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## Private, the Public, and the Published

Barbara Couture, Thomas Kent

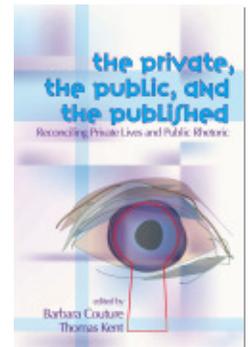
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### AIN'T NOBODY'S BUSINESS?

#### *A Public Personal History of Privacy after Baird v. Eisenstadt*

Nancy Welch

*For women the measure of intimacy has been the measure of oppression.*

Catherine A. MacKinnon

*Toward a Feminist Theory of the State*

*One can agree that privacy is not enough without concluding that the choice of privacy arguments in the Roe context was a setback for women.*

Ruth Garrison

“Feminism and the Public/Private Distinction”

*What is needed . . . is not the abandonment of rights language for all purposes, but an attempt to become multilingual in the semantics of evaluating rights.*

Patricia J. Williams

*The Alchemy of Race and Rights*

#### TAKE ONE: THE PRIVACY GENERATION

Some years ago my mother told me the story of how, when she was twenty years old and the mother of two, she drummed up the courage to ask the family doctor about something called “birth control.” “Oh, no,” the doctor replied, “Not until you have six children at least.”

“So you were born ten months later, and your brother, fourteen months after that.”

“And then?” I asked.

“And then your father learned the word *vasectomy*.”

At the time my mother told this tale, I was twenty years old, working in Boston, and had just gotten myself down to the Bill Baird Clinic on Boylston Street to be fitted for a diaphragm. I didn't tell her about my visit to Bill Baird; there seemed little to tell. Between her story of a humiliating exchange and my entirely unremarkable after-work appointment lay the Supreme Court decisions of *Griswold v. Connecticut* (1965) and *Baird v. Eisenstadt* (1972). Like *Roe v. Wade*, soon to follow, these landmark decisions, which liberalized access to birth control information and devices, extended the protections of privacy to (some) sexual practices and decisions. The 125-year-old Massachusetts law that would have shut down the Boylston Street clinic just ten years before in the name of protecting future generations' "virility" and "virtue" had been overturned. When I made my appointment, words like *purity* and *chastity* were as far from my mind as my ninth-grade, Cliff Notes–assisted reading of *The Scarlet Letter*. (On my mind instead: would I have the money for the \$35 appointment, the diaphragm, and a tube of spermicidal jelly, given that my secretary's paycheck was \$230 a week *before* taxes?) I didn't have to tell my mother about my appointment or why I needed a diaphragm because I understood such matters to be *private*.

Out of this story—or out of this assertion that, thanks to Bill Baird and the Supreme Court, I, unlike my mother, have no story to tell—I might conclude that I was born into the first generation of women to experience the lucky boon of privacy. I might celebrate the good fortune of being granted the "right to be let alone" (Warren and Brandeis) without even having to have argued for it. There would be obvious weaknesses in such a conclusion: the Supreme Court's refusal to extend privacy protection to lesbians and gays (*Bowers v. Hardwick*, 1986); the use of the privacy argument to rule against state funding for medically required abortions (*Harris v. McRae*, 1980); the erosion of geographic and economic, as well as legal, access to birth control and safe abortions through thirty years of legislative and extralegislatve activity including presidential gag orders, parental notification and consent statutes, waiting periods, and the shutting down of clinics. I could note these weaknesses—and the ways in which privacy rights have not been uniformly extended to poor women, people of color, immigrants with and without green cards, anyone receiving public assistance—and maybe, noting these limits, I might argue that women of my generation and beyond need to come together for renewed arguments, renewed activism.

There's a catch here, though, a problem with the idea that "women like me"—white, heterosexual, and, back when I was twenty, urban and a part of the pink-collar workforce—can agitate to extend privacy rights to others. How does one argue—publicly—for that which has been defined as private, outside rhetoric's realm? The Supreme Court rulings on reproduction between 1965 and 1979 did not, after all, expand women's *spheres of liberty* but instead marked new *zones of privacy*. These rulings weren't aimed at granting women *freedom to* do as they wished but instead (some amount of) *freedom from* public interference and also, by implication, from public debate. Of course, I've felt pressed many, many times to join phone banks, stuff envelopes, lift banners, raise my voice. But that's just it: I've felt pressed to defend that which I've been raised to believe should need no defense. As a member of the privacy generation, I've been raised to regard sex, birth control, and abortion rights (for starters) as self-regarding, not other-regarding (to adopt John Stuart Mill's classic distinction from *On Liberty*)—nobody's business but my own.

Indeed, I had no idea, until my mother told me her story, that the right to birth control—no, the right to privacy regarding birth control decisions—had such a recent history, more recent than, say, the nineteenth century.

### **Do We Have (Too Much) Privacy?**

The common wisdom is that in this hypercommunicative age, the boundaries between private and public are giving way, our sense of privacy and rights to privacy eroding. "There is less privacy than there used to be," write Ellen Alderman and Caroline Kennedy at the start of their critique of contemporary publicity (xiv). If I bracket the question of who has less privacy than before—who, historically, has been granted and who denied privacy and according to what racial, gendered, and classed markers—I can see plenty of evidence for this claim. At this moment, I look up from typing to see the U.S. attorney general argue on TV for increased wiretapping powers. I check my neighborhood Listserv and find a posting, subject heading "Homeland Security," that offers tips for exercising surveillance on our street. I check the rest of my e-mail and find half a dozen action alerts: an antiwar activist interrogated by the FBI for her involvement in the (Nobel Peace Prize-nominated) Women in Black, a library worker suspended for using her university e-mail account to compose a message critical of U.S. foreign policy, a Green

Party member prevented from flying from Bangor to Chicago because she showed up on a computerized list as a security risk. Confronting these encroachments upon the individual freedoms of private citizens in the name of public interest, I can agree: there's not as much privacy as there used to be.

Yet even though I can see stark examples of privacy under siege, I want to disturb the common wisdom long enough to reveal an opposite and at least equally pressing problem that we—particularly as teachers of writing and rhetoric within a would-be democratic society—need to address: we don't live in a world of too little privacy but, increasingly, too much.

Consider:

1. At the same time people lament a loss of privacy, millions of Americans live in 5,000-plus square-foot homes in gated communities and incorporated cities (such as Disney's Celebration, Florida) where not only public spaces are privatized (and policed) but the social responsibilities of citizenship and government are turned over to private enterprise (see Blakely and Snyder).
2. This privatizing trend affects virtually all areas of public life—schools, prisons, hospitals, policing, trash collection, transportation services, and, in the news most recently, airport security—as local, state, and national governments “outsource” public services to private companies, transforming citizens into consumers (see Bunker and Davis; Giroux).
3. Since the 1980s companies have increasingly asserted a “corporate right to privacy” (Gilbert, Hare, and Ollanik) to justify a growing use of confidentiality agreements in the settlements of sexual harassment, workplace discrimination, and products liability lawsuits (Ramsey, Durrell, and Ahearn; Hans 70–111). Well known, for instance, is the 1985 California court settlement that sealed all evidence of the dangers of silicon breast implants and thus protected manufacturer Dow Corning from publicity while thousands more women were implanted with the potentially toxic device (see Gilbert, Hare, and Ollanik.).
4. The agents of neoliberalism such as the International Monetary Fund have made privatization a key condition for any country seeking economic aid. As third world countries have privatized airlines, telecommunications, and energy to meet IMF mandates, U.S. and European multinationals have stepped in to scoop up these prizes—converting a country's public resources and services into another nation's private property (see Green 51).

With these examples, it may appear that I'm conflating *privacy* and *privatization*. *Privacy* is a word we typically associate with *personal* and *domestic* realms, realms in which we may feel entitled to freedom from observation and interference. Though the entitlements of private life are certainly subject to periodic debate and dramatic revision—as birth control is renamed from moral menace to private choice and as domestic abuse made the opposite shift from personal prerogative to public crime—we most often think of private life as “self-regarding,” that is, outside the public interest. *Privatization*, in contrast, we associate with political economy and particularly as one piece of the larger trend of neoliberalism. It would seem to be distinct from our ideas of personal privacy first because neoliberal economic tenets are always presented as impersonal (that invisible hand of the market) and second because, feminism's critique of Victorian “separate spheres” notwithstanding, we're still so schooled to distinguish between the (self-regarding) realm of home and the (other-regarding) realms of market and government. Given these usual distinctions, it might seem, then, that I'm confusing the problem of growing economic privatization with the separate issue of personal privacy.

Yet that's precisely my point: the distinctions are confused, as anyone must surely feel driving by a gated community or, maybe more to the point, living in one. The rights of privacy, as I've found growing up after *Baird v. Eisenstadt*, do have some liberalizing potential. It's because of privacy rights that I could choose, as my mother could not, when to bear children or, in fact, whether to bear children. Yet these privacy rights, specifically, the right to *exclude* a woman's decisions about reproduction from public regulation and debate, have proved shaky, to the say the least. It has turned out that the right to privacy is not really the same thing as having full, publicly articulated and publicly defended reproductive rights and full, publicly assisted access to exercising these rights, since our rights and access currently are very much tied to our economic standing.

Moreover, privacy rights have also shown potential to collude with the aims of neoliberal privatization, which, after all, likewise seeks to exclude some or most (business/market) matters from public regulation and debate. In fact, when it comes to writing out definitions, as Nancy Fraser points out, domestic and economic privacies wind up sounding much the same. “The rhetoric of domestic privacy,” Fraser writes, “seeks to exclude some issues and interests from public debate by

personalizing and/or familializing them.” Similarly, the “rhetoric of economic privacy . . . seeks to exclude some issues and interests from public debate by economizing them” (*Justice Interruptus* 88). The means—familializing, economizing—may be different, but the ends—excluding a set of interests and issues from public debate—are the same.

Hence, as Fraser has argued elsewhere, if we want to get a critical purchase on this idea of privacy, we might need a shift in terms from “private” experience to “privatized” experience (*Unruly Practices* 135). That shift can remind us that experiences marked as “self-regarding” are not naturally and inevitably outside social jurisdiction but have been placed there, raising the questions of by whom, for whom, and with what interests and aims. By thinking in terms of active, historic privatization, not immutable privacy, we can examine how issues become privatized and thus removed from public debate.

We can also, I think, extend Fraser’s critique of domestic and economic privacies, with their shared aims of exclusion, by considering those uncanny moments when constructions of domestic privacy don’t just collude with economic privatization but become indistinguishable from it. These are moments in which our existence suddenly appears so thoroughly economized that what we find under siege isn’t privacy but publicity: our rights and access to a public self. Maybe I can dramatize this sort of threat through a recent example.

The public radio program *Marketplace Morning Report* aired a story on the minifinancial boom experienced by hearth-and-home stores in the aftermath of the Twin Towers and Pentagon attacks. Amid grim reports of falling stocks and rising joblessness, stores such as Williams-Sonoma reported robust sales. People want to “cocoon” at a time like this (the first day of the bombing of Afghanistan), one interviewee explained. They feel a psychological need to “nest.” The story’s reporter, Aaron Schacter, also went on to speculate that there may be more at work than individual psychology. Perhaps people (people, that is, with spending power) were shopping as an expression of their patriotism, answering the president’s call to boost the economy. (Perhaps, I would add, such shoppers had seen the October 15 cover of *Us* magazine—Laura Bush accompanied by the bold heading “Comforter in Chief”—and understood their own feminized roles to provide domestic comfort rather than direct or protest public policy.) Viewed from this angle, such shopping expresses people’s strong desires to *do something*—protecting the

“homeland” symbolically with duvet covers and cookie sheets. (After all, ordinary citizens hadn’t been invited to join politicians, policy makers, and the corporate media in shaping or debating the military attacks. We were sent off instead to silent candlelight vigils, then to malls.) So maybe such shopping isn’t about nesting, cocooning, or retreats into privacy at all. Maybe it signals the very opposite: an attempt (one that ought to give any rhetorician pause) at *something like* public voice, *something like* public action—an attempt not only channeled into consumerism but defined from the very start *as* consumerism.

A few minutes later, a news story aired on the latest threats to our privacy. I didn’t listen. I was too busy thinking about a different sort of threat: the threat to our publicity rights, to our sense of being public selves. When I tried to explain this issue to my husband, who is not a U.S. citizen, he shrugged. “There’s nothing new about Americans going shopping.”

On the one hand, I want to say there *is* something new about this blunt, unapologetic championing of consumerism as the only sanctioned form of civic participation, the only way to *do something* other than display a flag or give blood. (As I write, teach-in, rally, and debate are decidedly not among the currently sanctioned forums in which to *do something*.) I want to say there’s something breathtaking and terrifying about the dropping of all pretense: the measure of America isn’t democracy but capitalism, the measure of one’s citizenship isn’t one’s participation in public decision-making forums but one’s spending in the private retail sector. Breathtaking, terrifying, what’s dropped to dust in the aftermath of September 11.

On the other hand, if I can resist the current national chorus—the one declaring “Everything’s changed!”—long enough to reread my own history, I have to say my husband’s right: there is nothing new about privatization.

## TAKE TWO: THE PRIVATIZED GENERATION

Looking back, I see that my family associated privacy not only with matters of sexuality and reproduction but with just about every realm of daily experience: religion, politics, family economics, employment and joblessness. This reign of privacy probably had little to do with the Supreme Court and much more to do with my parents’ upbringing in lower-middle-class Yankee families where morality was measured by the ability to mind one’s tongue.

“Who did you vote for?” I asked my parents in 1972.

“Shush,” Mom replied. “That isn’t polite.”

“Are we at war?” I asked.

“No,” Mom said. “That has nothing to do with us.” Even Vietnam was none of our business.

To be fair, I have to recognize that my parents were also products of the McCarthy era—enough to make entire English departments stop talking about anything but beauty and form—as well as the cold-war dread of privacy rights violations that had produced *1984* and *The Naked Society* (see Hasian, especially 97–100). They were the first in each of their families to move away from the tiny corner of southeastern Massachusetts where Welches, Winslows, Gauntlets, and Shoveltons had subjected one another to daily scrutiny for more than two hundred years. Now my mother frets that giant grocery store chains like Kroger’s and Big Bear are tracking her purchases through her use of a membership card.

Even my father’s choice to be an on-the-road salesman—no shop floor or office cubicle for him—appears bound up in an idealization of individual privacy that’s so American: it’s a shock to realize that nowhere is the right to privacy constitutionally guaranteed. (Supreme Court decisions like *Roe v. Wade* were argued through the constitutional guarantee of due process, with privacy understood to be an implied or a priori right enabling that guarantee.) When twice in six months, by two different companies in two different states, my father was laid off, we experienced the other side of privacy, the side not associated with freedom and mobility but (as my mother had experienced in the doctor’s office years before) humiliation and shame. *Laid off* is how the companies put it. *Canned*, my father always said, though whether to emphasize his sense of personal disgrace or to expose what lay beneath corporate euphemism, I don’t know, because really this event wasn’t a matter for family discussion. Twice in one year my father came home, handed my mother a letter, and announced, “I’ve been canned.” Twice we children were sent outside to play, then called back in, nothing more said about the matter until the day came to pack and move. We’d have brought up sex at our dinner table, I think, sooner than the word *unemployment*.

In later years—having witnessed the journey of my sister’s family from Lincoln to Rochester to Lafayette to Columbus in a search for full-time, not contract, employment; having listened to my university president announce a faculty downsizing program, then counsel us to learn to live

with “anxiety”; having witnessed with my in-laws in France what Pierre Bourdieu later called a “social miracle”—legions of unemployed French workers organizing to protest for increased benefits, the vast majority of the country, feeling the insecurity of their own jobs, supporting their aims—I would understand, finally, that these are not private, self-regarding matters. *Neoliberalism. Globalization. Underemployment.* If the extension of privacy rights to (some) women appears to mark a radical break between my mother’s experience and mine, the trend of *privatization* binds us all back together.

*Privatization.* It’s a word I think of not only in relation to the dominant economic paradigm since Reagan but also in relation to my own increasingly constricted and privatized world between 1978, when my vocational high school began sending me to work in lieu of classes, and 1986, when an unusual and lucky combination of public funding and prominent, public-space advertising brought me to the University of Massachusetts at Boston. By saying that I lived in an increasingly constricted and privatized world until I started college, I’m not invoking the usual tale of liberal education. According to the usual tale, the university transforms the asocial or self-centered individual into a public, civic-minded citizen. What I experienced was very different. My education didn’t take me from private to public but instead offered glimpses into—a critical purchase on—the ways in which I was already socialized and, especially, socialized to regard virtually everything in my world as strictly personal (and so not discussible) or strictly impersonal (and so not discussible either). For example, in 1982 when I left my \$230-a-week secretarial job for one that paid \$265, I handed my boss a neatly typed letter of resignation. (Write a letter, the employment agency I’d visited on my lunch hour had counseled. Keep it vague. Say you’re resigning for “personal reasons” and refuse, on the grounds of privacy, to reveal any more.)

“You can’t do this,” my boss protested. “We paid a lot of money for you.” She was referring to the \$230 fee they’d paid to the same employment agency for bringing me to them three months before.

“You have to give a reason,” she said. “Otherwise . . .” She looked me up and down, her eyes coming to rest on my midsection. “Otherwise, we have to assume the worst about you.”

When still I refused to explain, she concluded, “You can’t give notice. Clearly we can no longer trust you. You’re fired.”

“Whatever you think is best,” I said, and then—this is how I would remember that moment in years to come, a denouement created more from my reading of Carson McCuller’s “Wunderkind” than from actual fact—I took the elevator down forty-seven floors, spun out into the noontime world of fresh air and light.

I’ve told this story many times over the past twenty years, adding that this boss used to follow me into the ladies’ room and dictate telexes through the closed stall door—so much for privacy. It’s one of a dozen or so back-when-I-was-a-secretary tales I cart about like battle honors. In each telling, I stress how this woman regarded me as she might a cow she’d purchased and now had doubts about, how I’d smiled right back and then broke away—*free! independent! a wily deal maker able to get herself \$35 more a week!* I hope the paucity of that pay increase and the ridiculousness, or pathos, of that wily deal-maker image of myself is apparent. Consider that Tom Wolfe at this very moment must have been gathering material among Wall Street’s billionaire bond barons for his *Bonfire of the Vanities*. Now picture me on the sidewalk outside Boston’s Hancock Tower, rifling through my empty briefcase—leather, Aigner, a Katharine Gibbs graduation gift from my Aunt Joan—and panicking because I couldn’t find my monthly T pass. That subway pass cost \$22, the first two weeks of my raise, after taxes, already eaten up.

What I always leave out when I tell this tale is the perplexing question of just why I heeded in the first place the employment agency’s advice: Be vague, don’t mention the new job, let her think you’re knocked up if she wants to. (Of course, I understand why the employment agency gave me this counsel: they wanted to continue business with this company, wanted me to invoke personal privacy as a cover for them.) Why not say, “I’ve found a new job that pays more, and you ought to be paying more, too”? Why not go back out into the secretarial pool and—instead of silently picking up my briefcase and sneakers—shout, “Everyone! Listen! There’s more money out there! Not much, but it’s a start, and if we just band together . . .”?

The answers to these “Why not?” questions are pretty obvious: my family history joined to New Right Reaganism where employment is a personal matter of self-created success or self-inflicted failure. (For an examination of the Reagan-era semantics transforming social issues into “lifestyle” choices, see Howell and Ingham.) As for shouting out loud, calling on others to rally around: the very thought of this possibility

would have overwhelmed me with embarrassment (a feeling I finally had to confront and fight head-on when I took a public role last year in my university's faculty union drive). Though I'd found the final scenes of *Norma Rae* thrilling, the movie *9 to 5* deeply satisfying, the idea of actually joining NOW or the Boston chapter of *9 to 5* ran entirely counter to my Mary Tyler Moore idea of making it through by being plucky, pert, and indispensable. Feminism? I had my diaphragm, needed nothing else.

My new boss was the treasurer for what would turn out to be a successful U.S. Senate campaign. He enjoyed hitching his thigh up on my desk, lighting a cigar (since I smoked at my desk, I didn't regard this as rude, just characteristic), then telling me how politics really work: "You pay them; they do what you want."

"So what about me?" I asked. It was an honest question, not cynical or sarcastic. I really wanted to know, really hoped he'd tell me. Somewhere out there was the public world, and despite my keen discomfort at the thought of joining anything (what if I accidentally joined the wrong group, like the Hari Krishnas I saw every weekend in front of the Harvard Co-op?), I wanted desperately to find that world, "a world just a little inaccessible," as Susan Wells writes, "like live theater or downtown department stores" ("Rogue Cops" 326). It's the usual story: I wanted to *do something, be someone, belong somewhere*. I felt this desire especially when the handsome man who would become Massachusetts' next senator came in—sailed in, really, never pausing at my desk, never knocking at my boss's closed door, entirely free from the usual business-office rules of entry. Sometimes while I typed my boss's fund-raising letters, I tried to imagine myself as a political candidate and then, failing that, I entertained fantasies that I would become someone by becoming a writer.

"So what about me?" I asked my boss. "What can I do?"

"Ha," he said. "That's funny."

It was about this time that I bought myself a journal. I still have it, one of those cardboard-cover composition books, and it contains a single entry: "I know I want to write but what?"

### Rhetorical Questions

For as long as I've been in the fields of composition and women's studies, the questions of what we and our students should write and how we should write have been framed in terms of "personal vs. public." Recently, for instance, Deborah Brandt and Anne Herrington have

argued for composition researchers to distinguish between personal lives and public interest. It's not the person writing or being written about who matters, Brandt argues: "What matters are the ideas or knowledge that research yields for public use" (42) and is in the "public interest" (44). To this argument for research that serves the public interest, Herrington adds: "We should make the choice as to what of our personal lives we feel should be made public on the basis of our own sense of professional and political purposes" (48).

It's tough to argue against the good of writing in the public interest. But in my teaching and writing that's exactly what I've tried to do. Or, more accurately, what I've tried to do is make the classifications of public, private, personal, and social *arguable*. The terms public and private, as Fraser underscores, aren't "straight-forward designations of societal spheres" but are "rhetorical labels and cultural classifications," labels and classifications that function "to delegitimize some interests, views, and topics, and to valorize others" (*Justice Interruptus* 88). What counts as public interest? Whose interests are protected under the banner of privacy? What has gone into creating our guiding sense of what to include, what to exclude? These are crucial rhetorical questions for any class to take up.

In recent years, as I've sought to place these questions at the center of my teaching, I've also shifted from talking with students about the "politics of the personal" to the "politics of privacy." That word *privacy* carries with it a history that the term *personal* simply does not. Bound up with *privacy* are stories of benefit and protection and simultaneously stories of exclusion and denial, including countless examples of how privacy rights have been used to justify the power of a husband over a wife, a master over a slave, a boss over a worker, and North American interests over Latin American. Though in the end, I can't join with Catherine MacKinnon in arguing that we should abolish the very idea of privacy, for I've benefited too much from the strategic if incomplete privacy arguments advanced through *Baird v. Eisenstadt* and *Roe v. Wade*. However, analyses such as MacKinnon's, my own uneasy history, and the many stories my students bring to class keep me mindful of what the measure of privacy has too often been. I want that tension between privacy as boon and privacy as bane in my classroom and in my scholarship.

For my classes, then, I look for texts offering prime examples of how voices and views get "worked up" as strictly private. (This idea of looking at how things get "worked up" into institutional categories comes from

feminist sociologist Dorothy Smith. Her book *The Everyday World as Problematic: A Feminist Sociology* provided me with the inspiration to approach this chapter as I did: using my history as what Smith calls a “*point d’apui*” for grasping the cultural construction and social regulation of privacy.) I look, too, for examples of what Fraser calls “discursive contestation” (*Justice Interruptus* 86) over the highly political questions of who gets to draw the public/private boundary. Other texts that not only show the persistent problems of public/private boundaries as experienced in specific contexts but also how individuals and groups labor in language to contest these categories include Patricia Williams’s critique of the privatization of racial segregation (in *The Alchemy of Race and Rights*), Fraser’s examination of challenges to the liberal model of the public sphere in the Clarence Thomas confirmation hearing (in *Justice Interruptus*), and Jacqueline Jones Royster’s detailed historical account of African American women’s work to create democratic counterpublics in which they could be heard (in *Traces of a Stream*).

With and through published examples, I also want my students to have the means to examine and contest what’s been worked up as merely self-regarding or entirely other-regarding in their own histories. These are, after all, writing classes I teach, and I know from that single journal entry I wrote in the 1980s—“I want to write but what?”—that a precondition of writing is the belief that one’s experiences, perceptions, and spheres of participation are discussible. Fulfilling that condition takes an act of double consciousness that I’ve tried to dramatize in my approach to this chapter and that I try to foreground in my teaching, particularly through revision exercises aimed at filling up margins and backs of pages with both contextual detail and analytic speculation. One exercise, “Reseeing the Argument,” for instance, asks a writer to look again at a draft, no matter what the genre and no matter how seemingly “personal” the approach, and to draw out in the margins the arguments this early draft may be advancing or implying. The point of such an exercise is not to move students from “private” to “public” or from “narrative” to “argument” but to dramatize, visibly in the margins, how experiences and genres we’ve been taught to regard as personal and private are very much bound up in what is social, public, and arguable. The exercise might lead a student to a revision that does indeed highlight the teased-out argument. It might also lead a student to delve all the more into the complexities of context.

Regardless of the final product that results, what I want my students to experience through such an exercise is a growing, heady, and also very possibly disorienting sense of how much social history and public debate is packed into a single rough-draft paragraph—even and especially a paragraph about a matter typically marked as merely personal. I want them to have a sense of how hard it is to write about such a subject, how necessary, too, to exercise real choices between the *freedom from* intrusion and the *freedom to* articulate. The exercise of such choices in writing isn't enough, obviously, to unseat the dominating logic of neoliberalism and halt the privatization of public services, public spaces, and public issues. Much more than classroom work is needed here. But it does mark one point of resistance, one way that teachers of writing can refuse to participate.

### TAKE THREE: BE VERY AFRAID. BUT STAND UP ANYWAY

When I started this essay, I had it in mind to argue that the much publicized threats to individual privacy in an Internet age distract us from the real and growing threats to our democratic publicity rights. That's an argument I've backed away from, though, because the more I unpack my rhetorical terms, the more I recognize that privacy and publicity exist as two sides of the same coin. For example, today among my e-mails is an ACLU action alert detailing the latest legislative proposal to defend national security through electronic surveillance, detainment without due process, and secret searches. (The U.S. Patriot Act has, of course, with overwhelming and dismaying congressional support, gone on to become law. One of Vermont's senators even snapped a photo of George Bush signing the act into law—a Kodak moment for his personal photo album, I suppose.) The U.S. Patriot Act has profound and damaging consequences for our rights of privacy. In a crucial twist, however, what this e-mail alert emphasizes are the devastating effects these invasions of personal privacy will have on democratic publicity: on people's ability and willingness to assemble, dissent, be noticed in any way. The alert ends with this ambivalent call to public action: "Be very afraid. But stand up anyway."

I read those lines, remember my mother saying, "Shush. That has nothing to do with us," and I realize that the lesson she imparted wasn't specific to her own post-McCarthy era but still operates, and must be resisted, in ours.