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Dubjection: A Node
(Reflections on web-conferencing, McLuhan, and intellectual property)

Media always already provide the appearances of spectres.
- Friedrich Kittler (12)

Having extended or translated our central nervous system into the electromagnetic technology, it is but a further stage to transfer our consciousness to the computer world as well.
- Marshall McLuhan, *Understanding Media* (89)

If consciousness should, ultimately, prove to be uploadable, corporations will hold patents on the software that will embrace our minds.
- Chris Dewdney (178)

What is no longer archived in the same way is no longer lived in the same way.
- Jacques Derrida (18)

When Prof. Dr. Martin Kuester accepted my presentation for the Universität Marburg Canadian Studies Centre's May 2011 conference *McLuhan's Global Village Today*, I was pleased to be included in this centennial celebration of Canada's foremost media scholar. When it looked like I would not be able to attend, Dr. Kuester gamely agreed to allow my proposed remote presentation of the talk via digital web-conferencing. Following a successful test run of the technology conducted a week before the proceedings, on May 13th I presented my paper: "McLuhan's 'Frankepheme' of Technology," a close reading of the discourse of technology in McLuhan's writing. When Dr. Kuester circulated the call for expanded contributions to a volume of the proceedings, I was pained to decline: mine was reserved for other publication plans. But when I proposed, instead, a kind of meta-commentary about my talk's McLuhanesque mediation, and the implications of this mediation, Dr. Kuester - again very gamely - expressed interest. He

has been an exceedingly good sport to field the curve-ball contributions I have thrown at him, and I thank him for the opportunity to share these reflections as part of this collection's colloquy.

What does it mean to say that I *presented* a paper at the conference? I was neither present at the event, nor presenting a paper, as denoted by academic tradition, so much as orchestrating an audio-visual "presentation," at once a performance and a recording. I delivered my talk remotely, using the Adobe corporation's Connect program, one of many web-conferencing or "webinar" programs that provide multimedia-rich teleconferencing services for business firms, educational institutions, and other organizational clients. For my purposes here, it's worth mentioning that the university I work at, Athabasca University (AU), deals entirely in distance education, much like the UK's Open University. We have a couple of staff and student-service offices, but no physical campus.

I decided to propose a web-conference version of my talk for a couple of reasons.

Firstly, I was familiar with web-conferencing - and its predecessor, teleconferencing. The first teleconference I attended was a class meeting of the McLuhan Centre's seminar on "Media, Mind, and Society" that I took as a grad student at the University of Toronto in 1996; Derrick de Kerckhove, the instructor and then Centre director, led the class remotely while he was abroad. Suffice to say, the medium of that meeting was as much discussed as the subject matter's message; de Kerckhove had speculated on the social implications of videoconferencing in his then-new book *The Skin of Culture* (1995), predicting its centrality to telecommuting (not to mention its creation of "an enormous live sex video market" [60]). Fast-forwarding to 2008, I was introduced to web-conferencing while at the University of Western Ontario, when I used Wimba, owned by the proprietary LMS firm Blackboard, to present a paper for a symposium on postcolonial popular culture at the University of Otago in New Zealand; it was in that paper that I began work on what I have dubbed the *subject*:

a work of being in the age of ubiquitous technological reproduction; a practice of uploading and globally distributing identity; a practice of mediatizing subjectivity itself, transcribing the improvisational experience of corporeal embodiment into the archival fixity of recording media. The subject is a self recording and recorded, dubbed and doubled; a *doppelgänger* self whose 'live' presence becomes radically supplemented by its recordings and representations. (McCutcheon, "Frankenstein" 735)

When I moved to AU, then, it was no surprise to find web-conferencing software in regular use. AU's former Canada Research Chair in Distance Education, Terry Anderson, claims to have organized the world's first online conference, which took place in 1994 and pre-dated the World Wide Web:

The Calgary-based event for the International Council of Distance Education lasted three weeks, featured six keynote speakers whose talks were delivered in text format, and consisted largely of participants sending and receiving about 20 e-mails a day. More than 1,000 people attended, quite a feat in those nascent days of the web, when there were multiple networks instead of one superhighway, requiring participants to use a variety of methods to access the conference. (Waldman ¶11)

Clearly, online conference technology has come a long way since. (The extent to which it's stimulated a digital live porn market is a question beyond this paper's scope.) Dozens of

vendors offer web-conferencing solutions, as discovered by AU's committee struck to select a new one for official adoption by our university. We decided on Adobe Connect, for one very important reason, among others: it was the only shortlisted solution whose vendor could supply domestic storage of AU data - that is, in Canada, instead of on foreign servers. Data storage on American servers became a cause for concern for the committee, amidst discussions about how any and all US-stored data is open to the extraordinary search and surveillance powers afforded to the US government by the October 2001 Patriot Act. In contrast, Blackboard's privacy policy informs EU residents about its terms for data storage "in countries outside the EU, including the United States"; similarly, Cisco Webex's terms of service specify that US and California laws govern all "contracting entities" in the Americas.

A more mundane reason we adopted Connect is the software's robustness and user-friendliness. But no software is so robust it can be taken for granted to work, so Dr. Kuester, Christian Pauls, and I held a test meeting using the software a week before the conference. During our brief online talk, I asked Dr. Kuester what McLuhan would have thought of web-conferencing. "I think he would say it's too hot," he replied.

Wondering what McLuhan might make of web-conferencing - and whether a demonstration of it would be apt for a McLuhan centennial event - was the other reason I thought of proposing it. These reflections will be elaborated in what follows, after a few further details to set the scene and describe the media involved. At the time of the conference, I was in transit. A family emergency had taken me out of my home office in Edmonton, to the other side of the country: specifically, the house of my parents-in-laws' neighbours in the small town of Thornbury, Ontario, where we stayed so my spouse could assist her terminally ill mother. Contrary to de Kerckhove's prediction that video-conferencing would re-orient "architecture and development" to "communications accessibility rather than in terms of roadway and hydro infrastructures" (60), high-speed access to Internet service remains a colonially-conditioned scarcity for much of Canada outside the major urban centres - especially for First Nations communities. But, thankfully, these family friends did have a high-speed connection in the house, which is how I hard-wired a link to the conference in Marburg and began transmission.

That transmission consisted of a digital slideshow, video images of my talking head and of the room of delegates in Marburg, and my microphoned voice, as I spoke the text of my paper. Since I had copied my argument from a word processor into the program's Notes field, visible only at my end of the connection, to refer to it as a "paper" is somewhat skewed, a *skeuomorph*: "an object or feature copying the design of a similar artefact in another material" (*OED*) - like the "floppy disk" icon that still means "save," even though floppy disks are now mostly obsolete toxic waste. From my position as presenter, the screen showed the digital slideshow at left, with notes, and, at right, my video image as well as that of the audience. The audience had the approximately the same view, minus the presentation notes, whose absence made for a larger display of the slideshow. Figure 1 shows a screen-captured image of the Connect interface, taken from the recording of the talk; it shows the audience view. This recording is now archived in my institutional Connect account; it can be called up, replayed and paused, and distributed as a link with a password.

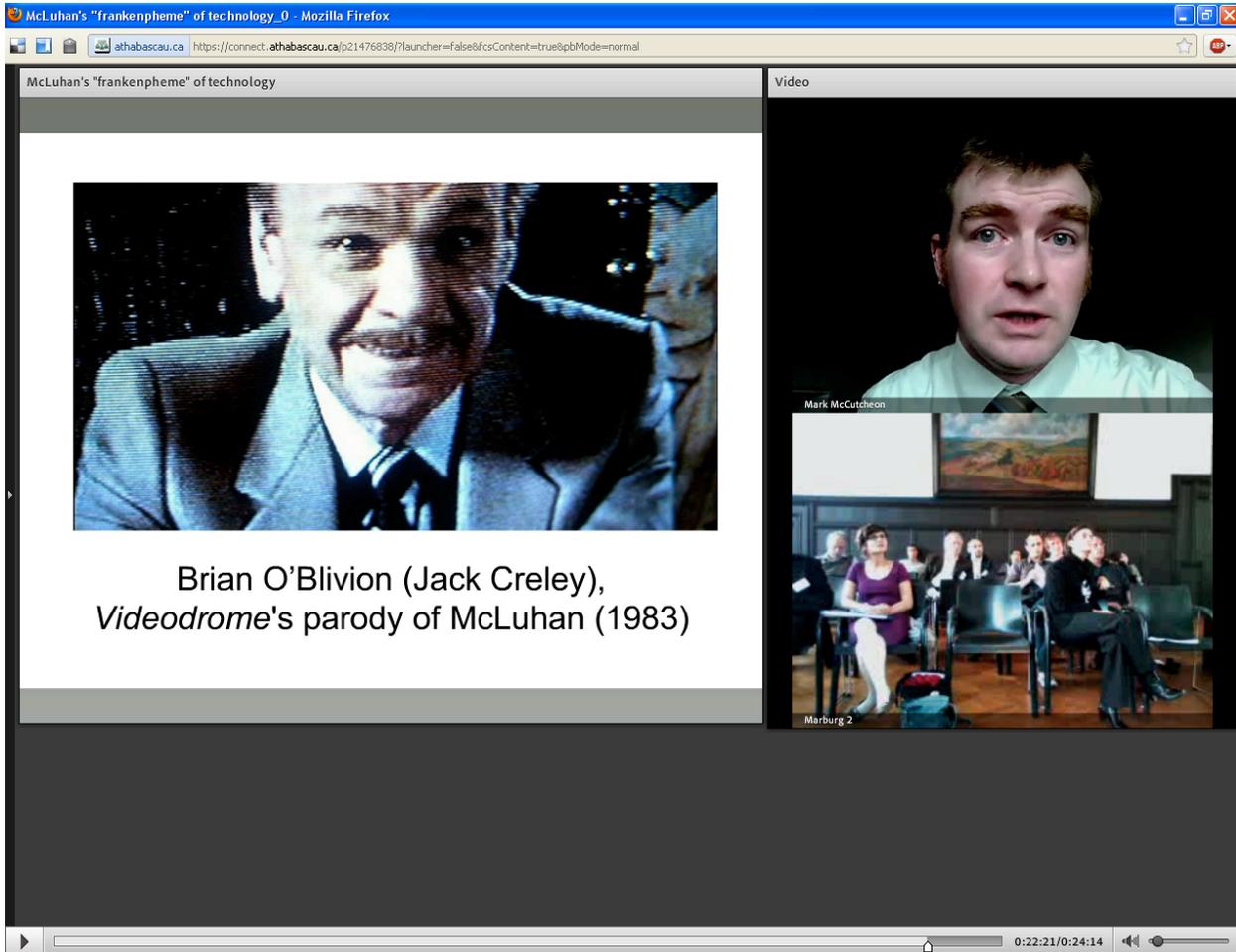


Fig. 1. Screen-captured frame of Adobe Connect interface, recorded 13 May 2011

Despite the test run, the system in Marburg encountered audio difficulty, which Pauls and the panel moderator nimbly worked around. I found it hard to read the audience's engagement at that time, but got a better sense of it afterwards, in fielding a question from the floor. And later that month, when I encountered Dr. Kuester at Congress (Canada's national convention of the Humanities and social sciences), he assured me that my talk had come through clearly, and was a topic of at least some conversation among the delegates. "The [Canadian] ambassador liked it," he said, which is how I learned the ambassador had been in the audience. (You see what I mean in saying the audience was hard to read at the time.)

I have detailed the context, set-up, and delivery of this particular web-conference in order to extrapolate from the experiment some of its cultural functions and material implications in three interconnected contexts: the idea of the *subject* in relation to "subject technics" theory (Apter ¶4); McLuhan's media theory; and intellectual property regulation. The latter two contexts both remain conspicuously absent from theories of digital subjectivity and space, which do extensively treat problems of remediated "extension" and corporate commodification in other respects, but not with significant reference either to McLuhan's ideas, or to the formidable and fast-changing intellectual property regulations that underwrite the whole field of new media culture - the media and messages - which give rise to theories of "the subject in technics" in the first place. The aim of my extrapolations here is to address these absences.

Like other digital media, such as social networks (Twitter, Facebook), web-conferencing blurs the lines between performance and recording, between presence and representation. Dubbing the subject formed between these lines the "dubject,"

I have suggested the figure of the dubject as a postmodern form of mediatized and remediated subjectivity, assembled through technologies of mechanical reproduction, and distributed through networks of electronic distribution, that blur the boundaries between performance and recording, consumer and commodity, the organic self and its technological others. [...] Read as a symptom of Canada's colonial experience of various cultural and media empires, dubjectivity remixes the individual citizen in a manner not unlike that in which Canadian multicultural policy reimagines the national citizenry: as the commodity of a global market, a product of competing intellectual property claims, a consumer of media consumed by media. (McCutcheon, "Towards" [236-39])

As I have started thinking about it, the dubject differs from analogous models of the subject in technics - Donna Haraway's cyborg, Apter's "avатарity" (§1) - more because of the cultural imperialist context that conditions its emergence than because of its structural or technoprosthentic dimensions. The idea of the dubject emerges from my research on a specific cultural tradition in Canada's "technological nationalism" (see Charland, Kroker). As theorized by McLuhan, as dramatized by McLuhanesque, medially self-reflexive texts like David Cronenberg's 1982 film *Videodrome* and William Gibson's 1984 novel *Neuromancer*, and even as *lived* by artists like Glenn Gould and Margaret Atwood, dubjection entails a technological doubling and spacing of the self.

But unlike Haraway's provisionally Utopian cyborg or Apter's avatar, a "prosthetic extension of desubjectivated agency" (§8), the dubject takes shape under conditions more specifically postcolonial than generally postmodern, as a "symptom of Canada's perennially imperilled sovereignty" and "an ambivalent product of cultural globalization and its corporate steering": that is, echoing Atwood, the dubject represents "a kind of survival" (McCutcheon, "Frankenstein" 739).

In illustrating the Connect interface, Fig. 1 also illustrates a *mise en abyme* of framed images of the dubject: framed by the page, the Connect interface frames a Powerpoint slide; the slide frames a still image from *Videodrome*; this image, in turn, frames a TV screen image of the character Brian O'Blivion, who represents an open parody of Marshall McLuhan, and an emblematic figure of the dubject:

Throughout the film, O'Blivion only ever appears on a TV screen. [...] Towards the film's end, we learn that O'Blivion has died before the film's diegetic time - before the interview - and has "lived" for some time only as a private library of videotapes. "This is him," O'Blivion's daughter-turned-curator explains to [protagonist] Renn. "This is all that's left. [...] He made thousands of them, sometimes three or four [tapes] a day. I keep him alive as best I can. [...] He became convinced that public life on television was more real than private life in the flesh. He wasn't afraid to let his body die." (McCutcheon, "Towards" [236])

A scholar, an inventor (we learn O'Blivion had invented the transformative "Videodrome signal"), a corporate subcontractor (he invented the signal for a multinational conglomerate), a

philanthropist (his organization provides TV access to the homeless), and a ghost in the machine: as the disembodied embodiment of these converging and conflicting local and global interests, O'Blivion serves as a representative subject for Canadian media culture.

As the image of the subject develops in the darkroom of Canada's postcolonial media culture, so does it reflect a specifically situated engagement with theory. Apter usefully summarizes the canons of scholarship on subjectivity and technology, canons that in her survey consist almost entirely of continental thinkers, such as Heidegger, Benjamin, Lacan, Derrida, Deleuze, and Kittler (¶3). While some of these thinkers inform my theory of the subject, so does McLuhan, who is strangely absent from Apter's canon of authorities on technology - except perhaps as a spectral, intellectual shadow behind some of them: Kittler, Deleuze, Derrida (see Cavell xvi).

As mentioned in my talk at Marburg, McLuhan's media theory makes use of spectral, sometimes monstrous figures to represent changing media ecologies - and media-changed subjectivities. McLuhan's fundamental conception of technology as "extension," as radical prosthesis, subtends his figurations of media's reconfigurations of social space as reconfigurations of subjectivity. This correspondence recurs throughout *Understanding Media*, from its introductory projections for "the technological simulation of consciousness" (5) to passages like that in Chapter 20, where in one paragraph McLuhan refers to "electronic man," "Typographic Man," and "Graphic Man" (259). McLuhan represents such subjects in epochal, universalizing terms; however, as discussed in several studies (Kroker 61; see also Cavell, Moss), McLuhan's ideas emerge from a specific, postcolonial "Canadian stance" (Cavell xvii), even as they speak to general, globalized and postmodern concerns. One well-known illustration of this is the strong influence on McLuhan of Harold Innis, whose work engaged issues of empire more extensively, and in a more explicitly Canadian context. Accordingly, McLuhan's ideas contextualize and texture the theory of the subject: "in McLuhan's terms (1964, 99-100), Canadian subjectivity entails both the technological 'extension of our own bodies and senses' and the 'lease [of] our central nervous systems to various corporations', both media bricolage and a redistribution that is at once infiltration and dispossession" (McCutcheon 739).

To take up, in depth, McLuhan's suggestive reference here to the "corporate lease" of "central nervous systems" in the context of intellectual property, we will first have to flesh out some of the broader articulations between McLuhan's media ecology and the theory of the subject, taking the web-conference presentation as illustrative case of subjectivity's simultaneously postmodern and postcolonial doubling and spacing the self.

As Richard Cavell extensively documents, space is an overarching, organizing problematic for understanding McLuhan's oeuvre: "McLuhan's notion of communication combines a spatial model with a sensory one, McLuhan insisting that media were extensions of our senses" (6). The conceptual centrality of space - especially the immersive, multi-vectored idea of acoustic space - to McLuhan's theory can helpfully problematize the spatial and temporal experience of webinar performance and recording as occupation and displacement, anchoring and movement. On the day of the proceedings, I wasn't *at* Marburg, or *at* AU - or even at the same place where we had tested the Connect interface, just the week before. If the conjunction *at* connotes a sense of place, of position - a humanistic, common-sense expression of live, embodied presence - then in that sense, I was somewhere, of course: I was *at* a neighbour's house. But that place became neither here nor there, so to speak, for the duration of my attendance at the conference. Would it be more precise to say that, at that time, I was "@ " a number of spaces at the same time? I was operating an AU-owned console, jacked into a family

friend's high-speed Internet service; I was streaming - in "real time," which is not the same as "live" - a bandwidth-heavy signal from a laptop in a Canadian farmhouse to an A/V system in a German town hall; and, additionally, I was logged in to my Twitter and web-mail accounts (one for interactive back-channel discussion, the other for quick correspondence in case of technical difficulties). What's more, I had already uploaded a *pre*-recording of the presentation - another precautionary back-up in case of technical difficulties - to my Connect server. So a version of my presentation - which meant, as far as the audience was concerned, a version of my *self*-presentation - was standing by: a recorded double of my live self, kept in reserve, ready to stand in for me, on my command.

These multiple corporeal and digital selves constituted a particular *node* of my dubjectivity at the time: a *node* as in a point in a network, but also as a usefully layered word that means a knot, an entanglement; a point of significance (or at least, in this case, of signification), a concretion (a materialization); a junction. If my dubjectivity materialized as a node, understood through these entangled, multiple meanings, then what networks did this node of dubjectivity - did I - occupy? For all the talk about virtualized or "cloud" data storage, these clouds are, of course, rooms and buildings full of server racks. Twitter's servers are in San Francisco and some other big American cities. Google, which is secretive about its physical-plant data storage operations, has servers around the world, but most of the known ones are in the continental USA; at least one is in Toronto (Miller). I was connected to my university accounts and data, stored in Athabasca, and to my Adobe account and data, stored on the company's servers in Toronto, where I'm from. My image and voice projected into the Marburg town hall, racing unplumbed lengths of cable and unknown airborne frequencies, translated into strings of ones and zeroes as dense and complex as protein chains. Routed and rerouted through data centres and ISP addresses across the Atlantic (and quite possibly elsewhere), my dubejected presence traversed any number of relays and channels in the global IT network, less a village, certainly, than a vast electric ocean.

McLuhan had not suggested the "global village" to project a Utopian future, of course, but to describe his dystopian present, the violently turbulent geopolitical world of the 1960s. Conversely, his ideas about computing - grounded in the late 1960s reality of computers and ARPAnet, the prototypical Internet spawned by a curious coupling between counter-culture programmers and the US military - have retrospectively gained the distinction of foresight, a distinction sometimes exorbitantly accorded the status of prescience or prophecy, as in his retroactive 1993 "canonization" by *Wired* magazine (Cavell xvi). As Cavell rightly cautions, it would be "a disservice to call him (as many do) a prophet," which would "limit his significance to having predicted the present moment" when his greater legacy was "to articulate the dynamics of technological change" (xvii).

And yet it is perhaps in McLuhan's speculations on networked computing that we find the most vividly and strangely imagined articulation of global, techno-cultural transformation: "might not our current translation of our entire lives into the spiritual form of information seem to make of the entire globe, and of the human family, a single consciousness?" (90). *Understanding Media* offers a series of variations on this theme: "The computer, in short, promises by technology a Pentecostal condition of universal understanding and unity" (114). The techno-transcendental Utopianism of this theme must be viewed as a colour print developed from his photo-negative image of the dystopian present - a "maelstrom" of change for which he privately expressed "total personal dislike" ("*Playboy*" 267). In *The Gutenberg Galaxy*, something of McLuhan's profound, conflicted ambivalence towards technological change comes

across in his suggestion that "the externalization of our senses creates [...] a technological brain for the world." Unlike the framing of such images in the later book *Understanding Media*, here he gives the image a sardonic, negative charge: "Instead of tending towards a vast Alexandrian library the world has become a computer, an electronic brain, exactly as in an infantile piece of science fiction" (44). In *Technology and the Canadian Mind* (1984), Arthur Kroker's reading of McLuhan's "technological humanism [...] at the forward edge of a fundamental 'paradigm shift' in human consciousness" (63) shrewdly encapsulates this temporal and tonal tension in his work:

McLuhan was a technological humanist of the blood: his conviction, repeated time and again, was that if we are to recover a new human possibility it will not be "outside" the technological experience, but must, of necessity, be "inside" the field of technology. [...] If only the media of communication could be made supportive of the "creative process" in ordinary human perception: then technological society would, finally, be transformed into a wonderful opportunity for the "incarnation" of human experience. (64)

On this account, McLuhan's ideas about the potential of information technology and biotechnology - and their intermingling - come to resemble the discourse of the "technological singularity," the view, espoused chiefly by Ray Kurzweil in books like *The Singularity is Near* (2005), that the human species stands on the cusp of a radically post-human future to be brought about by present efforts to engender self-aware artificial intelligences embodied in technological forms. Kurzweil presently expects the singularity's realization in 2045 (Grossman).

McLuhan's projection of "a new human possibility" like the singularity has been widely explored in Canadian science fiction, from the acknowledged McLuhanesque "cyberspace" of *Neuromancer*, to Robert J. Sawyer's *WWW* series (in which the web itself awakens), to Peter Watts' *Maelstrom* (2001), whose title recalls McLuhan's penchant for Poe's "Descent into the Maelstrom" (1845); Watts' novel satirically postulates "spam" e-mails becoming autonomous and turning the Internet into a digital "meatgrinder" of evolution in fast-forward. McLuhan's extrapolations of connected computing have also been taken up in nonfiction. De Kerckhove's *Skin of Culture* offers many variations on a McLuhanesque theme of dubjectivity, for instance in suggesting how accessing the Internet "amounts to spreading oneself in cyberspace and out of time" amidst a "common cognitive environment where the individual user, at once a consumer and a producer, becomes a kind of ubiquitous, floating neural/nodal entity" (203-4). A dubject, then? Toronto poet and McLuhan Institute Fellow Chris Dewdney's 1995 book *Last Flesh: Life in the Transhuman Era* adapts McLuhan's "baroque artistic imagination" (Kroker 61) and his restless, "probing" method to survey the contemporary technoscape - which, like that of de Kerckhove, is the cyberdelic, VR-helmeted dawn of the Web in the mid-1990s. Dewdney speculates at once more freely and more practically on the opportunities and challenges of "uploading consciousness" (169). On one hand, Dewdney envisions deeply strange futures, like "the awesome, perhaps frightening, prospect of eternal existence": a premise Cory Doctorow adopted for his first novel, *Down and Out in the Magic Kingdom* (2003). On the other hand - and with echoes, albeit somewhat different, in Doctorow's novel - Dewdney considers the commodifications and corporate exploitations of "uploading consciousness." In *Down and Out*, a "post-scarcity economy" has spelled the end of corporate copyright control. In *Last Flesh*, the posthuman future looks more like Gibson's corporate neo-feudalism. Pursuing the idea quoted as an epigraph at the start of this essay, Dewdney wryly suggests that "we may, in the future, be able to realize an aphorism that is now only an allegory, by being able to literally sell our souls to

a corporation" (178), and "all kinds of human skills, perceptions, memories and experiences might also become marketable in the ultimate intellectual-properties marketplace" (180).

Pursuing the licensing and marketing implications of these speculations leads Dewdney to conclude that "the spectre of a corporate monopoly over posthuman consciousness is, clearly, nightmarish" (181). And here is the key to recognizing the send-up in Dewdney's unbound futurism: for McLuhan, such a spectre was already looming over human consciousness, in the nightmarish, postwar global village. In its maelstrom of electronic sound and nuclear fury, too many citizens were already busy selling their souls to corporations, as *The Mechanical Bride* (1951) argues; and, as Cavell observes, its acoustic space of electronic media already "challenged received notions of subjectivity and the limits of the (extended) self," long before the cyberspace of digital media (qtd. in Moss 171).

At the risk of decontextualizing and dehistoricizing my own tentative theory, we can look further back into the history of culture and technology for suggestive precursors of the dubject. Friedrich Kittler finds subjectivity first simulated in nineteenth-century analogue recording devices that could capture the Real: "Once the technological differentiation of optics, acoustics, and writing exploded Gutenberg's writing monopoly around 1880, the fabrication of so-called Man became possible. His essence escapes into apparatuses. Machines take over functions of the central nervous system" (16). Kittler also notes that, in 1890, the Columbia Phonograph Company promoted the use of record players to consumers for composing music out of their favourite songs - making mash-ups, in effect (35) - a strategy understandable for an industry in its infancy, facing the entrenched sheet-music establishment, but one virtually unthinkable for the big labels today. Looking further back, we could read John Milton's image of book burning as murder in *Areopagitica* (1644), or the inquisition of library books in Cervantes' *Don Quixote* (1605-15) as prefigures of dubjection, exemplars of a long-standing literary conceit of books as "the preserved essences of authors" (Rose 29). The historical "parade of the subjects" (Apter ¶2), from early modernity to postmodernity to the singularity, suggests, in theory, that traditional humanistic subjectivity has always already been a project of representation.

In this essay I don't wish to claim that the dubject is either a harbinger of technology's awakening consciousness, on one hand, or a mere metaphor, on the other. But somewhere between these extremes, the dubject may linger for a time in the uncanny valley. In an article about what Internet users do or don't do about "the afterlife of their digital selves," Rob Walker identifies a growing social problem - and an emerging service sector for "digital estate planning," illustrated in stories of relatives locked out of loved ones' e-mail accounts for which companies won't release passwords, stories of DIY heirloom and scrapbook curation for the deceased by friends and fans. What emerges in Walker's account is a curious contradiction: between the predominant digital tools - which "privilege the moment" and so create "fragile digital selves [that] represent a potential loss" to future history - and their foundational cyberspace fantasies of an "age-proof, sickness-proof" and "upload[able]" self. To investigate this problem, Walker draws on Margaret Wertheim's critique of these fantasies of the "cybersoul," their substitution of a religious transcendent signified for a technological one:

Wertheim, it should be noted, saw the cybersoul notion as both flawed and troubling, and I would agree. Life's essence reduced to captured data is an uninspiring, and unconvincing, resolution to the centuries-old question of where, in mind and in body, the self resides. (¶13)

And yet this "uninspiring" image of a self as captured data perhaps best describes the dsubject, as dramatized by O'Blivion, as fictionalized in Gibson's "constructs" - "hardwired ROM cassette replicating a dead man's skills, obsessions" (77) - and as lived by Canadians like pianist Glenn Gould (see McCutcheon, "Towards") and transgender performance artist Nina Arseneault, who approaches both social media and her own body as sites of her creative, transformative practice. Dubjection is a particular practice of remediated representation as self-representation and survivalist retreat: a practice determined historically by the more or less simultaneous emergence of analogue recording and the Canadian nation, Canada's ensuing technological nationalism and the countervailing forces of (mostly British and American) cultural imperialism, and the late intensification of Canada's involvements and interventions in globalization, including the present reconfigurations of global intellectual property law.

By embodying the dialectic of propriety and appropriation in remediation, the dsubject amplifies McLuhan's under-appreciated but significant comments on "the corporate," and on issues of intellectual property. McLuhan makes references to "corporate" entities and practices that sometimes connote a social collective not a business model. For instance, in *The Medium is the Massage* (1967), McLuhan argues that television "invest[s] an occasion with the character of corporate participation. It involves an entire population in a ritual process" (125). But rereading McLuhan at the end of a decade in which "the dominant institution of our time" (*The Corporation*) loudly asserted both the propriety of its privilege and its capacity for catastrophe makes it difficult to read remarks on "the corporate" without hearing a *double entendre*, with significant bearing for a theory of dubjection.

In *Understanding Media*, McLuhan uses the term in both ways, letting them reflect each other's meaning. One statement in particular clarifies the business end of his terminology, and resonates profoundly with a globalized copyright regime that, for over a decade now, has been scrambling to keep up with - and striving to suppress - new media's transformations of culture and identity:

Once we have surrendered our senses and nervous systems to the private manipulation of those who would try to benefit from taking a lease on our eyes and ears and nerves, we don't really have any rights left. Leasing our eyes and ears and nerves to commercial interests is like handing over the common speech to a private corporation. (99)

Wary of the implications of the "lease [of] our central nervous systems to various corporations" (100), McLuhan gives the example of a corporation seeking to monopolize "common speech" as though it is a patent absurdity; but of course the corporate enclosure of common speech is now precisely what is taking place - whether we understand by "common speech" the public domain, or the rights of fair dealing and fair use, or the right to hyperlink without liability for infringement (a right taken for granted until very recently decided in Canadian law; see *Crookes v. Newton*). Given the arsenal and aggression of this "second enclosure movement" to confine and confiscate the global cultural commons, no theory of the dsubject is adequate without understanding its simultaneous contingency on and rejection of the lease of this self to "private manipulation" and "commercial interests."

One form this lease takes is simply in how a user creates value for a corporate social network at no cost to it, simply by freely posting and sharing personal content, selections of which are then traded by a company with its affiliates. Facebook caused widespread concern in 2009 amidst communications that its terms of service granted the network the rights to content

left in closed accounts. Facebook representatives scrambled to clarify that the company does not claim copyright in users' content (see Walters). Google's and Twitter's terms of service statements clearly assure the user that she or he retains copyright in one's content (e.g. e-mails, tweets, and links - though not necessarily the linked sites, if owned by third parties, of course).

Another form the "lease" takes is more structural, in how networking and communication are designed, organized, and limited by corporations and their extremely narrow market interests. Extrapolating from the "microblog" design of Twitter, I have argued (and tweeted) that the service's textual economy - its 140-character limit - normalizes for communication the neoliberal ideology that fiscal austerity is the only way to run a public service (McCutcheon, "Ipsographing"). Reflecting on the studiously depoliticized, hyper-consumerist layout of Facebook, Tobias van Veen argues that "the technics of perception in which uncitizens engage with the social network aligns desire with socially networked consumerism" ("Technics"). Adobe's Connect program is designed mainly for business and educational "solutions"; it seems odd, on this account, that two such different social institutions can use the same means to serve their different ends. In other words, as McLuhan's maxim that the medium is the message reminds us, every digital tool or service determines and to an extent dictates the order of its discourse.

Elsewhere in *Understanding Media*, McLuhan makes a related remark about the transformation of commodities into information (56) that maybe makes more sense today as chiasmus, if we add that information - like user-generated content - has become a staple post-industrial commodity. He also notes the imposition of uniform pricing around the world by cultural-industry companies - which has since been argued by Jack Bishop as a principal cause of media piracy in developing economies (102). Significantly, McLuhan's salutary statement on copyright is in *The Medium is the Massage*, the populist paperback digest of his theses; his statement is, characteristically, both explanatory and emancipatory. Anticipating Foucault and Mark Rose, McLuhan explains that the rise of print occasioned the advent of the "author" function and the privatization of "intellectual effort" as property; thus, "the idea of copyright [...] was born" (122). Then comes the emancipatory part:

Xerography - every man's brain-picker - heralds the times of instant publishing. Anybody can now become both author and publisher. Take any books on any subject and custom-make your own book by simply Xeroxing a chapter from this one, a chapter from that one - instant steal! (123)

Advocating something like the cut-up method of Dadaist and Beat aesthetics, McLuhan concludes from the cut-and-mix possibilities of ubiquitous copying technologies that "people are less and less convinced of the importance of self-expression" (123). Digital media have both confirmed and refuted this claim: through them, multimedia remixing has been democratized to the point that Canada's forthcoming [new] copyright legislation includes a remix clause sanctioning its noncommercial practice. On the other hand, the entertainment and "content" companies and their intermediaries have raised to a histrionic pitch its [their] evocations of the Romantic figure of the self-expressive artist, and its equally simplistic counterpart the pirate, in order to disingenuously represent their corporate rights-holder interests as those of suffering artists.

The impact of ubiquitous, networked, digital copying on intellectual property regulation has prompted a global mess of law struggling to keep pace with - or rein in - technology, via

reactionary legislation (the DMCA) and agreements (ACTA) that more than anything else just criminalize more and more computer users and non-infringing computer uses. Corporate device, software, and content producers routinely restrict the use of their wares with technological protection measures (TPMs) that - in cases like that of iTunes songs - mean the consumer's transaction a license or a lease, not a purchase (Smith, "Federal"). And since the 1840s, repeated copyright term extensions have been effectively reintroducing the perpetual copyright regime that the 1710 Statute of Anne was meant to curtail (St Clair 54-55).

Ironically, the present copyright regime is sufficiently thicker than that of even forty years ago that *The Medium is the Massage* might well be too prohibitively expensive to publish today, composed as it is not only of McLuhan's words but of photographs, art images, film and television screen frames, and song lyrics. All these require licensing permission to reprint; just the two lines from Bob Dylan's song alone would now run up a licensing fee of about \$4000.

What, then, of the copyright status of my Connect presentation? As the university I teach at, AU owns the copyright in all intellectual property I produce for the institution - with the significant exception of research. The Marburg web-conference is research, therefore my intellectual property. Adobe claims no copyright in the user content it hosts - but it does reserve the right to respond to "clear notices of copyright infringement" by its users, under the provisions of US copyright laws, international IP treaties, and "applicable local laws." Adobe Connect's terms of service, in fact, include detailed instructions to follow "if you believe that your work has been used or copied in a way that constitutes copyright infringement and such infringement is hosted on the Services" ("Terms"). So if a third party - a Marburg audience member, for instance, or someone with whom the recording's link was shared - finds reason in my presentation to allege copyright infringement, they could begin a legal action, on the notice of which Adobe personnel would respond, whether to notify me, or remove the infringing content, or otherwise.

So the question arises: what third-party intellectual property did my presentation appropriate? Fig. 1 shows one example: the screen frame from *Videodrome*. I also displayed the first-edition covers of three of McLuhan's books, all found online, and a photograph of a DJ taken in Toronto by a photographer, unknown to me, who posted it to Flickr (where it no longer is archived). In this essay, I also show a further example: a screen frame of the Connect interface, which is Adobe's copyrighted property. But this catalogue doesn't suddenly mean I owe anybody any licensing fees: Canadian copyright law has relatively robust fair dealing provisions, especially for teachers and researchers, broadly defined. If Criterion, the Canadian distributor of *Videodrome*, discovered my usage - either in Connect or on the page above - and deemed it objectionable, the onus would be on me to claim fair dealing, which would be a straightforward enough case of it, given the context. Since thousands of screen frame images result in a Google search for *Videodrome*, and thousands of film clips result in a Youtube search, the distributor might well be required to explain what's specifically objectionable about my use of one still image. (Copyright is quite regularly enforced by litigious rights-holders as a form of censorship, as seen in the legacy of J.D. Salinger's estate.) That said, if this scenario were to move from a cease-and-desist letter to a court proceeding, I would have to seriously consider whether the rewards would outweigh the risks - and this would depend on first finding out whether AU would, as an institution, support my defence. What is also unclear to me is the role potentially to be played by the hosting firm, Adobe - would they get any say in whether to let my recording abide on their server? (Copyright has tended to cultivate vigilance and conservatism among web

service host firms - note the regularity with which Youtube videos vanish, replaced by explanations that the content had infringed copyright.)

But because of the highly restricted and time-limited character of the web-conference, and the similarly restricted circulation and currency of this book of proceedings (fantastic as it is, don't get me wrong), such a scenario is quite comfortably remote, especially amidst so much evidence of more readily available parallel content on the public Internet. That particular node of my dubjection is relatively safe and secure and infinitely repeatable, for the time being. The more our self-presentations and self-representations become dubjects, now ephemeral, now eternal nodes in a media ecology of rapidly "augmenting" reality in which the corporeal and the digital are increasingly difficult to disentangle from each other - the more vigilant we need to be about the material conditions and institutional regimes these dubjects travel and occupy.

One day while we were staying in Ontario, my father-in-law played for us a Youtube video that had been filmed by the county's health office. It was a professionally made and poignant portrait of my parents-in-law as they coped with my mother-in-law's terminal illness, and received the supportive, palliative care of the health office's nurses and assistants. My father-in-law was very proud of it and shared the link with many friends and family members. His wife died ~~this~~ [that] summer. Reflecting on that video amidst this research, I called up the link a couple of days ago. "This video has been removed by the user," the black screen read, simulating sympathy. "Sorry about that."

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