# Private Archive

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#### \*\*CONTENT WARNING: Graphic Descriptions of Queer Violence\*\*

#### Rashawn Brazell, a nineteen-year-old black gay man, *went missing* the morning of 15 February 2005 from the Brooklyn apartment he shared with his mother…A week later, on 23 February, workers at the Humboldt Street recycling plant in New York made another discovery of body parts in a black bag. Among these remains was a fingerprintable hand, which confirmed the body parts to be those of the missing Brazell. An assortment of bones and flesh—part of a torso, hand, leg, and pelvis—filled the bags. According to the autopsy and coroner’s report, Brazell was “kept alive” for two days before he was surgically dismembered. \*

#### Stories such as Brazell’s are graphic and upsetting in nature, but an understanding of this violence is critical to understanding queerness. Antiqueer violence is violence against a person AND an idea. Antiqueer violence transcends its scenarios, but those scenarios are uniquely key to understanding it.

#### Queer violence and the way it is portrayed in the status quo absolutely must be challenged or the lives of the queer will continue to be erased. Every moment that passes more lives are being purged from our history by heterosexual rejections of the notion of queer violence.

Stanley 11 Eric Stanley (assistant professor in the Department of Gender and Sexuality Studies at the University of California, Riverside) “Near Life, Queer Death Overkill and Ontological Capture” *Duke University Press Vol 29 No 2* Summer 2011 p. 7 <https://queerhistory.files.wordpress.com/2011/06/near-life-queer-death-eric-stanley.pdf> DOA: 8.30.17 BAO

Where statistics fail, scars rise to tell other histories. From the phenomenological vault of growing up different, to the flickers of brutal details, one would not have to dig deep to uncover a corpse. Yet even with the horrific details, antiqueer violence is written as an outlaw practice, a random event, and an unexpected tragedy. Dominant culture’s necessity to disappear the enormity of antiqueer violence seems unsurprising. Yet I suggest that mainstream LGBT discourse also works in de-politicized collusion with the erasure of a structural recognition. Through this privatization the enormity of antiqueer violence is vanished. Thinking violence as individual acts versus epistemic force works to support the normative and normalizing structuring of public pain. In other words, privatizing antiqueer violence is one of the ways in which the national body and its trauma are heterosexualized, or in which the relegation of antiqueer violence, not unlike violence against women, racist violence, violence against animals (none of which are mutually exclusive), casts the national stage of violence and its ways of mourning as always human, masculinist, able-bodied, white, gender-conforming, and hetero- sexual. For national violence to have value it must be produced through the tangled exclusion of bodies whose death is valueless. To this end, as mainstream LGBT groups clambe for dominant power through attachment of a teleological narrative of progress, they too reproduce the argument that antiqueer violence is something out of the ordinary.

#### When the public is granted a right to know over candidate’s privacy it is used to expose the intimate secrets of the candidate, manifesting itself in forced outing of queer candidates for public office.

Elwood 92 John Elwood (specializing in appellate litigation and review of administrative action. He has argued nine cases before the Supreme Court of the United States, and has argued before most of the federal courts of appeals. He served as senior deputy in the Justice Department’s Office of Legal Counsel from 2005 until 2009 and served as an assistant to the Solicitor General from 2002 until 2005.) “Outing, Privacy, and the First Amendment” The Yale Law Journal , vol 102 no3 December 1992 p.762-763 <https://www.jstor.org/stable/pdf/796917.pdf?refreqid=excelsior%3A692acde62d0300a1e6b87acfd68ec7af> DOA:11.28.18 BAO

The right to privacy is in danger of becoming-and indeed may have already become-a right surviving only in dicta.120 Recent jurisprudence and critical commentary have irrevocably and unconditionally subordinated the right to privacy to the First Amendment.121 The outing of prominent homosexuals presents a situation in which common law privacy rights clash directly with the constitutional right to free speech and a free press. Critics of outing bemoan the fact that the public disclosure tort is so anaemic that "it probably would offer no protection against so egregious an intrusion as outing." 122 Commentators and jurists afford privacy so little weight because they misunderstand its importance.123 Many assume, as Prosser seemingly did, that public disclosure of private information implicates only minor, common law rights against the infliction of psychological distress.2"4 Properly view however, the public disclosure tort implicates basic values of our constitutional system. To be sure, public disclosure of private facts can result in severe psychic distress, stemming from the nature of the revelation itself. By laying intimate information open to public view, public disclosure assaults a person's individuality.125 The victim is outraged and mortified by having the public know her most intimate secrets,126 and is robbed of the prerogative of making the disclosure herself, thus losing control over her own life and identity.127 The violation of privacy is, essentially, a blow to human dignity or an injury to individuality.128 The world is a witness, a peeping Tom, to the victim's intimate life.129 Psychological studies indicate that the coming-out process is painful even when voluntarily undertaken.130 Though the psychological ramifications of outing remain "largely unstudied,",131 it stands to reason that forced disclosure would be far more traumatic.

#### The public’s right to know for instances of outing lgbtq+ candidates is an unconstitutional act which creates a chilling effect on queer folk running for office. It’s not enough that they ruin the lives of any queer individual trying to claw our way into the system, they have to keep us from trying altogether

Guzman 95 January 1995 About Outing: Public Discourse, Private Lives Katheleen Guzman Washington University Law Review Volume 73 | Issue 4 Guzman is an Associate Professor of Law, University of Oklahoma College of Law. J.D. University of Arkansas School of Law (1991); LL.M. Yale Law School (1992). Pg. 1552-1567//KE

Outers are motivated by a desire to heighten sensitivity to gay-related issues, increase awareness of gay rights, provide positive role models, and expose the hypocrisy of powerful gay men or lesbians. 5 These goals initially appear valid, but weighing them against the personal and societal cost of outing assumes the "Speaker fulfillment" standard-to protect the speaker's autonomy and dignity-in that the outer may determine what he or she wants to accomplish and through what means. Generally, legal redress for outing victims might inhibit the selfexpression of those seeking to publish that a specific person is gay or lesbian. If driven by malicious intent, such self-expression should not be protected by law in any event. If the speaker's motivation is to force the reconsideration of gay-sensitive issues, that goal can be met through discussing homosexuality, AIDS, discrimination, legal reform, and hypocrisy in the abstract. All things equal, it seems ridiculous to assert that the outer's fulfillment in lurid reporting tactics supersedes the outed's fulfillment in living a life that does not impinge on anyone else's autonomy. While the desire to create role models is laudable, pressure upon it reveals four major flaws. First, it is doubtful that providing a role model is ever proper justification for invading privacy. This rationale supplants collective utilitarian interests for the value in individual autonomy, an unjustifiable result in a nation that values heterogeneity and where "the chance of unrestricted collectivism and groupism presents a greater danger than unconfined individualism.' 5 6 Second, one who must be dragged from the closet might lack the level of moral courage required of a truly effective role model. Outers seem to envision a magical transformation from shame and desire for privacy to pride and desire for publicity and advocation once the information is known. The scenario is unlikely. Third, while the provision of a role model to gay youth is also aimed at the heterosexual to destroy popular stereotypes, whether visible counterexamples to stereotypes can undermine them is arguable. 57 A study by Deborah David and Robert Brannon argues that stereotypes are not individually constructed but rather socially transmitted. 8 For this reason, Joseph Harry and William DeVall argue that role models offered to affirm homosexuality and counteract negative stereotyping would be dismissed as exceptions to the stereotype."9 Worse, if the assertion that secrecy equals dishonesty is true, then exposing "closet-bound hypocrites" only strengthens the belief that gay or lesbian people are duplicitous, sneaky, conspiratorial infiltrators. Fourth, outing is counter-intuitive. An outed person in power might lose that power, neutralizing the rational (although private) perspective of sexuality that he or she could bring to bear on society and potentially replacing it with a less enlightened voice. b) The public's right to know Outing unquestionably indulges the public's access to information. Except for the rare case, however, it is unfathomable how revealing a specific person's orientation enriches the philosophical, literary, scientific, religious, or cultural understanding of the audience. 6 ' Protecting this broad right to know need not embrace trivial or low-value revelations . 61 The courts employ a myriad of balancing tests and could weigh the worth of the specific information disclosed against a broader public right. Granted, public status involves an element of constructive waiver; one theoretically assumes the risk of disclosure when seeking fame or notoriety and enjoys better access to the press to respond to the revelation. Activists argue that by virtue of status, many outed persons forsake all rights to privacy. But it need not follow that choosing acting or professional football, for example, entails forsaking all private, personal information. Society might ultimately lose a more precious commodity when diverse women and men shy away from public service or promotion to avoid excoriation when private matters inflame public curiosity. Under this First Amendment theory, the speech occasioned by an outing would be protected if it were information necessary to casting an effective vote. This approach limits protection to political speech, under which an outing plaintiff could maintain a cause of action upon showing the nonrelevance of his or her sexual orientation to self-governance. The easiest scenario is where the plaintiff lacks political or official status, but the relevance of the information remains speculative even where the plaintiff seeks or holds public office. The correlation between sexual orientation and the ability to serve a constituency is difficult to discern. The first argument made is that the candidate's potential for criminal activity (sodomy) shows disrespect for law. This assertion of "relevance" might mask a less benign motive for knowing the information. Prosecution of homosexual activity is ordinarily triggered by undercover agents.'62 If consensual but criminal sexual conduct is truly relevant, perhaps undercover sex officers should regularly marshall evidence on the conduct of any candidate, heterosexual, homosexual, transsexual, or bisexual.'63 Focus on the criminality of sodomy hides behind legality to conceal a more likely preoccupation with morality. Recognition of the real concern confronts its relevance and avoids renvoiesque forays into legislated sexuality. The second argument is that a gay man or lesbian is particularly susceptible to blackmail or poses special security risks." 4 To the extent that this argument has merit, any risk involved is easily neutralized by removing the stigma attached to homosexuality. The argument also ignores that other private information which poses similar risks does not merit public disclosure. Finally, outers profess to reveal the hypocrisy of gay men and women in positions of power. This connection initially commands consideration even from opponents of outing. A significant character flaw is revealed, and lack of sympathy for the victim vanquishes moral dilemmas over invading privacy. Nevertheless, this justification presupposes two potentially invalid assumptions. Presuming that the outers are even correct in asserting someone's orientation, one wonders whether there is such a thing as a "gay viewpoint." While abstract generalization may be made regarding the tendency of a group member to sympathize with in-group concerns, it is absurd to attribute to an individual a pre-packaged set of opinions merely because that individual is gay. One's views should no more be determined by sexual orientation than by being Caucasian or agnostic or underweight or female.'65 This insidious form of stereotyping demonstrates decided insensitivity to individualism, lessened in no way by the "I can criticize my sister" syndrome. 6

#### Vote aff to queer the archives and defy the heteronormative logic of erasure inherent in the resolution. Affirming as an act of queer archival allows us, at least in this room, to break down the heteronormative structures that reject the existence of queer violence and allow queer bodies to exist in the space and have everyday acts of violence, oppression, and rejection documented and affirmed. Only after these things are done can the queer body live.

#### The Role of the Ballot is to vote for the debater who best challenges historical narratives of queer violence.

#### The ballot can be a liberatory tool by archiving this round and how debaters interact with the narratives inside the 1AC in an attempt to create the conditions necessary for queer life. Absent the ballot the archival of the AC is erased by another act of heteronormative violence. Stanley is incredibly clear that structural recognition is critical to combatting the erasure of queer narratives. The aff’s merits need to be recognized by the existing power structure of the ballot.

#### After finishing a graveyard shift washing dishes for minimum wage at a local Waffle House, eighteen-year-old Scotty Joe Weaver stopped by his mom’s to give her some money he owed her before heading home to his green and white trailer in the rural town of Pine Grove, Alabama. Scotty Joe was a drag performer in local bars with a fondness and talent for working Dolly Parton. He had dropped out of school some years before in the hope of escaping constant harassment and daily physical attacks. \*

#### Weaver’s body, bound in gasoline-soaked fibers, partially decapitated, charred, and pummeled beyond death, as remainder of a queer life, represents what kind of sociality is (not)lived before such a death. There has been in the recent past an important and understandable drive in critical and artistic production to articulate the various forms of vitality that congeal below the surface or outside the orbit of the fully realized promise of personhood…the deaths we are forced to live\*

#### The discursive praxis of the 1AC is uniquely important; discussing queerness in academic spaces like debate is imperative to materialize change. Archiving the trauma inflicted upon queer individuals and challenging conceptions of censored nationalist history through the act of oral archiving is critical to developing ways to overcome that trauma without losing the lives tied to them.

Cvetkovich 03 Ann Cvetkovich (the Ellen Clayton Garwood Centennial Professor of English and Professor of Women's and Gender Studies at the University of Texas at Austin) “An Archive of Feelings: Trauma Sexuality and Lesbian Public Cultures” Duke University Press 2001 p.235-237 <https://www.dukeupress.edu/an-archive-of-feelings> BAO

In Femininity Played Straight, Biddy Martin uses story of mourning and trauma as the vehicle for a critique of queer theory. She describes her "hesitations about theories that elevated radical detachment, anti-societalization, and transgression to the level of reactive sublime" and articulates her "belief in the importance of something as simple and basic as attachment, investment, even love."" In addition to articulating this claim theoretically, she makes it through an account of the death of her (straight) brother and her own grieving for him. She also makes use of the model provided by Peggy Phelan's account of Tom Joslin's film Silver­ lake Life: The View From Here (1993), in which Phelan uses the story of a gay man's documentation of his lover's death from A I D S to create a space for her own (specifically lesbian) fantasy and grief Crucial to Phelan's argument is the claim that lesbians and gay men have a stronger relation to the death drive because of their experience of the social death of homophobia.z1 Martin agrees, but also finds in Phelan's account room for an understanding of trauma that does not assume "an absolutely original’ and constitutive violence to which all other traumas could be assimilated, nor any assumption that all agency can be reduced to compulsive repetition."14 Hence, in addition to articulating the relation between trauma and attachment as a critique of queer theory, Martin also implicitly offers here a critique of approaches to trauma that have a tendency to assimilate all traumas to an epistemological structure of unknowability. One such approach Cathy Caruth's model of "unclaimed experience," which trauma is marked by its temporal belatedness, its failure to leave traces by which it could be directly represented and remembered. Martin holds out for the specificity of individual trauma stories as a guard "'against the presumptions of rigid normative and antinormative binarisms; in the same vein, I insist on the idiosyncrasies of activist life that are illuminated by oral history. Martin's grieving for her brother (and love of her family) along with Phelan's imaginative use of Silverlake Life to provide a model for her own forms of melancholy can be connected to the accounts here of lesbians responding to AIDS as both activists and caretakers. The leaps of cross identification and fantasy that structure these affective processes of mourning and militancy offer a model for a response to trauma and AIDS that while it may resist sentimentality, is nonetheless of affective power. Especially important, too, is the (theoretical} claim for specificity, for the experiential detail that comes from the story of a dead brother, memoirs of attending to dying friends, or interviews with lesbian Al s activists that cannot easily be abstracted to produce a structural account of trauma. These forms of cultural expression-memoirs, novels, and interviews- constitute the unusual archive necessary to capture the queer bonds and affects of activism and caretaking. They offer a challenge to critiques of trauma culture a sentimental culture. A different trauma culture emerges om the scene of AIDS activism- one that is not about spectacles of wounded helplessness but about trauma as the provocation to create alternative life worlds. The oral histories of AIDS activists propose new ways of representing and countering trauma- modes of response that do not oppose militancy to mourning or women's work of caretaking but instead glimpse within the material specificities of queer intimacy and love the structures of feeling that can build new political cultures.

#### The oral history, such as what is provided by the AC, keeps the dead with us. Without acts of revival, the lives become nothing but insignificant marks on a history that denies their existence. The aff carries with it the lives of the dead that the world is trying to make us forget.

Cvetkovich 2 Ann Cvetkovich (the Ellen Clayton Garwood Centennial Professor of English and Professor of Women's and Gender Studies at the University of Texas at Austin) “An Archive of Feelings: Trauma Sexuality and Lesbian Public Cultures” Duke University Press 2001 p.235 <https://www.dukeupress.edu/an-archive-of-feelings> BAO

My goal of using oral history to create a public sphere around the afterlives of AIDS activism has been largely successful. The interviews themselves and the process of collecting them ensure that activist history is not forgotten; it revisited in these conversations in which we continue to sort out what happened and how it persists. The interviews are part of the work of mourning, which can also be a productive form of melancholy because mourning is not terminable when we keep the dead alive and with us. Gund, for example, continues to perform the work of mourning as she fantasizes about her friend Ray Navarro. Her comments about him in the sequence of quotations that begins this section emerged the result of a conversation in which we edited the first version of her remarks to remove a sense of survivor's guilt that she felt no longer rejected her feelings.11 She notes that in her ongoing fantasies about Ray, he is now the age he would have been if he had lived rather than the age he was when he died, and she considers this a step forward in the mourning process. She likes the idea that melancholy can make loss a resource, thus, that holding onto Ray rather than giving him up in favor of the living can be something positive. Like the dead, memories of activism can also be kept alive as something that one has recourse to, even diffcult memories such as those that Banzhaf wants to see remembered.

#### Making these stories public are uniquely key to keeping the dead with us and ensuring that the trauma inflicted on queers is not forgotten. Keeping the record open, allowing this affirmative to be read, is key to making the queer life valuable.

Cvetkovich 3 Ann Cvetkovich (the Ellen Clayton Garwood Centennial Professor of English and Professor of Women's and Gender Studies at the University of Texas at Austin) “An Archive of Feelings: Trauma Sexuality and Lesbian Public Cultures” Duke University Press 2001 p.238 <https://www.dukeupress.edu/an-archive-of-feelings> BAO

These stories vividly reveal oral history's power to turn affective memory into public history. Gathering oral history is itself a form of mourning, a practice of revivifying the dead by talking about them and revivifying moments of intimacy that are gone. The loss of a movement and the loss of people are entwined now, even as new for of activism continue. Moreover, because mourning is not punctual and need not come to an end in order to avoid pathology or overcome trauma, and because the dead stay with us, it is important to keep the historical record open.

#### Archiving is a way to challenge the norms ingrained in the space in which they are created. This means that affirming at the very least will have an impact on the debate space, even if it never leads to major societal change

Sheffield 16 Rebecka Sheffield "Ephemeral Material: Queering the Archives by Alana Kumbier (review)." Archivaria, vol. 81, 2016, pp. 167-171. Project MUSE,

Kumbier uses queer as both adjective and verb, and as a way to describe the oppositional, unruly, and coalitional approaches to archival studies and archival practices that she observes in her case studies. It is the very queer-ness of these approaches that calls attention to the deficiencies in traditional archival practices, particularly those that obfuscate political and cultural contributions from sexual and ethno-cultural minorities. As Kumbier notes in her introduction, the concept of queering the archives also responds to Laura Millar’s call for a more “expansive understanding of archives” (p. 12). By focusing on queer archival practices, rather than LGBTQ collections, Kumbier suggests that projects such as zine making and documentary filmmaking complement more conventional collecting as they are a means to create and reimagine heritage as something more than GLAMs (galleries, libraries, archives, museums). As she discovered in her own fieldwork, queer archival initiatives can even be temporary endeavours that may not ever contribute to traditional heritage systems. The very notion that archival initiatives can be short-lived challenges longstanding assumptions about the purpose and power of archives as persistent tombs of documentary evidence. It also highlights the importance of archival work as a critical practice.

#### At 12:48 p.m. on 8 January 1999, the body of Lauryn Paige was found in a ravine near the entrance of the Tokyo Electron Corporation in Austin, Texas. Barely covered by weeds and roadside trash, her body was laid to unrest in the stagnancy of wastewater and debris. In plain view and hidden from sight, Paige’s tomb holds an open secret with deadly consequences. A shallow grave, unrecognizable as such, the locus of Paige’s unimaginable end indexes the limits of a queer present. A portrait of a near life, out of time, it terrorizes through its everywhereness. Beyond the pageantry of meaning, this scene pictures the untraceability of antiqueer violence. Both everywhere and nowhere—a series of trash bags, a burning blanket, a concrete ditch—perhaps this is the province of the queer. This ditch ought not be our end. Yet I stay in the place of violence, in the muddy abjection of a drainage ditch, precisely because it offers no recuperation, no rescue beyond decomposition. … escape is not possible and that against the dreams of liberal democracy there may be no outside to violence\*

\*Stanley 11 Eric Stanley (assistant professor in the Department of Gender and Sexuality Studies at the University of California, Riverside) “Near Life, Queer Death Overkill and Ontological Capture” *Duke University Press Vol 29 No 2* Summer 2011 p. 7 <https://queerhistory.files.wordpress.com/2011/06/near-life-queer-death-eric-stanley.pdf> DOA: 8.30.17 BAO