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The Event and the Archive: Rhetorical Distributions in Civil Society

It is widely acknowledged that publics provide a crucial space of engagement in democratic societies. Charles Taylor's inclusion of the public sphere along with economics and collective agencies as important divisions in what he describes as modern social imaginaries indicates the significance of the category for political and social analysis.[1] Michael Warner also contributes to these ongoing discussions about the nature of public space and its function in contemporary culture.[2] His arguments introduce ways to approach public spaces as distinct social forms that depart from Habermas's structural category of a public sphere, a discursive buffer established in the eighteenth-century West to negotiate the sovereignty of government according to the private motives of markets as well as the interests of the conjugal family realm.[3] While this brief sketch overly simplifies the engaged efforts of these public theorists, and occludes the work of many others, for the purposes of this article we hope to revisit Warner's key argument about textual circulation.[4] In *Publics and Counterpublics*, Warner wondered whether the rise of electronic networks might mean that "circulation"—a "punctual" process by which central hubs would ensure that readers consumed texts at roughly the same time—would cease to be a useful analytic category. Warner wondered whether the Internet and its accompanying lack of punctuality might make it difficult to track down how publics create and consume texts.

The Internet and other digital technologies have transformed how we access news and information. Following the work of Alexander Galloway and others, we suggest the metaphor of "distribution" as a way to understand how discursive texts and symbolization flow in contemporary social and technological networks.[4] While the model of circulation of printed material works for prior public forms, the relatively recent arrival of the Internet as a dominant platform of information and communication requires new strategies of critical interpretation for understanding public culture. Indeed, the Internet has contributed to structural changes in ways publics can be understood to work, and our approach to public culture accounts for how Internet protocol, specifically, shapes the flow of information, images, documentation, and opinion—all necessary for a functioning public realm in democratic societies.

For this reason, we seek to examine the current functioning of public spaces—spaces that, like the Internet itself, appear to be contradictory, striated with internal movements that disrupt traditional flows of public information, debate, performance, and critique. We are persuaded by Jodi Dean's argument that "public sphere" or even the pluralized "publics" are not useful in describing what happens in our current networked moment. Dean argues that this shortcoming tells us "more about the limitations of the notion of the public sphere as we grapple with the complexities of transnational technoculture in the information age than it does about the political and democratic potential of cyberia."[5] She suggests that "civil society" offers a more useful model for understanding contemporary political and rhetorical engagement:

> Whereas the ideal of the public sphere relies on abstracting norms of equality, inclusivity, publicity, rationality, and authenticity from a few, usually elite, social

> locations, the notion of civil society embeds interaction in the media, associations, institutions, and practices that configure contemporary politics. Too simply put, the regulatory fiction of the public sphere privileges a theorization of political norms…In contrast, civil society privileges the concrete institutions in which the subjects of politics come to practice, mediate, and represent their actions as political.[6]

Included in the "concrete institutions" of Dean's definition is the Internet and its organizing principles. For Dean, civil society offers a richer and more complete picture of what happens in democratic societies. We agree with this assessment, but we offer one minor corrective. Dean argues that civil society, as opposed to a public sphere, "replaces centralizing tendencies of the notion of the public sphere with an attunement to the multiplicity of political movements, engagements, and effects."[7] While we will argue that our current technological infrastructure does indeed allow for multiple modes and sites of engagement, we will also insist that this multiplicity is always coupled with certain centralized loci of power. Civil society's condition of possibility is established by what Galloway calls protocol, which we will discuss in more detail below. For the time being, it is worth noting that protocol involves, simultaneously, hierarchical and distributed forces.

Civil society, as we shall describe below, now exists within new structural conditions that challenge the traditionally understood uses of such spaces as a means of protection from sovereign power. While this essay examines the influence of Internet protocol on public space, here we observe also that the decentralization of power calls into question not only the notion of public culture but also many aspects of democracy.

Barbara Warnick and others have argued that the relative accessibility of the web to political activists and community organizers, along with increased access to information and political organizations through wikis, blogs, and discussion forums, has made the Internet an important new tool for democratic societies.[8] We argue that the public potential of such media activism faces restraints and limitations that are woven into the structure of the Internet. Civil society is a temporal or ephemeral space of engagement with other social forms, actors, or entities, such as governments, municipalities, or corporations. Our discussion of civil society is based on contradictory forms of engagement, and the rhetorical ability to produce new relationships, social possibilities, and cultural perspectives without claims to any sense of territorialization.

The production of social relationships provides the rhetorical engagement necessary to further conversation in a complex moment where older forms of political engagement tend to no longer function in ways that have been described by Warnick. As we describe below, the role of the hacker, the "global guerrilla," or the "resilient community" comes closer to how civil society might operate in our contemporary environment.[9] Such spaces require individual participation in networked spaces: these tensions, we claim, benefit public culture, and extend action where it is most needed.[10] Such engagements stress modal rhetorics of possibility, necessity, actuality, and contingency, and as such, are conducted in controversial and specific sites of confrontation between public actors. By revising how we understand the circulation of public texts, images, and other symbolic acts, we present at the end of this essay some possibilities for modal rhetorics that resonate with recent work by Nancy S. Struever,

who finds in such modalities an "engine for exploration of a range of life capacities and actions."[11]

By offering new ways to organize our understanding of public space in an era of rapid data flow and digital accessibility, better knowledge of how the technological infrastructure of civil society works will help study and shape the communicative possibilities and limitations available to public culture. This can suggest new strategies of engagement by public actors. From a perspective informed by rhetorical studies, moreover, knowledge of civil society as modeled increasingly on networks of distribution, rather than circulation, can help us develop strategies for engaging contemporary public events by contributing new dialogues, performances, and other forms of social and political coordination. Beneath this "event" layer, as we shall see, there also exists an archival element to the web, and this must be taken into consideration, too.

In this article we review Warner's claims about how circulation works to make publics identifiable, and we explain how distributive forms of digital communication have altered this. In order to illustrate the shift from circulation to distribution, we examine controversies in Facebook, one of the Web's largest social networks wherein modalities of public relationships are encouraged in digital space.[12] Content is no longer circulated via centralized or even decentralized networks. It is now distributed through networks in which each node is both sender and receiver. We take Warner's speculation regarding circulation and electronic networks as a starting point: How can we understand civil society after circulation? Following Galloway, we propose that an understanding of distributed networks offers one possibility.

We examine Facebook, a public space that is struggling with this shift from decentralization to distribution. Facebook's privacy policy has drawn a great deal of criticism, and it has affected users in important ways. An understanding of protocol makes Facebook's simultaneous use of vertical, siloed data (you control who sees what, you share things with a small group of people) and horizontal, networked data (the default Facebook setting is now often "public" or "everyone," and you no longer live in the comfort of the perceived silo) much less surprising. On its surface, Facebook might be considered a banal space, one that is littered with mere status updates or with vapid games like "Mob Wars" and "Farmville." But Dean's discussion of online forums suggests that such spaces are worthy of our attention:

> From the standpoint of the public sphere, the discussions [in online forums] seem, at best, a kind of banal content enabled by a software program installed so as to draw in consumers and advertisers or, at worst, a set of irrational and often demeaning rants of the privileged few against a disenfranchised many. From the standpoint of civil society, however, the discussions appear much more as specific expressions of curiosity, play, or engagement, expressions that may well be hateful or maligning but are not therefore outside of or beyond politics.[13]

Thus, like the forums that Dean discusses, Facebook is a kind of petri dish. It has a massive user community, and it could be considered an experiment in how contemporary public spaces emerge and how rhetorical tactics are tested and explored.

However inevitable protocol might be (Galloway argues that resisting protocol is like resisting gravity), it does not follow that life in a control society is without rhetorical possibilities. While we explain how emerging infrastructures lay the groundwork for

public interaction, we also argue for the possibility of gaps or "exploits." In their book *The Exploit*, Galloway and Eugene Thacker explain that the changes achieved during historical moments, such as the forty-hour work week or women's liberation, happened "through the active transfer of power from one party to another."[14] However, they argue that in networks "political acts generally happen not by shifting power from one place to another but by exploiting power differentials already existing in the system...Protocological struggles do not center around changing existent technologies but instead involve discovering holes in existent technologies and projecting potential change through those holes. Hackers call these holes 'exploits.'"[15] Facebook's privacy policy provides evidence that data will move to fill in the spaces (it will spread vertically and horizontally)—that it will continue to explore what is possible. "The exploit" uses the same logic in an attempt to act from within. It explores the possible—sometimes without understanding the "meaning" of that exploration. From the perspective of the exploit, the task is not to overturn the information architecture. The task is to understand (and push against) its limits by hacking and exploring. The kind of hacking we discuss here is about interrogating the ground from which our public spaces spring. That ground is the condition of possibility for rhetorical exchange.

After a major change in Facebook's privacy policy in early 2010, many decided that it was time to reconsider their choice to participate in this space. Many users had had enough, and this exodus is linked to a jarring moment in which the realities of distributed networks became radically apparent. This reaction indicates how ill-equipped the citizenry is for a shifting infrastructure, but it does not follow that rhetorical or political action is precluded in our contemporary environment. We can theorize rhetorical action

in distributed networks—but this will require us to understand how these networks operate. It will require us to rethink political action after circulation—political action in a world of distribution. Such rhetorical possibilities include rethinking how calls to action are routed through networks, and how the archival and event layers of the Internet produce new social experiences of data in terms of retrieval and distribution. It is essential to address these structural changes because a vibrant civil society is crucial to a functioning democracy. If contradiction is woven into the structural component of the Internet, civil society may well be an emergent space where such contradictions can be worked out: and this is precisely where rhetoric matters most. The privileging of deliberation as the motivating form of rhetorical discourse will most likely need to change as activist performances and "hacktivism," increasingly provide stages for social or political dissent. What the recent Facebook flare-up provides for us now, however, is a look into the contradictory forces of protocol, forces that contradict the systems of circulation that print media have traditionally taken for granted.

Circulation in Public Space

Michael Warner's *Publics and Counterpublics* assesses key aspects of publics and discusses most productively the role of circulation in contemporary public spaces. While there is little time here to engage the full description Warner provides, his key claims regarding circulation are important to pause over in order to understand how protocol is changing the way texts are distributed in public contexts.[16] For Warner, "[t]he way the public functions in the public sphere (as the people) is only possible because it is really a public of discourse."[17] Circulation, then, is key, given the significance Warner bestows on

the flow of discursive texts and the ability to address others as members of a self-organized public entity. "The appeal to strangers in the circulating forms of public address," Warner states further, "thus helps us to distinguish public discourse from forms that address particular persons in their singularity."[18]

Importantly, Warner also points out that "A public is the social space created by the reflexive circulation of discourse." He argues that "[n]o single text can create a public. Nor can a single voice, a single genre, even a single medium. All are insufficient to create the kind of reflexivity that we call a public, since a public is understood to be an ongoing space of encounter for discourse."[19] Warner sees argumentation as crucial to this reflexive circulation, and further claims "[a]nything that addresses a public is meant to undergo circulation." Here his points are crucial for the purposes of this essay, and so we quote him a length:

> This helps us to understand why print, and the organization of markets for print, were historically so central in the development of the public sphere. But print is neither necessary nor sufficient for publication in the modern sense; not every genre of print can organize the space of circulation. The particularly addressed genres […]—correspondence, memos, valentines, bills—are not expected to circulate (indeed, circulating them can be not just strange but highly unethical), and that is why they are not oriented to a public.
>
> Circulation also accounts for the way a public seems both internal and external to discourse, both notional and material. From the concrete experience of a world in which available forms circulate, one projects a public. And both the known and the unknown are essential to the process. The known element in the

> addressee enables a scene of practical possibility; the unknown, a hope of transformation. Writing to a public helps to make a world insofar as the object of address is brought into being partly by postulating and characterizing it. This peformance ability depends, however, on that object's being not entirely fictitious—not postulated merely, but recognized as a real path for the circulation of discourse. That path is then treated as a social entity.[20]

This notion of a "path" that becomes a "social entity" will be important when considering how the circuitry of computer protocols contribute to symbolic exchange in ways that are quite different from print culture, or even from television or radio broadcasts—the technological media of modernity. As we ask below: What happens to a "social entity" when technology provides new gateways of engagement?

Furthering his arguments about the nature of circulation, Warner also claims, "Publics act historically according to the temporality of their circulation." This is important to understand because the timing of the circulation of public discourse influences how public engagements will be conducted and the extent of a public's ability to sustain important issues revolves around the ongoing transmission of arguments timed in accordance as necessary discourse on pressing topics. "Not all circulation happens at the same rate," Warner observes, "and this accounts for the dramatic differences among publics in their relation to possible scenes of activity. A public can only act in the temporality of the circulation that gives it existence."[21] Publics are not sustained by archival knowledge, nor do they exist by longer, "more continuous flows" because "action becomes harder to imagine."[22] The slower things circulate, the more archival, or academic, they become. Warner argues that "[p]ublics have an ongoing life."[23] They have

a duration in which discourse circulates effectively for anonymous participants. “A text,” Warner claims, “to have a public, must continue to circulate through time, and because this can only be confirmed through an intertextual environment of citation and implication, all publics are intertextual, even intergeneric. This is often missed from view because the activity and duration of publics are commonly stylized as conversation or decision making.”[24] This last point will be important to consider when looking at how a diversity of images, texts, performances, and other symbolic material are distributed online to inform public perspectives. The Habermasian model of rational-critical discourse becomes only one process at the end of a long transmission of intertextual engagements that are increasingly distributed through precise protocols, of which there will be more to say later.

Warner points out, however, that “the Internet and other new media may be profoundly changing the public sphere” according to a transformation in temporality: “Highly mediated and highly capitalized forms of circulation are increasingly organized as continuous (‘24/7 instant access’) rather than punctual.”[25] The notion of punctuality in the circulation of public discourse is complicated online by the Internet’s protocols for the distribution of information. The nature of the Web resists the temporality necessary, in Warner’s view, for a public sphere. Search engines, social networking sites, and the archival layers embedded in the Web complicate the notion of circulation that has driven other relationships between technology and publics. In one sense, the Internet puts citizens “in touch” instantly with multiple intertextual forms, codes, messages, images, and performances. And yet, it also preserves archives that no longer circulate for temporal uses, but exist as historical depositories. While messages may go “viral,”

reaching a public with tremendous speed, there is also the contradictory sense of the isolated "user" who must "search" relevant public discourse. Unlike the newspaper or broadcast media, with information distributed from a centralized source, the Internet's model of distribution threatens the temporality of public knowledge. Indeed, Warner questions the very notion of "'circulation' as an analytic category" given this change of infrastructure, and he expresses concern about "the absence of punctual rhythms [that] may make it very difficult to connect localized acts of reading to the modes of agency in the social imaginary of modernity."[26]

Protocol: From Circulation to Distribution

Circulation is now challenged by distribution. In fact, we could say they're competing. As Galloway argues in *Protocol*, network architectures may displace one another, but they never do so perfectly. That is, the historical moment of centralization gives way to decentralization, which gives way to distribution, but all three of these overlap as well.[27] Each of these three network architectures is loosely associated with historical time periods, but those periods are never cleanly separate.[28] Circulation is still happening (there are still newspapers, books, and other centralized modes of circulation). But we argue that circulation cannot fully account for the more complicated processes of distributed networks. The rhythms of circulation—rhythms that rely on what Warner calls "punctuality"—are one half of protocological distribution. Circulation requires hierarchy. It relies on hubs that circulate information at predictable intervals. This kind of circulation doesn't go away in the realm of protocol. Rather, it is complemented by the more horizontal, peer-to-peer nature of distribution. As Warner himself observes,

circulation, which is central to his argument of how publics work, may no longer describe the situation we face with digital technology. While certain communication technologies provided centralized sources for circulations of homogeneous printed texts, aural broadcasts, and visual messages through film and television, the Internet has introduced a greater sense of heterogeneity of symbolic material delivered via a distributed technological platform. But the Internet also does more than simply circulate discursive forms: it archives items, invites searches, allows users to upload material through blogs, social networking sites, and other forums, thereby creating access that had been more limited in print and broadcast culture. While media for much of the twentieth century was generated and circulated by centralized sources, now it is possible to respond, speak, act, and perform at any moment. The Internet produces more active possibilities for everyone, and it invites an ongoing movement of public texts, images, and codes that proliferate with extraordinary ease.

And yet, with so many communicative possibilities available, not every message receives an audience. While the capacity to generate new arguments or to respond to existing ones has accelerated greatly, not all communication reaches its target through the protocols of the Internet. As Galloway argues, woven into the very structure of the Internet is a limitation and control of information. He argues that networks are not mere metaphors, and that they should be understood "as materialized and materializing media." This, he claims, will enhance "our understanding of power relationships in control societies."[29] A network, for Galloway, "is a set of technical procedures for defining, managing, modulating, and distributing information throughout a flexible yet robust delivery infrastructure."[30] And to this end the Internet works remarkably well, but given

this change in how discourse is "networked" through precise protocols, a new vision of how the open, rhetorical, performative, and persuasive realm of civil society must now accommodate the closed barriers of a control society. Galloway's discussion of a control society follows Foucault, who calls this "biopower," and Gilles Deleuze, who describes the current features of our culture.[31] This problem of a historical notion of publics that developed out of particular relationships to technology in order to negotiate power with sovereignty now confronts a technological milieu derived from precise structures of logic and password-controlled access. Despite new sites of social activism online, there are restraints inherent to digital media that complicate how public participation takes place.

Indeed, to understand the social quandary established between public culture and technology, between freedom and debate on one hand, and social procedures, protocols, and submission on the other, it is important to recall that the Internet "is not a simple 'ask and you shall receive' tool. It is constituted by a bi-level logic."[32] Protocol is important because it describes the contradictions hardwired into the system of transferences and regulations that establish communication online. Galloway insists that narratives describing "the Internet as an unpredictable mass of data" or as "rhizomatic and lacking central organization" are misleading.[33] For Galloway, the Internet is driven by protocol, which is "based on a contradiction between two opposing machines: One machine radically distributes control into autonomous locales, the other machine focuses control into rigidly defined hierarchies. The tension between these two machines—a dialectical tension—creates a hospitable climate for protocological control.[34] His paradigmatic example of these opposing machines are the Internet Protocol suite (TCP/IP) protocol and the Domain Naming System (DNS). TCP/IP is the protocol that establishes the rules by

which network nodes "talk" to one another. This is what leads many to describe the Internet in terms of rhizomatic freedom. But while TCP/IP establishes an infrastructure for distributed, peer-to-peer communication, DNS forces all data into a vertical system of organization. The DNS database translates an IP address (74.125.43.99) into a URL (http://www.google.com). If a site doesn't exist in the database, then it fails to exist altogether. Further, the hierarchical structure of DNS means that the deletion of an entire domain can effectively wipe a nation from the Internet. The content would still exist, but we wouldn't be able to navigate to it: "Since the root servers are at the top, they have ultimate control over the existence (but not necessarily the content) of each lesser branch…Such a reality should shatter our image of the Internet as a vast uncontrollable meshwork."[35] We saw the implications of this hierarchical control during the 2011 protests in Egypt. *Slate*'s Christopher Beam explains how the Egyptian government was able to shut down Internet access in an attempt to thwart protests:

> While we don't know exactly how the Egyptian government choked off Internet access, there's no centralized red button that the government—or anyone—can push to turn it off. Evidence suggests a government official called Egypt's four biggest Internet service providers—Link Egypt, Vodafone/Raya, Telecom Egypt, and Etisalat Misr—and told them to halt connections. (Vodafone has said it cooperated because the regime has the legal authority to order such a halt.) An engineer at each ISP would then access the ISP's routers, which contain lists of all the IP addresses accessible through that provider, and delete most or all of those IP addresses, thus cutting off anyone who wants to access them from within or

> outside the country. That doesn't mean each ISP had to physically power down their computers; they simply had to change some lines of code.[36]

If access can be shut down by changing "some lines of code," Galloway's work on protocol becomes central to understanding protocological power in civil society. The horizontal is always accompanied by the vertical: "Understanding these two dynamics in the Internet means understanding the essential ambivalence in the way that power functions in control societies.... To grasp 'protocol' is to grasp the technical and the political dynamics of TCP/IP and DNS at the same time."[37] Galloway argues "that protocol is an affective, aesthetic force that has control over 'life itself,'" but he is also concerned with the political possibilities inherent to the forms of protocol, and from his definition of the term, we hope to advance pathways into understanding how civil society forms in relation to the "control" structures governing the Internet.

Galloway's reading of the technological contradictions through Foucault and Marx would seem to discourage Enlightenment-based theories of public space, which emphasize rational-critical discourse, public participation, and rhetorical forms of engagement. But given that contradiction inheres as a prominent feature in protocol, we want to begin a description of current public models by focusing on how civil society is becoming increasingly distributive if highly controlled; deeply engaged if dispersed; in active pursuit of information if removed from centralized sources of it. Indeed, if we take the definitions of protocol Galloway provides above, it is possible to form similar arguments for how civil society works in a highly controlled but distributed network like the Internet.

Punctuality: The Event and the Archive

Warner argues that most websites are "not archived" and that the Internet is not "punctual."[38] But one look at a site like Facebook offers a very different picture. Everything is time-stamped. All data is archived, and that data is shipped to advertisers and other websites as they mine and parse it. It's not surprising that Warner would describe the Web the way he does given that the first version of his "Publics and Counterpublics" essay was published in 2002. In the relatively early days of the Internet, the archive, if it existed at all, was very difficult to locate.[39] Servers connected to the Internet may have been archiving certain content, but the user of the early Internet was presented with a collection of linked pages that could ostensibly disappear at any moment. Further, Warner's discussion is focused on this end-user experience regardless of what happens in the "guts" of the network. This is a gap that we hope to fill as we think through how protocol provides a window into the structural transformation of civil society.

In today's Internet, everything is archived. The clearest example of this is the Internet Archive (also known as the "Wayback Machine"), an "Internet library" run by a 501(c)(3) non-profit organization. This archive crawls the Web, taking snapshots of websites and storing the data. As this example shows, the Internet is not without temporality, and the time-stamping of nearly everything online (Facebook and Twitter status updates, news stories, blog posts) indicates that the Internet does in fact exhibit the "punctuality" discussed by Warner. However, Internet temporality is different from a system of circulation in important ways, and this is where Warner's hunch that it "may be necessary to abandon 'circulation' as an analytic category" seems accurate (98).

Circulation is a model for centralized and decentralized networks. It relies on regular, punctual broadcasts of information. This kind of model is challenged by distributed networks in which information is often passed between peers. This model is not always about broadcasting information. It is often about horizontal sharing and distribution.

But if distribution means that information is no longer circulated from central hubs, how do we theorize the temporality of the Internet? We propose two categories for understanding protocological time: the event and the archive. These two categories align with the two competing forces of protocol. The event is paradigmatic of the distributed nature of protocol: Nodes light up, and each node is part of a flattened space. Twitter and Facebook experience high traffic during events (from the Super Bowl to the protests during the Arab Spring). Information is distributed quickly from node to node, and it becomes difficult to locate any kind of central hub. However, in addition to these events, protocol also brings us an extensive archive. This is the vertical order imposed upon the horizontal mess of events. The archive imposes temporal order on the event—it solidifies it on hard drives. This is the more vertical, hierarchical end of protocol. However, the archive means that the event can always be excavated—that materials posted to the Internet "on the fly" can always return from the dead.

The competing forces of protocol mean that circulation no longer adequately describes how information moves through civil society. While archival forces might align nicely with Warner's discussion of punctuality and circulation, the competing force of the event means that information is constantly streaming through the network in various directions at various times. Our desire for an archive is one indication that we still require the circulatory structures that have been so important in the maintenance and creation of

public spaces, and we would argue that such a desire is entirely healthy (and necessary). As Warner argues, the "absence of punctual rhythms may make it very difficult to connect localized acts of reading to the modes of agency in the social imaginary of modernity."[40] The key is to strike a balance between an unrealistic and nostalgic longing for previous infrastructures of circulation and an equally unrealistic exuberance for "free" or "democratic" distributed networks. Protocol offers a particularly useful way to strike this balance as it allows us to see the how the vertical and horizontal vectors simultaneously work to shape a control society.

Facebook's Privacy Policy

In a space such as Facebook, the world's largest social networking service, the horizontal and vertical shades of protocol play out in interesting ways. Complaints about Facebook's privacy policy show us that we are in the midst of a transition from circulation to distribution and that our rhetorical activities are often steel fitted for the former. Facebook's privacy policy has slowly crept from a relatively high level of user control to less user control. According to the Electronic Frontier Foundation, the policy has eroded significantly. In 2005, the policy included these sentences: "No personal information that you submit to Thefacebook [during early stages, this was the name of the project] will be available to any user of the Web Site who does not belong to at least one of the groups specified by you in your privacy settings."[41] By November 2009, things had shifted significantly:

> Facebook is designed to make it easy for you to share your information with anyone you want. You decide how much information you feel comfortable

> sharing on Facebook and you control how it is distributed through your privacy settings. You should review the default privacy settings and change them if necessary to reflect your preferences. You should also consider your settings whenever you share information.[42]

Information set to "everyone" is publicly available information and may be accessed by everyone on the Internet (including people not logged into Facebook). It is subject to indexing by third party search engines, may be associated with you outside of Facebook (such as when you visit other sites on the Internet), and may be imported and exported by without privacy limitations. The default privacy setting for certain types of information posted on Facebook is set to "everyone." Users can review and change the default privacy settings, but the default is shifting toward an ethic of distribution. By April 2010, the shift to "default as everyone" is even more pronounced:

> When you connect with an application or website it will have access to General Information about you. The term General Information includes your and your friends' names, profile pictures, gender, user IDs, connections, and any content shared using the Everyone privacy setting. ... The default privacy setting for certain types of information you post on Facebook is set to "everyone." ... Because it takes two to connect, your privacy settings only control who can see the connection on your profile page. If you are uncomfortable with the connection being publicly available, you should consider removing (or not making) the connection.[43]

In its early days, Facebook provided users with more control over who could see what data, but this seemingly magnanimous gesture was always accompanied by Facebook's

central control over user data. Users have some of that control, but exerting such control requires them to change the default settings.

Whereas default settings used to mean that data was shared with friends (or, at the very least, a network that the user identified), the default is now "everyone." And it is up to users to manage a maze of privacy settings. Such management is far from simple. In May 2010, the *New York Times* web site published a flowchart graphic laying out how users "need to navigate through 50 settings with more than 170 options."[44] That is, the user control slowly erodes (the horizontal "freedom" of the nodes in the network) and Facebook's control over data increases (vertical power consolidates). All of this happens even as Facebook executives, such as Vice President for Public Policy Elliot Schrage, argue that Facebook has offered comprehensive and detailed information about privacy settings.[45]

Facebook is a perfect example of the push/pull effect of protocological control. Responsibility for controlling user privacy settings is distributed to end users, and if we stop at this point it would be easy to call Facebook "rhizomatic and lacking central organization."[46] Users are positioned as the locus of agency. However, the second half of the protocological equation is crucial. Facebook determines the various settings that are offered to users. Yes, *I* can decide how certain data is shared. This is up to *me*. However, the rules of the game—which buttons I can click and which settings are available to me—are all determined by a central authority. I cannot "opt-out" unless I delete my Facebook account. And this, as many have discovered, is not all that easy.[47] Further, even opting out of Facebook doesn't remove me from a vast network of technologies that track, archive, and create my online and offline identity. Turning one's back on Facebook may

make us feel better about certain privacy concerns. But it is, in many ways, a superficial comfort.

When users decry Facebook's privacy policy, they express a desire to have the horizontal, peer-to-peer capabilities of protocol while opting out of the vertical, centralized capabilities of protocol. This kind of complaint reveals not only a certain naiveté about corporate profit motive but also, more importantly, how little the average netizen understands about protocol and power relations in a control society. Understanding the ambivalent nature of protocological control is essential for contemporary political action, regardless of what public space they enter. Part of our task as critics and citizens is to understand these public spaces and to develop analytical tools that are up to the task.

Complaints about Facebook policies are linked to users assuming that they're in a world of circulation. This focus on circulation leads people to forget about the archive. Users tend to think that they are circulating information (status updates, links, other information), when in actuality they are distributing it. They are not an origin point, broadcasting outward (circulating). They are nodes in the distributed network. The events that they report on or create ("I'm having coffee" or "What a great touchdown!") are grist for the mill. To be sure, these discursive nuggets are circulated: they are sent out at a particular time to a particular audience for a particular reason. However, this circulation is always accompanied by distribution. These texts are data for the archive. This data is built up to be used, mined, and further distributed. It's not as that there is no punctuality or indexing on the Internet. (Warner says this, and it dates his text.) Rather, Internet punctuality is different. As Galloway argues, the distributed nature of networks can offer

the illusion of complete freedom. But horizontal, peer-to-peer communication is always accompanied by the top-down, the vertical, and the hierarchical. Perhaps in that tension is where we now find access to new public forms.

Civil Society after Protocol

Given the tensions introduced by protocol and the node-to-node distribution system of the Internet, what happens to civil society after circulation? Can it exist in the ways Warner describes, or does it become something very different? As the Internet, moreover, appears to tighten movement in "control societies," what rhetorical options exist in public spaces? This is particularly important to consider for the health of democratic societies, and so a key question to pursue is: How can democratic social forms persist given the distributive methodology of contemporary technology and corporate management of online information?

One aspect of public engagement that has changed can be seen in the current inability of broad social movements to make effective advances. Unlike the 1960s Civil Rights movement and the anti-war movements of that period, contemporary forms of social protest proven increasingly ineffectual. Protests in Minneapolis, for instance, of the Republican National Convention in 2008, were met with a swift police crackdown and minimal media coverage by the large TV networks and cable news sources. The efforts of protesters, while notable, failed to contribute lasting messages to a larger national stage upon which change could be enacted. Even the WTO mass protests in Seattle in 1999 produced more of a brief media spectacle than an effective social program of engagement and critical reflection. In an era where messages are conducted node-to-node via email,

text messaging, cell phones, Facebook, blogs, and listservs, it is possible that such widespread attempts at mass social protests find their best audience online. That audience, however, is dispersed, and often anonymous, and yet, perhaps motivated by shared commitments. While it may be seen as a failure of social movements to create lasting change by exerting pressure on government and trade organizations, the mediation of these protest events can produce new social relationships, though the most successful engagements increasingly rely on strategies of technological manipulation. Such strategies are enhanced by an understanding of the archival and event layers woven into Internet distribution.

In *Tactical Media*, Rita Raley examines instances of activism by smaller-scale group engagements over issues of immigration, and she argues that "tactical media" now provide a model for social engagement. While it is limited in scope and falls under the radar of larger popular sources of mediation, such tactics contribute to public conversations by shaping social relationships and by using technology in innovative ways. Activists who employ tactical media, for instance, focus "on open-ended questions rather than prepackaged lessons, instructions rather than products."[48] Indeed, for Raley, "tactical media activities provide models of opposition rather than revolution and aim to undermine a system that, as de Certeau reminds us, 'itself remains intact.'"[49] Raley interestingly stresses "that we need not, and indeed should not, think of political engagement strictly in terms of concrete action, organizational movements, or overt commentary."[50] Instead she considers "a belief in the possibility of revolution as an event singularly located in space and time [that] has been supplanted by an investment in a multiplicity of actions, practices, performances, and interventions. Tactical media

contests the future terrain of the political, but it does so via virtuosic performances deployed and experienced in the present."[51]

One of Raley's examples focuses on border politics and "symbolic performances" at the California-Mexico border. She describes how the Department of Ecological Authoring Tactics, Inc. (DoEAT) "launched a border disturbance action with the yellow Caution signs mounted along the San Diego area highways."[52] By manipulating government signage (the yellow signs with images of undocumented immigrants on the run), DoEat contributes performances designed to address highway drivers with critical commentary in order to deepen reflection on issues of immigration. Such statements of opposition signal solidarity with immigrant communities and seek to expand awareness of the complex realities of human trafficking, migrant labor, and socio-economic conditions between the U. S. and Mexico. Others concerned with border issues like the Electronic Disturbance Theater take their arguments online to "trace the contours of a new front in the battle over immigration and mobile labor populations."[53] As Raley argues, "Instead of celebrating the crossing of literal and figurative borders (of disciplinary boundaries, genre, language, gender, race, sexuality), as has been the case within cultural criticism in recent decades, these projects serve as a reminder of the material border's irreducibility."[54] By disrupting messages designed by highway signage and by causing disruptions to self-appointed border patrols guided by the Minutemen, Raley argues that such disruptions offer profound statements of "electronic civil disobedience" in an effort "to thwart the flows of information, to obstruct, block, and otherwise disturb."[55] While such disruptions bring diverse artist, activist, and hacker communities together in an effort to create statements about specific situations, many

other forms of online activism, performance, and documentation exist. Poets, in particular, have been active on this front, contributing ways of engaging public space through public performance and their online documentation.[56]

Civil Society, then, under these new structural conditions of technology, is shaped by relationships that are strengthened through discrete forms of action operating within archival and event layers of protocol. Such an infrastructure is conceived as a point-to-point system of contact. If under the old systems of print and broadcast media an actor or social group made claims in a public, thus circulating messages via traditional news outlets to create change, now, under distribution, we do not think of actors addressing a public so much as distributing a message, delivering news to the next node. We are a society of links held together by a desire for news of what we're missing. In this way, social bonds and *ethos* in delivery are woven into distribution. Given the structural conditions, it is up to critics to determine new ways to distribute meaningful social concerns in the world of protocol. Rhetorics of modality may be one way to address this in that such approaches focus on possibility, among other modal considerations.

Rhetoric and Protocol: Some Applications

Nancy S. Struever's recent discussion of rhetoric and modality may offer one way of thinking about rhetorical action in contemporary public situations. Struever describes four modal possibilities for rhetoric, which, for her, form "a kind of inquiry." Her sense of "modal rhetoric" is developed from modal logic, and includes the following: "the press of possibility, the discrimination of the actual, the response to necessity and contingency. And rhetoric as hermeneutic, as a specific, traditional contribution to understanding civil

interests, tasks performances, carried in texts, signs, deeply engages modality as primary quality of civic experience."[57] Struever offers rhetoric as a useful frame for understanding contemporary civic inquiry, one that offers more concern for contingency and possibilities than philosophy.

Although she derives her sense of modality from modal logics, it maps well with Raley's approach to "tactical media." One of the modal implications of Raley's work resides in the possibility of an active engagement that Daniel C. Brouwer and Robert Asen find of value through "modality," a metaphor that "references ways of being and studying publics," and that "entails a focus on multiplicity, movement and activity, and the mutual implication of theory and practice."[58] In particular, since tactical media and other methods of online activism frequently hope to expand capacities or offer "equipment for living," as Kenneth Burke argues, we find that the epideictic mode has become much more pliable in these public contexts. If rhetoric often considers the deliberative mode of civic discourse—a speech or Congressional hearing, say—current techno artist-activists use performative works to confront and complicate the symbolic atmosphere of civil society. Rather than seeking ways to construct rational-critical discourse, such groups hope to confront the belief and desire motivating larger cultural perceptions and misconceptions. While alternative rhetorical strategies are used to engage the public sphere, rationality and reason, we believe, remain important public action. Yet, rationality and reason are not idealized, but actualized in potential engagements by actors according to specific cultural situations.

Given that public culture exists in the tension between the event and the archive, punctual circulation no longer describes the movement of messages. Moreover, Internet

technology generates access that did not exist under the centralized forms of broadcast and print media of the last century. While we acknowledge that previous forms of public culture continue to operate effectively, as our example of Facebook privacy policy controversies shows, we argue here that civil society is increasingly informed by protocol and distribution. Considering the structural changes in the distribution of discourse, we find that modality best describes the process of rhetorical engagement that emerges in contemporary civil society. That engagement involves exploring what is possible and mining the advantages of both the event and the archive.

As Struever argues, "Any exploration of time requires investment in modality; any exploration of modality drags in time. Possibility as realized in time, fills time: gives it significance and pathos in the accounts of the direction and force of civil moments."[59] Streuver privileges civic engagement as a temporal form, and as a process that gives shape to the experience of time. In a protocological situation of the transmission of discourse, the ability to provide the kairotic awareness and depth of argument within decentralized frameworks where messages constantly flow helps form tactics that can successfully address pressing public situations, such as issues of immigration. Struever stresses, too, the importance of possibility in these rhetorical engagements. By this way of thinking, the goal of digital rhetors is not to argue for revolutionary change, but to explore and put forth the social possibilities available at given moments. As Struever observes, "the mode of possibility demands invention as skill; invention is not simply the first function of rhetoric, but invention is stipulated as defining rhetorical-political competence, developing policy."[60] Moreover, "Rhetoric's proclivity for possibility engages specific habits of suggesting, describing, inventing, contesting possibilities as

coming to pass, or not, in time; it assumes working inside a domain filled with movement, with processing of potentiality into actuality."[61] While she develops these arguments in response to the "quarrel of rhetoric and philosophy," her investigation of rhetoric's modalities map well with the contingent, but socially engaged, methods of tactical media Raley describes, and helps show us ways to rethink rhetoric as oppositional social engagement that relies on new forms of invention.

But most of us do not experience public space as hackers or activists: we use social networks, email, blogs and other forms of Internet media to expand our engagements with worlds large and small, private and public, actual and imaginary. And yet, modality still informs how civil society exists in distribution. Indeed, modality can be seen to correlate with distribution, for modality brings with it possibilities for actualizing potentially potent discursive forms. Perhaps we are being overly optimistic, but we find that the ethical engagement of users of Facebook, say, determines the shape and potential of public engagements that can irrupt from such a network. In other words, modality informs our use of technological tools, our demonstrations for others. It allows for strategies that may encourage a very different kind of political engagement in spaces that appear in many forms to different actors. While the appearance of circulation may haunt the actual public spaces now conducted by distributed methods of Internet protocol, a sense, too, of individual commitments to democracy may grow. Perhaps we converse only among friends, arguing about political elections or social events. This would mark the limit of contemporary civil society—we may too easily settle into enclaves of agreement. But perhaps we imagine ourselves as part of something larger, distributing discourse through blogs or Twitter, participating in events, excavating ideas from the

archive, and, in some cases, shaping attitudes and beliefs on topics important to us. Modality makes this possible, for it helps us rethink and pursue temporal public possibilities; it shows also that civil society is, in fact, a potential, actualizing space of cultural engagement that is being reshaped by rhetorical distributions.

Notes

[1] Charles Taylor, *Modern social imaginaries* (Duke University Press Books, 2004).

[2] Michael Warner, *Publics and Counterpublics* (Zone, 2005).

[3] J. Habermas, *The structural transformation of the public sphere: An inquiry into a category of bourgeois society* (The MIT Press, 1991).

[4] For more on rhetoric and the public sphere, see: C.J. Calhoun, *Habermas and the public sphere* (The MIT Press, 1992); G.A. Hauser, *Vernacular voices: The rhetoric of publics and public spheres* (Univ of South Carolina Pr, 1999); Michael Warner, *The Letters of the Republic: Publication and the Public Sphere in Eighteenth-Century America* (Harvard University Press, 1992); Daniel C. Brouwer et al., *Public Modalities*, 1st ed. (University Alabama Press, 2010).

[5] J. Dean, "Cybersalons and civil society: Rethinking the public sphere in transnational technoculture," *Public Culture* 13, no. 2 (2001): 246.

[6] Ibid., 247.

[7] Ibid., 251.

[8] Barbara Warnick, *Rhetoric Online*, First Edition. (Peter Lang Publishing, 2007).

[9] It's important to note that while protocol provides the distributive technology behind public space, other environmental, economic, and political pressures contribute to the decentralization evident in contemporary society. For more on "global guerrillas" and resilient communities, actors working on behalf of localized interests against larger state and corporate agendas, see J. Robb, *Brave new war: The next stage of terrorism and the end of globalization* (Wiley, 2007).

[10] Versions of public dialogue and action have been advanced in response to Habermas's rational communication model of the public sphere. Gerard Hauser's arguments regarding the plurality of publics described by a "reticulate public sphere," and more recently Brouwer and Asen's claims regarding the many modalities of public culture, best define our own approach to understanding public space as ephemeral, mobile, and vernacular sites of engagement.

[11] Nancy S. Struever, *Rhetoric, Modality, Modernity*, 1st ed. (University Of Chicago Press, 2009), 6.

[12] Modality offers a way to describe the various kinds of public engagements and events that can erupt in social contexts. As a metaphor it suggests a more pliant, temporary, and mobile form of public engagement. For recent discussions of modality in public and rhetorical contexts.

[13] Dean, "Cybersalons and civil society," 253.

[14] Alexander R. Galloway and Eugene Thacker, *The Exploit: A Theory of Networks* (Univ Of Minnesota Press, 2007), 81.

[15] Ibid.

[16] For Warner, publics are made up of three main types: First, "The public is a kind of social totality." That is, it is composed of people who are organized around notions of nationality, commonwealths, cities, states,

communities, etc. A public is also "a concrete audience, a crowd witnessing itself in visible space, as with a theatrical public." If the prior claim locates publics as participants in national, state, and municipal spaces, this second sense considers the more tangible presence of people as addressed groups or public participants. The last sense, which we'll focus on here, looks at "the kind of public that comes into being only in relation to texts and their circulation—like the public of this essay." See Warner, *Publics and Counterpublics*, 65–66.

[17] Ibid., 68.

[18] Ibid., 85.

[19] Ibid., 90.

[20] Ibid., 91–92.

[21] Ibid., 96.

[22] Ibid., 97.

[23] Ibid.

[24] Ibid.

[25] Ibid.

[26] Ibid., 98.

[27] Galloway associates each of these network architectures with a "machine." Sovereign society (centralization) is associated with simple mechanical machines, disciplinary society (decentralization) with thermodynamic machines, and control society (distribution) with cybernetic machines. See Alexander R. Galloway, *Protocol: How Control Exists after Decentralization* (The MIT Press, 2006), 27.

[28] Ibid.

[29] Ibid., xv.

[30] Ibid.

[31] For more on biopolitics and control societies, see M. Foucault, "The history of sexuality: An introduction, volume 1," *Trans. Robert Hurley. New York: Random House* (1978); G. Deleuze, "Postscript on control societies," *Negotiations, 1972–1990* (1995): 177–182; M. Hardt and A. Negri, *Multitude: War and democracy in the age of empire* (Penguin Group USA, 2005).

[32] Galloway, *Protocol*, xv.

[33] Ibid., 8.

[34] Ibid.

[35] Ibid., 10.

[36] Christopher Beam, "Block Like an Egyptian", January 28, 2011, http://www.slate.com/articles/technology/technology/2011/01/block_like_an_egyptian.html.

[37] Galloway, *Protocol*, xv.

[38] Warner, *Publics and Counterpublics*, 98.

[39] It's important to provide some context here. At the time Warner's essay was published, Wikipedia contained fewer than 100,000 articles. By July 2010, it contained more than three million.

[40] Warner, *Publics and Counterpublics*, 98.

[41] Kurt Opsahl, "Facebook's Eroding Privacy Policy: A Timeline," *Electronic Frontier Foundation*, April 28, 2010, https://www.eff.org/deeplinks/2010/04/facebook-timeline.

[42] Ibid.

[43] Ibid.

[44] Guilbert Gates, "Facebook Privacy: A Bewildering Tangle of Options," *New York Times*, May 12, 2010, sec. Business Day, http://www.nytimes.com/interactive/2010/05/12/business/facebook-privacy.html.

[45] Nick Bilton, "The Price of Facebook Privacy? Start Clicking," *The New York Times*, May 12, 2010, sec. Technology / Personal Tech, http://www.nytimes.com/2010/05/13/technology/personaltech/13basics.html.

[46] Galloway, *Protocol*, 8.

[47] A Facebook group has been established to provide information to those who are attempting to "disappear" from Facebook. As various postings to this group's message board indicate, it is difficult to completely delete a Facebook profile. See "How to permanently delete your facebook account.", n.d., http://www.facebook.com/group.php?gid=16929680703.

[48] R. Raley, *Tactical media* (Univ Of Minnesota Press, 2009), 9.

[49] Ibid., 151.

[50] Ibid.

[51] Ibid.

[52] Ibid., 31.

[53] Ibid., 37.

[54] Ibid.

[55] Ibid., 45.

[56] See J. Boykoff and K. Sand, *Landscapes of Dissent: Guerrilla Poetry & Public Space* (Palm Press, 2008).

[57] Struever, *Rhetoric, Modality, Modernity*, 1.

[58] DC Brouwer and R. Asen, "Public modalities, or the metaphors we theorize by," *Public modalities: Rhetoric, culture, media, and the shape of public life* (2010): 3.

[59] Struever, *Rhetoric, Modality, Modernity*, 70–71.

[60] Ibid., 73.

[61] Ibid., 74.