

Hannah Hofheinz  
**A Perfectly Queer Tactic**

\* \* \*

It was November 15th, 2011 and a journalist had just asked if I would be willing to be interviewed. I stood with my friend in the large crowd of gathered occupiers, united to march in solidarity with Occupy Wall Street post-eviction, and I replied no. “No, but I will find someone else willing,” I quickly qualified. The journalist wanted someone who was active with (at least) Occupy Harvard and Occupy Boston. I scanned the crowd, but it was too dense to see. I needed to walk, and I did not want to lose my friend. Turning to her, I asked, “hold hands with me?”

Just at that moment, a black body brushed past. Ski mask, sweatshirt, pants, shoes, his movements suggested youth. A hypothesis quickly confirmed by the pitch of his laugh. “Hold my hand?” he mocked with the acid of teen sarcasm. Our eyes met. Was there a flicker of desire? I said, “Yes, please. Do you want to hold hands?” With no delay, he extended his arm; he uncoiled his fist; we touched. Yes. My eyes smiled, my lips did not, and he remained shrouded. The three of us - me, my theologian friend, and this young black bloc anarchist - snaked our way through the crowd holding hands. For those very few minutes, we were intimately joined together; we were the crowd.

\* \* \*

There was a strange interchange [reported](#) by the American Civil Liberties Union a couple months ago. This past December, the Boston Police Department filed an administrative subpoena for identifying information connected with the Twitter account @p0isAn0N. What catalyzed police attention of @p0isAn0N’s account was simply and only “the compiling of publicly available information from the internet, something anyone could have done, which is not illegal and does not constitute a threat.” Twitter, following its stated policies, informed the user, who sought to challenge the constitutionality of the subpoena in court. The following interchange occurred during the second hearing while the court was considering whether or not it would allow the challenge. The topic at hand was anonymity, the importance of first amendment protected anonymous speech for democracy, and the practicalities of performing anonymous speech in the 21st century. As reported, the conversation went something like this:

@p0isAn0N’s attorney, Laura Rótolo, argued that online anonymous speech is essential in the 21st century. We need to be able to criticize the government anonymously. Indeed, anonymity is vital to the very possibility of free political speech.

The District Attorney responded that there are no first amendment grounds for a subpoena challenge because it is not what @p0isAn0N said, but *who s/he is* that the government is after. An administrative subpoena is a legal and intentionally opaque investigative tool that is above reproach or challenge.

But, Rótolo argued, for the state to unmask someone the state must prove that it has a compelling interest in her or his identity. Since there was not concern or investigation of

illegal behavior in this case, there is no compelling state interest.

@p0isAn0N voluntarily communicated via Twitter, the DA countered. In doing so s/he relinquished his/her anonymity by putting identifying information into public space by contracting with a service provider. This information is fair game for the state to retrieve.

Judge Spina jumped in: But how is one to speak anonymously in the 21st century, if not online through providers such as Twitter?

By going to Dewey Square and passing out flyers, answered the DA.

The Judge continued: But s/he would be seen by people doing so. In what sense is this anonymous? How could it be anonymous?

By putting on a ski mask, rejoined the DA.

\* \* \*

A ski mask? Let's sit for a minute with the interchange at the hearing. Let me be clear: I am not concerned with the facts underlying this scenario or with background information. My interest rests only in the critical questions that this snapshot of an interchange provokes in and of itself. As a slice of time, standing on its own, I believe that this interchange raises important questions about materiality, anonymity and state power in the United States today.

A different way of telling the story might begin something like this: police notice that there are widely read words of dissent. A Twitter handle, a virtual pseudonymous mask, has been broadcasting critical and subversive messages to a large community that is likewise engaging in critical and subversive conversation. For all intents and purposes, these are words independent from an identifiable, embodied person, and the words are hostile to established authorities. These words challenge accepted ways of thinking about government, police, society, economy, and more; they seek to incite deep change.

From behind their own virtual masks, others start to broadcast their own words in response. Conversation, dialogue, and organizing begin. Some participants know who each other are, others do not. The energy and effect of this dissenting discourse grows. People start to congregate, plans come together, and protests are staged. Note that all of these are not only legal, but are protected activities in the United States: assembly, speech, and protest. Why would this be of interest to the police? It oughtn't be, unless there is reasonable suspicion of something illegal, but it was.

From profiling through historical records, threats are often assessed by means of associating words with the identity and past of the speaker. But, in this case, the instigating words belong only to a mask, a mask that speaks. The words exist simply in an ephemeral, virtual space. If the person behind the mask is one of the congregated protestors, there is no way to know. If the person behind the mask is someone with a history of civil disobedience, there is no way to know. If the person behind the mask has light skin or dark, female parts or male, a hijab or a Masonic ring, clean clothes or dirty,

there is no way to know. The clues that the pseudonym speaks might or might not relate to the actual physical embodiment. Not without extraordinary efforts, such as a subpoena to unmask who s/he is, can one know. But does one need to know? Do the police need to know?

Or, more sharply, does pseudonymity warrant police action? Anonymous speech counterbalances the concerted efforts of those in power or with authority to harness and manage speech. Free speech is dangerous to power, to governments, and to institutions. Speech names and thereby makes things visible and knowable; this in turn, makes things protest-able. The very act of speech does things, thereby changing possibilities and dynamics. This is why it is so important to think carefully about who can speak, when, where, and why; this is why the ideal of free speech is simultaneously essential to democracy and so very difficult to actually find. Indeed, even as words are uttered, they easily can be rendered inverted, meaningless, or erased through association with the speaking body.

Modern state power organizes and positions bodies in determinate and determined ways. People are categorized by the roles, subject-positions, and/or identities that are discursively written onto their bodies. Whatever you choose as your preferred language to talk about this (and there are many well-developed options), a few basic operations are at stake. Rules tag our bodies with laden designations: citizen, foreigner, black, white, rich, poor, and so on, and these rules combine according to complex algorithms whose primary purposes are the solidification and perpetuation of power.

What we take as the visual or performative cues designating whom a person is function to reify what are constructed and highly consequential designations. Think of the common classroom interchange: “Of course it is reasonable to categorize people as ‘black’ or ‘white’ - there are people with dark skin and people with light skin.” Oh really? But why do we organize each other in this way? Does it actually accurately describe the variations in skin tone that humans manifest in the US? Whence the designation; what does it really mean; what effects does it have? When we make this distinction are we simply noting skin color or are we more deeply inscribing certain expectations and rules about the identity of that person and what is licit for her?

Explicitly or implicitly, the designations are vested with ontological significance. They tell us essential information about who the person is; they characterize the sort of person she is; they locate her in history and society. None of this is natural. None of this is neutral. It serves a definite purpose and it has definite effects. It needs to be subverted.

Amongst their effects, these designations contextualize any words or actions spoken by the person. Indeed, the power to speak ultimately depends on how the speaker is designated, and where these designations position her within the matrices of social relations. Every day, media coverage witnesses that the same – even factual – statement articulated by different people is heard differently. It communicates different meaning. A young woman with long dreaded hair proclaiming the need for student debt relief will be heard differently than the young white man wearing a collared shirt. And those two will be heard differently than the middle-aged factory worker.

Again, this dynamic is not accidental, nor is it happenstance. To counteract it – to open up other possibilities and to make free speech possible – demands subversive creativity. Pseudonyms serve this function. They create speakers who exist beyond the conclusive efficacy of discursive designation. Pseudonyms muddle and confuse identification by intentionally shielding access to the materiality of visual or performative cues. Full anonymity goes a step further by erasing pretences of its real (or imagined) material bases altogether. When pseudonymously or anonymously spoken, the words must be engaged on an untethered basis. They must be wrestled with outside of the matrices of identity and expectation.

This represents a threat to the powers that be. Uncontrolled speech holds the power to illuminate – and perhaps even to create – fissures in hegemonic imaginaries. This matters when your goal is to resist and ultimately transform deeply broken societal and political systems. This also matters when your goal is to monitor or counter any efforts to resist or transform state power. The state has a vested interest in neutralizing this threat. Thus, the state has a vested interest in reconnecting pseudonymous speech to its material bases in order to return pseudonymous speech to the realm of discursive designation where the state has more effective mechanisms of control.

Interestingly, the DA argued that @p0isAn0N's anonymity would have been better performed through the bodily performance of handing out flyers in person while wearing a ski mask. I read this as an explicit argument to return @p0isAn0N's pseudonymous speech to material presence – even masked presence. Sure, it might not be possible to designate the masked body in terms of skin tone or name. The designation of the speaker as potentially Black Bloc, however, just as effectively provides the material basis by which to associate and thereby control the dissident speech.

For as long as it is allowed to remain unidentified, @p0isAn0N's pseudonymous speech slips beyond the reach of this form of state power. Because of this, it opens possibilities for resistance and organizing that would not be otherwise. It is essential that those who would stand against injustice continue to fight for this possibility of de-materialized speech. Today, this most often occurs technologically through forums such as Twitter. Free speech depends upon it, and we must not underestimate the importance of ensuring its continued and protected possibility.

But this is not the end of the story. There is a both/and to be wrestled with. Materiality matters as a site of domination, yes, but it also needs to be embraced as a site of transformative prefiguration. Here, I return to the first story.

Occupy – in its encampments and in its *geist* – is about living, thinking, and interrelating bodies. Since September 2011, bodies not only have come together but, more radically, have stayed together. In doing so, occupiers have performatively refused to respect prescriptions or proscriptions on licit patterns of relationality. Homeless, student, employed, cisgender, transgender, young and old, we have committed our bodies and minds to each other. We have touched and held each other both in defiance and in support. We have closed our eyes to sleep next to each other. We have reclaimed public space for all sorts of bodies to appear and to be together. This, as Judith Butler stated, is *a*

*perfectly queer tactic.*

Occupy rewrote social, economic, and political maps through an insistent and dynamic repositioning of bodies. Occupiers subverted the brokenness of our society by intimately connecting their bodies without regard to the designations that organize and control. Analogously to the creative subversion of pseudonymity that untethers speech, occupy encampments untethered relational desire and action from the chains of designations. Who society says you are matters not at all next to the relationships you form and activities you engage in with other occupiers and with people and the environment at large. This, like pseudonymous speech, is a powerful form of creative subversion that effectively and incisively counters state power by undoing the identities that harm us.

Queer communities have long understood the importance of these subversions, as well as the strength of the backlash they can provoke. Untethering performances of intimate relationality from licit patterns, whether through drag, anonymous sex, or public encampment, can open a fleeting, prefiguratively transformed space where we can imagine and experience alternatives. When my fingers felt the fingers of the masked fellow, the intimacy was palpable. Desire crackled and its enactment transformed me. In this instance it was not *dematerialization* that opened subversive possibility, but a surprising touch. Materiality engendered possibility and transformative potential. The two of us connected in a way that I did not imagine prior and that I have difficulty imagining happening again. But for those very few moments, another world was possible and we were abiding in it.

People exceed the designations that have been drawn on, through, and between our bodies. Finding ways to escape these guarded territories, however, is a challenge. Indeed, even momentary subversions require bodily resistance and a transformation of our interrelations. Anonymity, pseudonymity and masks can ambiguate determined possibilities, but only if anonymity can stave off its own reification into determined identity. One way to do this is to refuse access or to contradict the cues that are most often used to determine and enforce identities, such as by severing the connections between speech and speaker through pseudonymity or anonymity. Another way is to queer our patterns of relationality and, in doing so, to live together momentarily in a prefigurative space of transformed possibilities.

For me, the demand here is both/and. We need to struggle to ensure the possibility of dematerialized speech, but we also need to embrace the unique possibilities for transformation that occur in and through material relationality. These two stories offer glimpses into this dynamic. What is at stake in state's need to materialize @p0isAn0N? What happens when we join together beyond identities in queer intimacies?

## References

sosadmin. "Online Denizens: The Government Says You Are Better Off Passing Out Flyers in a Ski Mask Than Tweeting Controversial Material." *Privacy SOS*, Feb., 19 2012.