.1, 2014, pp.80-104.

²¹ Cloud, “Private Manning,” 86.

²² Cloud, “Private Manning,” 99.

²³ Cloud, “Private Manning,” 99.

Cloud's understanding of secreting to analyze how those in a marginalized position might also practice secreting, and thus, to understand how secreting might itself be a tactic of resistance. Thus, my paper will consider how transgender subjects who, in Cloud's terminology, "secret away" information about themselves from a surveillance state as an act of resistance.

Stealth Discourse

The phenomenon of stealth might, at face value, pose some methodological challenges to rhetorical analysis. After all, how do you analyze something that is meant to be obscure, without exposing the secret? How to study the rhetorical phenomenon of living stealth while not outing those individuals? Here, the distinction between form and content is crucial. While outing transgender individuals who had previously lived stealth would expose the content of such a secret, exposing the form of privacy (that the phenomenon of stealth exists) does not. It is this exposure of the form of a secret to which we are not privy that this chapter analyzes. Collections of statements that something has been concealed, rather than exposing the thing that is concealed, establish a discourse about privacy which this chapter analyzes. I call this collection of statements "stealth discourse," and consider stealth discourse one example of how privacy is invoked publicly. In other words, stealth discourse is one example of how privacy can be used as a rhetorical strategy by marginalized subjects.

Stealth discourse has arisen at two flashpoints in the struggle for transgender rights: bathroom bills and domestic violence. In both cases, the detection or disclosure of transgender individuals has resulted in transantagonistic violence. Bathrooms have long been a site of anxiety for gender non-conforming individuals, and the infamous "bathroom bill" passed in 2016 in North Carolina spurred widespread protests as well as similar bills in other states. Additionally, the murder rate of transgender individuals has risen since 2014, with over half of the murders of

transgender women in the first five months of 2015 classified as domestic violence or intimate partner violence. This issue came to the fore when in 2017, comedian Lil Duval declared on the radio show *The Breakfast Club* that he would murder a transwoman if he found out a woman he was having sex with was transgender, to which Charlamagne Tha God responded that transwomen who do not disclose their gender history should go to jail. Lil Duval's and Charlamagne Tha God's comments went viral, prompting responses from transgender activists Raquel Willis, Janet Mock, and Laverne Cox, as well as the trending hashtag, #TransFolksAreNotJokes.

Several instances of stealth discourse arose as advocates for transgender rights questioned the assumptions upon which both bathroom bills and *The Breakfast Club's* commentary were predicated. Regarding bathroom bills, the main assumption challenged by stealth discourse was that transgender individuals were visible as transgender, leading to questions of how the bill would be enforced. Regarding transphobic domestic violence, many transgender advocates challenged the entitlement expressed by many cisgender men to know the gender histories of their partners. Together, these stealth discourses highlighted the form of privacy by reorienting discourse to the form of the secret that transgender people exist without being known as transgender, rather than the content of this secret (identifying transgender individuals living stealth). In the remainder of this chapter, I will analyze how stealth discourse in each of these instances highlights the dangers associated with visibility, challenge the cisnormative entitlement inherent within transantagonism, and preserve the conditions of rhetorical agency. First, a trip to the bathroom.

Bathroom Bills

Bathrooms have long been a site of anxiety for gender non-conforming individuals.²⁴ Sex-segregated bathrooms and efforts to strengthen their gender normative potential have historically relied upon appeals to protecting vulnerable women and children from male sexual predators.²⁵ These appeals continue on in the 2010s, as justifications for bathroom bills make clear through the use of the figure of the male sexual predator to produce the women's bathroom as a site of cisgender paranoia. HB2, North Carolina's infamous bathroom bill, sparked international attention and ire for its purported intent to protect the dignity, privacy, and safety of women and children.²⁶ This belief is summarized by North Carolina's House Speaker Tim Moore, who defended HB2 by stating, "One of the biggest issues was about privacy. The way the ordinance [HB2 opposes] was written by City Council in Charlotte, [the ordinance] would have allowed a man to go into a bathroom, locker or any changing facility, where women are—even if he [sic] was a man [sic]. We were concerned. Obviously there is a security risk of a sexual predator, but there is the issue of privacy."²⁷ Seemingly without fail, justifications for bathroom bills rely upon two appeals: the safety and privacy of cisgender women and children.²⁸

²⁴ J. Halberstam, *Female Masculinity*, Durham, N.C.: Duke University Press, 1998, p.24. See pages 20-29 for extended discussion of the "bathroom problem."

²⁵ Sanders, Joel, and Stryker, Susan. "Stalled: Gender-Neutral Public Bathrooms," *South Atlantic Quarterly* vo. 115 no. 4 (2016): 779-788.

²⁶ Suit filed by North Carolina, as cited by Berlinger, Joshua, "North Carolina's bathroom law: Six points from both sides of the issue." *CNN*, 10 May 2016. <https://www.cnn.com/2016/05/10/politics/hb-2-point-counterpoint/index.html> See also Harrison, Steve, "HB2, bathroom safety emerges as NC campaign issue. What are the facts?" *The Charlotte Observer*, 28 October 2016. <https://www.charlotteobserver.com/news/politics-government/article111146872.html>

²⁷ Moore, Tim, as cited by Kopan, Tal & Scott, Eugene in "North Carolina governor signs controversial transgender bill." *CNN*, 24 March 2016. <https://www.cnn.com/2016/03/23/politics/north-carolina-gender-bathrooms-bill/>

²⁸ For more examples of pro-bathroom bill arguments centralizing the safety and privacy of cisgender women and children, see Sprigg, Peter, "'Gender Identity' Protections ('Bathroom Bills')," *Family Research Council*, July 2010. Johnston, Jeff. "The Real Story Behind North Carolina's HB2," *Focus on the Family*, 2016, <https://www.focusonthefamily.com/socialissues/religious-freedom/north-carolina-hb2-and-religious-freedom/the-real-story-behind-north-carolinas-hb2>

This argument is predicated upon several layers of transphobic logic. First, the argument assumes that transgender identity is not real, but instead, a deceitful tactic of male sexual predators who *themselves* do not believe they are transgender. In this perspective, “transgender” is framed as a ruse to thoroughly erase the potential of a transgender subjectivity. If there can be no transgender subjectivity, no transgender person can speak; this works to pre-emptively discredit any protest from self-identified transgender subjects, for claims to transgender identity can only be understood (in this perspective) as an attempt to deceive the audience. This is the primary attempt to silence transgender individuals by eliminating them from speaking qua transgender subjects.

Second, the stereotype focuses only on transwomen, and strategically erases transmen’s experiences of bathroom access. Because there is no “trans” in this perspective, transmen can only be understood as deceitful women. However, these “women” fall outside the realm of womanhood that is worthy of protection and privacy, according to the bathroom bill. Thus, the only distinction between women deserving of protection and those undeserving is the very admission of transgender existence. By adopting transgender subjectivity, “women” (read: transmen) are rendered distinct from (cis)women, betraying the internal inconsistency of the bathroom bill’s logic. The bathroom bill seeks to protect *some* women, because the “women” who purport a transgender identity (read: transmen) are pathologized and thus not actually in need of protection.²⁹ Meanwhile, the womanhood in need of protection is strengthened by established patriarchal narratives of the passivity and sexual objectification of women (transmen, in this formulation, do not pose a threat to cismen because they are “really” women and therefore

²⁹ One is left wondering if this transmisogynistic argument somehow recognizes transmen as men, or simply ignores this reality altogether by collapsing transgender identity as a solely AMAB pathology. However, if *all* transgender subjectivity is understood as impossible, extending the argument to transmen is a necessary implication of the bathroom bill’s logic.

do not pose a sexual threat to ciswomen). Together, the exclusion of transmen from bathroom bill discourse betrays a fundamental aspect of bathroom bill logic: that the existence of transgender identity (in the form of the transman) is actually *necessary* to pantomiming concern for women, because if these legislators were actually concerned about those they recognize as women, they would also be protective of transmen.³⁰ Here, transmisogyny is on full display. Transmisogyny sees transfeminine individuals as predatory (and impossible), while also deeming transmasculine individuals as women unworthy of protection or privacy.³¹ Transgender subjectivity is impossible while transgender existence necessary. The transgender figure exists; the transgender subject cannot.

House Bill 2's transphobia quickly drew critique from the political left, though not for the bill's self-contradictory logic. Instead, much of the opposition declared that the bill was illegal because it was discriminatory. For example, the Obama administration declared HB2 a violation of civil rights protected by Title IX.³² Additionally, many reporters noted the unfounded fear-mongering upon which the bill was predicated: there have been no recorded instances of transgender individuals assaulting people in bathrooms. However, the opposition which remains

³⁰ Contrary to the purely hypothetical basis upon which bathroom bills are predicated (that people purporting to be women attack ciswomen and children), there *is* documented evidence of transmen being harassed and attacked in bathrooms. For more about the lack of documented instances of transpeople attacking cispeople in bathrooms, see Marcie Bianco, "Statistics Show Exactly How Many Trans People Have Attacked You in Bathrooms," *Mic*, April 2, 2015, <https://mic.com/articles/114066/statistics-show-exactly-how-many-times-trans-people-have-attacked-you-in-bathrooms#.TIYT8JAD4>. For more on documented rates of transpeople, including transmen, being attacked in bathrooms, see Jody L. Herman, "Gendered Restrooms and Minority Stress: The Public Regulation of Gender and its Impact on Transgender People's Lives," *Journal of Public Management & Social Policy*, vol. 19 no. 1, June 2013; "National Consensus Statement of Anti-Sexual Assault and Domestic Violence Organizations in Support of Full and Equal Access for the Transgender Community," *National Task Force to End Sexual and Domestic Violence Against Women*. 29 April 2016. <http://www.endsexualviolence.org/wp-content/uploads/2017/09/STATEMENT-OF-ANTI-SEXUAL-ASSAULT-AND-DOMESTIC-VIOLENCE-ORGANIZATIONS-IN-SUPPORT-OF-EQUAL-ACCESS-FOR-THE-TRANSGENDER-COMMUNITY.pdf>

³¹ This, in turn, sets the stage for violence against transwomen to be narrativized as necessary ("Subdue the predator"), which is the premise underwriting the transpanic defense used to promote intimate partner violence against transwomen. Discourse about intimate partner violence against transwomen is explored later in this chapter.

³² <https://www.wral.com/obama-administration-says-hb2-violates-federal-civil-rights-laws/1568247/>

most pertinent to my analysis gesture toward transgender people living stealth; this oppositional discourse asked, how would the bill be enforced? This line of opposition questioned the assumptions of transgender visibility upon which the bill was predicated. For instance, Samantha Michaels of *Mother Jones* interviewed several North Carolinian police departments and found that police have no idea how they would enforce the law other than responding to complaints, and complaints would likely be based not on “sex assigned at birth,” as HB2 states, but mere appearance.³³ Aaron Keck of *Chapelboro*, a local news source for the Research Triangle in North Carolina, likewise posted a facetiously-titled article, “Think You Can Enforce House Bill 2? Take this Easy Quiz!”³⁴ Central to these critiques was the assertion that transgender individuals have been and will continue to use sex-segregated bathrooms without being detected by the transphobic people who purport to be offended by their presence. Because of these critiques’ focus on transgender (in)visibility, I characterize this specific line of opposition to bathroom bills as a type of stealth discourse.

This stealth discourse belies the secret that transgender individuals are not always visible as transgender—the same secret that Violet’s “that you know of” refrain reminds audiences of *Her Story*. The assumption that transgender people are reliably visible as transgender has been critiqued by transgender individuals such as Ashley Smith, a woman who took a photo with Republican Texas governor Greg Abbott in 2017, at a time when the state was debating whether to implement a bathroom bill. Smith’s photo, which had gone viral on Facebook and Instagram,

³³ Samantha Michaels. “We Asked Cops How They Plan to Enforce North Carolina’s Bathroom Law,” *Mother Jones*, April 7, 2016, <https://www.motherjones.com/politics/2016/04/north-carolina-lgbt-bathrooms-hb2-enforcement/>. Accessed April 17, 2019.

³⁴ Aaron Keck. “Think You Can Enforce House Bill 2? Take This Easy Quiz!” *Chapelboro*, March 24, 2016. <https://chapelboro.com/featured/think-youve-got-what-it-takes-to-enforce-house-bill-2-take-this-easy-quiz>. Accessed April 17, 2019.

was captioned, “How will the Potty Police know I’m transgender if the Governor doesn’t?”³⁵ Similar critiques of bathroom bills were launched in March 2015 amid the proposals of bathroom bills in Canada, Florida, Texas, Kansas, and Minnesota; the hashtag #WeJustNeedToPee went viral as transgender individuals shared selfies of themselves in public bathrooms in protest.³⁶ Captions of these photos emphasized that the photographed transgender individuals would be unwelcome in the bathroom of their sex assigned at birth, such as transgender activist Michael Hughes’s caption, “Do I look like I belong in women’s facilities?”³⁷ Bearded and broad-shouldered, Hughes is likely to be read as a cisgender man. Hughes’s masculinity is further emphasized by the blonde woman next to him, who is applying lipstick as she gazes into the mirror.

The impact of these photos is magnified precisely *because* transgender participants are not read as transgender, as exemplified by a Facebook post by Kelly Lauren, a transgender woman and drag performer. In a protest of Houston’s failure to pass an anti-discrimination bill, she posted a photo of herself in a men’s bathroom with the caption, “Houston, do you REALLY want me in the same restroom as your husband or boyfriend?”³⁸ Clad in a red lacy dress with a slit up the skirt, Lauren strikes a pose that emphasizes her femininity: her blonde hair grazes her exposed cleavage, and her hourglass figure is accentuated by her crossed legs and tight skirt. Her femininity is further juxtaposed to the traditional masculinity of the three men using urinals

³⁵ Garza, Lisa Maria. “Transgender ‘bathroom buddy’ photo with Texas governor stirs tempest.” *Reuters*, 19 July 2017. <https://www.reuters.com/article/us-texas-lgbt-governor-idUSKBN1A41P8>

³⁶ Sainty, Lane. “Trans people are protesting discriminatory bathroom laws on social media.” *Buzzfeed*, 12 March 2015. https://www.buzzfeed.com/lanesainty/trans-people-are-protesting-discriminatory-bathroom-laws?utm_term=.vfQn5GbMj#.pv2lMOAdw

³⁷ @_michaelhughes1. “#occupoty #wejustneedtopee #translivesmatter #guyslikeus #thankyouforthesupport.” Twitter, 11 March 2015, 11:34pm, <https://twitter.com/michaelhughes1/status/575907667639566339?lang=en>

³⁸ Nichols, James Michael. “Trans woman asks: ‘You really want me in the same bathroom as your husband?’” *Huffington Post*, 5 November 2015. https://www.huffingtonpost.com/entry/this-trans-woman-asks-you-really-want-me-in-the-same-bathroom-as-your-husband_us_563b997fe4b0411d3070003a

around her; all men are bearded and dressed casually in flannel or a t-shirt. The implication of Lauren's post is not only that she would be out of place in a men's bathroom, but that her sexual desirability is so strong as to threaten the fidelity of heterosexual (presumably cisgender) men in the men's bathroom. She is not just a woman—she could be “the *other* woman.” Lauren's picture flips the stereotype of predatory transgender women: she does not prey upon women and children, but instead lures heterosexual men. She does not threaten privacy or safety, but monogamy.

Though these transgender individuals disclose their being transgender, they do so in order to reveal the little-noticed ubiquity of transgender individuals who do *not* disclose. Instead of advocating for more or better visibility, these transgender activists reveal the form of the “secret” that transgender individuals are not always visible as such, without revealing the content of the secret (who is transgender). While they do reveal their own transgender histories, these revelations are meant to shock a cisgender audience who believes they can discern who is transgender and who is not. This shock factor turns the cisgender gaze onto itself: if a cisgender person can't detect who is transgender by appearance alone, upon what principle can the cisgender gaze discern transness? As this shortcoming of the cisgender gaze is made clear, the cisgender gaze—rather than the transgender body—induces paranoia.

Because the cisgender gaze is the apparatus upon which the bathroom bills are predicated, the acknowledgement of stealth exposes the limit of the hegemonic discourse of bathroom bills. By revealing how the cisgender gaze is flawed, advocates confront the logic by which cisnormativity operates (visibility) and create a paranoid sensibility among cisnormative individuals. If transgender subjects are not rendered transgender by the cisgender gaze, they pose a problem for the hegemonic impulse to categorize, normalize, and surveille bodies.

Additionally, transgender subjectification is wrested from the cisgender gaze—transgender subjects define themselves (that is, they are rendered subjects through their own determination), for themselves (without legitimization from the cisgender gaze). By turning the cisgender gaze onto itself and revealing the secret of transgender individuals living stealth, these advocates dispense the goal of favorable recognition from the cisgender public. Tolerance is not the goal—paranoia is. As stealth discourse decentralizes cisgender perspectives from the debate over where transgender individuals can use the bathroom, public discourse shifts to the discretion of transgender individuals to determine for themselves what is best.

Stealth discourse reveals that the imperative to disclose comes not only from hegemonic forces which seek to regulate and control, but also visibility politics' expectation of speech despite speech's attendant risks. These advocates articulate the right of visibly transgender individuals to use the bathroom in which they felt comfortable, rebuffing transphobic responses to visibly transgender bodies in public bathrooms. Vitally, these advocates do not dispute this right, but instead dispute the assumption upon which this argument is founded: that the encounter between transgender and cisgender individuals is palpable as such. In other words, these advocates critique the assumption that transness is *always* visible, for this assumption centralizes cisgender expectations of gender performance—namely, the expectation that transness be a visible spectacle, that transness be palpable, and that transgender individuals do not—could not—exercise agency over this disclosure.

Instead, these critiques centralize the agency of stealth transgender subjectivity. Because this subjectivity is not attached to any individual body (for to disclose is to preclude living stealth), this subjectivity cannot speak. However, stealth discourse highlights this subjectivity as one which is constantly on the horizon without ever arriving. Stealth discourse creates a

rhetorical subject that is perpetually queer because it cannot act without displacing its own subject position. In other words, stealth transgender subjectivity (dis)embodies rhetorical agency because it *is* indeterminacy itself.³⁹ While this troubles the distinction between cisgender and transgender subject, it heightens a distinction useful to advocacy for transgender rights: the distinction between cisnormative and trans-affirming politics (rather than cisgender and transgender individuals) becomes the important mode of discernment.

The stakes of transgender visibility discussed thus far highlight the rights of transgender individuals to access public space free from scrutiny, harassment, and, as apparent in the assaults committed against transgender individuals in bathrooms since HB2's passage, violence.⁴⁰ However, in the next section, these stakes of transgender visibility are taken to their logical conclusions: fatal transphobic violence.

Intimate Partner Violence

While the ubiquity of unnoticeably transgender individuals is centralized in bathroom bill discourse, discourse about intimate partner violence highlights the danger of the moment of becoming noticeable as a transgender person. This leads me to expand my analysis from bathroom discourse to discourse about dating violence that targets transgender individuals. Domestic and intimate partner violence resulted in over half of the murders of transgender women in the first five months of 2015, prompting FORGE, a transgender advocacy organization, and the National Center for Transgender Equality to release a resource list for

³⁹ This is where the applicability of demirheticity ends—for Yergeau, autistics can enact agency when we reimagine what rhetoric is. However, she relies on older conceptualizations of agency, while I use Rand's concept of agency/queerness. Because I apply agency arising out of queerness, stealth transgender subjectivity provides a unique entry point for understanding a way out of demirheticity without foreclosing rhetorical agency.

⁴⁰ Caron, Christina. "2 North Carolina Women Charged With Sexually Assaulting Transgender Woman in Bar," *The New York Times*, January 10, 2019, <https://www.nytimes.com/2019/01/10/us/transgender-woman-sexual-assault-nc.html>. Accessed April 4, 2019.

dating safety.⁴¹ Since 2014 (the year of the “transgender tipping point”⁴²), the murder rates of transgender individuals have risen each year.⁴³ Transgender women of color are the most frequent victims of these murders.⁴⁴ Additionally, some victims may not be recognized as transgender or their murders classified as such; the actual murder rates may significantly differ from those reported. It is no wonder that amidst this violence, the decision to disclose one’s identity as transgender is fraught with risk assessment.

The risks balanced by transgender women who decide to (or not to) disclose their transgender history are cast in sharp relief to the entitlement expressed by transphobic men who simultaneously expect their partners to disclose their transgender history while expressing murderous intentions to transgender women. In July 2017 on the radio show *Breakfast Club*, comedian Lil Duval said he would murder a transwoman if he was having sex with her and found out she was transgender.⁴⁵ Charlamagne Tha God responded that transwomen who do not disclose their transgender identity should go to jail.⁴⁶ These comments went viral, drawing criticisms from prominent transgender activists Laverne Cox and Janet Mock⁴⁷, among others.

The comments made by Lil Duval and Charlamagne Tha God exemplify more than just the dangers transgender women face, and more than the belittling of violence against

⁴¹ Forge Forward. Ending Trans Domestic Violence Murders. *Forge Forward*. <http://forge-forward.org/wp-content/docs/2015-03-Ending-Trans-Domestic-Violence-Murders.pdf>

⁴² Steinmetz, Katy. “The transgender tipping point.” *Time*, 29 May 2014. <http://time.com/135480/transgender-tipping-point/>

⁴³ Human Rights Campaign. “Violence against the transgender community in 2018.” *Human Rights Campaign*. <https://www.hrc.org/resources/violence-against-the-transgender-community-in-2018>

⁴⁴ Adams, Nick. “Honoring known cases of deadly anti-trans violence in 2017.” *GLAAD*, 14 December 2017. <https://www.glaad.org/blog/glaad-calls-increased-and-accurate-media-coverage-transgender-murders>

⁴⁵ Hawkins, Derek. “‘I don’t care, she dying’: Comedian Lil Duval says he would kill a sexual partner if he learned she was a transgender woman.” *The Washington Post*, 31 July, 2017. https://www.washingtonpost.com/news/morning-mix/wp/2017/07/31/i-dont-care-she-dying-comedian-lil-duval-says-he-would-kill-a-sexual-partner-if-he-learned-she-was-transgender/?utm_term=.b9953e053aef

⁴⁶ Hawkins, “‘I don’t care.’”

⁴⁷ Mock, Janet. “Dear men of ‘The Breakfast Club’: Trans women aren’t a prop, ploy, or sexual predators. *Allure*, 31 July 2017. <https://www.allure.com/story/janet-mock-response-the-breakfast-club-trans-women>

transwomen. These comments exemplify the entitlement expressed by cisgender individuals—the assumption that they have the right to know who is and is not transgender. The disclosure imperative—to “confess”—is inherent within these comments, as transgender individuals are expected to name their positionality as transgender subjects.⁴⁸ Additionally, Charlamagne Tha God’s advocating the incarceration of transwomen who do not disclose assumes that this transgender history would be found out despite a transwoman’s efforts to keep it private. This last assumption demonstrates the entitlement not only that cisgender individuals *ought* to know, but also figures such knowledge as an inevitability—cisgender individuals *will* find out a transgender history, regardless of transgender individuals’ efforts to the contrary. Transgender individuals’ agency to exercise choice about this disclosure is therefore nullified by cisgender entitlement. Despite their efforts to remain stealth, transgender individuals will be “found out.” In this view, the cisgender gaze is centralized as the ultimate arbiter of truth.

Mock’s critique of Lil Duval and Charlamagne Tha God’s comments reflects upon her experience being a guest on *The Breakfast Club* just a week prior to Lil Duval’s comments. Though she had appeared to promote her second memoir, *Surpassing Certainty*, the conversation devolved into invasive questions about Mock’s genitals, playing out the common trope of cisgender obsession with transgender individuals’ anatomies. Recounting the experience, Mock makes the aside, “Again, if I am not fucking you, why do you care?”⁴⁹ She later explains that the threat of violence expressed by Lil Duval is “precisely why so many women hold themselves so tight” and do not disclose their transgender history.⁵⁰ While Mock’s essay does not clearly

⁴⁸ The disclosure imperative coined by Kirsten McLean to describe the expectation that LGBTQ+ individuals reveal, or “come out” with, their marginal identit(y)ies). Kirsten McLean, “Hiding in the Closet?: Bisexuals, Coming Out and the Disclosure Imperative,” *Journal of Sociology* 43 no. 2 (2007): 151.

⁴⁹ Mock, Janet. “Dear Men of ‘The Breakfast Club’: Trans women aren’t a Prop, Ploy, or Sexual Predators.” *Allure*, 31 July 2017. <https://www.allure.com/story/janet-mock-response-the-breakfast-club-trans-women>

⁵⁰ Mock, “Dear Men.”

distinguish between the disclosures of transgender history and of anatomy, Mock's position is clear: expecting transgender women to disclose sensitive information about themselves while simultaneously supporting the violence such disclosures meet is not only deplorably cruel and profoundly ignorant—it also blames transgender women for their own deaths no matter *whether or not they voluntarily disclose*. This is the double bind of panic defenses: they work to exonerate transwomen's killers because the killer felt tricked at the moment they find out, no matter if their finding out is a moment in which transwomen are seeking to disclose in order to eliminate this very potential of someone feeling tricked. Voluntarily or not, transgender disclosure is constructed by the panic defense always already too late. The only disclosure that could be "on time" is under the presumably omniscient cisgender gaze, and such instances of being "found out" do not construct the transgender individual as a rhetorical agent at all, but instead, as a passive object out of which cisgender gazes make meaning. Again, transgender existence is made necessary while transgender subjectivity is denied, demonstrating how transphobic discourse is a form of demirhetoricity.

This discourse legitimating the phenomenon of living stealth calls attention to the entitlement expressed by cisgender individuals who expect to be told the gender history of their partners—entitlement not only originating from the transphobic and homophobic belief that transwomen are "really" men and that desiring them threatens the heteromascularity of cisgender men, but also entitlement that arises from an expectation that there is a threshold of intimacy that, once reached, result in disclosures. Instead, stealth discourse damns any expectation of transgender disclosure as a cisnormative entitlement. Without the assurance of safety, no expectation of transgender disclosure is just.

Several texts demonstrate this position. In *Her Story*, the confrontation between James and Paige compares the disclosure of transgender history to the disclosure of a gambling addiction. Co-writer of *Her Story* Jen Richards (a transwoman who also stars in the series as Violet) reflects upon the scene as a moment which challenges conventional narratives about disclosure: James' own gambling disclosure is "an aspirational moment...James recognizes that we all have disclosures, and there are no simple rules about when they should come."⁵¹ Reflecting upon the decision to disclose transgender history, Richards asserts, "I still don't feel that anyone can tell me when and to whom I should disclose. That's my business, and it includes considerations and complications that cis people can scarcely conceive. More often than not I think this: Until men have to disclose to me that they're assholes, I don't have to disclose anything at all."⁵² By flipping the responsibility of disclosure onto cisgender men, Richards also centralizes the transgender gaze rather than a cisgender one: it is the comfort and safety of transgender subjects—not the preoccupations or curiosities of cisgender men—that is prioritized.

This flip is likewise articulated by Galen Mitchell in her article "On Disclosure." In this piece, Mitchell explains that the expectation for transgender people to disclose their gender histories is itself a transphobic expectation because it relies upon a notion of "truth" that essentializes gender, such that transgender individuals are personally obligated to tell the "truth" of their sex assigned at birth. She explains this disclosure imperative as a form of ideological violence because it "is an attack on the validity and truth of trans lives and identities."⁵³ Mitchell therefore articulates the entitlement cisgender individuals demand as an entitlement to not only

⁵¹ Jen Richards. "We Had Sex, But I Never Told Him I'm Trans," *New Now Next*, August 4, 2017. <http://www.newnownext.com/we-had-sex-but-i-never-told-him-im-trans/08/2017/> Accessed April 17, 2019.

⁵² Richards, "We Had Sex."

⁵³ Mitchell, Galen. "On Disclosure." *TransSubstantiation*, 19 October 2017. <https://transsubstantiation.com/on-disclosure-95c1f8290603>

know information such as gender history, but also to determine what counts as “knowledge” or truth.” For instance, when people ask her questions that belie an assumption that she is a cisgender woman, Mitchell articulates that she has no obligation to “correct” them because they are right to treat her as a woman (though they are mistaken in assuming she is cisgender). Responding to those who might object to the idea that transgender individuals do not have an ethical responsibility to disclose, Mitchell offers this tongue-in-cheek solution:

If ever you worry that a stranger, friend, or person you want to have sex with is trans, simply disclose to everyone that you meet that you’re a cissexist bigot. I promise, if you disclose this fact about yourself, trans folks will steer clear and you’ll never be caught accidentally treating trans folks like valid human beings.⁵⁴

This solution, similar to the solution offered by Jen Richards, places the disclosure imperative on cisgender individuals. By demanding this disclosure, the cisgender gaze is denaturalized and centralized as itself an object of study: cisgender individuals are tasked with interrogating their own biases and assumptions, to give an account of themselves. Stealth discourse also acts as a mirror, reflecting the cisgender gaze back onto itself. People are not entitled to know others’ gender histories; instead, stealth discourse casts responsibility onto everyone who is not openly transgender to reveal their gender politics.

By making the cisgender gaze rather than the transgender body under scrutiny, a sense of paranoia is legitimated and perpetuated. As the onus to disclose flips from transgender disclosures of gender history to cisgender disclosures of gender politics, the paranoia transgender subjects feel regarding their safety is legitimated as a reasonable response to the risks of visibility. Meanwhile, paranoia is inculcated among cisgender individuals as they must confront

⁵⁴ Mitchell, “On Disclosure.”

the gender politics they perform. If cisgender individuals can't trust their discernment of who is or isn't transgender (a fact demonstrated through the responses to bathroom bills and the views expressed on *The Breakfast Club*), they instead turn inwards to discern the reasons why they are not trusted. Investigating their own political stances and performances of cisnormativity, cisgender individuals experience a paranoia: that they can't discern gender histories, yes, but also, that they are assumed to be cissexist and bigoted assholes (to combine Richards' and Mitchell's terms) until proven otherwise. And, where the desire to be perceived as either trustworthy and liberal-minded might falter, transphobic disgust and fear kicks in: if you don't make your transphobic politics clear, you might find yourself in the very situation you sought to avoid. Thus, the paranoia among cisgender individuals works to push self-professed allies to demonstrate their politics more obviously to earn trust, and grates against transphobic individuals who must make clear their politics if they are to more reliably repel transgender company.

Conclusion

The rhetorical strategy of visibility is fraught for transgender subjects. To live stealth—to be read as cisgender—is not only a survival mechanism (as the discourse of intimate partner violence reveals), but also one of political subjectivity (as the discursive response to bathroom bills reveals). To call attention to the fact of transgender people living stealth is to reveal the form of the secret (that transgender people are not detectable as such) without revealing its content (who is transgender). When Paige questions James's sense of entitlement to her disclosures in *Her Story*, we as the audience are left questioning whether disclosure and honesty are truly as compatible as James's entitlement, or the cisgender gaze, would lead us to believe. When James eventually replies by disclosing his own secret and asking when the right time would have been to disclose that to Paige, we realize that “we all have disclosures, and there are

no simple rules about when they should come.”⁵⁵ Transgender individuals may choose to disclose their histories, but such disclosures are not a prerequisite for rhetorical subjectivity. In fact, by invoking stealth and highlighting privacy, advocates for transgender rights preserve the conditions of rhetorical agency for *all* rhetors who have not disclosed their gender histories—transgender or not. Finding ourselves not privy, we are compelled to make political decisions based not on the basis of whether affronts to transgender people’s dignity are rendered grossly apparent, but instead, on the basis of how current political conditions make possible these affronts. We are not stuck in a stalemate when we are not privy—in fact, by virtue of our not being privy, we are compelled to act ethically.

Stealth discourse critiques the disclosure imperative by making clear the assumptions of transgender hypervisibility upon which cisnormative discourse is based. Through this critique, stealth discourse creates an expectation that the burden to disclose be placed on individuals read as cisgender to disclose their gender politics. Thus, the disclosure imperative which produces subjectivities is not one which produces identities, but instead, produces a self-consciousness of one’s political beliefs as either transphobic or transaffirming. In other words, when cisgender individuals are confronted with their own assumptions, the cisgender gaze becomes the subject of analysis rather than transgender identity or anatomy. The flip of the disclosure imperative (from transgender disclosure of gender histories to cisgender disclosure of gender politics) both legitimates the paranoia felt by transgender individuals about the risks associated with their visibility, and spurs a paranoia among cisgender individuals of their own fallibility and untrustworthiness.

⁵⁵ Richards. “We Had Sex.”

The disclosure imperative is unjust as long as the conditions of disclosure are unjust. Privy, for some transgender individuals, becomes a means of survival, a political strategy, and a challenge to the prevailing rhetorical constructs of political speech. Privy rejects the disclosure imperative—it is the refusal to give an account of oneself. Privy reveals the form of the secret without giving its contents away. In doing so, privy is a rhetorical form which creates and preserves the conditions of rhetorical agency by creating a question which lingers inconclusively: how can one tell who is or isn't transgender? By revealing the secret without its contents, the cisgender gaze is awakened to itself, turning this interrogation onto how cisgender individuals purport to discern, detect, surveil transgender bodies. If the cisgender gaze cannot be trusted as the arbiter of gendered truths, the transgender subject may control the circulation of knowledge about their gender histories: who is privy or not is not who guesses a gender history, but who is told. Additionally, as the form of the secret is revealed (that transgender individuals exist and are not detected as transgender), distinctions between transgender individual and cisgender ally are blurred: anyone might advocate for the right to transgender individuals' privacy without themselves being interrogated for their own gender histories. In other words, stealth discourse establishes a subject position that is wholly disconnected from identity, and instead oriented around a politic.

Lastly, stealth discourse exposes the entitlement inherent within both hegemonic cisnormative discourse and more mainstream rhetorical appeals to visibility by transgender advocates, both of which are predicated upon the visibility of transgender bodies. By eliminating visibility as the primary strategy of transgender liberation, and instead promoting obfuscation through withholding privy, stealth discourse troubles the drive to publicness embedded within rhetoric, as well as the will to know. The point is not that we must know everything, but that

privy is, in fact, both an ethical conclusion to exploitative terms of publicity, and a productive starting point for queer politics.

Chapter 5

Culmination

This last chapter offers an explication of what queer politics might arise from recognizing the fraught ethics of rhetoric's reliance on public visibility. While this thesis has established a theoretical basis for a critique of visibility politics and analyzed two examples of advocacy efforts that utilize the form of privacy to evade the dangers of visibility, I conclude by prompting you, the reader, to consider how to enact the queer politics advocated throughout this thesis. The applicability of this politics to our everyday lives attempts to respond to the common criticism of critical theory's—especially queer theory's—ability to analyze activism yet not prompt it.

¹ After all, if queerness is the indeterminacy out of which rhetorical agency arises, to determine what such politics would look like would not a queer project at all. This chapter does not attempt to lay out a framework of how to do queer politics. Instead, this chapter serves to identify sites or circumstances in which queer politics might prove useful, leaving you, the reader, to fill in the blank of what to do next. In doing so, this chapter attempts to plunge us into what Rand calls the “delight of the unpredictable” that is inherent within queer activist and academic work.²

Throughout my thesis I have analyzed several instances in which the form of privacy is made publicly apparent; in my first case study, I analyzed the Shitty Media Men list as a demonstration of privacy unveiled. When the Shitty Media Men list was leaked, a whisper network was revealed. Those in the whisper network—those privy to the document—exhibited paranoid practices. As I described in chapter two, paranoid practices are anticipatory, suspicious, and allow for conclusions to be drawn (and action to be taken) in the absence of textual evidence.

¹ For a discussion of the anxieties of the theory/praxis divide of queer academic work, see Rand, *Reclaiming Queer*, 6-11.

² Rand, *Reclaiming Queer*, 28.

In the case of the Shitty Media Men list, women's suspicion of the media industry's inability to deal ethically with sexual misconduct became apparent, as did their anticipation that future assaults would occur. The Shitty Media Men list demonstrated several characteristics of the form of privy: privy is networked through relationships of trust; in such a paranoid state, trust is predicated upon shared skepticism; the networked nature of privy establishes community and support; and, crucially, that knowledge is not the point of privy—paranoia is. As demonstrated when the list was revealed, the list's impact ought not be measured in how true the allegations could be proven to be, but in the paranoia it injected into discourse about sexual harassment within the workplace. Perpetrators were prompted to consider how many people knew what they had done, while allies and survivors built whisper networks predicated upon mutual suspicion.

In my second case study, I analyzed stealth discourse as an example of how the form of privy can be invoked purposely, rather than unveiled, as in the case of the Shitty Media Men list. By critiquing the risks of violence, aggression, surveillance, or harassment which accompany disclosures of transgender identity, advocates for transgender rights highlighted the unjust conditions of visibility that then legitimize the phenomenon of living stealth. By pointing out that some transgender individuals are read as cisgender, these advocates invoke the form of privy to inculcate a sense of paranoia among transphobic individuals who seek to detect, surveil, harass, threaten, and harm transgender individuals. This paranoia turns the cisnormative gaze onto itself, as cisnormative individuals reflect on their flawed powers of discernment and the entitlement they presume over knowledge of others' gender histories. In short, stealth discourse highlights the form of privy (those transgender histories to which you are not privy) to cultivate a self-conscious paranoia.

Together, these case studies emphasize the ethical quandaries of scholarship's desire to know and the possibilities of rhetorical agency which reside in the unknown. By pointing out that the demand for evidence (for disclosures of sexual violence or gender history) can itself be unjust, those utilizing the form of privacy demonstrate that ethical pursuits are not coterminous with the epistemological pursuits which privilege publicity, shared knowledge, and exposure. Instead, commitments to ethics can sometimes necessitate constraints on what ought be publicly shared, and this constraint can prove productive, particularly for queer scholarship and activism. Because queer scholarship attends to that which is indeterminate, deferred, or exceeds the known, it is uniquely positioned within academic epistemological endeavors to acknowledge, preserve, and find productive the boundaries encountered through research. Through the lens of activism, limits to what can be known can become productive sites to reimagine what forms advocacy might form without the injunction to lay bare one's traumas or sacrifice one's privacy. In short, queerness allows us to imagine how to preserve conditions of indeterminacy as a protective and ethical *modus operandi*.

Scholars working at the intersection of queer theory and rhetorical theory are aptly positioned to study the liminal, indeterminate, or oblique. However, scholars such as Isaac West and Jean Bessette advocate for reparative readings rather than paranoid ones; they favor context-driven reparative analyses which acknowledge how some acts might seem normative while nonetheless negotiating and resisting some normative injunctions. However, such reparative, context-driven analyses themselves rely upon evident texts and do not account for how the normative structures of how misogyny and transphobia (as examples) preclude some forms of evidence from surfacing. In other words, the precondition of visibility not only necessitates assumptions of risk by marginalized subjects for legitimization, but also conspires with those in

power to evade responsibility for that to which they are not privy. When the existence of a text is itself in question—when we cannot determine if particular instances of injustice have definitively occurred because of the hegemonic structures which seek to obscure such disclosures—paranoid reading practices can in fact prove instrumental to pursuits of justice which necessitate indeterminacy. This kind of paranoia is not meant to assume the existence of a text, but instead, operate from a recognition that a text may or may not exist. In this queer space of recognition where the existence of a text cannot be determined, pursuits of justice can be justified while nonetheless suspending the determination of evidence.

I now turn to the academy as a workplace—what I hope is a familiar setting for you, my reader—to identify some sites in which queer politics, or pursuits of justice which necessitate indeterminacy, might prove useful. I begin by laying out a common institutional stance around reporting mechanisms, plausible deniability, and legal culpability. I then pose two scenarios in which the reader might envision themselves enacting the paranoid reading practices entailed by queer politics. Ultimately, I leave open the question of what actions ought to be taken by the paranoid subject which I provoke hereafter.

Those with the power to enforce consequences for injustice too often only do so in response to public declarations of victimhood, either in the form of public disclosure or formal reporting.³ Meanwhile, they fail to recognize the ways that they perpetuate and reproduce the conditions which prevent such reporting from happening. Over and over again, faith is placed in formal reporting mechanisms as the legitimate way to redress wrongdoing, while these same

³ Daniel Craig, “Philly-area Colleges Turn Up in Large Sexual Harassment Survey,” Philly Voice, January 12, 2018. <https://www.phillyvoice.com/philly-area-colleges-turnup-large-sexual-harassment-survey/> Accessed April 16, 2019.

processes are revealed to be biased,⁴ inconsistent,⁵ and often harmful to victims.⁶ Meanwhile, the responsive nature of these processes do little, if not nothing, to deter future injustices from occurring—in fact, their responsive function is predicated upon the perpetuation of such violence, as the Shitty Media Men document suggests.⁷ Implicit within solicitations for survivors to come forward, as Rutgers and Penn State have done, is the belief that because public allegations of injustice did not exist, there was no problem, or at least, not one they could be held responsible for.⁸ *See? Not here.*

The absence of evidence is not evidence of the absence of a problem.

Confronted with these flaws, those in charge maintain their plausible deniability. *We can't do anything about problems we aren't aware of. How were we supposed to know?* This defense maintains the legitimacy of the process, even when the process is itself the subject of critique. *We can only be held responsible to that which we are privy.* “Obtuseness itself arms the powerful against their enemies.”⁹ Stalemate.

When we cannot demand to know the survivor’s testimony of their assault or the accessibility needs of the person in our audience or the traumas of racism experienced by our non-white colleagues or the gender history of the person next to whom we shit, we find ourselves

⁴ Monahan, J., College, Y., Prescott, A., & Polk, S. “The Effect of Cultural Bias on the Investigation and Prosecution of Sexual Assault,” International Association of Chiefs of Police, <http://www.policechiefmagazine.org/the-effect-of-cultural-bias-on-the-investigation/>. Accessed April 12, 2019.

⁵ Wakabayashi, Daisuke & Benner, Katie. “How Google Protected Andy Rubin, the ‘Father of Android,’” *The New York Times*, October 25, 2018. <https://www.nytimes.com/2018/10/25/technology/google-sexual-harassment-andy-rubin.html?action=click&module=inline&pgtype=Homepage> Accessed April 12, 2019.

⁶ Porter, Nicole Buonocore. “Ending Harassment by Starting with Retaliation,” *Stanford Law Review Online* 71 (June 2018): 49-61.

⁷ As demonstrated by Vicki Schulz: “Even when [employers’ internal complaint processes] work well to resolve individual complaints, these processes cannot really prevent harassment. They only respond to problems that are already occurring, and they do not address the broader workplace conditions that foster harassment in the first place.” Schulz, Vicki, “Open Statement on Sexual Harassment from Employment Discrimination Law Scholars,” *Stanford Law Review Online* 71 (June 2018): 17-48.

⁸ Craig, “Philly-area.”

⁹ Eve Sedgwick, *Epistemology*, 7.

on queer ground. Unsure of the circumstances in which we find ourselves, anticipation and suspicion might be the very tactics necessary to detect, disrupt, and prevent injustice. When these strategies of paranoid reading are legitimated as reasonable and strategic responses to the violence of injustice, the stalemate of plausible deniability can no longer be used as an excuse: you don't need to be privy to specific instances of violence to feel compelled to act. Rather, you can infer from the form of privacy, which becomes conspicuous through refusals, absences, and whisper networks.

Take, for example, the familiar setting of the department in which no one discloses when the topic of sexual violence is raised. Nonetheless, multiple roundtable discussions are organized over several months to discuss the issue of sexual harassment and assault in the workplace, when such conversations had not been scheduled in years past. The majority of those in attendance are women; this is acknowledged in the meeting. A few months later, before employees depart for a large conference, one administrator announces (warns? reassures?) that if a problem arises at the conference, the executives will back you up. You wonder what kind of problem this administrator is referring to. Another administrator suddenly adopts a script about taking a zero-tolerance policy for sexual misconduct during a routine, usually informal, meeting. No one seems to know why this is happening (or, if they do, they're not telling you). Few, in fact, seem to register that a pattern has developed at all. After all, no reports have been made public. *See? Not here.*

Realizing that something's happening, you just haven't been told what, you use paranoid reading practices of anticipation and suspicion. You sense something indeterminate, excessive, deferred—something queer. If the exigence for this sudden increase in discourse about sexual misconduct is an actual instance of sexual misconduct—ongoing or multiple, it would seem,

since the discourse continues—the response ought to be as inclusive as possible. Thus, the conspicuous absence of men from the roundtable discussions signals their lack of interest, investment, or even a refusal that sexual harassment is a significant problem. Promises of organizational support before a conference, signaled in colloquial (“back up”) or euphemistic (“problem”) language, evades the clarity and specificity necessary for a multilingual and multicultural audience. The proclamation of a zero-tolerance policy, without an explanation as to what acts that does or does not cover (innuendo? rape jokes?), similarly lacks the specificity needed to clearly communicate the scope of the policy, particularly to the men who were not present at the roundtable discussions and therefore might not recognize certain behaviors as problematic.

In a paranoid state, you would not require the public announcement of a specific instance of sexual harassment which might have spurred these institutional actions. Nor would you require women to state the necessity of men’s attendance at programmatic efforts to discuss sexual harassment, multilingual or multicultural colleagues to express confusion, nor problematic-yet-legal behaviors to slip under the radar of a vague policy. Instead, paranoia prompts you to read with suspicion how each act might be flawed, for the risks of such flaws are so dangerous as to justify such suspicion.

Similarly, a department without openly transgender individuals does not suggest, to a paranoid critic, that transgender individuals do not work there. Their visible presence need not be established in order to skeptically analyze how the conditions of the department might be inconducive or even hostile to transgender belonging. For example, the lack of safe bathroom options for gender non-conforming individuals signals a structural commitment to binary maintenance. Meanwhile, silence about such a status quo signals a lack of interest or

commitment to changing such structures. To you, a paranoid reader, anything less than enthusiastic support indicates a refusal to prioritize the creation of a welcoming and trans-affirming workplace. You need not be privy to a transgender colleague's gender history, bathroom preferences, or experiences of transgression to problematize these conditions.

A queer politics—one which seeks justice while preserving the indeterminacy out of which agency emanates—does not necessitate the certainty of injustice. Instead, its paranoid tendency turns to recognize the ways in which existing structures might foster injustice and obscure its detection. Queer politics turn toward transforming the conditions in which injustice might occur, to make those conditions inhospitable to oppressive tendencies. This politics entails censuring the precursors to violence which nonetheless cultivate a hostile atmosphere for vulnerable populations. It is not enough that violence is not known to occur, since the absence of evidence is not evidence of the absence of a problem. Instead, you, as paranoid critic, demands the censure of dismissive attitudes, requiring instead that your workplace take proactive approaches to preventing such injustices.

Such censure might be labeled premature, paranoid, or hysterical, for there is no concrete instance of egregious forms of violence such as sexual assault or transgression. However, the absence of such censure can be read through a paranoid lens as evidence of a disingenuous commitment to fairness, equality, safety, or basic human dignity. While institutions may indeed be disingenuous about such commitments (for institutions' foremost interest is often their own preservation), the accusation of their apparent duplicity might nonetheless induce a more just future through a queer response—one that does not necessitate laying bare evidence of injustice to take seriously the charge of cultivating an inclusive and safe culture.

By identifying potential sites of queer resistance, I've sought to open up the possibility of a paranoid response, without foreclosing what that might response might look like. The strategies exhibited by Moira Donegan and women in the media industry (whisper networks as networks of privy), as well as those exhibited by transgender advocates (stealth discourse, or invoking the form of privy), might serve as points of departure as much as inspiration, as you respond to the injustices to which you are not privy and the self-consciousness and paranoia about your own trustworthiness that privy invokes.

Bibliography

- @_michaelhughes1. "#occupoty #wejustneedtopee #translivesmatter #guyslikeus #thankyouforthesupport." Twitter, 11 March 2015, 11:34pm, https://twitter.com/_michaelhughes1/status/575907667639566339?lang=en
- "Glossary of Terms – Transgender," GLAAD Media Reference Guide – Transgender, GLAAD, <https://www.glaad.org/reference/transgender>. Accessed April 4, 2019.
- "History." *Times Up*. <https://www.timesupnow.com/history> Accessed 20 February 2019.
- "LGBTQ+ Definitions," Trans Student Educational Resources, <http://www.transstudent.org/definitions/>. Accessed April 4, 2019.
- "National Consensus Statement of Anti-Sexual Assault and Domestic Violence Organizations in Support of Full and Equal Access for the Transgender Community," *National Task Force to End Sexual and Domestic Violence Against Women*. 29 April 2016. <http://www.endsexualviolence.org/wp-content/uploads/2017/09/STATEMENT-OF-ANTI-SEXUAL-ASSAULT-AND-DOMESTIC-VIOLENCE-ORGANIZATIONS-IN-SUPPORT-OF-EQUAL-ACCESS-FOR-THE-TRANSGENDER-COMMUNITY.pdf>
- "The Criminal Justice System: Statistics," RAINN, accessed January 30, 2019, <https://www.rainn.org/statistics/criminal-justice-system>.
- "The Harvey Weinstein Effect." *USA Today*. www.usatoday.com/pages/interactives/life/the-harvey-weinstein-effect/ Date accessed: October 9, 2018.
- "Trump signs new transgender military ban." *BBC*. 24 March 2018. <https://www.bbc.com/news/world-us-canada-43525549>
- Adams, Nick. "Honoring known cases of deadly anti-trans violence in 2017." GLAAD, 14 December 2017. <https://www.glaad.org/blog/glaad-calls-increased-and-accurate-media-coverage-transgender-murders>
- Ahmed, Sara. "Foreword: Secrets and Silence in Feminist Research," in *Secrecy and Silence in the Research Process: Feminist Reflections*, eds. Róisín Ryan-Flood and Rosalind Gill (Routledge, New York, 2010).
- Alcoff, Linda, and Laura Gray. "Survivor discourse: Transgression or recuperation?" *Signs: Journal of Women in Culture and Society* 18.2 (1993): 260-290.
- Baier, Annette. "Trust and antitrust," *Ethics* 96 no. 2 (1986): 235.
- Beauchamp, Toby. "Artful Concealment and Strategic Visibility: Transgender Bodies and U.S. State Surveillance After 9/11," *Surveillance & Society*, 6 no. 4 (2009): 356-366.
- Berlant, Lauren, and Michael Warner. "Sex in public." *Critical inquiry* 24.2 (1998): 547-566.
- Berlinger, Joshua, "North Carolina's bathroom law: Six points from both sides of the issue." *CNN*, 10 May 2016. <https://www.cnn.com/2016/05/10/politics/hb-2-point-counterpoint/index.html>
- Bessette, Jean. "Queer rhetoric in situ." *Rhetoric Review* 35, no. 2 (2016): 148-164.

Bianco, Marcie. "Statistics Show Exactly How Many Trans People Have Attacked You in Bathrooms," *Mic*, April 2, 2015, <https://mic.com/articles/114066/statistics-show-exactly-how-many-times-trans-people-have-attacked-you-in-bathrooms#.TIYT8JAD4>.

Binker, Mark, "Obama administration says HB2 violates federal civil rights laws." WRAL, 13 July 2018. <https://www.wral.com/obama-administration-says-hb2-violates-federal-civil-rights-laws/15682472/>

Black, Edwin. "Secrecy and disclosure as rhetorical forms." *Quarterly Journal of Speech* 74.2 (1988): 133-150.

Black, Edwin. "Secrecy and disclosure as rhetorical forms." *Quarterly Journal of Speech* 74 no. 2, (1988): 133-150.

Brouwer, Dan. "The precarious visibility politics of self-stigmatization: The case of HIV/AIDS tattoos." *Text and Performance Quarterly* 18, no. 2 (1998).

Burgess, Parke. "The Rhetoric of Moral Conflict: Two Critical Dimensions." *Quarterly Journal of Speech* 56:2 (1970), 120-130.

Burke, Tarana. "#MeToo Founder Tarana Burke on the Rigorous Work That Still Lies Ahead." *Variety*, 25 September 2018, www.variety.com/2018/biz/features/tarana-burke-metoo-one-year-later-1202954797/. Accessed 20 February 2019.

Caron, Christina. "2 North Carolina Women Charged With Sexually Assaulting Transgender Woman in Bar," *The New York Times*, January 10, 2019, <https://www.nytimes.com/2019/01/10/us/transgender-woman-sexual-assault-nc.html>. Accessed April 4, 2019.

Cathcart, Robert. "Movements: Confrontation as Rhetorical Form." *Southern Speech Communication Journal* 43.3 (1978): 233-247. 97.

Chávez, Karma R., "Beyond inclusion: Rethinking rhetoric's historical narrative," *Quarterly Journal of Speech* 101, no.1 (2015): 162-172.

Chávez, Karma R., *Queer migration politics: Activist rhetoric and coalitional possibilities*. University of Illinois Press, 2013.

Cloud, Dana. "Private Manning and the Chamber of Secrets." *QED: A Journal in GLTBQ Worldmaking*, vol. 1, no.1, 2014, pp.80-104.

Cloud, Doug. "Rewriting a Discursive Practice: Atheist Adaptation of Coming Out Discourse." *Written Communication* 34.2 (2017): 165-188.

Coates, Jennifer. "I am a Transwoman. I am in the Closet. I am not Coming Out." *Medium*, medium.com/@jencoates/i-am-a-transwoman-i-am-in-the-closet-i-am-not-coming-out-4c2dd1907e42 Date accessed: October 9, 2018.

Craig, Daniel. "Philly-area Colleges Turn Up in Large Sexual Harassment Survey," *Philly Voice*, January 12, 2018. <https://www.phillyvoice.com/philly-area-colleges-turnup-large-sexual-harassment-survey/> Accessed April 16, 2019.

- Crenshaw, Kimberlé. "Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color," *Stanford Law Review* 43, no. 6 (1991).
- DeLuca, Kevin Michael. *Image politics: The new rhetoric of environmental activism*. Routledge, 2012.
- Demo, Anne Teresa. "The Guerrilla Girls' comic politics of subversion." *Women's Studies in Communication* 23, no. 2 (2000): 133-156.
- Donegan, Moira. "I started the Media Men List. My name is Moira Donegan." *The Cut*. www.thecut.com/2018/01/moira-donegan-i-started-the-media-men-list.html
- Dow, Bonnie. "Ellen, television, and the politics of gay and lesbian visibility." *Critical Studies in Media Communication* 18, no. 2 (2001): 123-140.
- Fischer, Molly. "Maybe Men Will Be Scared for a While. But Maybe to Fear Women is to Begin Seeing Them as People." *The Cut*. January 17, 2018. www.thecut.com/2018/01/maybe-men-will-be-scared-for-a-while.html Accessed February 20, 2019.
- Flores, Lisa A. "Creating discursive space through a rhetoric of difference: Chicana feminists craft a homeland." *Quarterly Journal of Speech* 82, no. 2 (1996): 142-156.
- Forge Forward. Ending Trans Domestic Violence Murders. *Forge Forward*. <http://forge-forward.org/wp-content/docs/2015-03-Ending-Trans-Domestic-Violence-Murders.pdf>
- Foss, Karen A., and Sonja K. Foss. *Women speak: The eloquence of women's lives*. Waveland, 1991.
- Foucault, Michel. "The history of sexuality: An introduction, volume I." *Trans. Robert Hurley*. New York: Vintage (1990).
- Fraser, Nancy. "Rethinking the public sphere: A contribution to the critique of actually existing democracy." *Social text* 25/26 (1990): 56-80.
- Friedman, Anne, tweet. 5 October 2017. <https://twitter.com/annfriedman/status/916010062673469440>
- Gardner, Emily. "Gender Politics: The Focus on Women in the Memory Debates," *Journal of Child Sexual Abuse*, 2000, vol. 9 issue 1, 91-106, especially 96.
- Garza, Lisa Maria. "Transgender 'bathroom buddy' photo with Texas governor stirs tempest." *Reuters*, 19 July 2017. <https://www.reuters.com/article/us-texas-lgbt-governor-idUSKBN1A41P8>
- Gayatri Gopinath. *Impossible desires: Queer diasporas and South Asian public cultures* (Durham: Duke University Press, 2005).
- Gayatri Spivak, "Translator's Preface and Afterword to Mahesweta Devi, *Imaginary Maps*," in *The Spivak Reader*, eds. Donna Landry and Gerald MacLean (New York: Routledge, 1996).

Glenn, Cheryl, *Unspoken: A Rhetoric of Silence* (Carbondale: Southern Illinois University Press, 2004).

Godfrey, Chris. "Transgender Men and Women Discuss the Politics of 'Passing,'" *Vice*, March 25, 2015, https://www.vice.com/en_us/article/wd7enm/passing-when-youre-transgender.

Gossett, Reina, Eric A. Stanley, and Johanna Burton. *Trap door: Trans cultural production and the politics of visibility*. New Museum, 2017.

Green, Erica L., Benner, Katie, & Pear, Robert. "Trump Administration eyes defining transgender out of existence." *The New York Times*. 21 October 2018. <https://www.nytimes.com/2018/10/21/us/politics/transgender-trump-administration-sex-definition.html>

Grindstaff, Davin Allen. *Rhetorical secrets: Mapping gay identity and queer resistance in contemporary America*. University of Alabama Press, 2014.

Haiman, Frank. "The Rhetoric of the Streets: Some Legal and Ethical Considerations." *Quarterly Journal of Speech* 53 (1967): 99-114. 105.

Halberstam, J. *Female Masculinity*, Durham, N.C.: Duke University Press, 1998.

Harrison, Steve, "HB2, bathroom safety emerges as NC campaign issue. What are the facts?" *The Charlotte Observer*, 28 October 2016. <https://www.charlotteobserver.com/news/politics-government/article111146872.html>

Hawkins, Derek. "'I don't care, she dying': Comedian Lil Duval says he would kill a sexual partner if he learned she was a transgender woman." *The Washington Post*, 31 July, 2017. https://www.washingtonpost.com/news/morning-mix/wp/2017/07/31/i-dont-care-she-dying-comedian-lil-duval-says-he-would-kill-a-sexual-partner-if-he-learned-she-was-transgender/?utm_term=.b9953e053aef

Herman, Jody L., "Gendered Restrooms and Minority Stress: The Public Regulation of Gender and its Impact on Transgender People's Lives," *Journal of Public Management & Social policy*, vol. 19 no. 1, June 2013

Huebert, Ronald. "Privacy: the early social history of a word." *The Sewanee Review* 105.1 (1997): 31.

Huebert, Ronald. "The Gendering of Privacy." *The Seventeenth Century* 16.1 (2001): 37-67.

Human Rights Campaign, <https://www.hrc.org/resources/violence-against-the-transgender-community-in-2018>

Human Rights Campaign. "Violence against the transgender community in 2018." *Human Rights Campaign*. <https://www.hrc.org/resources/violence-against-the-transgender-community-in-2018>

Hundley, Heather L. & J.S. Rodriguez, "Transactivism and Postmodernity: An Agonistic Analysis of Transliteration," *Communication Quarterly* 57 no. 1 (2009): 35-50.

Jay, Skyler. Interview with BJ Kaspar. "Skyler Jay reveals his true feelings on *Queer Eye*'s trans makeover episode." *Them*, 6 July 2018. <https://www.them.us/story/skyler-jay-reveals-his-true-feelings-on-queer-eyes-trans-makeover-episode>

Johnston, Jeff. "The Real Story Behind North Carolina's HB2," *Focus on the Family*, 2016, <https://www.focusonthefamily.com/socialissues/religious-freedom/north-carolina-hb2-and-religious-freedom/the-real-story-behind-north-carolinas-hb2>

Kantor, Jodi & Megan Twohey. "Harvey Weinstein Paid Off Sexual Harassment Accusers for Decades." *The New York Times*, 5 October 2017, www.nytimes.com/2017/10/05/us/harvey-weinstein-harassment-allegations.html. Accessed 20 February 2019.

Keck, Aaron. "Think You Can Enforce House Bill 2? Take This Easy Quiz!" *Chapelboro*, March 24, 2016. <https://chapelboro.com/featured/think-youve-got-what-it-takes-to-enforce-house-bill-2-take-this-easy-quiz>. Accessed April 17, 2019.

Kralik, Joellen. "'Bathroom Bill' legislative tracking" *National Conference of State Legislatures*. 28 July 2017. <http://www.ncsl.org/research/education/-bathroom-bill-legislative-tracking635951130.aspx>

Larson, Stephanie R. "'Everything inside me was silenced': (Re) defining rape through visceral counterpublicity." *Quarterly Journal of Speech* 104, no. 2 (2018): 123-144.

Love, Heather, "Truth and Consequences: On Paranoid Reading and Reparative Reading," *Criticism* 52, no. 2 (2010).

Lucas, Stephen E., "Coming to terms with movement studies," *Central States Journal*, 31.4 (1980).

McGee, Michael C., "'Social movement': Phenomenon or meaning" *Central States Speech Journal* 31.4 (1980).

McKerrow, Raymie E. "Research in Rhetoric: A Glance at our Recent Past, present, and potential future," *The Review Of Communication* 10 no. 3 (2010): 197-210.

McLean, Kirsten. "Hiding in the Closet?: Bisexuals, Coming Out and the Disclosure Imperative," *Journal of Sociology* 43 no. 2 (2007): 151.

Medeiros, Zoë. "Why I Stopped." *Not that Bad: Dispatches from Rape Culture*, edited by Roxane Gay, Harper Perennial, 2018.

Michaels, Samantha. "We Asked Cops How They Plan to Enforce North Carolina's Bathroom Law," *Mother Jones*, April 7, 2016, <https://www.motherjones.com/politics/2016/04/north-carolina-lgbt-bathrooms-hb2-enforcement/>. Accessed April 17, 2019.

Mitchell, Galen. "On Disclosure." *TransSubstantiation*, 19 October 2017. <https://transsubstantiation.com/on-disclosure-95c1f8290603>

Mock, Janet. "Dear men of 'The Breakfast Club': Trans women aren't a prop, ploy, or sexual predators. Allure, 31 July 2017. <https://www.allure.com/story/janet-mock-response-the-breakfast-club-trans-women>

Mock, Janet. "Dear Men of 'The Breakfast Club': Trans women aren't a Prop, Ploy, or

Monahan, J., College, Y., Prescott, A., & Polk, S. "The Effect of Cultural Bias on the Investigation and Prosecution of Sexual Assault," International Association of Chiefs of Police, <http://www.policechiefmagazine.org/the-effect-of-cultural-bias-on-the-investigation/>. Accessed April 12, 2019.

Moore, Tim, as cited by Kopan, Tal & Scott, Eugene in "North Carolina governor signs controversial transgender bill." *CNN*, 24 March 2016. <https://www.cnn.com/2016/03/23/politics/north-carolina-gender-bathrooms-bill/>

Morris III, Charles E. "Pink herring & the fourth persona: J. Edgar Hoover's sex crime panic." *Quarterly Journal of Speech* 88, no. 2 (2002): 228.

Morris, Charles E., and John M. Sloop. "'What lips these Lips have kissed': Refiguring the politics of queer public kissing." *Communication and Critical/Cultural Studies* 3.1 (2006): 1-26.

Nichols, James Michael. "Trans woman asks: 'You really want me in the same bathroom as your husband?'" *Huffington Post*, 5 November 2015. https://www.huffingtonpost.com/entry/this-trans-woman-asks-you-really-want-me-in-the-same-bathroom-as-your-husband_us_563b997fe4b0411d3070003a

Nunley, Vorris L. *Keepin' it Hushed: The Barbershop and African American Hush Harbor Rhetoric* (Detroit: Wayne State University Press, 2011).

Osorio, Ruth. "Embodying Truth: Sylvia Rivera's Delivery of Parrhesia at the 1973 Christopher Street Liberation Day Rally." *Rhetoric Review* 36, no. 2 (2017): 151-163.

Peiser, Jaelyn. "'Media Men' List Creator Outs Herself, Fearing She Would Be Named." *The New York Times*. 10 January 2018. www.nytimes.com/2018/01/10/business/media/a-feminist-twitter-campaign-targets-harpers-magazine-and-katie-roiphe.html. Accessed 20 February 2019.

Penny, Laurie. "'Me Too' Just Gave Society a Conscience." *Time*. 18 October 2017. www.time.com/4987390/me-too-shows-pervasive-sexual-abuse/ Accessed 20 February 2019.

Pfeffer, Carla A. "Stealth (Transgender Passing)." In *The SAGE Encyclopedia of LGBTQ Studies*, edited by Abbie E. Goldberg, 1129. Thousand Oaks, CA: SAGE Publications, Inc., 2016. doi: 10.4135/9781483371283.n397.)

Porter, Nicole Buonocore. "Ending Harassment by Starting with Retaliation," *Stanford Law Review Online* 71 (June 2018): 49-61.

Pritchard, Eric Darnell. "'This is Not an Empty-Headed Man in a Dress': Literacy Misused, Reread and Rewritten in Soulopoliz." *Southern Communication Journal* 74, no. 3 (2009): 278-299.

Przybyla, Heidi M. "'Weinstein Effect' is Boosting Inquiries About Workplace Harassment." USA Today, 14 November 2017. www.usatoday.com/story/news/politics/2017/11/14/u-s-government-may-see-weinstein-effect-boosting-reports-workplace-harassment/862613001/ Accessed 20 February 2019.

Rand, Erin J. *Reclaiming queer: Activist and academic rhetorics of resistance*. University of Alabama Press, 2014.

Rand, Erin. *Reclaiming Queer: Activist and Academic Rhetorics of Resistance* (Tuscaloosa, University of Alabama Press, 2014).

Richards, Jen, "We Had Sex, But I Never Told Him I'm Trans," *New Now Next*, August 4, 2017, <http://www.newnownext.com/we-had-sex-but-i-never-told-him-im-trans/08/2017/>.

Richards, Jen. "We had sex, but I never told him I was trans." *New Now Next*, 4 August 2017. <http://www.newnownext.com/we-had-sex-but-i-never-told-him-im-trans/08/2017/>

Sainty, Lane. "Trans people are protesting discriminatory bathroom laws on social media." *Buzzfeed*, 12 March 2015. https://www.buzzfeed.com/lanesainty/trans-people-are-protesting-discriminatory-bathroom-laws?utm_term=.vfQn5GbMj#.pv2lMOAdw

Sanders, Joel, and Stryker, Susan. "Stalled: Gender-Neutral Public Bathrooms," *South Atlantic Quarterly* vo. 115 no. 4 (2016): 779-788.

Schulz, Vicki, "Open Statement on Sexual Harassment from Employment Discrimination Law Scholars," *Stanford Law Review Online* 71 (June 2018): 17-48.

Scott, Robert L. and Donald K. Smith. "The Rhetoric of Confrontation." *Quarterly Journal of Speech* 55.1 (1969): 1-8.

Sedgwick Kosofsky, Eve. "Epistemology of the Closet." *Berkeley: The University of California Publishers* (1990).

Seif, Hinda. "'Coming out of the shadows' and 'undocuqueer': Undocumented immigrants transforming sexuality discourse and activism." *Journal of Language and Sexuality* 3.1 (2014): 87-120.

Short, Brant. "Earth First! and the Rhetoric of Moral Confrontation." *Communication Studies* 42.2 (1991): 172-188.

Signorile, Michelangelo. *Queer in America: Sex, the media, and the closets of power*. Univ of Wisconsin Press, 2003.

Solis, Marie. "Is It Finally Time to Take the 'Shitty Media Men' List Seriously?" *Newsweek*. 28 December 2017. <https://www.newsweek.com/it-finally-time-take-shitty-media-men-list-seriously-762260> Accessed 20 February 2019.

Sonja K. Foss, Sonja K. & Griffin, Cindy L., "Beyond persuasion: A proposal for an invitational rhetoric," *Communications Monographs* 62, no. 1 (1995): 2-18.

Spencer, Leland G. "Coming Out, Bringing Out: God's Love, Transgender Identity, and Difference," in *Transgender Communication Studies*, eds. Leland G. Spencer & Jamie C. Capuzza (Lanham: Lexington Books, 2015), 182-192.

Spencer, Ruth. "Stephen Elliot Sues Moira Donegan, Creator of Shitty Media Men List." *The Cut*. 11 October 2018. www.thecut.com/2018/10/stephen-elliott-sues-moira-donegan.html. Accessed 20 February 2019.

Sprigg, Peter, "'Gender Identity' Protections ('Bathroom Bills')." *Family Research Council*, July 2010.

Steinmetz, Katy. "The transgender tipping point." *Time*, 29 May 2014. <http://time.com/135480/transgender-tipping-point/>

Tamayo, Adelaida. "I Didn't Report Being Sexually Assaulted. Here's Why: US Student Rape Victims Still Need Title IX," *Human Rights Watch*, December 14, 2017, <https://www.hrw.org/news/2017/12/14/i-didnt-report-being-sexually-assaulted-heres-why>.

Traister, Rebecca. *Good and Mad: The Revolutionary Power of Women's Anger*. New York, Simon & Schuster, 2018, pp. 136-141.

Vox, "Robert 'R.' Kelly is one of the 263 Celebrities, Politicians, CEOs, and Others Who Have Been Accused of Sexual Misconduct Since April 2017." updated 9 January 2019. www.vox.com/a/sexual-harassment-assault-allegations-list/robert-r-kelly. Accessed 20 February 2019.

Wakabayashi, Daisuke & Benner, Katie. "How Google Protected Andy Rubin, the 'Father of Android,'" *The New York Times*, October 25, 2018. <https://www.nytimes.com/2018/10/25/technology/google-sexual-harassment-andy-rubin.html?action=click&module=inline&pgtype=Homepage> Accessed April 12, 2019.

Warner, Michael. "Publics and counterpublics." *Public culture* 14, no. 1 (2002): 49-90.

West, Isaac. *Transforming Citizenships: Transgender Articulations of the Law*. New York: New York University Press, 2013.

Willingham, AJ and Christina Maxouris. "#WhyIDidntReport: These Tweets Show Why People Don't Report Sexual Assaults" *CNN*, updated September 21, 2018. <https://www.cnn.com/2018/09/21/health/why-i-didnt-report-tweets-trnd/index.html>. Accessed February 19, 2019.

Wortham, Jenna. "We Were Left Out." *The New York Times Magazine*. 13 December 2017. www.nytimes.com/interactive/2017/12/13/magazine/the-reckoning-women-and-power-in-the-workplace.html Accessed 20 February 2019.

Yancy, George. *Black bodies, white gazes: The continuing significance of race in America* (Lanham, Maryland: Rowman & Littlefield, 2016).

Yergeau, Melanie. *Authoring Autism: On Rhetoric and Neurological Queerness*. Duke University Press, 2017. 32, 140.

Zimman, Lal. "'The Other Kind of Coming Out': Transgender People and the Coming Out Narrative Genre," *Gender & Language* 3 no. 1 (2009).

Zipursky, Alisa. "Me Too" and why I don't feel optimistic right now. *Healing Honestly*. 21 October 2017. <http://healinghonestly.com/pop-culture/me-too-and-why-i-don%E2%80%99t-feel-optimistic>