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Was that supposed to be funny? a rhetorical analysis of politics, problems and contradictions in contemporary stand-up comedy

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WAS THAT SUPPOSED TO BE FUNNY? A RHETORICAL ANALYSIS OF
POLITICS, PROBLEMS AND CONTRADICTIONS IN CONTEMPORARY STAND-
UP COMEDY

by

Nathan Andrew Wilson

An Abstract

Of a thesis submitted in partial fulfillment
of the requirements for the Doctor of
Philosophy degree in Communication Studies
in the Graduate College of
The University of Iowa

August 2008

Thesis Supervisor: Professor Bruce Gronbeck

ABSTRACT

This dissertation addresses the possibilities for humor to serve as political action. While humor has been studied since Aristotle, and many theories about its efficacy as a rhetorical form abound, most claim at best that humor produces a lesser effect than other, more serious forms of discourse. When audiences, institutions, contemporary scholars and even the comics themselves address humor, they tend to reify the theories of foundational scholars – theories that serve to circumscribe the place of humor as necessarily non-political and non-efficacious. Such modalities of humor span many theories, including intentional forms such as irony, parody and satire, spatializations such as the carnivalesque, effects based criteria such as pleasure and/or laughter (as opposed to pain and/or outrage). When taken up at an institutional level (whether by legal or economic institutions, or even by scholarly institutions), these pre-set modalities comprise sets of rules, or *litige*, that preempt the possibility for some of humor's most progressive functions.

To reexamine humor, this study begins with the most marginalized of humorous forms, stand-up comedy. Beginning from a standpoint of critical rhetoric, routines by comics such as Lewis Black, Lenny Bruce, Dave Chappelle, Margaret Cho, Stephen Colbert, Bill Maher, Michael Richards and Sarah Silverman are used to display the limitations of contemporary theories, as well as to point out the possibility for stand-up comedy to enact critique. The primary finding is that humorous techniques create a separation between the stated and the inferred, which provides possibilities for audience judgment that is prudential in the sense of operating without pre-set models. The

possibility of prudential judgment enables humor to enact *détournement*, the detour, diversion, hijacking, corruption or misappropriation of the spectacle.

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Graduate College
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CERTIFICATE OF APPROVAL

PH.D. THESIS

This is to certify that the Ph.D. thesis of

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To Richard Lindley

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CHAPTER I HUMOR AND POLITICAL STAND-UP: INTRODUCTIONS, DEFINITIONS AND HISTORY

In this project, I engage stand-up comedy as a type of political activism. Specifically, I am interested in the political efficacy of humor, especially given the relative freedom enjoyed by the popular stand-up comic and the widespread dissemination made possible through contemporary mass media.

Stand-up comedy has gained prominence in contemporary society. New spaces have emerged specific to stand-up. In the past, these spaces included not just comedy rooms at hotels, restaurants and resorts, or comedy clubs, but also mediated venues such as 45” records, long-play albums (LPs), radio and television. The period from the late 1970s until the mid-1990s saw an explosion of both physical and mediated venues, including the birth of a cable channel dedicated to comedy (Comedy Central) and the birth of the stand-up concert film (H. Gallo; Jones; Mendrinis; Nachman; Stebbins). Though the trend of building new clubs has slowed a bit in more recent years, stand-up comedy remains a prominent feature of the entertainment landscape with the major expansions occurring in new mediated venues, such as the internet. With the rise of new media, it is much easier for the average consumer-citizen to enjoy comedy, and stand-up comedians have concomitantly become a hot commodity. Most recently, the number of talk shows and news shows featuring political issues, hosted and/or commented on by stand-up comics, is on the rise (Jones; Peterson).

This project stems from a number of pertinent scholarly discussions. First, the question of whether humor can serve as a means of accomplishing serious ends has occupied scholars for centuries. Although in contemporary society, humor is frequently

used for political purposes (and thus its efficacy is taken for granted), and though scholars generally wish to believe that humor does something (and there are particular political enticements for proving that it does so), author after author engages in a kind of quest to prove the effects of humor, yet most of these end up claiming, at best, that it has less efficacy than other, more serious, forms of discourse. This confounding of our desire to find the effectivity of humor ensures that it will be a pertinent topic for quite some time. Despite being relegated to the politico-theoretical sidelines, new humorous events inaugurate new rounds of popular and scholarly critique as to the danger and/or efficacy of making light of serious topics, and I supplement this conversation.

Yet there remains a problem in this current research. While many of these studies provide useful applications of previous theories, they also replicate the ideas of previous scholars in ways that may serve to recreate the very findings they seek to disprove. Indeed, many authors take the modes, forms and spatializations of humor as given, using them as evidence to prove an overarching argument rather than as theories in their own right – and particularly theories that may be flawed or in need of revision (see Fiske; Frailberg; Gilbert; Hanke; Hundley; Jones; Lee; Morson; Peterson; Raskin; Schultz; and Stebbins). Few authors, for instance, use contemporary theory, such as postmodernism, or contemporary methods, such as post-structuralist reading strategies, both of which may provide for new and radically different positions on humor. Some contemporary projects have begun to address humor as a more complex and multivariate concept, but there is much more work to be done (see Gring-Pemble and Watson; Harold; Meyer; and Miller).

Finally, this project pushes at a number of theoretical boundaries. In addition to rhetorical theory and theories of humor, this project brings together theories of

knowledge, power, subjectivity, culture and judgment. Through my careful reading of texts, I bring rhetorical theory into contemporary conversations within philosophy, sociology, and media, cultural and political criticism. All of these areas have already commented on the nature of humor generally and/or stand-up in particular.

My thesis seems simple, and yet it contradicts most of the research done on political humor. Though even recent studies find that humorous texts fail to further any one particular political goal, I argue that humorous texts are useful in that they can provoke forms of political thought, which is itself a worthwhile political outcome. Many people, including theorists and critics, believe that humor is antithetical to – or at least prior to – personal, social and political thought; that thought kills the delight that humor evokes. Yet potentially political thought can occur when one encounters an inconsistency, incongruity or irreconcilability, in short, a gap in meaning the resolution of which requires an exercise of interpretation and judgment. I examine the potential for ironic texts to produce such gaps, which may be marked by particular kinds of judgments. Laughter may or may not be a judgment, but as it is often expressed in the aggregate form of group laughter, and as it is an ephemeral expression of the moment, we may not be able to discern its meaning. On the other hand, we may find more evidence of political thought through the examination of public, antagonistic forms of uptake, such as personal outrage expressed via criticism, protest, heckling, booing or walking out; institutional censure in the form of obscenity and hate speech legislation and definitional delimitation; and even in the equally ephemeral and enigmatic moment of silence that may follow a particular troubling attempt at humor. Such judgments, often thought to disqualify an act as humor, may actually mark the processes of negotiation and thought that constitutes the

comic's articulation as both humorous and political. In this first chapter, I map the discourse formation of contemporary political humor. To begin, I will limit the field of stand-up comedy, both through definitional and historical relationships to the political.

Definitions

Stand-Up Comedy

Robert A. Stebbins notes that the first use of the term “stand-up” is cited in Webster's Collegiate Dictionary as occurring in 1966, and the Oxford English Dictionary concurs; thus the categorical distinction of “stand-up” is a recent historical creation. Most stand-up centers on the figure of the comic, and whenever a comic is facing an audience and trying to act or being perceived as acting humorously (whether by design or happenstance), stand-up may be said to occur.¹ However, to accept the entirety of “what comics do” would be to let our definition slip into a larger classification, that of humor more generally. I use the term humor to refer to a more general “quality of action, speech, or writing, which excites amusement; oddity, jocularly, facetiousness, comicality, fun.”² While I do wish to talk about the humor produced by stand-up, to simply equate stand-up with humor is to lose the focus of this project, which is on a humorous form that parallels classical political oratory.

In this vein, Lawrence E. Mintz offers a “strict, limiting definition” of stand-up comedy: “an encounter between a single, standing performer behaving comically and/or saying funny things directly to an audience, unsupported by very much in the way of costume, prop, setting, or dramatic vehicle” (71).³ Thus, from Mintz's definition, we minimize the necessity of discussing literary genres of comedy or burlesque. While

comedians may follow such generic rules when telling stories, they don't have to, and to fall back on such a preset formula for critical interpretation is to prescribe a solution prior to analysis.⁴ Robert A. Stebbins would add that stand-up is primarily verbal (though augmented by theatrical embellishments), often memorized (although the performer is free to ad lib) and expressed in a conversational manner. Thus, the stand-up routine tends to be a one-sided conversation with the possibility of more extensive audience interaction than their resultant laughter (which is assumed), although this interaction is not always welcomed by the comic. Finally, the routine is usually written (and therefore owned) by the performer, a condition very different from the norm in other forms of entertainment (e.g. television and film).

This definition includes humorous forms such as anecdotes, narrative jokes, one-liners, slapstick, impressions, satire and comedic monologues.⁵ There might also be cause to include duos (to the extent they do not devolve into improvisation or sketch comedy), limited props and those comics who may choose to sit. Also, the context should not be ruled out as affecting comedy, as understanding the delineation and deployment of symbolic space is a particular strength of rhetorical criticism and a key to understanding the rhetorical effectivity of discourse. Along with the context come the effects of mediation, as today so many people gain access to stand-up via the mass media. That tackles the elements of stand-up; however, the question remains, what is the import of stand-up to society?

Mintz argues that stand-up comedy is an important, if not vital, social and cultural phenomenon, and that it is the most sociologically interesting of all the manifestations of humor in popular culture (compared with situation comedies, film comedies or humorous

literature). Mintz notes that stand-up serves as an index of a society's values, attitudes, dispositions, and concerns, what we are talking about and therefore what we care about.⁶

Specifically, Mintz states that stand-up is

arguably the oldest, most universal, basic and deeply significant form of humorous expression (excluding perhaps truly spontaneous, informal social joking or teasing). It is the purest public comic communication, performing essentially the same social and cultural roles in practically every known society, past and present (71).

However, a simple acceptance of historical social and cultural roles is problematic; what these social and cultural roles are may depend upon whom you ask and is mediated by a range of social, cultural, economic and political forces.⁷ The question is, can stand-up play any significant role? Does it have any power? Does it afford the possibility of agency? Can stand-up be political (in the sense of having effectivity in the world)?

Politics

In this project, I am in search of a humor that would act politically; thus I wish to delineate what I will call political humor by its effect, not merely by its topic. The standard view is that political humor occurs within or about the realm of partisan politics and events (such as voting or campaigning). Most would also include the practices enacted by or against our representatives in government (i.e. politicians). Such practices may include making and enforcing laws as well as more illicit extra-curricular activities resulting in public scandal (e.g. Clinton's Monica Lewinsky sex scandal). To expand this standard definition further, we could include acts of government policy-making and enforcement more broadly or the reactions to it (such as the breaking and enforcement of

the law, or public demonstrations of protest). From this framework it would be unnecessary to ask “is humor political?” It is easy to point out comics like Louis Black, Bill Maher, Dennis Miller, etc. who directly engage the actions of politicians and governing bodies and answer a resounding “Yes!” However, if the question we are asking is “what political work can humor do?”, then the issue becomes much more complex. To define political humor in these standard ways confines our search to humor that takes up certain topics, actions and foci that tend to privilege certain social issues and hierarchies and thus maintain the primacy of the status quo, even when they seek to undermine it. Further, we might have cause to question, as does Russell Peterson, what another “Bush is dumb” joke, or “John McCain is old” joke, really accomplishes.

While I certainly include these standard views as viable topics, I wish first to expand this list of topics to include any humor dealing with social issues that are potentially divisive (and especially humor that has the potential to act as a rhetorical strategy): issues of race, class, gender, sexuality, or any humor dealing with difference from social norms – in other words, cultural politics. This type of humor falls under the form sometimes called “topical” (Walle; Mulkey). This definitional expansion stems from a long line of critical intervention, from figures such as Karl Marx, who mused that economic/class struggle is a political struggle, to second-wave feminism’s claim that “the personal is political,” and more recently expanded and modified by a host of others. The consensus is that social imbalances necessitate corrective action, which sets in motion a type of social game, the stake of which is power, which is always entangled with the knowledge people have of and about their lived world (Foucault). Thus these issues inaugurate discussions that may change the lived experiences of people at the grass-roots

level, the level of personal identification, as well as group articulation and constitution.

However, even this expansion is insufficient for our purposes, as it may simply stretch the model, without clarifying anything. If our question, “is humor political?”, equates to “do humorists take up such topics?” then we again achieve a resounding “Yes!”, but we supplement our “Bush is dumb” jokes with equally shallow “white people act like this, while black people act like *this*” jokes, and “men do this, while women do *this*” jokes; however, if we shift our definition of the adjectival “political” to the creation of effects, then we can move beyond such trite examples to potentially more fertile ground. While jokes such as these may similarly maintain power structures by highlighting differences among groups, I wish to find more complex effects of humor, so I seek more complex examples.

While I shall begin from these topics, I am interested in questions of agency; that is, with identifying, if not creating and enhancing, places and times where people have the ability to alter their world, to address power differentials, especially when these changes are thought to be to the good (however that is defined). My conception of “the political” thus recognizes the need and desire for activism, including activism within the politics of culture, the everyday and material conditions of peoples’ lives.⁸ Political humor thus defined is that which would operate as an assertion or critique of power; however, it is not constrained to supporting or opposing the status quo (both standard evaluations of humor in the relevant literature), but may also be capable of transforming or transcending it. The question is, can/does such a humorous form exist? Previous studies and critiques vary in their findings, which are temporally and culturally bounded by the bodies, objects, events, practices and institutions studied.

History

Wise Fools

Although the term “stand-up” is a recent creation, its roots are thought to lie much deeper in western history, particularly in the paradox of the wise-fool (whether it be a fool who says something wise, or a wise man that acts a fool), and traceable back to at least the middle ages.⁹ Understanding the speaker to be mad or intellectually impaired may have led to the social contract that gave figures such as the court jester a particular, protected place from which to speak to those in power.¹⁰ Ultimately, the mad could not be responsible for their behavior and therefore their statements could be dismissed. However, while the understanding of the jester as a fool sanctioned certain acts, Anton C. Zijderveld points out that this sanction did not extend to any and all criticism, nor was it iron-clad. I will have more to say on this in Chapter Four. In any case, a belief in this situation – a kind of social contract in which the speaker is not to be believed or blamed and the message is thought to be infelicitous, non bona fide, inert or harmless – is almost uniformly applied to humorists to this day.¹¹

Monologues

Another prominent theory is that stand-up requires a tradition of verbal practices (whereas a fool may use other means), and thus stand-up derives from a tradition of Greek monologues that initially were given prior to plays in order to warm up the audience (Stebbins). However, eventually these monologues became more satirical and by the eighteenth century, full-length satirical monologues had become prominent. These monologuists were not thought to be so different in terms of social effectivity from the

fools who preceded them (if only chronologically). Speaking of both monologuists and fools, Stebbins notes,

All these entertainers spoke to and for the common people. They presented familiar ideas, situations, and stories in language the people could understand and from points of view with which they could identify. In taking the people's view, entertainers sometimes challenged established society and sometimes got in trouble for doing so (6-7).

This once again disputes stand-up's easy designation as trivial, entertaining discourse without repercussions. Yet despite its historic roots, with the rise of American democracy, new forms of humorous critics emerged.

American Stand-Up

The verbal form that we now consider to be true stand-up did not emerge in the United States until Mark Twain began as an after-dinner speaker and humorous lecturer in 1856; around this time the lecture circuit was a prominent venue for public cultural commentary.¹² The 1870s and the decades running into the twentieth century also brought new variants in the form of vaudeville, burlesque, chautauqua, variety shows and night-club and resort entertainment (Nachman). However, these variations usually came with the conception that good stand-up meant short jokes (not developed stories), wisecracks and one-liners – and therefore no “messages” (political or social) or personality.¹³ This form was enforced to the point that it has been characterized as a “straightjacket” (Stebbins).

In the late 1950s, the emergence of a “New Political Humor” amidst folk songs, jazz music and beat poetry readings added to a rise of comedy clubs such as San

Francisco's the hungry i (Nachman).¹⁴ The number of these rooms gradually expanded, and virtually exploded in the 1980s with the birth of the circuit club. Nachman notes that among this crowd of artists and critics, including Mort Sahl and Lenny Bruce, comedy began to emerge as something different – returning to the “substance” of Twain and Will Rogers. However, I have a problem with this “sophistication” or “substance” argument applied to “political” comics as opposed to the “blue humorists” as represented by those such as Redd Fox. As I shall discuss in Chapter Four, many critics do not consider this type of material to qualify as humor – or at least, not as “good” humor. Yet are we to say that a discussion of sex at a time when Americans are breaking with their puritanical past is not political? That freedom in sexual expression (especially the right to speak freely about our sexual expression) is not a political issue?

Nevertheless, much of the humor that began to emerge in comedy rooms and circuit clubs seemed to take the form of a critique of institutions of power, particularly the form of civil rights and feminist activism. The comic became not just one who made the audience laugh, but one who asked us to reflect on the problems of the day. While this shift to one-liners and satirical monologues about official corruption, racial inequality, police violence and foreign war may have been largely a result of the political tensions of the time, these problems were not unique to the era – they just previously were not deemed fodder for comedy (Stebbins). This leads to the question, was humor merely “calling attention” to things people were already talking about – i.e. is it a “social barometer” – or was it a tool for activism? Given the tumultuous nature of the time, it would be difficult to parse out what effects, if any, can rightfully be attributed to the comics. Perhaps these jokes were more simply “atmospheric.”¹⁵ But on the other hand,

perhaps the jokes themselves accomplished something. The questions then become what did they accomplish, and how? We may never be sure, but a new twist occurred as comedy became mediated.

Mediation

Whereas radio was believed to maintain the standards set by vaudeville, nightclub and resort entertainment, some posit that television fueled the turn to more serious, political material (Stebbins). However, Stebbins notes that also contemporaneous with the rise of television came a shift to the personal.¹⁶ The public wanted more treatment of “the problems and experiences of everyday life – sex, money, failure, relationships, the bureaucracy” (Stebbins, 9). The public also became more interested in comics as people, and self-revelation and self-deprecation (especially on everyday issues) gave them this sense of intimacy. Thus, stand-ups became less radically engaged with political institutions and more engaged with personal decisions. In any case, this brief overview displays that the place of stand-up comics in society and the type of humor they are expected to produce is not historically sedimented and enduring, but rather highly contextual.

Efficacy

Cultural and rhetorical critics are of two minds as to the political efficacy of humor. On the one hand, to say that humor, and particularly stand-up, can perform or constitute a social or political critique is not a radical thesis; indeed this idea is a premise for most of the modes of classifying and explaining humor currently en vogue (see Bergson; Douglas; Freud; Jones; Mulkey). On the other hand, there is an equal push in

the opposite direction – that humor and stand-up cannot possibly function as critique, that humor is antithetical to seriousness (see Fry; Mulkay; Peterson). To address this split, in the rest of this project, I will critically review some of the theoretical literature. In this chapter, I begin with the common assumptions of how humor operates within society, including the modes or frames used to understand humor. Because these modes ground most of the study of humor, I simply present them here. Later chapters will address forms of humor and spatial theories of humor. Over the course of this project, I hope to call certain *a priori* theories into question through application of these theories to specific examples. From this basic understanding of modes of humor and stand-up, I delineate my chapters.

Humorous Modes

Three main theories that have emerged from philosophy, psychology and linguistics to explain humor are *superiority*, *tension release*, and *incongruity* (Berger; Meyer; Raskin). While my treatment of these modes here is perhaps over-brief, it is my contention that these views lead us astray from the relevant issues regarding the political efficacy of humor and I therefore move on to more fertile territory. Further, many of the critiques stemming from these theories deal with topics other than stand-up. However, the centrality of these modes and their widespread use merits their address in any project that purports to deal with the humorous. These theories are not abandoned when other models come onto the scene, but rather each new model comes to be understood through these older theories, creating permutations that cannot be differentiated without this theoretical frame.

Superiority

Superiority theory is based on the idea that people laugh at things that allow them to feel superior to others or to an (inferior) incarnation of ourselves. This theory holds that “comedy is based upon ‘an imitation of men worse than average,’” and includes the work of Thomas Hobbes.¹⁷ Hobbes states that laughter is “a sudden glory, arising from sudden conception of some eminency in ourselves, by comparison with the infirmity of others, or with our own formerly.”¹⁸ Whereas originally humor was believed to serve as a form of social constraint – to reinforce a social hierarchy (Mulkay) – cultural anthropologist Mary Douglas argues that humor can just as easily work as an attack meant to level social hierarchies – an act of social empowerment.¹⁹ This position is inherently concerned with the social aspects of humor, especially with regard to power – erecting or leveling social hierarchies (depending on where the rhetor stands in relation to the object of the humor, the butt of the joke). As such, this position seems especially suited to political criticism as it grants ideological force to the humor, allowing critics such as Joanne Gilbert, Lisa Gring-Pemle and Martha Soloman Watson to map the ways in which power is being (mis)used. The forms usually attached to this mode of humor are irony, parody, satire and ridicule, which expose and possibly correct human problems and failings. I address each of these forms in Chapter Two.

Tension Release

Tension release evolves from Freud’s notion that people laugh when they satisfy “an instinct (whether lustful or hostile) in the face of an obstacle that stands in its way” (101). Freud relates those instincts to his theory of unconscious desire, particularly for

aggression and sex; the obstacle is most frequently the conscious, an effect of socialization. Humor as a release of tension occurs when one realizes that the socio-cultural prohibition against delighting in such matters (again, violence and sex) do not apply.²⁰ Those taking this position thus view humor as a safety valve—the problem is with the serious content for which the humor serves as catharsis. Humor thus has no social force; it simply relieves a force resulting from a situation that pre-exists it. However, it still might serve a political function as it may mollify a public, or obscure or trivialize an issue.²¹ I address the Freudian assumptions in Chapter Three. More recently, these first two areas (superiority and tension release) have become integral components of Mikhail Bakhtin’s *carnavalesque*, which I address in Chapter Four.²²

Incongruity

Finally, incongruity is a surprising relationship between two things thought to be disparate, or a distinction between two things thought to be the same, a “difference between what one expects and what one gets, a lack of consistency and harmony” (Berger, 8). Proponents of this view include George Campbell, Arthur Schopenhauer, Immanuel Kant and Henri Bergson. This theory explains many more diverse forms of humor than the first two, including puns and word play, and therefore encompasses much humor that may not have deep political overtones.²³ However, Kenneth Burke’s “perspective by incongruity” also might productively fit here, which allows for the possibility that by placing two disparate ideas in conversation, new aspects of both come to light. Thus humor may be used to provoke thought.²⁴ More recently, some authors have labeled this bisociation, the convergence in humor of two possible interpretive frameworks, and use it to discuss a distinct spatialization of humor, the space of paradox

(Koestler; Mulkay).

These theories are perfectly compatible, working in different realms of social life and having different foci: superiority operates socially and serves to assert or reject hierarchy; tension release operates psychoanalytically, underwriting personal behavior; finally, incongruity operates linguistically, confining humor to the epistemological problems resulting from the articulation of disparate ideas. Because of their compatibility, John C. Meyer points out that these distinctions are really arbitrary and the theories can be used to critique the same text with different results. Also, the theories are somewhat inbred, deriving their premises from the same theoretical grounds. For instance, proponents of superiority also make reference to Freud and Bergson, two of the theorists supporting tension release and incongruity, respectively. For Freud, socialization comes to us via hegemonic social structures that overpower us in the social hierarchy, whereas Bergson's notion of "the mechanical encrusted on the living" sets up a hierarchical relation with organic/living on top and facsimile/mechanical reproduction on the bottom.

Nevertheless, these theories have defined the way that communication scholars have addressed humor for nearly a century.²⁵ Nearly every study that purports to deal with humor (as opposed to comedies in the literary sense) makes reference to the primary or secondary sources comprising one (or more) of these theories. However, most authors in the late twentieth century move beyond a simple application of one of these choices and instead use them to underwrite a more complex model.

While these theoretical frames delineate and enforce particular modes for humor, there are other, more recent conceptions that both utilize and question these modes.

Chief among these are recent studies of humor that examine how the linguistic form through which comics try to apply these theories creates or denies the possibility for the humor to be taken up as political.²⁶ Other theorists designate laughter as a performative sign of pleasure and outrage as a sign of pain. Also present are conceptions of spaces – pre-existing and/or rhetorically constructed - that attempt to display how such a space impedes or engenders humor’s political use. I shall attend to these and other theories in my chapters, but first I must declare a reading strategy.

Critical Rhetoric

Many critics approach the humorous political in one of two ways: either they begin with an author or speaker believed to be politically motivated, find an incident, line or story they deem an attempt at humor and then discuss its efficacy or, conversely, begin with a text that is regarded as humorous, note why it is funny and from there attempt to chart its political effects (if any). In the former case, to assert *a priori* that serious or political implications are inscribed on or ascribable to such texts is to presume that humor is a tool of the politics, which are primary and pre-determine the humor’s “correct” uptake; but humor frequently misses the mark, either becoming less humorous or less politically efficacious. In the latter case, the shift in uptake from something commonly found humorous to something the critic regards as serious presumes that humor obscures the politics, which must be uncovered – again presumptive that the politics are primary.²⁷ The critic thus proves the joke should be taken seriously – and it consequently becomes “not funny.” In both cases, an emphasis on a singular, intended or dangerous meaning narrows the political efficacy of political humor, and often effectively disproves that these incidents, jokes, etc. are funny, reinforcing a divide between the trivial/humorous

and the serious/political, even as the critic tries to erase it. Both these views rely on a stable conception of the rules of humor.

However, as our simple perusal of the modes of humor display, there is some disagreement over which (if any) set of rules is primary. As I previously mentioned, other rhetorical theories root humor's effects in intentionality – whether it be tethered to desire or motive (whether pro or anti-social) of the stand-up comic and/or audience. Still other theories reduce humor's effects to the pleasure/pain principle or rely on archaic models and outdated definitions that may never have applied. While problematic when applied to bona fide political speakers who use humor, even more problems arise when we try to apply these conceptualizations to stand-up comics. In these standard conceptions of humor, the stand-up comic purports him/herself not to be in earnest, the audience is not expecting or open to persuasion and therefore any particular uptake of the message cannot be guaranteed.²⁸ However, these theories are applied differently and in different combinations by different theorists, suggesting once again that these rules are not well-known and thus fixed, but in flux and open to interpretation. In Chapter Two, I try to display this difficulty by performing an analysis of three texts recognized as political humor. It is this state of fluidity inherent in most, if not all, conceptualizations that is of interest to critical rhetoricians.

Because many authors note that humor is an effect of a particular set of contextual rules I employ critical rhetoric to reexamine the rules that articulate the sites, institutions, events and practices of contemporary stand-up comedy.²⁹ Critical rhetoric is a reading strategy informed by the work of Michel Foucault and Jean François Lyotard.³⁰ For critical rhetoricians, each set of rules constitute what Foucault would call a discourse

formation and what I, following from Lyotard, will call *litige*.³¹ When the characteristics of a concept, idea, site, event, practice or institution are in dispute, critical rhetoricians read the responses or uptake of audiences – as evidenced by texts produced by secondary and tertiary sources – as competing rhetorics, none having a complete purchase on truth (despite some agreement between them). When there are disagreements between interpretations or differences in evaluation, critical rhetoricians infer an antecedent gap, what Foucault calls a contradiction and what I (following from Lyotard) will call a *différend*.³² Kendall R. Phillips characterizes these gaps as “spaces of invention; spaces within which the possibility of new actions (or utterances or selves) can be imagined” (332).³³ It is in the moment before meaning is determined, when we are still producing and trying out new discourses, that change and transformation of the rules of the game itself is possible – but only if thought occurs. If the situation falls back upon *litige* – the standard application of an agreed upon set of rules – then thought has not occurred, but rather generic application.

Thought only occurs in the moments before a decision (judgment) is reached, in the moment of struggle over a rupture. In this space, we can do more than fall back on simple convention as criterion; that is, we can do better than simply *reacting* – a simple return to ‘what we do’ that reflects the consensus of the status quo (although we frequently do this). Instead, we might *reply*, make a new move in the game that results in a change in the rules, or a new game. In this conception, spaces of invention and *différends* both preserve “the possibility for the unsayable to be able to find its way into words” (Charland and Sloop 293). Thus invention is a displacement and problematization that exists “at a point between the present and the possible” (Phillips 338). It is my

contention that humorous texts provide for such a possibility.

In contrast to a view of humor as a stable set of practices governed by *litige*, what Lyotard calls *republican* practices, following from critical rhetoric, I view practices of stand-up as *pagan*, in flux; thus I wish to examine the possibilities and limits of stand-up comedy, what is allowed to pass as stand-up and what is viewed as a transgression of the humorous in the situation. I begin in Chapter Two by attempting to disrupt an easy understanding of political, humorous stand-up by disputing the notion of intentionality. In pursuit of humor's potential, in the rest of the project I come at the problem from a different angle – I strategically select sites where humor breaks down for some audiences, where humor is expected but where stand-ups fail to achieve a universal humorous effect, instead provoking umbrage in some audiences. Thus, I will examine instances in which the attempt at humor evokes some sort of reaction other than laughter (such as hostility, censure or silence), as opposed to those instances in which, perhaps, it should. Rather than assert that a joke is other than what it is commonly thought to be (i.e. trivial humor versus an attempt at serious politics), I look for incidents in which its status as humor or politics is in dispute; this is to note the practices whereby the dichotomy (humor/politics) is negotiated and examine the conversation for evidence of the rules of definition. I attempt to break away from an either/or binary to a more complex, plenary, both/and model. While humor that follows convention and passes without comment may operate politically (if only in very narrowly defined ways), humor that evokes an unexpected response is easier to recognize as both serious for some audiences and humorous for others – and perhaps it operates in both ways at the same time for some audiences. To find incidents where the humor is not universally treated as given, nor summarily

rejected, but rather in dispute, is to recognize the full potential of political humor, productively expanding our definitions of both humor and political efficacy and expanding our ability to interpret whole ranges of reactions.

The idea of critical rhetoric is thus not to close discourse through solutions – the resistant acts that drew our attention, such as the battle over humorous modes, do that – but to call attention to and initiate spaces in which new discourse may be produced, in short to highlight dissent, freedom and thought, to perpetuate the conversation and to provoke or “flush out thought” (Foucault; Phillips). The point of critical rhetoric is thus not to determine or set meaning, but to describe particular delineations of rules that serve as preconditions for the uptake of specific meanings, the recognition of particular functions. Thus I seek no unified theory, but instead seek to derive some pragmatic understanding of the possibilities inherent in particular instances of humor. In other words, I wish to examine the particularities of specific cases so as to make statements about possibilities peculiar to these cases in order to provide a new approach to humorous texts that does not at the same time deny their capacity to mean otherwise.

To engage in critical rhetoric is thus to study the effect structure for evidence of its conditions of possibility. This usually involves comparison and contrast with other specific situations where an analogous reaction is observed or expected. Placed within a larger context, these comparisons and contrasts can help one see the underlying logic or rules of the game. Toby Miller engages in a similar method of examining humor when he examines Australia’s Sisters of Perpetual Indulgence’s (an order of gay, male nuns) protest of the Pope’s (prior) visit to Poland. Miller contrasts the institutional reactions to the actions of the two sisters to the institutional reactions to a protest group dressed in

traditional Polish attire. Within this specific context, Miller notes the similarities and differences in the groups, and the similarities and differences in the reactions to them by both authority figures such as the Pope and the police. He then places all of this within a larger context of policies made and endorsed both by the Pope and by the Australian state (the site of the protest). Through this process of comparison and contextualization, Miller is able to draw out the logic that underwrites these distinctions.

Similarly, in this dissertation, I describe the rules that delimit ironic, liminal spaces – spaces that may be a pre-condition for stand-up to function at all. I hope not just to reveal the potential for political action – for rhetorical intervention – inherent in any such formation, but to preserve stand-up as a site of possibility. To examine the rules of stand-up comedy, I will analyze secondary and tertiary texts or uptake for clues as to the problems with the primary comedic performance. The main clues (and the organizing principles for my chapters) are intentions and the audiences (re)actions (both popular, institutional and critical). From there, by performing a close reading of both secondary and tertiary texts, looking for hints as to the problematic wording, allusions, contextual and situational connections, evocation of power structures, and formal usage and violations, I hope to chart the problems audiences found with the original performance. To this end, I will reexamine the contemporary modes, spaces and forms through which humor is commonly understood, pulling in supplementary terminology and theory as appropriate to the uptake itself. Comparing and contrasting these reactions to reactions to other performances (contemporaneous and historical) that seem to be, at least at first glance, similar, will serve to show the ways humor and serious discourse are differentiated in these particular circumstances. Thus I hope to perform a novel reading

of stand-up, one that can serve as a model for future critics, and one that engenders new conversations about and perspectives on the political efficacy of stand-up comedy.³⁴

Chapter Summaries

To disrupt the common, simple interpretations of political humor, in my first substantive chapter, “Satire, Irony, Parody and Personae: Intentional Critiques are a Funny Thing...” I take up theories of the tropic rhetorical forms of humor. While some critics argue that irony, satire and parody are forms in which the rhetor has a vested interest in making a political statement, others argue these weapons are constrained by their very form (Booth; Harold; Miller). Further, while understanding these forms can be useful when examining bona fide speakers, there is a problem when we try to apply them to the stand-up comic. Comics such as Lewis Black and Bill Maher adopt a persona and are not guaranteed (and perhaps not expected) to have social efficacy as a goal. Perhaps in these cases, satire is not a guaranteed result, but instead can be read ironically. What happens when we view irony as a supplement to an existing text enacted by the audience? I argue that this characterization does not rule out efficacy, but it does productively problematize the criteria of intentionality when determining political effects.

Because of the problems of inferring intentionality on stand-up comedy, in the next chapter, “Laughter and Outrage: Dichotomous Uptake of Divisive Humor?” I move to characterizations of the audience and how they judge humor. I note that definitions of rhetorical audiences are somewhat antithetical to definitions of humor’s audiences. I examine reactions to recent events (Sarah Silverman’s “chink” joke, Margaret Cho’s “State of Emergency” tour, and Michael Richards’ racist tirade) to delineate five forms of hostile audiences commonly thought to be recipients of rhetoric but perhaps not humor:

critics, protesters, hecklers, walk-outs and boo'ers. Through an examination of certain contemporary rules by which we recognize humor and the assumptions thereof, I note that the criteria of laughter versus outrage are insufficient to represent any specific judgment, as laughter may mean anything. Yet in the breakdown of the laughter/outrage dichotomy, I seek new possibilities for humorous efficacy.

In the final substantive chapter, "Censure: Institutional Constraints and the Question of Carnival," I examine spatial notions of humor as curtailing or quarantining any type of political efficacy. The most common set of rules applied to humor and stand-up is that of Carnival. I oppose such a simple conceptual application on a number of practical and theoretical grounds, and instead examine the specifics of two situations, Lenny Bruce's obscenity trials and the institutional reactions to Michael Richards' racist rant in order to display that institutional censure does not ensure a lack of political efficacy, but occurs because of a potential for such efficacy. Even more subtle attempts at definitional delineation mark forms of humor that may be "too political" and thus must be proscribed from the model. While many who believe that stand-up is efficacious note that it is anti-systemic, I provide examples wherein stand-up is not simply a reaction to an existent system, but provokes thought.

In my conclusion, "Silence: On the Politics of Not Laughing," I use the case of Stephen Colbert's address to the 2006 White House Correspondent's Association Dinner and the resulting discussion of the benefit of mainstream versus internet news media to summarize my previous points, that intentionality cannot be easily inferred, that laughter and outrage cannot be trusted as delineating humor from politics and that humor defies easy attempts at definitional proscription. I thus argue my thesis, that humor can be an

effective tool not just for thwarting the current system, not just for countering, but for provoking thought; for creating a condition of possibility for founding something new. I find this possibility in the ephemeral and enigmatic moment of silence that follows some jokes.

CHAPTER II
SATIRE, IRONY, PARODY AND PERSONAE: INTENTIONAL
CRITIQUES ARE A FUNNY THING...

Many scholars, historical and contemporary, seem to maintain a distinction between earnest, consequential, political discourse and humorous, trivial and entertaining discourse. Whether this is conceptualized as a continuum, overlapping spheres or competing frames, our problem is the same: how do we conceptualize a space where the humorous *is* consequential? In this initial analytical chapter, I examine limits placed on humor via theories of authorial intent. Traditionally, rhetorical criticism and indeed all theories of persuasion have at their base a strong ascription of motive. Many theorists since Sigmund Freud believe that humor is a way to hide one's motivations while achieving one's purpose. However, while one might reasonably ascribe political motivations to the normally serious author who engages in irony, parody or satire, the stand-up comic is much more difficult to pin down. Stand-up comics are a class of speakers well-known for their lack of definitive motive, save the provocation of humor (expressed via audience laughter). The space of overlap between the two motives (political/humorous) is the target of this inquiry.

While there are some comics who push for absolute humor, always going for the laugh, many comics don't just tell jokes; they sometimes inform, instruct and/or preach. They present solutions to everyday problems. Sometimes these lectures and sermons are the set up for a joke, but sometimes not. Sometimes their solutions are unusable, but not always. Therefore, to begin close to the traditional province of rhetoric, I will limit the topics under discussion to contemporary partisan political humor by examining the stand-up of Bill Maher and Lewis Black. These are humorists generally understood to have a

serious, meaningful social purpose – whether the humor is intended as a check on power or a more general informative/agenda setting function. Through the examination of these comics and texts, I wish to problematize their easy reception and thereby to explore the potential and limits of the uptake of irony, satire and parody as well as personae in their traditional American forms. Concepts that will be key here are neo-Aristotelian notions of public address, assumptions of motive, social contracts and effectivity – in short the so-called *republican* roots of criticism. The questions I ask here are: How are satire, irony and parody generally understood? What are the implications of this uptake? What effects (if any) can contemporary notions of these terms generate? What happens when we recognize that humorous authors have intentions different than bona fide political rhetors? Is there a way to reconcile the two models? The answers to these questions will serve to set the frame for the rest of my project.

Humorous Forms

Let us begin with a simple example. Bill Maher has been a prominent stand-up comic since 1979, when he became the host of the New York City comedy club, Catch a Rising Star. He went on to become a frequent guest on The Tonight Show, eventually garnering his first HBO special (One Night Stand, 1989). He has hosted two politically oriented talk shows: Politically Incorrect (which aired first on Comedy Central 1993 and then moved to ABC in 1997) and Real Time (HBO, 2003-present). In 2005, his book, New Rules: Polite Musings from a Timid Observer, spent three months on the New York Times Bestseller list.

Although it is difficult to obtain evidence from his early stand-up, at about nine minutes into his first HBO special, after brief jabs at evangelists, the rudeness of New

Yorkers, college drinking versus drugs, and his early sexual experience, he references the activism that was rampant in his collegiate experience, comparing it to the (then contemporary) Beastie Boys “protest song,” “Fight for Your Right (to Party).” He uses this topic as a one-minute transition to the 1988 election, then speaks for 15 minutes on partisan politics and U.S. domestic and international policy before ending with three minutes on his mixed Jewish/Catholic heritage and other personal experiences. From this, we might deduce that Maher’s reputation as a comic has been built in part on overtly partisan political (not just topical or social) humor, and he would seem to have only increased this edge.¹

In his most recent HBO stand-up showcase, Bill Maher: The Decider, after greeting the Boston crowd, he begins with a critique of President George W. Bush. Only 50 seconds later, he comes to this nugget:

The country has fuck-up fatigue. [Laughter] Which is what happens when the guy [George W. Bush] fucks up so much that when he fucks up again, people go [Resignedly], “Well, what do you expect. [Laughter] He’s a fuck-up.” And that’s fucked up! [Laughter]

He has now convinced himself that history will be kind to him. [Sarcastically] It’s just US, in the PRESENT who don’t get it. [Laughing to himself]. He’s the Van Gogh of Presidents, you know, not appreciated in THIS lifetime but...

I swear to god a couple of weeks ago he was defending his legacy and he said [in imitation of George W. Bush], “They’re still debating our first President.” No they’re not. Who’s debating whether George

Washington was a good President? He's on the one. [Laughter] He's on Mount Rushmore. [Laughing himself] They named the capitol after him – I think the jury is in on this guy. I do. [Laughter and applause]

Satire

This is clearly an attempt at satire, which is often thought to be the most political of the humorous forms. Generally, satire is defined as a directed effort to correct, censure or ridicule, to bring about contempt or derision and therefore to enforce the status quo (Cuddon; Gring-Pemle and Watson; Morner and Rausch).² In this sense, satire is intimately linked to theories of superiority, especially in its classic, system maintenance function. Maher is pretty clear in his conviction that the President doesn't just make mistakes, but is characterized by making mistakes; that he is less competent than we, the audience, should expect him to be. Maher is also clear in indicating that this assessment is not blinded by proximity; it's not that we are just too close to the historical moment to appreciate W. Further, it's not that all presidents are controversial figures, debated for all time. The jury is in on George Washington, and it may also be in on George W. Taken together, these humorous arguments seem to ridicule Bush in order to bring about our derision, ultimately aimed at returning us to a state of common sense when choosing our next leader. Satire is thus marked by a teleological goal that its cousins, irony and parody, may lack. However, as Gring-Pemle and Watson point out, humorous satirical texts are often marked by other forms of humor; therefore "getting" (let alone agreeing with) the satire is not necessary to finding humor. Perhaps most notably, we can also read the text ironically.

Irony

Irony has been studied as a literary and rhetorical device since at least classical times. Particularly important for theories of public address is the concept of verbal irony. The Oxford English Dictionary defines verbal irony as “A figure of speech in which the intended meaning is the opposite of that expressed by the words used”; thus we note in irony a discrepancy or gap between two (or more) possible meanings that vie for audience acceptance: the stated and the (potentially) intended.³ It is the quality of opposition that causes problems. If one meaning is opposite another, then the two meanings are usually thought to be mutually exclusive and therefore – if it is to serve a rhetorical purpose – the intended meaning negates the stated meaning. Thus, while irony need not have any deep political import or satiric intent, some scholars, including those comprising the rhetorical tradition (from Socrates and Quintilian through Wayne Booth, and beyond), focus on serious intention and thus emplace verbal irony, along with its cousins satire and parody, on the political side of the model.⁴ It is in this vein that James Ettema and Theodore Glasser argue that for journalists, irony is merely a way to insert their outrage (easily visible to the discerning reader) into their reportage, while maintaining the convention of objectivity. However, outrage and criticism need not evoke humor. As we shall see, the conventions of humor create problems for an oppositional model of verbal irony.

Wayne Booth comes to the conclusion that there are four steps that an audience member must complete in lock-step with the ironist for irony to be received: (1) s/he must reject the literal meaning; (2) s/he must try out alternative interpretations, none of which seem to fit; (3) s/he must make a decision as to the author’s intended meaning, and

(4) s/he must choose which meaning to accept (Irony). The ironist thus has two rhetorical goals: to create a complete, coherent text, and to somehow signal to the audience (or a portion thereof) that this text is untrue or the opposite of that which is intended and thus settle the contradiction (Freud). Thus, the best (most rhetorical, political or pragmatic) irony helps its reader to the conclusion the rhetor actually intends, while maintaining some plausible deniability of this intention, at least for a time. This deniability is essential as it allows the rhetor a position from which to launch such a critique in the first place. However, deniability also creates new problems. While irony can be employed to further satire, what we will call *satiric irony*, the satirist may also invite a reading as ironic, performing, in a sense, *ironic satire*. Both of these readings pose problems for the bona fide political speaker.

Satiric Irony

Maier uses irony satirically (in the form of sarcasm) in his second point: that history will be kind to President Bush. He states – with the President – that we don’t “get it,” comparing Bush to Van Gogh, a great artist who was unappreciated (and thought crazy by some) in his own time, but who, via his works, attained immortality. He signals his ironic intention in the set up, but also through emphasis on specific words (e.g. “It’s just US, in the PRESENT who don’t get it... [Bush is] not appreciated in THIS lifetime”) and through his own laughter at the statements while stating them. Thus Maier seems to be effective in both stating one thing and signaling that it means something else.

However, determinative readings such as this one stem from what Jean-François Lyotard calls rhetoric’s *republican* roots, which presuppose that dispute resolution will

take place via litigation or *litige* (“Lessons”). Maurice Charland describes *litige* as “a dispute where both parties articulate their claims in a language they mutually share with a court or judge whose legitimacy they both recognize,” in which “the decorum of the court is known and respected by both parties, and the judgment imposes closure” (221-22). This tradition of *litige* has infused many forms of argument, including humorous speech. Charland’s description requires shared language, shared decorum and a shared estimation of and respect for authority. Similarly, Ettema and Glasser admit that for the journalist’s sense of outrage to shine through, the writer and reader must share a particular moral frame and vocabulary. Booth argues that irony requires a tremendous amount of shared meaning and the fact that a shared sense of irony can occur at all is astonishing.⁵ These authors seem to recognize that for irony to be received, all involved must engage in the logic of *litige*.

In this case, Maher seems to be stating his case in transparent language, which he expects to evoke the proper meaning and therefore judgment from the audience. However, the expectations of *litige* have caused some problems for understanding exercises of agency via humorous irony – in particular is the problem caused by the notion of authorial intent – that they are speaking plainly and mean what they say. But strangely, even a common understanding of intention does not ensure the message will have political efficacy. The process of irony itself can affect the fidelity of the message.

Ironic Satire

Lisa Gring-Pemble and Martha Solomon Watson believe the rhetoric of verbal irony and satire, as a discrepancy between two (or more) possible meanings, is self-defeating. Using Booth’s model to examine satiric irony, these scholars note that it is

more likely for different audiences to reach quite different conclusions about the text and still be amused. In this sense, these texts are polyvalent, affording one the opportunity to apply different values and thus choose the object of the humor. Thus Gring-Pemble and Watson find that satiric irony is an ineffective rhetorical strategy because “the audience can laugh at the humorous elements in the ironic discourse but reject the disparagement that is its goal.”⁶

For instance, though we may recognize Maher’s attempt to ridicule the President, we can laugh at his “dick joke”: the repeated use of the word “fuck” and the reference to the President as a “fuck-up.”⁷ We also can laugh at Maher’s wit evidenced by the reference to Van Gogh. We may just laugh at Maher’s impersonation of Bush. Or we may find the President’s own favorable comparison of himself to George Washington laughable (even if we like Bush) – and this is not to say that a comparison with a more modestly influential president is not warranted. Or perhaps we can note how Maher structured the argument to be parallel to the old “borrowed kettle” joke that Freud and Zizek reference, thus casting Bush as a laughable figure who uses contradictory arguments.

Briefly, when confronted with having borrowed and damaged a kettle, the borrower responds: Either I never borrowed a kettle, or I returned it to you unbroken, or the kettle was damaged when I borrowed it. The humor stems from the fact that in trying to cover all his bases, the borrower’s arguments negate one another.⁸ As Maher would have it, Bush’s logic runs thusly: Either I am not a fuck-up (or not thought to be a fuck-up), or history will prove that I was not a fuck-up (those in the future will not think I was a fuck-up), or even great presidents are forever thought by some to be fuck-ups (I will

always be thought by some to be a fuck-up). In casting Bush in this way, Maher reduces Bush's arguments to an absurd level, and we can derive humor from the wit of this reduction (not just from a reduced Bush). This also allows us an exercise of value in that it does not rule out arguments whereby Bush can escape the epitaph of "fuck-up."

In any case, inherent in a theory that the intention negates the stated is the problem of deciding to which part of the stated we should apply the negation, and with what effect on our evaluation. In essence, we can read the attempt at satire itself as ironic, as non bona fide, as a friendly jibe. Thus, while Maher clearly wishes to ridicule the President, we are unclear as to on what ground he is doing so and to what rhetorical end. To round out my discussion of humorous rhetorical forms and to discuss another important aspect of ironic satire, I move to a third form: parody.

Parody

Parody is another form frequently conflated with irony. Like irony, statements are signaled as parodic through techniques such as exaggeration or understatement of affectation or folly (i.e. the hyperbolic or strangely absent) and other techniques that produce incongruity between the original and the copy; however, parody differentiates itself by a reliance on impersonation, at least in form (dialect and idiolect). In Gary Saul Morson's read of Mikhail Bakhtin, parody is distinguished from irony by the inclusion of a "double-voiced word," or an "utterance that [is] designed to be interpreted as the expression of two speakers," the primary speaker and the parodist (65). This definition is similar to the common understanding of verbal irony in that the ironist also is expressing two utterances, one stated and one (potentially) intended; however, the distinction seems to lie in parody's recognition of a physical and/or temporal separation between the

original speaker and an imposter, and notes that the latter references the former.⁹ Moreover, it is a disagreement between the two speakers, and it is this second speaker who expects to garner support, who has semantic authority. Thus, like irony, parody is thought to involve a replacement (if not a negation) of a primary text by the secondary, especially when used for the purpose of satire. When Bill Maher quotes “people” and then Bush in the first and third paragraphs, these are thus not parody, but *mimesis*; they are mimicries of the public and President Bush, respectively, but they contain no secondary expression. Thus, as an example of parody used for satirical purposes, I move to Lewis Black.

Comedian, actor and The Daily Show with Jon Stewart correspondent Lewis Black has risen in popularity in recent years. Black received the "Best Male Stand-Up" award from the American Comedy Awards in 2001. In 2004, he was recognized by the Pollstar Awards and garnered his first Grammy nomination for his comedy tour, Rules of Enragement (washingtonpost.com). His book, Nothing's Sacred, debuted on The New York Times Bestseller List in 2005. His latest HBO performance, Red, White and Screwed gained him a second Grammy nomination in 2006, and he won the award for Best Comedy Album in 2007 for The Carnegie Hall Performance. In an interview with Neal Conan on National Public Radio, Black describes himself as a ‘social’ (or perhaps ‘topical’) comic, not a political comic, because he draws material from whatever is in the news that excites him, from Superbowl half-time performances to the weather. However, he does discuss partisan politics and governmental policy, and this has not gone unnoticed.

In Red, White and Screwed, Black meanders through several topical and social bits,

eventually coming to the following:

We have no energy policy, you know? None whatsoever. We still don't have a good one, it's ridiculous. And if you ask... We're not going to have solar energy in my lifetime, you know? A few people have it, but it's something we should all have, it's ridiculous. I'll take no flying cars, but solar energy? And if you ask your congressman why, he'll say, [With his eyes crossed, a slightly slack-jawed expression and clutching at himself for emphasis] “Cause it's hard. It's really, really hard. Makes me wanna go poopy. You wanna know why we don't have solar energy? Because the sun goes away each day, and it doesn't tell us where it's going.”

Black sets up his parodic statements as satirical. He states that solar energy is something we (American scientists) should have accomplished by now, and something the government should be pushing. In depicting a congressman, Black's mannerisms (slightly swaying, face slack, hunching and grabbing himself), speech patterns (use of the term “poopy”) and rationality become that of a child, if not someone mentally challenged. In this parody, the generic politician is infantilized, portrayed as incapable of action and thereby made the object of ridicule. However, like ironic satire, even if one accepts that the speaker's intention is ridicule, it may not be effective.

Parodic Satire

Morson notes parody's ironic nature (though he does not name it as such), stating that parody (even when satiric) always grants credit to the work it attempts to discredit; that one must first assert that the text is worthy of notice before it can be ridiculed – we must put it on the agenda. Also, as Gring-Pemble and Watson note of shallow satire,

Morson states that shallow parody or faint criticism may give the impression that “no more fundamental criticism could have been made” (73), leaving the original work intact (if not augmented) – and it may be difficult to determine in advance what audiences will designate as shallow. For instance, we know that the wheels of legislation are slow, and even good congress members are paralyzed by special interests, riders and the like – it is “hard.” As such, Black’s infantilization is an oversimplification of a very complex problem. Thus, parodic satire runs the risk of bolstering the original speaker and/or text, rather than refuting him/her/it.

Further, for followers of the Situationists and Guy Debord, parody (and irony) err on the side of too much determination. Irony and parody for these authors must always serve as a negation of the primary text, rather than retaining the possibility of a celebratory – or any other – function.¹⁰ Christine Harold explains that the Situationists reject parody as a rhetorical strategy because its ironic structure simply effects a negation that “maintain[s], rather than unsettles, audiences’ purchase on the truth” (192). Thus while parody and irony would seem on face to accomplish the Situationists’ goal of *détournement*, the detour, diversion, hijacking, corruption or misappropriation of the capitalist spectacle enacted to bring about its demise – in short, a vested political act with some humorous potential – it cannot, precisely because, for them, parody maintains the intentions and investments of the author as a negation of the original text. While parody may serve as a repurposing of the spectacle, it still relies on the spectacle to further a message and thus does nothing to destroy the spectacle form itself. In other words, parody for these authors maintains a reliance on *litige* to which they are very much opposed.

In short, the *litige* of Aristotelian and classical rhetoric would tether the satiric, ironic and parodic to authorial intent. While this can be useful when constructing a bona fide deliberative, forensic or epideictic message, it in no way necessitates the reader accept such a discourse. Further, as articles on “outlaw rhetorics” attempt to show, forcing people to conform to this standard is weighted to favor elite, white, patriarchal heteronormativity, predicated on a level of attainment that many disenfranchised groups would find difficult, when not unsavory, to achieve (Sloop and Ono). Nevertheless, this characterization (and limitation) of humor to a trope employed by serious political agents to reach specific rhetorical goals is often difficult to apply to stand-up comics because they generally have a singular and oppositional stated goal: to make the audience laugh.

Humorous Intentions

Many scholars note that, unlike bona fide political discourse, which may employ humorous forms, in stand-up comedy the goal is not primarily to ridicule, but merely the creation of humor by any means available (Bornes; Gilbert; Horowitz; Limon; Stebbins). Indeed, the economic success of a comic depends on this ability (Stebbins). John Limon notes that comedians are enigmatic rhetors because audience laughter is the single end of an “absolute” form of stand-up. Like Stebbins, who draws a distinction between “pure” and “quasi-stand-up,” Limon’s absolute form is differentiated by motive. Limon notes that a stand-up act can be measured as separate from his absolute form (and therefore consequential) by noting authorial intention: “Any comedian is free, of course, to thematize or editorialize or beautify, but in these respects, he or she has in mind extrinsic models” (13). Thus Limon assumes the existence of a limit where humor fails to be a major intention, where an extrinsic model becomes primary and the humor secondary.¹¹

Satire, it would seem, exceeds this limit.

Whether his/her extrinsic goal is progressive or misanthropic, the comic's goal of inciting laughter causes problems as the general wisdom is that when a topic cuts too close to the bone, when it is too personal or mean-spirited, it cannot be funny (Freud, Meyer). Humorists often try to work around this problem by creating their own boundaries, playing by their own rules – and changing both at will.¹² But in doing so, comics often create gaps between what they personally believe and what they express onstage. This extends beyond simple performance of a character, as in Andy Kaufmann's "Latke," Richard Pryor's "Mudbone," etc.; it includes elements that reflect more on the comic's personality and even sanity. In this respect even the most activist comic remains an unreliable narrator.

Narrators: Unreliable and Discordant

Traditional rhetoric depends on a notion of authorial fidelity – that they are what they appear and mean what they say. Yet frequently, comics pretend to be other than what it is plausible to believe they are. This can easily be seen when looking at the performances of certain comics such as Stephen Colbert, a nearly flawless performance of right-wing conservatism that has just a tad too much edge to be bona fide. Similarly, Larry the Cable Guy presents a front of blue-collar (when not red-necked) buffoonery that is difficult to take on-face. Or we might look to Sarah Silverman's image as a naïve (when not ignorant), self-absorbed, Jewish nice-girl who pushes in exactly the wrong direction just a few times too often. In each case, a great deal of humor comes from this discrepancy between construct or narrator and the author implied by the gaps in the text.

We should not confuse the comic's onstage persona with his or her offstage

person. The former is a narrator, “an instrument, a construction or a device wielded by the author” (Abbott, 63), a vehicle for the comedy; the latter, for all intents and purposes, is the author implied via the text, or in any case inferred by the audience.¹³ When there is a gap between *verifiable facts* and *statements of fact* made by the narrator, we have a true unreliable narrator.¹⁴ When there is a gap between the *interpretation of facts* by the narrator via her/his story and the interpretation attributed to the implied author, we call this a discordant narrator (Cohn). Comics can be both and these distinctions (between stated and known facts and between stated and held interpretations) cause problems for rhetorical evaluation.¹⁵

Yet, because any narrator is always prone to unreliability, always capable of interjecting discord, we never have to believe what they say. It is this very condition that creates a space for the comic author to say whatever s/he chooses. However, can a comic do bona fide political work once s/he is set up as unreliable? The answer may depend on how the comic establishes this condition.

Sometimes comics create boundaries by simple segmentation, like Maher’s aforementioned first HBO special, in which he first warms the crowd with nine minutes of topical material and a dick joke before transitioning into his more overt partisan topics. Many other comics mix and mingle political and humorous messages in this fashion, including Margaret Cho, Chris Rock and Sarah Silverman. In doing so, they establish themselves as comics before dirtying their hands with any potentially hazardous topic.¹⁶ However, some comics like Black, Colbert, Larry the Cable Guy, Silverman and even Maher also include other tactics, such as creating a persona, a sustained character that allows them to make overt critiques.

Personae

Some critics, such as Joanne Gilbert, believe that every comic creates a persona, a hyper-catheted entity based on her/his marginal status. However, not all marginalities are accepted as fodder for humor at all times and in all forms. Indeed, what is an acceptable persona within the realm of humor is an historical construct. Historically, much attention is given to the figure of the wise fool.¹⁷ The wise fool is an ironic figure, representing a contradiction or gap between the expected and the received. Jeffrey P. Jones notes that through such figures, humor can safely advance “what is often devastatingly honest (and sometimes personally risky) critiques of power” (93). Comedians strive to create foolish personae, perhaps especially when they wish to appear wise, for from fools such wisdom and critique is more likely to be judged good-natured and thus humorous, rather than mean-spirited or critical and thus not humorous. As Gilbert notes, humorous authors often parody expectations stemming from the comic’s physical appearance (race and sex as well as body type, hair color, attractiveness, etc.) and they may also change/heighten these expectations via dress and/or demeanor. They can thus also create expectations for gender, sexuality and class (Larry the Cable Guy is a prime example of class). There have been many attempts to categorize such figures, but any such attempt is radically subject to current tastes and each comic may represent a different permutation. Thus such an effort may not be profitable here. More pertinent is the capability of personae to occlude critique. For instance, though to do so is to fall prey to an ad hominem fallacy, one is always able to ignore the fool’s points because s/he is, well, a fool. That is to say, the expectation of folly, or the understanding of a lack of intention that defuses risk for the speaker and sanctions the speech act may also diminish

the force of the message, and thereby the necessity that we act upon it.

For example, in the aforementioned interview with Neal Conan on National Public Radio, Black notes that despite his reputation, if not fame, for doing a particular kind of comedy (specifically political humor), he tries to find a way for the audience to relate to him. For instance he'll yell about the weather and make people laugh so that they can say, "Oh, he's yelling about everything," and thus not be put off by some of his material (Conan).

This seems to be a clear-cut case of a comic hamstringing himself. Whereas a bona fide political speaker would employ his/her indignation and outrage to emphasize to the audience a level of commitment, and perhaps thereby motivate them to action, Black feels he must enhance his indignation and outrage, make it hyperbolic, and apply it more liberally to all topics – he must "cry wolf" before any politically "dangerous" critique (in the sense of potential for a negative response) can follow. Through this form and application, outrage and indignation become a "humor" in Northrop Frye's sense of a "ruling passion" characteristic of certain comedic characters, particularly buffoons. Because comics and audience alike are trained to think in this mode, the enactor of this passion frequently is made the object of ridicule and deprived of credibility. While Black's use of this strategy varies from performance to performance, it never fully goes away.

In the opening of Red, White and Screwed, Black constructs his persona as congruent with his personal politics, which is to say, his anti-politics, yet the hyperbolic expression of those politics must surely give us pause:

We're here in Washington this evening for uh, two reasons: the first, is, is

I was, uh, I was born and raised, uh, here. Uh, [cheers and applause]...

Actually, that's a lie. I, uh, I wasn't really born and raised in Washington D.C., I was born and raised in Silver Spring, Maryland. [Cheers and applause]. Now come on! But I tell people I'm from Washington, because if you say you're from Silver Spring, Maryland it sounds like you're a pussy. [Laughter]. I left Silver Spring, uh, uh-uh right after I graduated college – I got the HELL out of here – because as anybody who knows who lives here, you're literally – you're you're sitting r-right in – th-there's Congress, there's the White House, it's in your face all the time, you don't even – you watch one – national news it's there, local news it's there, are you k- it's constantly barraging you, and I, every day would see something that would just fucking piss me off. [Laughter and applause]

And I, I would jump on the bus and go down to the White House or Congress and find whoever it was that had bothered me and run around screaming at them “FUCK YOU!” [Laughter] And then I said, [With eyes crossed] “Well, man, this is no way to live. I can't make a living doing this.” [Laughter and applause]. (Red)

Here, Black as narrator seems congruent with Black as author. Black is not just “yelling about everything” but yelling about specific things, most likely partisan politics and public policy. As he talks about living in Maryland, his gestures increase in both frequency and magnitude, his voice increases in pitch, rate and volume and his disfluencies increase. Thus Black both states and performs his agitation with perfect fidelity. Yet, his response is over-the-top and in any case, ineffectual; what can one

really hope to achieve by screaming epithets at congressional, senate or cabinet members? What should we think of one who employs such strategies?

Here, it is possible to take Gring-Pemble and Watson's polyvalence critique the other way round; as opposed to dismissing or misreading the inferred politics, we can find his material deeply political and disturbing, but laugh in the moment due to its hyperbolic delivery. In other words, we may not find the *material* funny, but we set that aside to enjoy the spectacle of its *delivery*, the performance of irritation, frustration or incredulity. Thus our laughter may display that we've (for the moment) ignored the politics, but it does not guarantee that the message has no efficacy. Through hyperbolic yelling, Black evokes an untempered critique that we are meant to read as non-threatening, for if we were incensed by it, it would fail to evoke humor.

Thus while satirical ironic texts may be polyvalent, because of unreliable narrators and ironic or parodic personae, stand-up comedy routines are more frequently polysemic. These texts are designed to possess multiple layers of overlapping verbal and nonverbal codes, intersection with multiple contexts, and are colored with multiple perceptions (Ceccarelli). In other words, to expand their appeal, authors introduce gaps, alternatives in meanings, into both their personas and their text. This, however, may dilute the intended meaning.

Like Lewis Black's propensity toward angry, snarling indignation, "Bobcat" Goldthwait's (or Sam Kinison's) screaming fits, Emo Philips' slow, deliberative style and off-kilter intonation or Steven Wright's (or Mitch Hedberg's) reticent and monotone delivery each indicate a certain off-ness of mental state, signaling that the perceptions stated in the routine are not those that the average, sane person would make. Each

affords us another locus for our humor. We can laugh at the off-kilter presentation and/or over-the-top persona and, via laughter, trivialize/ridicule both the presentation and the persona – we laugh because their behavior is abnormal. Though Black’s position is clear, we need not accept the positions of raving madmen or the ponderings of the unbalanced – unless, of course, they are running our government.

While Maher performs the opposite of hyperbolic frustration, the effect may, ultimately, be the same. To refer back to Maher’s use of a “borrowed kettle” theme in his routine, The Decider, since the arguments refute themselves, Maher doesn’t have to. By choosing to argue against them, Maher opens himself up to criticism, both as a figure who would reduce the President to an illogical caricature, and as one who believes such arguments need refutation, *and we are not sure that Maher didn’t mean for this to happen*. Further, Maher delivers critique after critique aimed at Republicans, yet as he does so, he chuckles to himself. This is somewhat discordant as, if we take him at his word (e.g. if we accept that George W. Bush is a fuck-up), there would seem to be an obligation to do something about it. When confronted with our own apathy, we should correct our behavior. However, Maher is laughing himself as he tells us what a fuck-up the President is, as if his act is just a bit of good-natured ribbing aimed at a friend. He frequently states, “I kid the President, because I love. I hope that comes through.” Some may miss (or choose to ignore) the irony in this statement. In any case, Maher doesn’t seem to be worried about the state of the nation, so why should we? While his laughter and unconcern may be read as ironic performances, there is also the possibility that he is using his satire ironically. After all, to avoid being taken as earnest, hurtful ridicule, the satirist must maintain goodwill (Gilbert). Maher does so through entertaining wit as well

as an amicable stance, which may evoke a feeling that those at fault are not bad people, but frail, foolish and ultimately, human. Thus these humans can be corrected to their – and society’s – benefit.¹⁸ In Maher’s case, it may actually make Bush more likeable. In these performances, the persona becomes another aspect of the text in which the author can locate (or we can find) irony. It seems that when satire is used in conjunction with irony and/or parody, it often increases the humorous potential, but the humor loses its critical edge. For this reason, humorous satire seems to be at odds with any bona fide political goal, yet we should reexamine this assumption.

Pagan Authors

The humorist may have a different goal than the politician or activist, thus we can never definitively pin him/her to a motive other than achieving humor. However, even within this goal, there is political work to be done. Christine Harold borrows Friedrich Nietzsche’s model of the comedian. She suggests that unlike the ascetic, who seeks to expose truth, “comedians diagnose a specific situation, and try something to see what responses they can provoke” (194). Harold’s comedian *jams* or improvises, interprets and experiments with the forms of commercial mass-media, opening a space for the agency of the audience, inviting them to participate and interpret mediated messages in divergent and often contradictory ways. This view sees humor as a productive political act on the part of the actor in that it invites political action in the form of audience uptake. In this sense, the comedian (or comic) and audience alike are not *republicans*, bona fide speakers bound by *litige*, but *pagans*, unknown and questionable elements of whom we can never expect truth or even logical, rational thought.¹⁹ This presentation of *pagan*, ironic figures brings up another way of looking at irony and parody – as possibility that

comes from irreconcilability and therefore requires supplementation.

Ironic Possibility

Linda Hutcheon argues that the dichotomous choice of acceptance/rejection of an ironic text is overly simplistic. Instead, it is possible to think of irony (and we might extend this characterization to parody) “as a process of communication that entails two or more meanings being played off, one against the other. The irony is in the difference; irony makes the difference. It plays between meanings, in a space that is always affectively charged, that always has a critical edge” (105). This is not negation or closure, but possibility. It is in the space between Maher’s characterization of Bush and his implied judgment that the audience can play, in the space between “not getting it” and “getting something else” (not necessarily the opposite), between appreciating Bush for his legacy and determining that this legacy may not be what he hopes it will be.

This is how rhetorician Kenneth Burke theorizes irony. For Burke, taking any given point of view would not be irony, but relativism, “And in relativism there is no irony” (512). Burke argues that subjective relativism is an act of closure, whereas ironic texts remain open. Pure relativism comes about when one isolates “any one agent in a drama, or any one advocate in a dialogue, and see the whole in terms of his position alone,” such as the critical voice of the satirist (512). Relativism thus is the judgment of one position over all other possible positions, such that “the greater the *absolutism* of the statements, the greater the *subjectivity* and *relativity* in the position of the agent making the statements” (512). In contrast, irony produces “a *development* which uses all the terms. Hence, from the standpoint of this total form (this ‘perspective of perspectives’), none of the participating ‘sub-perspectives’ can be treated as either precisely right or

precisely wrong.”²⁰ In the result, one is encouraged to consider all the possibilities; what develops instead is a “resultant certainty” that all viewpoints are equally *contributory*. Irony is thus the realization that we could take the discourse up in many different ways. In the absolute case of humorous verbal irony, the intended meaning may be indeterminable, yet the stated meaning is untenable. This gives us the maximum space of play, the largest gap between stated and intended.

Our previous model of polysemic and polyvalent intentional texts is complex, affording a number of questions posed to the audience, such as: is Maher well-intentioned toward W., casting his own arguments in a ludicrous, “borrowed kettle” form to devalue Maher’s own critique, or does he intend to construct a bona fide critique and fail? Does he “love” W and seek to correct him or is this an attack? Is he amused and unconcerned about the state of things or bothered and irate? Similarly, does Black believe that all politicians are inept or is he simply expressing frustration about the process? Did he really run around D.C. like a madman screaming epithets at prominent government officials, or is he perpetuating a persona? Or all of the above? Or none? While this reads like a multiplicity of binaries, the sheer number ensures multiple possible readings. Each of these must be inferred, and none of them are clear.

However, when we abandon the necessity of closure, of an intentional *telos* that the audience and critic must uncover/decipher, we get a much more complex model in which the humor lies not in the decision of “did he?” or “didn’t he” but in the possibility encapsulated by the questions “might he have?” and “what if he did?” This is the possibility of an act we cannot accept or condone, but yet also cannot dismiss. The lack of a single tenable position need not fall to relativism, but provides opportunity for

audience agency in the form of meaning-making in which politics and humor alike are equally likely events. Thus, in their purest forms, humorous irony and parody might best be called *pagan* tactics; they are *différends*, examples of the radically incommensurate. In this ironic economy, motive is not diminished, but rather motive becomes all that matters. But this motive is never taken at face value – determined; it must be inferred.

Ironic Supplement

We should note that irony is not an enthymematic trope. Like irony, an enthymeme is an incomplete argument, requiring that the audience supply information; however, ironic arguments are unlike traditional enthymemes in that the argument as stated does not *need* more information; the auditor can simply read the statements as bona fide, complete. Irony is intended to persuade via juxtaposition with an alternate (missing, but implied) perspective (or more than one). In Booth's model, the audience must first reject the stated, then eventually choose an alternative; the audience must participate in meaning-making, even though none of the available interpretations make sense. It is only when one senses that the speaker is motivated to mean something else – that it is unlikely that they mean what they said – that the audience member or critic feels compelled to add information. Thus the ironic is never simply a negation that replaces the stated meaning, but a supplement, an expansion of an already complete text. Irony creates gaps between the stated and the intended and it is in these gaps that meaning can be played with, wit can be recognized and thus amusement found.

Every model of irony and parody discussed thus far affords this sense of supplementarity. Gring-Pemble and Watson's polyvalent critique requires that the audience supplement the text with a system of values to find humor (as opposed to

politics). In a polysemic model, which I've argued is required to evaluate an unreliable, discordant narrator or parodic persona, the audience needs to infer wherein the joke lies. In Hutcheon's and Burke's models, a humorous ironic topic and framing puts the argument into play, open for discussion and individual acts of meaning making. That is to say, humorous irony is not parasitic on the serious or truthful, it does not derive from it, but supplements it in ways that are productive of audience articulations. This logic of supplementarity is not open to infinite possibility, but grounded by the twin poles of the tenable qualities of the author (what s/he is likely to mean) and the stated. Nevertheless, it is this addition of information – this act of supplementation that must be undertaken by an audience – that causes problems for most critics.

Conclusion: From Authorial Intent to Audience Inference

In this chapter, I set out to expose and problematize the limitations placed on humor created by notions of authorial intent and fidelity. I've chosen texts that seem to resonate most as political satire, as bona fide attempts to ridicule political figures and issues of governance. In so doing, I've noted – as have many others before me – the consequential usage of irony and parody. While there are benefits to reading satire, irony and parody as separate and distinguishable rhetorical tropes within bona fide political discourse, I argue the benefit of abandoning a notion of their tropic distinctions, and indeed of abandoning the distinction between bona fide and humorous discourse (as delineated by authorial intention) itself.

While it is possible in the traditional model for a political figure to use satire to evoke humor in those who agree with him/her, and while s/he may make some headway among those who do not, the effect seems to provoke a dichotomy in which the message

is either (a) not effectual (in the sense that it isn't persuading, but rather amusing), or (b) not humorous. This latter interpretation may reinforce the bona fide speaker's effectivity, but serve to define him/her out of status as a comic. However, this dichotomy is not the extent of the problem.

While it is true to say that not all humorous attempts to ridicule a political message (i.e. satire) need be read as self-negating (i.e. read ironically), authorial intention does not foil the practice. It is also true that not all implied discrepancies between the stated and intended need have as their goal ridicule, and they do not always require reference to an existing text (as in parody). Further, when we do reference a pre-existing text, though we often reduce it to its most recognizable features, many scholars, such as Margaret A. Rose, note that to reference is not to denigrate this text, or even to operate at counter-purpose to it, but instead may serve to celebrate the original or just repurpose it for some entirely unrelated project. Such a repurposing expands the original text, supplementing its meaning.

Thus, while satire, irony and parody are separate humorous, rhetorical forms – and audiences may recognize them as such – the problem is, as Gring-Pemble and Watson point out, that humorous authors often use multiple tactics to achieve their humorous goals. Perhaps the comic, in attempting to make his/her commentary humorous, retains the goal of satire, yet it behooves him/her to create a text that is not just polyvalent, but polysemic, whether the discrepancies lie in the material itself, the persona that delivers them, or both. The routines are full of gaps, the speakers are unreliable and their motives vary. Polysemy and polyvalence are the norm. As I've argued, an ironic approach may be the most productive way to examine humorous irony,

parody and satire to the extent that all permit the possibility of an inference resulting in political effects and/or humor. Discrepancies between judgment and amusement are possible because irony and parody can never be taken to be a simple process of opposition or negation, but instead are acts of supplementation.

What Gring-Pemle and Watson point to as a problem for the rhetor arises precisely because of ironic texts' supplementary structure and/or dual voicing, which prevent any given audience from reaching a predetermined judgment or reading. This supplementary quality of irony, satire and parody causes these scholars to throw up their hands and cry, "indeterminable!" Yet individual audience members do not give up. They make decisions as to the content of the message; while the reactions to our case examples is generally positive (laughter) – an acceptance *as* humor – they may also heckle, boo, or walk out. Sometimes they remain silent and sometimes they become activists. As John Sloop and Kent Ono note, "obligation [to judge] happens, judgment happens" (54), yet perhaps for that very reason humorous irony (rather than *republican* irony) has more potential for/as political agency. Yet it is specifically because of this indeterminate nature that ironic texts, and particularly those that aim to be both humorous and political, hold the most potential for audience agency.

What is problematic for the author becomes beneficial for the audience. But if we hold, with Harold, that this provocation of the audience is the rhetor's goal, then we are invited to read such texts differently. Instead of reading for intention, we might read for possibility, evaluating texts on the basis of frequency of potential inference, complexity of questions, number of plausible alternatives and degree of irreconcilability. However, still more relevant would be to abandon the speaker's intention altogether and focus on

the audience's usage or uptake.

Audiences play an equally active role in judging, in determining what, for them, the humor means. Similar to the comics, the audience may determine that the humor operates in one (or more) of the conventional modes, or they may take it up in new and potentially activist ways. This, then, provides the grounds for our discussion henceforth, and I will say more on this activism in Chapter Three.

CHAPTER III
LAUGHTER AND OUTRAGE: DICHOTOMOUS UPTAKE OF
DIVISIVE HUMOR?

I begin with three situations, in chronological order:

First: On July 11, 2001, comic Sarah Silverman made an appearance on Late Night with Conan O'Brien, where she told the following joke:

I was telling a friend that I had to serve jury duty and I wanted to get out of it. So my friend said “Why don't you write something inappropriate on the form, like 'I hate chinks'?” But I don't want people to think I was racist, so I just filled out the form and I wrote “I love chinks.” And who doesn't?¹

NBC aired the joke uncensored. Asian American rights activist Guy Aoki saw the joke on television and began a media campaign claiming that Silverman was in fact a racist. After Silverman made a guest appearance on Politically Incorrect with Bill Maher (7/22/2001), Aoki was invited to debate Silverman on that same program (air date: 9/22/2001). Maher asked that the language of the show not be censored, and in his summary statements noted that this issue was dangerously close to impeding our free speech. Silverman retold the joke on both programs, stated that censoring words, especially those used by comedians, does nothing to end racism, and then included several other jabs (such as calling Aoki a douche bag), most of which now appear in her act and her 2005 concert film, Jesus is Magic. Aoki made most of his points well, stating that racist language use, even in an ironic (or presumably, commentary) form, allows their use – and therefore their ability to harm – to continue.

Next: In the fall of 2004, comic Margaret Cho began her “State of Emergency” tour through the swing states. She also was a featured performer at the Moveon.org

“Bush in 30 seconds” commercial competition.² Cho is very open about the fact that her material is politically motivated – directly addressing the Republican candidates and their crusade against gay rights, including gay marriage.³ Matt Drudge posted an edited transcript of her act (two minutes of 20) on his drudgereport.com, which featured some of her attacks on Republican figureheads, such as George W. Bush. Here is Drudge’s posted version (all comments, edits and misprints have been left intact):

MARGARET CHO (Comedian) --

*Despite all of this stupid bullsh-- that the Republican National Committee, or whatever the f--- they call them, that they were saying that they're all angry about how two of these ads were comparing Bush to Hitler? I mean, out of thousands of submissions, they find two. They're like fu--ing looking for Hitler in a haystack. You now? I mean, George Bush is not Hitler. He would be if he fu--ing applied himself. (big, extended applause) I mean he just isn't.

*I think this last year has just proven how stupid Republicans are. (big applause)

*For example, Judge Roy Moore, or Jay Moore or whatever, in Alabama. [inaudible] ... Ten Commandments statue stay in the lobby of a courthouse. “You can't move the Word of God! You cannot remove the Franklin Mint edition of the Word of God!” [said in Southern accent] People are protesting there and like, I think it could have been solved so much easier if they had just placed a golden calf next to the statue and then people would have started worshipping that. And then they could

have moved the Ten Commandments to Bush's office -- which he needs them, desperately. Or maybe he needs a new version of the Ten Commandments -- George W. Bush's Ten Commandments: Thou shalt not steal...votes. (big applause) Thou shalt not covet thy neighbor's...country. (big applause) Thou shalt not kill...for oil. (big applause) Thou shalt not take grammar...in vain. (big applause) I mean, whatever fu--ing happened to separation of church and state? I mean, you can't like, impose your god on my god. God has many names. God is God, God is Jehovah, God is Allah, God is Buddah, God is Beyonce. (laughter) You know, you cannot impose your God on other people. And ah, George W. Bush is coming out with the weirdest stance on same-sex marriage as well. What he says about it is, well, "well, we're all sinners." No we're not! Just because somebody ate an apple one time does not make us all sinners. And if it was from the tree of knowledge, I think she should have eaten more than one. (laughter) Possibly even baked a pie. (applause) I don't understand the whole same-sex marriage thing. He was quoted by saying, "well, you you uh, just gotta take the speck out of your own eye before you take the co-- out of your neighbor's." [in Southern accent] (laughter)

*I mean, I'm afraid of terrorists, but I'm more afraid of the Patriot Act. (big applause)

A conservative website called freerepublic.com posted this edited version to its own website. After the drudgereport and freerepublic postings, Cho's performances were regularly picketed, and she received vicious, homophobic, bigoted and racist attacks via

email – calling her, among other things, a Chink, dyke bitch.⁴ Cho’s response was to post the emails, complete with the senders’ return addresses, on her blog. Other sites such as American Politics Journal mirrored her content for their readers. Her fans reportedly spammed – relentlessly “e-harassed” – her antagonists so badly that the offenders wrote her full apologies and begged her to take their addresses off the blog. She did so (although they still appear on the American Politics Journal site), and also posted their apologies, but she left the messages up. Cho now references this and other incidents as part of her 2005 concert film Assassin.

Finally: On November 18, 2006, comedian and character actor Michael Richards was in the middle of his set at the Laugh Factory in Los Angeles. Although Richards had been doing his off-beat style of stand-up for three decades, he achieved major fame via his role as Cosmo Kramer on the TV show Seinfeld. On this particular evening, two African American gentlemen, Frank McBride and Kyle Doss, were at the club celebrating a friend’s birthday party. The incident began when members of the group greeted each other loudly and ordered their first round of drinks. Richards felt that the gentlemen were interrupting his act, and proceeded to respond as if responding to a heckler. Although any statements made by McBride and Doss remain a mystery (some audience members still maintain that they were heckling), Richards’ response was caught by an audience member via camera phone. In this brief rant, he frequently referred to his interrupters as niggers, and even included a reference to lynching. The video then made its way to the TMZ website, which had previously broken the story of Mel Gibson’s drunken, anti-Semitic rant. Major news sources picked up the story and ran it as news and Richards’ subsequent shows attracted protesters. Picketers even set up for an extended protest in

front of the Laugh Factory.

This is a chapter about audiences – the first of two. Building on the notion that comics are unreliable and/or discordant narrators, *pagan* rhetors whose tactics require audience supplementation to enrich meaning, I now return to the agency of the audience. It is the audience members who ultimately perform or articulate their identities and subjectivities in relation to the text. Audiences of humor, like all rhetorical audiences, need to be active in the creation of meaning; thus their judgment is often prudential, that is, situationally dependent, rather than following a preset model (Lyotard and Thébaud). In the following two chapters, I will examine the discourse for the signs of an underlying logic by and through which distinct audiences judge the humorous as deeply political and/or funny. I am not asking whether these incidents and jokes are racist, political, hostile or funny (or all, or none), but rather, what are the conditions of possibility, the underlying logics by which they are judged racist, political hostile and/or funny versus not. In other words, is there a logic of the separation of humorous and serious effects and if so, what is it? Over the course of the argument, I hope to show how attempts to regulate the uptake of humor display that humor is not an involuntary reaction to a pre-existing, self-same, inherently funny (and therefore apolitical) subject or discourse. Instead, it is governed by a complex plexus of discourse and power, a discourse formation. Audience reactions constrain humor's ability to act as rhetoric, and the reactions most easily seen are negative reactions – rejections of the humor as such – in this case, audience outrage.

Negative reactions, such as the uptake of the humor as serious, comprise statements – socio-cultural rules that delineate what gets to pass as humor. It then

becomes important to ask about the context of the reactions. What do these reactions in this context tell us about the stakes of the game, about power and political agency? It is in this sense that the aforementioned incidents become noteworthy.

In this chapter, I use the above examples to introduce some distinctions seemingly differentiating serious audiences of rhetoric from audiences of humor. In doing so, I point out the requirements of expectation, performance (of uniform, unconscious and trivializing reactions) and physical presence that delineate and circumscribe critics, protesters, hecklers, walkouts and boo'ers both from each other and from humorous audiences. Instead of accepting these criteria as delimitations of humor, I argue in favor of a model in which both those who are amused and those who are outraged provide opportunity for, and thus mark, rhetorical acts of articulation that reveal the paradoxical tensions that must be maintained in a humorous text. These incidents display that humor needs to be regulated because it is potentially dangerous. It is with this in mind that I turn first to concepts of a serious versus a humorous audience.

Audience

The Silverman, Cho and Richards incidents are similar in that their primary negative responses came, not from economic or legal institutions (e.g. club owners or courts), but from members of their audience – ostensibly those most likely to appreciate the humor. While it's true that other groups reacted – Cho was disinvited from the Lesbian, Gay, Bisexual, Transsexual “Unity 2004” event at the Democratic National Convention, Richards' dates were cancelled and the anti-“n-word” campaign began (which I shall take up in the next chapter) – these reactions rode on an initial wave of public outcry. Thus we can see that a major constraint on the comic comes from the

audience.

The three examples all involve situations in which a large portion of the audience – whether physically present or experiencing the act via media – rejects the humor, thus marking limits to the uptake of the discourses as humor: hostility and/or racism are not funny. Our cases call to mind several different negative audiences. Silverman's run-in with Guy Aoki and Cho's encounter with Mike Drudge marks these men as taking up the role of interpreter/critic. These critics, in turn, incited others to protest – to disrupt their performances by emailing them and/or picketing their shows. In contrast, Michael Richards was dealing with members of a paying audience who were expecting comedy (though perhaps not fans of his; the headliner was George Lopez), but the show may have been interrupted by another type of audience member: the heckler. Richards' response caused other members of the audience to react with surprise and booing and, ultimately, some walked out; later, groups picketed. From this brief summary, we can identify five types of hostile audiences that place limitations on the humor: critics, protesters, hecklers, walkouts and boo'ers. While these categories are not mutually exclusive, differentiations can be (and often are) made. Each of these negative responses seeks to interpret and interrupt, if not disrupt the stand-up act, with varying levels of success. However, can humorous texts be interrupted? Before we can answer that, let us be clear as to the importance of a notion of audience agency.

Understanding the role of the audience vis-à-vis the comic (and visa versa) is crucial, and must precede any discussion of how much agency members of the audience exercise when they consume (or reject the consumption of) stand-up.⁵ While I suggested in the previous chapter that stand-up routines require action on the part of the audience,

we need to examine theories of humorous audiences if we are to find a compatible model. If stand-up comedy is about pandering to the masses, attracting them and satisfying them, then the political value of stand-up is, as Lawrence A. Mintz suggests, that of a simple social barometer; measuring the salience of issues of the time, without any inherent value as social critique or potential for meaningful change. If, however, the audience isn't simply consuming, but instead is changed via the process, then stand-up takes its place as a powerful rhetorical form. Between the two lies a notion of an audience that consists of a group of dynamic individuals who thoughtfully engage the material, then respond with laughter or umbrage. So how are we to define audience and what is its role?

Rhetorical Audiences

Debate over the concept of audience has been central to the discipline of rhetoric at least since the time of Plato. Critical positions on audience by rhetorical scholars have for the most part shifted from an understanding of audience as a static body acted upon by a sovereign rhetor to a construct of a particular rhetor to a more active role for the audience as agents to a more fluid model of audience as an effect structure of various acts of subject positioning. More recently, we can see this move in the shift (more ideological than chronological) from Lloyd Bitzer's rhetorical audience, those "who are capable of being influenced by discourse and of being mediators of change" (8), to Edwin Black's implied auditor or second persona, to Chaim Perelman and Lucie Olbrechts-Tyteca's multiple audiences that must be brought to agreement to construct a universal audience. Such positions have paved the way for notions of a constitutive rhetoric that can enact or engender audience interpellation into a particular identity (Charland). As a correlate to this last position, the rhetorical tradition has been influenced by the cultural studies

movement, including Stuart Hall, who suggests that although texts may imply a dominant reading by a primary audience, other audiences can negotiate with or even subvert the text to come up with divergent or even resistant readings. Because of speaker unreliability and the necessity of supplementation, as we move to more complex models of audience, we gain a greater understanding of how stand-up may produce effects.

Yet even by Bitzer's standards, it would seem that at least some of the members of the audiences under discussion meet the criteria of rhetorical audiences. Those who reacted strongly – whether criticizing Cho or Silverman, heckling, booing or walking out on Richards or protesting the shows of all three comics – seem motivated to be agents of change. While the texts may not have been intended to provoke such strong reactions, these responses are always possible because the audience can resist. Thus, these are rhetorical audiences, but are they audiences of humor? While most authors from Sigmund Freud forward agree that humor must be affirmed by – or at the very least received by – an audience to even be defined as such, many of these authors either take the audience for granted, fail to delineate a coherent theory, or define the audience of humor in such a way that it cannot be rhetorical.

Humorous Audiences

From a rhetorical perspective, it is often frustrating to read critical discussions of humorous texts as the audience is often taken for granted. This treatment often occurs when the critic serves as the sole audience member/auditor, but also occurs when, as is frequently the case in scholarly writing, the audience of humor is treated as the product of the author and/or text. For instance, Robert A. Stebbins is quick to note that the comic “kills” or “bombs,” and that this occurs because of interaction between persona, the

content material and audience taste, but the emphasis of his project is on The Laugh-Makers, not the laughs themselves. Similarly, John C. Meyer categorizes four functions of humor in communication by noting the effect on the audience, yet his premise is that the humor can be designed to provoke these effects, and thus he moves away from the notion of audience as active to its passive reception of the intentions of the rhetor. Finally, Gring-Pemble and Watson's finding that satire, as a political strategy, is inefficient (discussed in Chapter Two) and must rely on a premise that a more efficient textual form exists, one better able to act upon (rather than structured to be used by or useful to) an audience. These theories again display the problem of authorial intent discussed previously and further conflate effects with those intentions.⁶ However, Meyer's work might serve a purpose, if we can see a way to divest it of intention. I shall return to this momentarily.

Worse still is when scholars produce major internal discrepancies as to whether (and when) audiences are active or passive, incorporated or incorporating and therefore capable of resisting (i.e. of exercising agency).⁷ For instance, Betsy Borns begins her book, Comic Lives, with a chapter on audience, yet while the motive for audience attendance is clear (tension release, in her opinion), the role of the audience within communication processes is less so. Borns implies at least five models of audience agency. In the first, the audience is active in seeking out the agents of their release (i.e. as consumers), but passive in terms of the specifics of the process of that release (i.e. as not actively determining that process).⁸ But there is also the case that the audience is an object upon which the comic acts, and is thereby returned to a more unrefined form – not agents in their own right.⁹ Also present is the notion that the comedian is the agent of the

audience; they ultimately direct her/his action and thereby their consumption.¹⁰ Yet the contrary view is also presented, that the audience's role is reduced to some sort of democratic ratification – sanctioning the humor with laughter or vetoing it as such via silence or taking umbrage – but always after the fact.¹¹ Finally, Borns notes that audiences can be seen as active, so that comedians cannot just dominate, but must also seduce – they must make the audience like them as people, they must “pitch woo” (23). Borns' chapter is thus more of a survey of what comics think about the audience than any sort of critical investigation into the power dynamics between the two groups. However, rather than casting such atheoretical works as useless, we might rather point out the options for audience members in encountering humorous texts; audiences can enact or decline their agency, and we might look at which they do in different circumstances. Yet even when audiences for stand-up are defined, the qualities delineating such audiences are implicitly at odds with those necessary for the delineation of rhetorical audiences. As such, some theories introduce a false dichotomy, and thus we should recognize them. The first of these contradictory qualities is expectation.

General Humorous Expectations

Freud notes that the audience must have “an *expectation* of the comic,” that something funny or amusing will follow (219, *italic* in original). This premise has worked its way into virtually every work written on the subject of humor since. For instance, Borns notes that audience members go to the club specifically to laugh, not to be influenced, and many critics agree (see for instance Gilbert; Limon; Stebbins). For these critics, the audience isn't interested in the speaker's views, save as fodder for humor. Thus, under Bitzer's model, audiences of humor fail as rhetorical audiences because of

their expectations. If we take up our notion from the last chapter that audiences supplement an ironic text to infer meaning, they may be less likely to supplement a humorous text in such a way as to constitute it as suasive. This problem doesn't go away as we move through to Hall as audiences still need motivation to negotiate meaning, and humorous expectations as well as the structure of the texts themselves may still negate the audience's willingness to serve as agents. This problem is further complicated as audience perceptions of humor are also contingent on their expectations of the speaker's intentions and persona.

Speaker-Specific Expectations

Audiences watching Margaret Cho, like those watching Black or Maher, may have different expectations as to the possible content of the humor. These comics have reputations for producing (and perhaps intending) more overt and deep critiques, and may thus attract sympathetic audiences who will find their sociopolitical content to be a source of humor. Less notorious comics (like Silverman at the time of her incident) and those who produce more mainstream humor (like Richards' physical, slapstick humor) face more obstacles when addressing sociopolitical issues. Yet, as I've previously argued, even Black and Maher increase opportunity for humor by producing texts in need of supplementation, full of gaps in which the audience can construct humor. The audience needs to agree to be amused in politically significant ways, which points out that obstacles can be overcome by technique, if the comic can only encourage the audience to laugh. However, a cursory glance at our examples evokes the argument that the comics are no longer in control of their act. In these incidents, any intentions of the author (including and especially those of creating a polysemic and/or polyvalent text) are

disrupted by persons or groups that bridge the gaps, determine a meaning and then (re)present the text to a new audience with a different set of expectations.

Disruptive Critiques: Critics and Protesters

Many of those who responded negatively to Silverman, Cho and Richards had their expectations set prior to encountering the message. Cho's routine, while first delivered to a traditional stand-up audience (i.e. paying customers at a comedy club or hall who were aware that she was performing), was subsequently transformed. Matt Drudge edited her routine to focus on specific content. Similarly, Guy Aoki focused on one of Silverman's jokes in order to make claims that she is a racist and TMZ only posted up Richards' rant – not the act leading up to it. By taking out the more shallow forms of humor and transitional material, the critic's version of each of these routines positions the comic as a much more controversial speaker than s/he may be, which obscures the fact that her/his performance was stand-up. Once Aoki and Drudge made public their critiques, those who subsequently heard these comics did so through a more critical frame, which for some may have lessened the expectation of humor.

Further, the re-contextualization of this reduction of the comic's material in a new, conservative venue – such as the mainstream press, drudgereport.com, freerepublic.com or TMZ – drastically changes the audience. Via such sites, no longer are we dealing with people expecting to see a stand-up act, willing to approach the act as humor and grant some leniency to the speaker on points with which they disagree. The fact that it is submitted for their perusal on these sites frames the content as political, and they approach it as such. We might lump such audiences under the heading of protesters. Following Freud's logic, these protesters are secondary audiences in that they need not

have witnessed the act in any form.

Thus, if we accept this view, many of Cho's, Silverman's and Richards' negative audiences were not truly audiences of humor; their expectations of humor were pre-empted – disrupted – by the critic. If all they saw of the act was what was in the news or on the internet (i.e. filtered by the critic) they did not receive the act (or even a single bit) *en toto*. In Richards' case, all they encounter is an *a priori* racist rant. All of the gaps inherent in the routine and persona are resolved by the critic and it becomes a static argument. Once cast as a purveyor of serious discourse, the comic then becomes subject to subsequent action – to bona fide responses by individuals acting as political agents.

However, this notion of disruption of expectation prior to reception is a bit simplistic; it is not only in the case of Richards that audience members expected a humorous act and were surprised. Aoki was watching Silverman on Late Night, and Drudge had to have gleaned Cho's content from somewhere. In each case, the expectations were not disrupted prior to, but interrupted during, thus rupturing the informal contract between comic and audience that sets their expectation. Another figure who might interrupt audience expectations is the heckler.

Interruptive Critiques: Hecklers

The heckler is sometimes thought to be the most dangerous audience member – even more so than critics and protesters after the initial event.¹² Hecklers are taken to be problematic for humor, interruptions to the comic's act; unsolicited and often hostile feedback (Borns; Gilbert).¹³ As opposed to those who boo, the heckler calls for a response that is more directed, less pre-planned than the act itself.¹⁴ Often, this requires a deviation from the act itself; the comic moves from talking about the material s/he has

planned to addressing the heckler – interrupting a joke in progress. It is this distinction – between the comic’s chosen material and that instigated by the heckler – that many use to distinguish between Richards’ use of the “n-word” and incidents like Silverman’s use of “chink”; Silverman used it as part of her (always already funny) act, not yelling at people in the audience who had interrupted her.¹⁵

As opposed to critics like Aoki and Drudge, the heckler threatens the comic’s ability to be perceived as humorous by the immediate audience – which serves as a microcosm for the rest of society. Hecklers don’t just dissent; they interject, interrupt, attempt to steal the limelight, rob the thunder, and regardless of their intent, destroy the jokework – the careful buildup of the joke.¹⁶ But the heckler arises from within the audience – of the audience – and any audience member can thus become a heckler, or by extension, a critic.

Thus it is too simple to dismiss Aoki’s response to Silverman or Matt Drudge’s response to Cho as having more to do with their position as activists; to say that they have strong pre-existing, political investments. With or without a critic’s (re)presentation, a larger audience can choose to take up the comic’s material (or specific portions thereof) as serious political commentary and differentiate themselves from both the comic and those audience members who find it humorous by disrupting the performance. At any time audiences themselves may become activists – even after they’ve paid – as the response to Richards shows. In fact, being a participant means having the right and perhaps the obligation to intervene – to walk out, boo or heckle, critique or protest. In particular, issues such as overt politics, hostility and racism can awaken audience judgment.

Clearly, expectations cannot effectively delineate an audience of humor as separate from an audience of political rhetoric, and the attempt creates a false dichotomy. As these incidents show, expectations can be violated. Neither do reputation and precedent guarantee a favorable audience, much less favorable receptions. However, other theorists believe that the key to understanding humor lies in the audience's uptake, their actions and responses that indicate judgment, which, because the text is polysemic and polyvalent (as discussed in Chapter Two), must be prudential.

Prudential Judgment

Prudential judgment, also known as *phronesis*, is a distinctly rhetorical concern with a rich history.¹⁷ Prudence becomes necessary because rhetoric negotiates or creates perceptions of the probable, not the certain. Audience judgment is prudential, following from Jean François Lyotard, "in the Aristotelian sense of consisting in dispensing judgments without models" or fixed criteria; thus different disputants may apply different and incommensurate logics to achieve judgment.¹⁸ However, as Charland and Sloop note, a plurality of possible models of judgment does not mean that one cannot imagine an ideal and seek to comport oneself in a congruent manner. "It means," in the case of justice, "we cannot specify a rule or regime that guarantees justice or specifies what justice would be" (297). The audience and speaker must negotiate both the definition of and rules for attaining justice.

These authors display how an understanding of radical prudentiality can benefit a discussion of a rhetorical text. Such a view particularly benefits the current discussion as I have previously shown how humorous texts and personae, when combined, have the potential to form a radically open, if not indeterminable, text. Yet as our cases show,

even in the face of such texts judgments abound, as evidenced by the actions of the audience. While expressions of outrage clearly display judgment, some argue that other responses, such as laughter, are not judgments, but anti-judgments – a refusal to judge. However, the internal logic of such arguments belies the primacy of laughter as judgment. Laughter and outrage may comprise audiences differentiated by their judgment (or lack thereof), their willingness or unwillingness to supply information or values, to infer meaning in a way that creates the text as problematic versus not, which may in turn allow or disallow rhetorical effects.

Laughter: Crucial, but Critical?

As previously noted, John Limon defines a genre of “absolute stand-up,” delineated in part by authorial intent. Yet he also distinguishes this absolute form from serious, extrinsic forms by noting audience response. Limon argues that stand-up, unlike “serious art,” need not appeal to any outside arbiter for a judgment that endures, what we (following from Lyotard) have called a *republican* judgment.¹⁹ Instead, he argues that laughter by individual audiences is the sole indicator of humor – any given act of laughing in the moment retrospectively defines humor as such for that moment. The requirement of laughter thus indicates that it is incorrect to define a joke or bit as funny or not, but instead we must locate it in time and place; we must state “it was/was not funny when...” Funny changes from a stable trait of a routine, bit or joke to a state of the audience post its encounter and it is the achievement of this state that is the comic’s goal. Without laughter, even if the audience nods or smiles, the joke becomes a “failed joke.”²⁰ At the most basic level, Cho’s, Richards’ and Silverman’s protesters (emailers, bloggers and picketers) as well as their critics didn’t “get” or take up the joke, so in the end they

didn't experience humor.

Limon also arrives theoretically at what Borns arrived at inductively: that a large number of comics downplay the individuality of members of the audience in favor of a unity of reactions. Comics don't have to please everyone all the time; they simply have to please enough of the people (and not completely alienate anyone) to elicit tacit approval from those who are not actually laughing.²¹ However, more hostile reactions from a few members of the audience can negate this tacit approval.²² Thus, Limon notes that a stand-up act can be measured as separate from the absolute form (and therefore consequential) by registering "the irruptions of alien impulses" – when this tacit approval fails – the most extreme case being audience outrage.²³ Each of our negative audiences (protesters, critics, hecklers, boo'ers and walk-outs) thus do more than indicate that the text was not humorous; they mark the rupture of the humorous event. Thus, like the criterion of expectation, Limon's laughter criterion creates a false dichotomy between humor and serious persuasive discourse.²⁴

Common Interpretations of Laughter

Because Limon's theory moves us firmly away from intention to reception wherein audience laughter does more than simply mark an encounter with the humorous, but constitutes the humorous as such, we might infer that laughter is the ultimate judgment; that it is judgment itself, and it is the only judgment that should matter. However, Limon's assertion that the audience "[makes the comic's] jokes into jokes, or refuse[s] to, by a reaction that is more final, less appealable, than a judgment" (26-7) displays that humor's constitution is marked by an involuntary physical reaction; therefore laughter is an anti-judgment, a refusal to judge. This view relies on a few

common underlying premises – mostly remnants of Freudian psychoanalysis – that have profound entailments for judgments of humor. In Limon's view, humor must be defined by a uniform and visceral display of pleasure, an eruption of the unconscious; thus this judgment is reactive, uncontrolled and therefore trivializing. As such, one must be physically present for any such reaction to matter. Each of these premises will now be examined. To begin, the notion of uniformity of laughter depends on the idea that all laughter is engendered by the same interpretation.

Uniform/Particular

One of the early proponents of a superiority theory of humor and one of the first to write a treatise on laughing, Henri Bergson believed there was a sort of complicity among laughers – that all people laugh for the same reason. It is in this sense that many researchers note the polarizing power of humor (see for instance, Boskin; Gilbert; Schutz). Collective laughter is often interpreted as a sign of cohesion and group identity, of consensus (Coser; Gilbert; Merrill; Mitchell; Nietz). Because of this interpretation, laughter often effects or brings about the constitution of a group. For instance, Borns notes that in the face of a joke we might not normally find funny, like a “dick joke,” “we find ourselves laughing in recognition, then we notice others laughing, and we feel a sense of group recognition” (16). This felt sense, while it might be mistaken, nevertheless constitutes a group whose sense of self can have very real consequences.

Limon takes up this view by default. He reasons that because laughter is ephemeral, expiring in the moment, it cannot be examined after the fact. Such appraisals are untrustworthy, whereas the uniformity of visible and audible reactions is undeniable, and the effects accrue regardless. While hostile audiences pinpoint their critiques –

boo'ing at the moment or stating the particularities of their problems – laughter gives no clues as to why or how it was funny, simply that it was. But this sense of uniformity truly relies on a notion that laughter is visceral, physically affecting the emotions, and therefore unconscious.

Unconscious/Conscious

Limon's theory of laughter returns us to Freud's idea that humor attempts to subvert thought and therefore judgment. This belief stems from Freud's distinction between the conscious and unconscious. For Freud, judgment occurs in the conscious. Conscious thought enforces taboos. It is only when we react without thought – when the unconscious is victorious over the conscious – that laughter is possible. This view of laughter as an involuntary response or an eruption of the unconscious has become commonsensical, and is held by laypeople, academics and critics alike (see for instance Bergson; Boskin; Coser; Merrill; Mitchell; Nietz; Schutz). These authors further argue for a loss of bodily control; mere amusement is insufficient. Laughter and gasping (e.g. in surprise) are therefore thought to be genuine, visceral responses enacted in the accepted register of humor – that is to say, the physical expression of unconscious emotions. Any other response thus displays the imposition of thought, which then constitutes the content as “not humor.”

By this logic, any audience member who is moved to thought – to judgment – is no longer audience to a humorous act, but to something else. So from this frame, not only are Silverman's, Cho's and Richards' protesters and secondary audiences circumscribed from humorous audiences, but so are their critics, hecklers, booers, and people who walk out. In each case, by taking up the act, thoughtfully engaging it and

responding in a manner other than laughter, such audiences constitute it as consequential, and therefore not humorous.

Trivial/Consequential

On the other hand, as the expected response to humor, laughs are treated by many laypeople and critics alike as universal signs that the humor has not achieved any political end (whether or not this is true). Limon states, paraphrasing Freud, that “there is ‘no process that resembles “judging” in [laughter’s] vicinity” (12). Because the pleasure of humor is derived from an eruption of the unconscious, it is incapable of being subsumed within the realm of judgment, thought and therefore efficacy. Limon believes that laughter displays an unwillingness to take the content seriously and/or to take action – at least, for the time being. On the other hand, outrage would seem to display that the joke is not trivial, but consequential and such determination must come not from reaction (as an unconscious, physical act) but from judgment.²⁵ Outrage becomes a distancing from the unconscious and trivial via thought, and this distance is what comics like Silverman, Cho and Richards need to elide. However, comics must also overcome physical and temporal distance.

Presence/Distance

The requirement of an unconscious, visceral, physical reaction relegates the term audience to those physically present. Many theorists of stand-up implicitly reference the traditional live audience that witnesses and responds to the stand-up act (see for instance Borns; Gilbert; Limon; Stebbins). As Borns states, stand-up comedy is not just “*live*, but *living* – an organic, growing, developing monologue that is as reactive as it is active,” and this could only occur in front of a live audience, or a series thereof (16). Yet, by the

above logic, when the act becomes mediated via radio, television, and especially when captured in writing or on records, tapes (audio or video) or digital technology (CDs, DVDs, or MPEGs), the act loses this living quality and presumably much of the audience's power to shape it.²⁶ Audiences making use of mediated forums are thus implicitly designated secondary (and therefore perhaps trivial) to (and therefore parasitic on) the immediately present audience.²⁷

This requirement of presence further justifies the separation of critics like Aoki, Drudge and the editors of TMZ.com as well as their audiences from humorous audiences. If we accept that once we are outside the "living" moment of stand-up, once the text has been witnessed (whether distributed in mass mediated form or not), it is no longer adaptive, malleable, living; then in this static form the text can be examined in greater detail, as is the case with many of Cho's, Silverman's and Richards' critics and protesters. In this form, audience members – including bona fide political critics (those who present themselves as advocates, not comics) – are free to reframe the comic's material as consequential political discourse. The comic's entire routine may be rendered down to a specific bit or series of jokes, critical commentary can be added in order to clarify the issue – to determine the "true" meaning – and this new statement is then (re)presented to a new audience with different expectations. This dissertation is thus cast as highly suspect.

Yet such an easy delineation of who is and is not an audience for humor relegates stand-up to a trivial role. To begin to distinguish between audiences puts us on a slippery slope. Where do we stop drawing distinctions? For instance, Silverman was not guaranteed a traditional stand-up audience. Although Late Night has featured stand-up

comics for most of its run, they are not the only feature and may not be the sole reason people watch. Thus these audiences have not made any economic, physical or even psychological commitment to the humor; they did not agree to check their values and/or identities at the door. Should these audiences be cast out of the model? Clearly not! In making such distinctions, we rob stand-up of any claim to political action, and also define political statements as necessarily non-humorous.

Implicit, then, in Limon's laughter/outrage dichotomy is a set of criteria that systematically define whether a text is humorous or serious and he is not alone. Other scholars, like Meyer, also make this distinction. But perhaps we can salvage from Meyer's theory a model for delineating the rhetorical effects of humor.

Functioning Laughter

Following the work of W. H. Martineau and a host of others, John C. Meyer finds four rhetorical functions of humor (two that unite, two that divide) differentiated on the basis of a particular audience member's sympathy with the position of the target and familiarity with the topic. On the side of unification, he finds that humor can enact *identification*. When the audience strongly agrees with the target and is familiar with the issue, they can feel a sense of commonality and shared meaning. An audience who has slightly less agreement *and* familiarity will find that the humor *clarifies* the issue or the speaker's position on it. An audience that disagrees slightly with the target *or* is less familiar with the issue will find the *enforcement* of a social norm. Finally, the audience with a large amount of disagreement with the target, who are very familiar with the issue will *differentiate* themselves from that target. In this case, Meyer joins several other critics who note a crucial distinction between laughing with (unifying, identification and

clarification) and laughing at (dividing, differentiation and enforcement).

Of course, Meyer falls prey to several problematic assumptions previously discussed. In characterizing the relationships between audience and target, he assumes that rhetor and audience are one, that the rhetor's goals are clear and in synch with that of the audience. This is again the assumption of intentionality, and it is easily dismissed.²⁸ Yet, this assumption leads him to move away from a focus on the audience to a discussion of the goals of the rhetor.

Further, Meyer's functions of humor do not break us from the laughing/outrage dichotomy. While he differentiates between laughing with and laughing at, he's only talking about *laughing*, thus implying that when the audience rejects the speaker's message, they have not received humor (though it may be too much to say they haven't been subject to rhetoric). Thus we still might note that for Meyer, expressions of outrage rupture the humorous space. Because laughter is assumed to be a sign of acceptance of the speaker's message, Meyer also does not break us away from a notion that laughter is uniform. The four parts of Meyer's model designate that humor works and the text is funny because it possesses some agreed upon meaning that we all share with the target, that it clarifies an unknown incident or condition via relation to a known by way of (often hyperbolic) analogy, that it informs and thereby enforces social norms or that it possesses an agreed upon message through which we reject the target.

However, what Meyer introduces is a notion that laughter is not unconscious but thoughtful, and therefore not trivial but consequential. He is not alone in this line of thinking. Thus while Meyer replicates several problems, he does provide us with a perspective that humor serves a rhetorical purpose. He further implies that physical and

temporal presence is not necessary, as identification and differentiation have no time limit. And from this base, we can build. First, I will expand on the notion that laughter is not unconscious, but conscious.

Thoughtful Laughter

In contrast to Freud and the absolutists, the reception of humor as such depends on cultural and co-cultural interpretations that are based in active intellectual processes (Gilbert; Holland). While many laypeople view laughter as an involuntary response, most recent theorists feel that the jokework is primary and sets up the possibility of laughing. For instance, when the physiology of laughter is thought to rely on the build up and release of tension, the build up is intellectual and it is only in the intellectual response (“getting the joke”) that the physiological response (release, in the form of laughter) can follow; the physical symptoms occur only after one has acquiesced to laughing (Horowitz). Thus, while Freudian theorists posit that laughter is an eruption of the unconscious, the space between the intellectual and physical response suggests that laughing is, at base, a performance.²⁹ But what are we performing? Meyer fails to note that one key gap in the humorous text forces the audience to differentiate between victims and butts as the targets of humor.

Targets of Laughter

Joanne Gilbert offers a distinction between the victim of the humor, the person or group who receives negative treatment within the narrative of the joke, and the butt of the humor, the person or group who is at fault and therefore worthy of ridicule.³⁰ This would seem to solve the “with/at” problem: we always laugh with the victim, at the perceived

butt (to the extent that these are different). This distinction is crucial because, as Samuel Janus states, “The ability to make a person laugh with [a minority group], not at them, is a vital one” (as cited in Horowitz, 7). However, this distinction further complicates the model as it multiplies the potential sources of humor.

The multiplication of possible loci of the humor make it difficult to determine exactly where the humor is found, and laughter, particularly when embedded in the laughter of the group, does not necessarily reveal any of the particularities. For instance, in Silverman’s “chink” joke, she is the focal point of the joke. However, we can read her as the butt of the joke, as the one who believes that hate is the most hateful term in the declaration and we can laugh at her. Or we can read her as the victim of a racist system in which chink is ok to say, but hate is not, and we can laugh at the problems of such a system. Note that both of these interpretations rely on the notion that her persona and person are the same – that the implied author and actual author are synonymous – and many will find this connection untenable. Thus we may infer that she has ulterior motives, and if we ascribe to her a positive motive for her subterfuge, we may then perceive our laughter as laughing with her, at the racist system. If we ascribe her a negative motivation, we can either laugh with her as she subverts the system that prohibits her from saying chink, or we can be outraged (as was Guy Aoki), thus supporting that system.

Thus, Gilbert notes there is no guarantee that even members of preexisting groups will laugh for the same reasons. Laughter is not a uniform sign that the author’s intention has been received. Further, though laughing is a performance, this performance can be feigned. While there are many reasons for feigning laughter, I will discuss two here:

fake laughter and guffaws.

Fake Laughter

There is a distinct power relation in laughter. Horowitz notes, “[E]veryone laughs longest and hardest at the boss’s jokes. The ability to be a good sport and laugh at a joke, especially when it’s on you, is the mark of a good subordinate” (5). Other critics have found this to be true in race and gender relations (Apte, Gilbert). In this vein, many theorists differentiate between real laughter and “fake” or “nervous laughter” (Barreca; Gilbert; Horowitz; Limon; Merrill). The latter terms designate laughter that is “usually done to placate someone in power or show that you get a joke (when, in fact, you might not enjoy or even understand it)” (Horowitz, 11). For Horowitz, “A fake laugh is like a fake orgasm—intended to smooth over a difficult social situation and not much fun for the laugher” (11). Though in Richards’ case we can hear laughter on the audio, doubtless there were some who were nervously “faking it.” However, when performed within a large group, not all of whom are faking it, fake laughter becomes virtually indistinguishable from laughter that marks enjoyment.³¹ Yet the stipulation that one be a “good sport” isn’t limited to the marginalized. Thus subordinates aren’t the only ones who feign laughter; those in power guffaw.

Guffaws

Horowitz explains how the rule of laughter and decorum at many events such as formally sanctioned “roasts” dictates that the target and those present must not rebel, they must not interrupt; they must show themselves to be good sports to the extent that they laugh or remain silent. In short, they must “take it” (5). However, to the extent that

audiences exercise a considerable amount of power, they may have more options in their laughter than simple agreement with the comic; in laughing at her or him, they can refocus the humor.

Gilbert believes that groups who perceive themselves to be in-power, such as white, heterosexual males, are able to laugh appreciatively at jokes at their expense, a condition she calls the “male guffaw,” though we can ascribe the use of the guffaw not simply to men, but to any group with claims to domination (156). She posits:

Perhaps by laughing a man is saying, “I’m a straight, white male—I am hegemony—hear me roar. No amount of joking, no matter how well done, is about to unseat me from my power position any time soon.”

Perhaps the laughter is precisely because he is *not* threatened (163, emphasis in original).

In this rubric, laughter becomes the act whereby one represents one’s superior position.

While many theorists feel that such laughter trivializes the incident – that we can expose our power over the situation precisely by laughing at it – this characterization would be a mistake. Instead, let us posit that through laughter, the target transforms her/himself from butt to victim; that suddenly we are laughing with the target at the comic or the situation at large. Laughter can thus be seen as an act of humor – not simply a response to humor – in that laughter rhetorically performs the same function as the set up of a joke: it creates a gap between the signifier and the signified.³²

When a person makes an earnest declarative statement, the laughter of the listener does not allow the statement to mean what the speaker intends it to mean. In fact, laughter performs the possibility that the statement is ironical. Laughter thus produces a

duality in which the statement has been taken differently than its inferred meaning. This is ridicule – or laughing at – in its strictest sense, which serves a socializing function: it says in essence “I don’t believe you, therefore you must be kidding.” It shifts the basis of the speech act’s agency, allowing it to mean multiple things. In more extreme cases of the guffaw, it may trivialize the danger represented by challenges to one’s power or marginalize the perceived butts of the humor. Thus, guffawing is a particularly political form of uptake; it is a political act. In feigned laughter and guffaws we note the deconstruction of the laughter/outrage binary. One can be outraged and still perform that the joke is humorous. Conversely, one can perform humor’s reception and yet differentiate oneself from the speaker. If humor is consequential and laughter guarantees neither humor nor fidelity to authorial intent, then perhaps we can see other possibilities for a redefinition of humor. Once again, Meyer begins to point us in a productive direction.

In his final position, Meyer starts to waver in his distinctions as he notes that humor that unites one group may differentiate that group from another, and of course the first group’s laughter is matched by the second group’s outrage. Meyer implies that a significant part of the audience will not find the joke funny and the others will laugh at those maligned. But we needn’t reduce such statements to a humorous/serious divide. Evoking audience outrage is the extreme negative case. Perhaps such a blatant division of the audience along lines of humor/outrage is not the most desirable outcome for the political humorist. As I previously argued in Chapter Two, humorous texts are characterized by gaps, and thus humor is found in a liminal space somewhere between the stated and the inferred. The audience must supplement meaning in order to enact

either their humor or their outrage. But they must also supplement values. Note that in our previous examination of Silverman's joke, in all but the last case of laughing, the sociopolitical value of the joke is the same. Guy Aoki's rejection of the joke as humorous is fueled by the same rejection of the system that causes us to laugh with or at Silverman. As such, because of the potential for humorous readings we might better say that any statement is always potentially humorous in that they are open to ironic interpretation by *pagan* audiences.

Conclusion: From Inferred Intent to Prudential Judgments

The space of humor (and/or the political aspects that accrue from it) can thus be viewed as an effect of a particular sort of liminal space articulated by and through a relation of power between speaker and audience. In this relationship, the simple dichotomy between outraged reactions and laughter does not hold, a condition we should celebrate as it creates an unwarranted distinction between the serious and the humorous that constrains humor's ability to be political. If the humorous space is determined by the particular, conscious uptake by any audience, whether the form of that uptake be laughter or outrage, then all jokes are characterized by disruption and interruption of thought and judgment – humor is disruption par excellence. Thus, there is no dichotomy between audience reactions because laughter and outrage have the same process, and laughter doesn't rule out that the material was taken seriously. In the face of disruptive audience members, as when comics face heckler and boo'ers, the comic can respond, and we in turn can choose to (re)focus our judgment on something else. In short, disruption need not equal rupture. Comics and audiences alike remain active, constantly inviting and enacting suture and articulation; in the words of Lawrence Grossberg (1992), they

construct “one set of relations out of another,” and this “involves delinking or disarticulating connections in order to link or rearticulate others” (54). Thus they engage in “a continuous struggle to reposition practices within a shifting field of forces, to redefine the possibilities of life by redefining the field of relations – the context – within which a practice is located” (54).

Joanne R. Gilbert (2004) asserts:

Because it functions as an “antirhetoric,” always disavowing its own subversive potential, humor provides the performer with a unique guarantee—the opportunity to critique with impunity. Ironically, it is precisely this feature of humor that ensures the “safety” of the status quo; humor, no matter how subversive, will never be taken “seriously” (177).

Though humor purports itself to be pre-political, as I have shown, this is not always the case. Lyotard and Thébaud argue, “obligation happens,” and, therefore, “judgment happens”; the obligation to judge doesn’t go away (Sloop & Ono, 54). The performer is not always granted immunity, audience members may leave, heckle or boo. The use of humor as a critique is not always welcomed. On the other hand, the status quo is not safe; even when it is received as such, humor may produce serious effects. Thus, laughter/outrage as delimiting trivial humor from serious political work is not a true dichotomy; political effects need not be separated from or auxiliary to humor. It is the *obligation*, both to judge at all and to judge justly, that drives this process. Though humor attempts to defer or remove obligation, to defer judgment, what becomes astonishing is when and where and why (and how frequently) it succeeds.

What the Silverman, Cho and Richards incidents display is that these play spaces

need to be policed even more than other spaces, because there is potential danger – the danger of a challenge to power. Humorous spaces are not proof against the imposition of rules. Though some rules are codified and pre-ordained, other sets of rules are enforced on the spot. This enforcement represents an imposition of judgment that doesn't serve to destroy the play space – to make it serious – but marks the dangers of the play space. A notion of a play space separated from the “normal,” serious space of everyday life assumes that these spaces can be kept separate, and that their boundaries serve to quarantine any sort of ideological problems from infecting the rest of the spaces. However, this is another false dichotomy. If this were the case, there would be no need to protect us. But this is not the case; the boundaries are porous and cannot fully protect us from the infection that is humor. Nor does humor remain in its neat, pre-packaged forms, modes and spaces; it mutates at an alarming rate and infects everything around it. Further, the rise of mediation via publication of jokes and monologues, comic albums, live or pre-recorded televised performances, concert films and now internet vessels such as comedycentral.com and youtube.com have multiplied the potential audiences both spatially and temporally, complicating concepts of witnessing or firm delineations of the space of the act, further multiplying sources of contagion. It is against this contagion that the powers that be seek to protect us. These powers may take many forms, including legal, institutional, and ideological. Because of the ability of these forces to constrain humor, I now turn to institutional and legal constraints that inflect the ideological.

CHAPTER IV
CENSURE: INSTITUTIONAL CONSTRAINTS AND THE QUESTION
OF CARNIVAL

In the last chapter, I discussed the uptake of Sarah Silverman's (2001) "chink" joke, Margaret Cho's "State of Emergency" tour (2004) and Michael Richards' blowup at Los Angeles' Laugh Factory (2006) in order to display humor that inheres in a relation of power between audience and comic but that is not safely delimited by outrage and trivialized by laughter. Humor has a more complex relationship to outrage than simple opposition, and laughter does more than trivialize. I'd like to continue this discussion here. Unlike Cho's tour, Silverman's and Richards' incidents brought about firestorms of discussion about the use of racist terms, even in the space of humor. However, in Richards' case, the discussion went farther, extending even into the legal and economic realm.

While Richards himself was grabbing every available microphone and professing his complete and honest apology, citizens, comics and politicians alike were discussing the problem of language use. The Laugh Factory's owner Jamie Masada instituted a ban on the use of the "n-word" and comedian Damon Wayans was the first to succumb. His 16 uses of the word earned him a \$320 fine and a three-month ban (Hannity and Colmes, 2006; Martelle, 2006). Art Mooney, who wrote for Richard Pryor and Dave Chappelle (both humorists who have tried to reappropriate the term "nigger"), joined Rev. Jesse Jackson and U.S. Rep. Maxine Waters (D-Los Angeles) in calling for a ban on the n-word (Martelle, 2006). Most recently, the city of New York introduced legislation that would ban the word, and other municipalities and states were exploring the possibility of following suit (NPR, 2/2/2007). This new discussion is perhaps one of the first times language has been a major concern in stand-up comedy since the discussion over the

public airing of George Carlin's "Seven Words You Can't Say on Television," and certainly the most recent public incident of a problem within the comedy club since Lenny Bruce. In order to further a discussion about the space of humor, perhaps an historical comparison is warranted.

The most well-known legal cases in stand-up are the obscenity trials of Lenny Bruce in San Francisco and New York.¹ By 1965, Bruce had been arrested nineteen times and convicted of obscenity once (later overturned). According to the official court transcript of his 1964 trial (which he was later wont to read in his act), Bruce was arrested for about 100 uses of the words "ass, balls, cocksucker, cunt, fuck, motherfucker, piss, shit and tits" in his act. This earned him the nickname "Dirty Lenny," and polarized his audience into avid fans and rabid critics. Bruce's legal battles and an inability to get gigs eventually bankrupted him; he died before the final appeal was settled, though he was pardoned posthumously in 2003.²

Taken together, Bruce's and Richards' economic and legal entanglements mark distinct limits of humor. Humor is not a free space in which one can do whatever one pleases. Instead, humor draws censure when it engages in the use of specific types of language, namely obscenity and/or racist terms. In the following chapter, I will attempt to parse out how institutional restrictions on language function to constrain the space of stand-up comedy, the figure of the comic and the performance and distribution of humorous material by defining such material as something else, namely obscenity, hate speech or fighting words.

In particular, I look at the legal and material uptake of stand-up comedy routines by legal and economic institutions as well as the theoretical discussion of humor in order

to determine the underlying logics that serve as their conditions of possibility. I ask questions such as: What are the limits imposed on humor by those who control the space, both physically and symbolically, through their ability to set and enforce rules? What does this tell us about the contract between a humorist and institutionalized forms of power? What topics/material are taken up as being so transgressive that they must not be allowed a voice, i.e. what are humorists allowed to talk about? What factors (moral, economic, legal, etc.) play in to this uptake? Further, what problems might this censure pose for an easy notion of humor as merely a “rehearsal for the revolution,” i.e. as *carnavalesque*? In addition, I hope to point out the possibilities for language use that defies these simple understandings and their resultant restrictions. Somewhere near the uptake of dirty or racial humor as unauthorized/unlawful lies the potential for change to the discourse formation of humor.

I begin with a discussion of the discursive space humor occupies, which is commonly cast as carnivalesque, and the critiques of that concept. I then use the examples of Lenny Bruce and Michael Richards to display how a simple notion of carnival is insufficient and overly limiting to stand-up comedy. From there, I posit some exceptions to the rule in the personae of comedians Lenny Bruce and Dave Chappelle. Finally, I move into the implications of institutional judgments. What does this enforcement of these rules imply about the words themselves and about the space of stand-up?

Humorous Space

Though both of my examples (Richards and Bruce) performed their acts in comedy clubs, humor does not always have a designated physical place, and therefore

must also possess a symbolic or conceptual space. The idea of symbolic or conceptual space lies at the heart of rhetorical, and indeed western, thought; the spatialization of ideas – territorially organizing ideas into genres and topics suitable to particular kinds of public places – was the core of Aristotle’s Rhetoric.³ While Aristotle was engaged in an ontological project, more contemporary authors have moved to epistemology. In Raymie E. McKerrow’s conception, space is both anterior to and produced by subjects; it is a “productive agency defined through the interactions between people” (277), which makes the construction and delineation of conceptual space a rhetorical process. As I discussed in Chapters Two and Three, the space of humor is somewhat of an enigmatic construct for rhetorical analysis because it is difficult to conceptualize within traditional argumentative frames, or what I have characterized as, following from Jean François Lyotard, the imposition of *litige*, an *a priori*, understood system of deliberative discourse and rules for the judgment thereof. In particular, the speakers lack clear intentions and the content is particularly susceptible to interpretation by audiences predisposed to trivialization. However, just because the humorous space is complex does not mean that there are no rules.

For Johan Huizinga, play is not the opposite of seriousness, but logically prior to it; while seriousness cannot be played, play can be conducted seriously, but only when it plays by the rules. These rules are discursively constructed, agreed upon in advance and serve as constraints on the times and spaces in which play can take place, and on the behaviors of the participants. However, Huizinga notes that when over-encumbered by rules, play ceases to be fun.⁴ To maintain the frivolity, Huizinga argues that a play space must be free of obligation – one must be free to engage in it or to disengage at any time,

and there is no necessity of dealing in it at all. However, this elective quality is thought to limit the space, to make play superfluous and thereby to erode its potential for political efficacy. This conception of a trivial space also inheres in the common understanding of the carnivalesque.

Simple Inversion: Playing at Carnival

Many critics cast popular culture texts in general, and humorous texts specifically, as carnivalesque (Fiske; Gilbert; Miller). I agree with the applicability of the term, but not to its simple generic characteristics. In what we shall call the “simple carnivalesque,” the festival of Carnival is believed to constitute a space of play that licenses certain taboo behaviors and thus offsets the observance of Lent. Thus we note an immediate problem: to evoke the Carnival is to evoke a particular space and time, pre-packaged with certain rules for its participants, rules that are based on social, moral and psychological precepts, such as decorum.

Robert Hariman argues that for Cicero decorum was a system of comportment by which we rhetorically perform class morality.⁵ Whereas Huizinga’s play space is pre-moral, in Roman Catholic religious practice the rules of Carnival are thought to temporarily invert the moral hierarchy of decorum in order to achieve certain political effects. This inversion seemingly allows those at the lower echelon of society to play at being something else; both to treat nobles and even kings with scorn or contempt, and to engage in animalistic behaviors (lust, gluttony, drunkenness and other debauchery) that are generally considered uncivilized and unbecoming. Some would therefore cast Carnival as serving a political function; in this space and time, we have the ability to not only imagine but perform a world in which the fundamental power structures governing

our lives are completely opposite, thus pointing out that such systems are not intractable. However, others have contested this view.

Ultimately, many critics argue that Carnival and by extension humor are usually thought to have no efficacy. Rhetorical critics such as Joanne Gilbert suggest that because Carnival is contained by spatial and temporal limits predetermined and sanctioned by the governing institutions, there is little possibility for revolutionary political action; people will act in a manner predetermined as acceptable, for a relatively short period of time and within a specified space, then everything will return to normal (see also Eagleton; Harold; Stam; and Stallybrass & White).

Gilbert also finds this sense of simple, bounded inversion in the work of John Limon. Limon finds the reception of Lenny Bruce's act to depend on a state he calls "inrage," particularly characterized by the audience's response to the following joke by Bruce:

If you've, er [pause]
 Heard this bit before. I want you to tell me.
 Stop me if you've seen it.
 I'm going to piss on you.

Underwriting the work of this joke (which is marked as such by an unprecedented seventeen seconds of laughter), Limon finds a condition in which his audience demands to be outraged and thus Bruce replies with obscenity. However, because it was solicited, the obscenity cannot be truly outrageous; thus the paradox: "they demand not to be outraged" by the outrageous (16).⁶ It would seem that, as in Chapter Three, the audience's expectations have curtailed humor's ability even to incense them. In other

words, the expectation of rule violation creates a liminal space in which the rules are inverted, thus seemingly no political work can be done. But this is again to equate outrage with political action, which, as I have said in Chapter Three, is an oversimplification. Such inversions of behavior represented by this simple carnivalesque may still serve a system maintenance function, providing a release of tension that preempts the need for civic unrest, but this is not the progressive agency for the citizens that some Carnival enthusiasts propose.

Further, although hierarchies are inverted within the space and time of Carnival, they are ultimately endorsed. The inversion of the existing hierarchy and standards of decorum, especially when cast as a “safety valve” for a portion of society prone to outright rebellion (i.e. those at the bottom of the social ladder), suggests not that the hierarchy and standards are unnecessary, but essential. In fact, the temporary inversion only works in a relationship in which the hierarchy and rules of decorum are perceived as the norm; the reversal of the normal can only be seen as “letting off steam” to the extent that it is temporary, and that things will soon return to normal. This is somewhat analogous to the more simplistic theories of irony and parody discussed in Chapter Two; because the simple carnivalesque is merely a negation of the status quo, like simple irony and parody it cannot subvert the status quo – it cannot serve the function of Guy Debord’s *détournement*, the detour, diversion, hijacking, corruption or misappropriation of the spectacle.

This distinction between inversion and subversion can be seen via Gilbert’s argument that although the comics themselves are rhetorically and economically

empowered – gaining a voice and garnering compensation – and “politically *operant*,” the scope of their operations are severely limited. She notes,

Although [comics] do not allocate resources or single-handedly transform existing social structures, by performing a subversive discourse they depict and exert pressure upon existing social conditions. Through humor, they call attention to cultural fissures and fault lines (177).

While Gilbert does state that the discourse is “subversive” and that it “exerts pressure,” her major thesis is that the comic merely “calls attention” to *pre-existing* problems – such a call only works in a system where problems are already known. This characterization – that the comic can only reveal pre-existing (although potentially important) problems – displays the limit of Gilbert’s theoretical underpinnings.

Because of Gilbert’s reliance on the simple form of carnivalesque characterized by inversion, she effectively argues that calling attention does not subvert the system, it only inverts it via negation; the true subversion would have to happen later, in a different space. The *structure* remains unchanged. Because humor must always be hostile (although it may sometimes also relieve tension), and because humor is partitioned off from political action by its carnivalesque space, it cannot bring us anything new; it cannot create a cultural fissure or fault line, it only draws attention to those already known – a lesser political function. In short, it cannot *be* political action, but only, in Augusto Boal’s opinion, a “rehearsal for the revolution” (122). In this view, as in Huizinga, play is preparatory to social-political life; that is, we can learn through play without fearing the repercussions of failure, but also without hope of success. However, if we reexamine

the notion of Carnival, we may find hope; true Carnivals are not so simply cordoned off from political action.

Real Conversion: When Playing Stops

Rather than Carnivals as harmless, James C. Scott (1990) argues: (a) there is sufficient evidence to the effect that many powerful political figures frequently tried and failed to stop the festival or censure the activities permitted, and therefore Carnival is not always sanctioned; and (b) there are several instances in which such festivals led to political rebellion on a grander scale, and therefore Carnival is not necessarily bounded nor guaranteed to perform its function as safety valve. Rather than a dress rehearsal for the revolution, sometimes it *is* the revolution, or at least, an integral part. The carnivalesque is not a tool of system maintenance by virtue of a lack of effectivity – that is a notion wrongly attributed to its simple incarnation. Rather, it is a tool of activism because in its practical application it is dangerous, which is perhaps best displayed by the attempts to constrain it and thus render it inert. This is the sense in which the humorous space is carnivalesque.

The keys here are rules – once again, the imposition of *litige*. Because stand-up comedy, like Carnival, is thought to hold up a funhouse mirror to society, it is sometimes thought to be a space without rules; in this space, anything can be said. In theory, the decorum of the carnivalesque space permits not just the inversion, but outright violation of social and moral taboos. However, in practice both humor and Carnival retain rules regarding specific patterns of language and comportment, and the powers that be seek to apply more. The institutional practice of creating boundaries for the carnivalesque space via rules displays a belief in the volatility of the space.

Some of these rules governing the space of humor serve to define what is and is not humor and to create a hierarchy of moral and professional acceptability within humor. Whereas humorous texts, like all rhetorical texts, are polysemic (Cecarrelli), the codification of interpretation represented by definitions (both popular and legal) enacts a fixing of uptake to a few, primary interpretations, which may then be policed and enforced. In short, definitions are rhetorically constructed and provide boundaries for the space, allowing for its policing. Thus, let us further examine the logics behind institutional uptake, as marked by definitions and laws. Via such definitional limitations, problematic forms of humor are marginalized, if not excised.

However, we should not accept whole cloth a set of rules and definitions derived from an historic model based on a Roman Catholic festival. Instead, let us examine several specific attempts at definition for signs of how the relations of power are articulated in the contemporary humorous space.⁷

Obscene, Off-Color, Hateful or Enticing Words

Stand-up has encountered difficulty from institutions when it deals in unprotected speech. While the expression of ideas is protected by the First Amendment to the U.S. Constitution, many exceptions exist, particularly in the legal restrictions on obscenity, hate speech and fighting words. These legal restrictions are entangled with popular and theoretical definitions that collectively serve to define out of the class of humor forms that have particular potential as subversive, if not revisionist political practice. I now examine the forms of obscenity and hate speech via two case studies, Lenny Bruce and Michael Richards, to display how legal uptake of language delimits the humorous space.

Obscene and Blue Humor

Whereas the inversion of Carnival would seem to allow the comic to engage in any and all acts of debauchery, to ignore moral precepts and thumb his or her nose at standards of decorum, the Lenny Bruce trials display that the law and club owners alike prohibit obscene or blue humor. Thus we mark a first distinction from Carnival – the traditionally sanctioned animalistic behaviors are curtailed, particularly obscenity, which includes lust. The Oxford English Dictionary defines obscenity as “The character or quality of being offensively indecent, lewdness,” or “The character or quality of being horrible, offensive, or morally repugnant, etc.” It is the quality of offensiveness or moral repugnance that overlaps with the definition of off-color, dirty or blue humor. Such humor deals with topics considered to be in poor taste or overly vulgar by the prevailing morals in a culture.⁸ The legal definition (i.e. legal uptake) applied to Bruce is based on a model of the efficacy of language, which follows the logic of the dick joke.

Dick Jokes/Sexual Jokes

Noting that it is perhaps the most common form of blue humor, Betsy Borns differentiates the dick joke from sexual jokes as based on “what makes the joke funny: if people laugh because the word ‘fuck’ is used, that’s a dick joke (and an easy laugh); if people laugh in reacting to an insightful observation about sex, that’s a sexual joke” (45). This definition, which is not limited in application solely to Borns, marks a fine differentiation between two types of humor and the establishment of a hierarchy. In labeling/defining something as a dick joke versus a sexual joke, we set up a hierarchy wherein sexual jokes are superior. Borns makes a distinction based on the idea that language that shocks the audience is less valuable, and therefore perhaps not defensible.

Hierarchies and judgments about the value of humor are not necessarily a bad idea, they are, after all, premises to this project – “judgments happen” (Sloop and Ono). However, the codification of judgment represents an imposition of *litige*, an intractable *a priori* set of rules for judgment that prohibits the humor from ever being performed differently. In its legal incarnation, this same distinction defines the humor as sanctioned versus unsanctioned, and thus permitted versus censurable. The obvious problem in such a distinction can be observed in the sexual joke that includes shocking uses of the word ‘fuck.’ Which definition is primary? By Borns’ logic, the vulgar language may obscure the salience of the issue, or at the very least the use of offensive words cheapens the joke, which would be just as funny and insightful without it. Under American obscenity law, ideas cannot be restricted while language can, and therefore the means of expression is more relevant than the ideas expressed; thus the joke involving obscene language should not be told in public.

While dick jokes and obscenity law both reflect a popular view that obscene words have no redeeming value, and this allows for their censure, such an attempt to censure also marks the space of humor as incapable of providing a buffer between society and the source of harm. But the words aren’t the only part of jokes that are dangerous. It is in this vein that Gerald Nachman argues that Bruce’s run-ins with the law have more to do with his content than with his word use; he only opened himself up to prosecution because of his choice of words.

For Nachman, Bruce wasn’t originally trying to do anything politically with his words; he was simply using the vernacular of his time, much like Twain, Wordsworth, and many other celebrated writers. Only after his arrests did he become a champion of

word usage.⁹ Yet for Nachman, Bruce's choice of material was always topical, dealing in political figures and current events, such as describing Jacquelyn Kennedy Onassis as "hauling ass," or making fun of the pope in Chicago (a city known for its large and influential Catholic population). In this interpretation, Bruce's humor is taken up as political based on his violations of decorum via his material, not just his language; the language was simply the lever employed by the municipal governments to censure him. It is an effective lever; Bruce himself later contended that obscenity law is the first step to censorship because, "If you can't say 'fuck,' you can't say 'fuck the government.'"¹⁰ If Nachman is correct, then the application of obscenity law in this case is used to circumscribe from the realm of humor more generally a particular type of humor believed to have political repercussions. This logic still makes a hierarchical distinction based on decorum, but it moves us away from judgments about language to judgments about content – that the content is somehow harmful or volatile in ways that mere words are not. It is in this sense that Huizinga discusses *puerilism*.

Puerilism/Sick Jokes

For Huizinga, puerilism, or an adolescent form of play, and also what he refers to as an "insatiable thirst for trivial recreation and crude sensationalism" (232), are rampant in contemporary society. When we examine these forms a bit more closely, it seems they are merely a child-like fascination with bodily parts and functions (sex and scatology, the bizarre and deviant) that would seem to constitute a play devoid of the rules of social morals. For Huizinga, this play represents the decline of the social structure not just in the particularities of language, but in terms of content, and therefore should be discouraged. Thus, again we see a hierarchy among types of play based on their ability to

harm. In a similar move, Mary Douglas casts obscenity as an inferior form of humor that operates outside the social structure, a condition that precludes it from being a joke at all. She therefore differentiates obscenity from sick jokes. While both forms confront an accepted (normal) image with another, obscenity shocks the audience while sick jokes are thought merely to amuse them. Where both cause one meaning to intrude on (or interrupt/disrupt) another, obscenity's intrusion is gratuitous, possessing no redeeming value, while a sick joke's intrusion discloses a deeper, hidden meaning – namely the prevalence of the social norm. Though Huizinga's and Douglas' characterizations seem the same, Douglas begins to move us to an understanding of the rhetorico-political efficacy of humor.

Douglas argues that to understand the differences between obscenity and humor we need to understand the social situation, i.e., the power structures and rules of decorum. Douglas defines obscenity as being opposed to the social structure – it threatens the basis of society – whereas sick jokes are congruent with the social structure, being at worst merely temporary suspensions/inversions thereof. This suggests that jokes are harmless, occurring in a safe discursive space in which the status quo is referenced, but never ultimately overthrown. In this understanding humor is taken to be exactly parallel to the simple carnivalesque, as described above. Yet it is only via Douglas' act of definition that this reduction of the efficacy of humor is performed.

In the differentiation between obscenity and sick humor, Douglas circumscribes a portion of humor with the power to overthrow the status quo; a form that plants the seeds of dissent. Subversion of a dominant regime represented by rules of decorum may not always be progressive, it may not always be beneficial, and it may not always be

productive, but it is always political. Similarly, the relegation of humor to affirming the status quo is also political, but limits the possibility for intervention, for reformist activism. If we allow humor to be so defined, we have relegated it to a politically lesser role. On the fine line between the two definitions lies the limit of humor and the battle over the placement of that line is a space where humor may be taken up as deeply political.

Eventually, the application of obscenity law shifted away from comedy clubs, but this happened in a number of different forums, mainly legal battles dealing with the regulation of the media. However, the proscription of more broadly lewd language and material has been taken up by individual club policies banning blue humor. We thus see a shift from uptake by juridical institutions trying to protect society to uptake by economic institutions whose reasons have more to do with attracting a large enough audience. However, the logic is similar: obscene material is rejected as humorous by a large percentage of people because it shatters the norms of decorum. This rejection sanctions the intervention by the institution, which thus codifies the definition of humor as excluding obscene material, preserving for humor the role of affirming the status quo. I shall have more to say on this momentarily. Nevertheless, by the time George Carlin came up with his “Seven Words You Can’t Say on Television,” in the 1960’s (all of which appear on Bruce’s list), the American legal system had all but stopped worrying about dirty words in comedy clubs.¹¹ By that time, obscenity was the least of our worries, which brings me to my second case: the uptake of hate speech and fighting words.

Hate Speech and Fighting Words

By the 1960's, the times, they were a' changin' and Americans were embroiled in other problems, namely Vietnam, Civil Rights and Women's Lib. During this period, Americans became more culturally sensitive and therefore the focus of language prohibition shifted to racist and sexist language.¹² These days, racist terms (especially when used in particular ways) are the last legal proscription on speech in stand-up – the last intervention of morality and decorum that is enforced by law.¹³ These words are read by some institutions and audiences as unfunny – not fit to be the fodder for humor. The primary model for racist words is the word nigger, thus Richards' use of this term brought about a media firestorm that dwarfed Silverman's prior use of the word chink. As we found in Chapter Two, stand-up comic may not always intend to engage in political action, but neither do all comics avoid it. The question is: what is the liberty or agency of the comic to work politically within the humorous space? In order to parse out the answer, as I make the theoretical arguments, I indicate or mark similar work attempted by comics. But let us begin with the legal definition, whereby the usage of nigger by an ostensibly white male to describe an African American constitutes "hate speech" or "fighting words."

Hate Speech

In the landmark case, Chaplinsky v. New Hampshire, the U.S. Supreme Court defined hate speech/fighting words as words "that by their very utterance inflict injury or tend to incite an immediate breach of the peace" (315 U.S. 568, 572 [1942]). Initially, this definition is taken to delineate an exception to freedom of speech that prohibits oral speech or written language intended to degrade, intimidate, or incite violence or

prejudicial action against a person or group of people based on its race, gender, age, ethnicity, national origin, religion, sexual orientation, gender identity, disability, moral or political views (Butler). Hate speech/fighting words are words that are taken to be more than merely offensive; they enact or provoke fear, intimidation, harassment and/or violence, and may result in murder and even genocide of those they target.¹⁴

Chaplinsky served to separate hate speech/fighting words from the lewd and obscene, the profane, the libelous – words which are also not defended by the constitution – on the basis of their power to harm. However, the court also notes:

It has been well observed that such utterances are no essential part of any exposition of ideas, and are of such slight social value as a step to truth that any benefit that may be derived from them is clearly outweighed by the social interest in order and morality.¹⁵

In a later case, R.A.V. v. St. Paul (1992), the U.S. Supreme Court ruled that while the government can regulate the mode of delivery of the ideas (time, place, and manner), it cannot regulate the ideas themselves or the intentions behind them. It is free speech to say racist things; it is not free speech to use these particular words in particular contexts.¹⁶ Thus, the proscription of hate speech/fighting words bears a particular affinity to obscenity law in that both figure certain words to be socially harmful in their very utterance and superfluous to their ascribed purpose.

Additionally, the shift to an interest in morality and social order would seem to defeat any differentiation between hate speech and obscenity; indeed, hate speech becomes cast as obscene under our previous, broad definition of that term. Further, both obscenity and hate speech are subsumed in the definition of blue humor. Blue humor is

not limited to scatological or sexual material but includes other forms of deviance as well, including: national superiority or inferiority and violence toward particular ethnic groups, genders and sexualities (i.e. racism, domestic abuse, gay-bashing, etc.). Finally, there are conditions under which obscene terms become fighting words.¹⁷

Nevertheless there are two important moves made in hate speech legislation: (1) the assignation to words in particular contexts of an ability to degrade, intimidate or enact harm, resulting in their proscription; and (2) the proscription of words based on their ability in these contexts to incite violence or prejudicial action. In terms set by J. L. Austin, the first ascribes to language *illocutionary* force to harm in the instant of utterance; the latter grants language a *perlocutionary* ability to incite violence. In this sense, whereas yelling fire in a theater is thought to be an illocutionary act that has conventional force as a warning with an incitement to act to protect oneself, words like spic, chink, dyke and nigger take further action; they are thought to constitute an attack in their own right, a performance of hatred and an act with the power to harm as much as any physical attack. It is in this sense that proponents of hate speech legislation, such as Richard Delgado, state: “Words such as ‘nigger’ and ‘spick’ are badges of degradation even when used between friends: *these words have no other connotation*” and should therefore be censored (as cited in Butler, 100).¹⁸ We can thus note the overlap between hate speech legislation and its recent uptake by activist groups and codified in city ordinances and club policies in reaction to Michael Richards.

Most recently, the national bans called for by Rev. Jesse Jackson and U.S. Rep. Maxine Waters (D-Los Angeles), proposed for New York City by that municipality’s City Councilman Leroy Comrie and implemented by Jamie Masada in his Laugh Factory,

share this same sense of the word. U.S. Rep. Maxine Waters (D-Los Angeles) states, “We need to stop looking at ourselves like we are niggas or niggers, so that we can elevate our minds to a better future” (Associated Press, 2/1/2007). Similarly, New York’s deputy mayor for education, Dennis Walcott, opined,

To me, it goes to the heart of the person's value of self, and the person's value of their community and the person's value of their own worth. We need to make sure we improve the worth of our community, of ourselves, of all individuals, by totally eliminating the use of this word (ibid.).

The metaphoric calls to elevation and improvement in such statements frame the current state of the word usage as maintaining for African Americans an inferior state, if not enacting self-denigration. Jill Merritt, co-founder of Abolish the N Word, goes a step further: “The use of the N-word probably pales in the face of so many other ills, but our fight is simply not against a word – it is a war that we are waging against a mentality that continues within the African-American community, to accept less” (ibid.). This problematization of a mentality reflects a view that even when used by an African American as a descriptor of self, a context that could not be construed as hate speech under the current interpretation of the law, the term still propagates hate in the form of self-denigration. It also has implications for African American agency; the rationales for the NYC ban thus take the perspective that African Americans participate in their own denigration via self-concepts. They are not victims of a sedimentation of the meaning of certain terms over time, but active participants in it via the use of the word.¹⁹

Judith Butler, in examining the position of those who, like Delgado, would claim a perfect felicity for hate speech, claims that “[Delgado’s] very statement, whether

written in his text or cited here, has another connotation; he has just used the word in a significantly different way” (100). Delgado’s own use is therefore a misfire, it is also insincere – or if it is not, how can he justify its use? It is thus a performative contradiction, “an act of speech that in its very acting produces a meaning that undercuts the one it purports to make” (84). The problem is that the hate speech is iterable, in the Derridian sense; that is to say, any utterance of hate speech is “*a citation of itself*” (79), only gaining power from its previous manifestations: “Its hate is a function of its repeatability” (102). Ultimately for Butler, the state itself defines the limits of acceptable discourse; it is only when the state determines that such words cannot be used without harm that it becomes impossible to use them in any other fashion; this is the danger I have marked in the imposition of *litige*. On the contrary, Butler argues, it is the iterability of all language that presents the opportunity for words to be used in new and progressive ways. In an old Lenny Bruce bit, we can see Butler’s theory of reappropriation at work.

Lenny Bruce

In 1962, Lenny Bruce used the term nigger onstage when he spotted black comic Dick Gregory in the audience and asked: “Are there any niggers here tonight?”²⁰ According to Nachman, “Bruce then rattled off a string of ethnic insults, trying to defuse brutal hate words like *nigger, kike, dyke, wop, greaseball, gook, frog, sheenie*, and *jigaboo*.”²¹ This apparently was a bit Bruce performed many times as Joan Rivers caught the show later in the 1960’s, which she describes as “a verbal jazz riff” (as cited in Horowitz):

[Bruce] concluded by saying: “The point? That the word’s suppression gives it power, the violence, the viciousness. If President Kennedy got on television and said, ‘Tonight I’d like to introduce the niggers in my Cabinet,’ and every time he saw a nigger, he yelled, ‘boogeyboogeyboogeyboogeyniggerniggernigger,’ till nigger didn’t mean anything anymore—you’d never make a 4-year-old nigger cry when he came home from school.”²²

While this seems like the racial equivalent of a dick joke – that the only humor here lies in the shock these words produce, the breaking of taboos – an understanding of Butler allows us to read it as a sexual joke. As Butler recommends, Bruce seems to use these words in order to diffuse the power of the words; to read it as such is to ascribe a progressive intention to Bruce that elevates his usage of the words. From our contemporary perspective, the usage by a white, Irish, Catholic President (let alone a Jewish comedian) to reclaim the term nigger would seem to do little to diffuse the word’s power. However, Bruce’s effort is more acceptable than what Richards did on the Laugh Factory stage due to the social and political climate in which he spoke.

There are signs that this diffusion of power might have been what Richards was trying for, had he the chutzpah to really go for it. These signs include the hyperbolic nature with which he pursued it, the way he dances and points, gesticulating wildly, his meta-commentary on the incident and his audience’s reaction to it (e.g. “You see, this shocks you, it shocks you, to see what’s buried beneath you stupid motherfuckers!” and “They’re going to throw me in jail for calling a black man a nigger”). Each of these elements has been used by comics since Bruce to mark irony in their performance. Yet

Richards' text is taken up via a straight reading. It is in this sense that some respondents refer to the incident as "a failed bit."

However, Bruce's use was in a "white" club, pre-civil rights, Malcolm X and race riots. It is in the context of post civil rights that economic, political and social leaders respond to Richards' use of racist words. Richards also had to contend with a heightened sensitivity to racial issues post Hurricane Katrina, which left several thousand blacks dead, and several thousand more homeless or displaced. In any case, after Richards' failure, no one is amused by the word; Daymon Wayans was said to be going for the exact same effect as Bruce in his bit, and he was not only fined, but the audience booed and walked out (Hannity and Colmes, 2006). It would seem that the meaning has only been set more firmly. However, Butler points out a second perlocutionary move that causes us to question how these words enact violence: these words incite the denigrated to violence.

Fighting Words

Whereas in Chaplinsky, hate speech was proscribed because the denigration of certain groups may invite violence against those groups, in more recent decisions, particularly R.A.V. v. St. Paul (1992), the court has held that fighting words must "reasonably incite the average person to retaliate" and risk "an immediate breach of the peace" or they could not be prohibited. Thus, the perlocutionary incitement to violence can take two forms: (a) violence against a targeted group that occurs as a result of degradation/dehumanization; and (b) violence incited of a target group as a result of being labeled/named/constituted by hate speech, i.e., the incitement to retaliate. This delineation would break the possible violent reactions into a form that is congruent with

the ascribed intentions of the utterer and a form that is somewhat reactionary to the intentions so ascribed. It is in this latter sense that some of Richards' respondents, self-identifying as African American, state that any instance in which a white man utters the word nigger should bring about an instant, violent reprisal.²³ This change is marked in the court documents by a slight, but significant, change in wording.

In his comments, Justice Stevens notes,

Threatening someone because of her race or religious beliefs may cause particularly severe trauma or touch off a riot, and threatening a high public official may cause substantial social disruptions; such threats may be punished more severely than threats against someone based on, say, his support of a particular athletic team (R.A.V. v. St. Paul, 112 S. Ct. at 2561, 120 L. Ed. 2d at 340).

Butler notes that the statements made by Justices Scalia and Stevens in R.A.V. perform another important operation. Whereas Chaplinsky was worded to define racism (or any –ism) “on the basis of” race (etc.), in R.A.V. Stevens defines it as “because of” race, which connotes a significant shift in the locus of blame. Stevens brings in the possibility that race is the motivator/agent, and hatred the response; not the enactor of violence the agent, and race the excuse. This switch in agency would seem to deny the victim of her status as such by changing her from object of racism and violence to possible subject motivated by racism to do violence and thereby a definer of hate speech.

The inclusion of inciting riots and social disruptions further constitutes the agency of the African American community; they are not simply the objects of hate speech, but rather their race instigates hate speech and their violent response defines hate speech (in

that it provides the impetus for the legislation that defines such speech). This change in agency from victim/object to active/subject might be welcome if it were decisive and progressive, yet it is neither. By enacting violence, they enact an agency that paradoxically proclaims and negates their status as victim. In conjunction with the illocutionary harm thought to occur due to word usage, this new agency of the victims sets up a false dichotomy: denigrate themselves through using the word, or enact violence in response to the word, which only further reinforces the belief that the word is derogatory. In choosing either, African Americans further enforce the ability of the word to wound. Whereas the bans on the word mark one side of this dichotomy, the immediate reaction of Richards' hecklers and audience represents the other side, and thus requires some discussion here.

In the video, we can hear that people were immediately incensed, shouting "That's fucking uncalled for!" several times and only eventually leaving the club. Others in the audience were surprised; you can hear a collective gasp, and a woman saying "Oh my God!" as if in disbelief. Many of these bystanders also walked out. The audience thus performs a rejection of the words and an inclination to retaliate. Wayans' performance evoked a similar reaction (Hannity and Colmes, 2006). As such, under the current definition these reactions perform the events as hate speech.

The logic of hate speech law and fighting words doctrine is that anything that incenses the audience equates to fighting words and therefore is defined out of humor. So at that point humor has failed – for the audience, and therefore for both Limon's Freudian theory (discussed in chapter two) and for the law – and because of this reaction such discourse can be circumscribed. Mere shock is not enough, we need true outrage,

ideally expressed via physically violent response in order for the act to be defined as “not humor,” particularly obscenity or hate speech. Absent such expressions of outrage, the act doesn’t qualify as a violation of humor, but as its performance. Outrage is therefore not taken to be an effect of humor – it cannot be – but of a different sort of discourse, though some may still laugh. Such a definition further supports the false dichotomy between those who take the discourse seriously and are offended and those who take it as trivial and/or humorous and laugh.

Yet despite the seeming fidelity in this situation to legal, theoretical and institutional expectations, is censure of the word justified? While we do ultimately need to judge individual acts of humor, the prescription of such a rigid standard is unwarranted. *Litige* would be useful if we could guarantee a particular uptake by any given audience – whether it be superiority, tension release, a lack of outrage, trivialization, etc. – then we could state a definitive effect for humor and justify censure. But we can’t; as noted in previous chapters, ironic forms and personae and the prudence of audience judgment combine to create a dynamic text that is open to interpretation, to acts of meaning making that are potentially beneficial. What litigation of the meaning of certain words effects, in essence, is a fixing of meaning and intention that is not warranted and destroys the dynamism of the text. But this is not the extent of the damage.

The problems with and the stakes of fighting words doctrine (far worse than those addressed by Butler) are that in order for the doctrine to constitute a word as hate speech/fighting words, it must be performed as offensive, but this performance ultimately does not rely on the intention of the speaker, but on the uptake by the audience. It is the

audience – not the speaker – that bears responsibility for the word’s performance as hate, and they do so through their violent reaction. Therefore, people must engage in violent acts or risk losing the legal recourse – the law doesn’t apply to discourse that doesn’t (at least potentially) provoke such acts. Thus it is the law that *proscribes* certain words that at the same time *prescribes* the behavior, which in turn constitutes such words as hateful and deserving of violent recourse. This is somewhat paradoxical; the violent act is taken to be the ground for the law, thus the law requires that certain groups continue to perform the violent act. Dave Chappelle comments on exactly the performative prescription that fighting words doctrine represents.

Dave Chappelle

Dave Chappelle, in his first appearance on HBO’s Def Comedy Jam (air date 8/21/92), spots the one white member of the Apollo theater audience, he then begins the following joke:

[To the white gentleman, conversationally] ‘Ey we even got a white guy in the house, what’s up man? [In a higher, nasally, “nerdy” voice] Peace. Ha-ha-ha. I remember I went to a party with a white guy. He was like – he wasn’t like you, though – he was like real “Vanilla Icy” and shit [scattered laughter from the audience; Chappelle finally turns to them].

And you know how brotha’s are at a party, when we get together, we call each other niggas, you know, [one loud squawk from an audience member – perhaps an expulsion of laughter, perhaps a note of protest]. Nothing negative, just be like [In a different voice, and style, more reminiscent of ghetto slang] “‘Ey, what’s up nigga?” [mimes giving five; scattered

laughter from the audience], “Oh, my nigga! [points and laughs] Whassup boy?” [No laughter at this point] And my white friend got all excited and he said [again in the high, nasally voice] “Hey! What’s up nigger?” [Mimics a the screech of a record being scratched, his hand comes up like a composer calling for attention] The music stopped, everyone looked at him. [Enthusiastic laughter from the audience]. [Loudly] *Man*, he got his butt *kicked* that night. [Continued enthusiastic laughter; Chappelle continues, more subdued]. I mean, he got fucked up, you know. [The laughter begins to die down; Chappelle interjects loudly]. *I* hated to do it, but *damn*, [Again, a burst of laughter; Chappelle, more subdued] he was talking about my people.

There are many reasons to laugh at this joke, but the real payoff in the room seems to come in the moment of resolution of a racially charged situation.²⁴ Chappelle constructs a situation that the audience is invited to read as tense – a white man uttering those words – and instantly rushes to the resolution. The audience’s applause and laughter show their support for this resolution, and in this sense, their superiority to the white man who didn’t know that this behavior was unacceptable. In this reading, Chappelle’s joke performs the standard social convention, and its prescribed result.

Up to this point, the joke is scripted, a story that has been told in many popular forums, including stand-up, several times; however, then Chappelle turns the joke around, enabling a reading as satire. By placing himself as one of the enactors (and perhaps, the *only* enactor) of such “street justice,” Chappelle invites us to call such justice into question. After all, he introduces the guy as “my white friend.” Chappelle may thus

mark a convention contrary to fighting words doctrine that it may be customary to defend your white friends in such a situation – to read their remarks in the most positive light; not as instances of racism, but as attempts to fit in and identify. Chappelle can be credited with pointing out the absurdity of the intractable, which begs the question: if you believe that your friend should be punished for his transgression, would you be willing to participate? This gives the audience several different potential readings. They can delight in the idea of enacting such justice themselves, even on their friends, thus reinforcing the idea that the term cannot be used and performing the retaliation that makes this so. Contrarily, the rejection of the custom of defending – or not harming – your friends marks Chappelle’s behavior as a transgression – and perhaps worse than that of the white man who uses the term. Thus, we can laugh at Chappelle as a hyperbolic figure who goes too far in the enforcement of a cultural prescription; it is Chappelle (and by extension, those who would do the same) that become the butt of the joke. In the jokes by Bruce and Chappelle, we’ve moved beyond simple racism encapsulated by the words. These are not racist jokes, but jokes about racism, and these jokes depend on an ability to use the racist language itself. This in turn depends on prudential judgment by an audience.

The legal, theoretical and common definitions of humor become easy delimitations of humor, providing justifications for not reading something as humor, or rather, reading it as something else (e.g. obscenity or hate speech). Absent this prescription, the judgment of humor becomes a much more complex operation, providing more opportunities for thought.

The imposition of *litige* would circumscribe from humor that material with the most potential for political harm, but by the same token, the material with the most potential for progressive political action. Individual acts need to be assessed prudentially, case-by-case. But such a process is often thought unnecessary because many cases involving humor are anti-systemic, destabilizing, destructive and radical (which is not to say chaotic or anarchistic). But to rule out the possibility of progressive action is again to constrain ourselves to the false dichotomy of system maintenance versus system destruction, when system correction, transformation or reformation are also possible. Such effects need not be apolitical or even anti-political, but very much politically vested. Comics may not attempt to incite riots – or even retaliation for their comments – but to provoke laughs; however, they may also try to engender progressive socio-political change.

Conclusion: From Proscription/Prescription to Prudential
Thought

This chapter charts the logics whereby humor can be censored as marking the potential for humor to function as political activism. The cases of Lenny Bruce, Michael Richards and Dave Chappelle mark several problems with the carnivalesque. First, Carnival festivals are the result of a particular historical and social articulation, with a particular set of rules and expectations; therefore, to claim that a space is carnivalesque is to problematically presuppose the ways in which the rhetorical space is pre-constructed. To do so is to miss contemporary humorous conventions, such as how the restriction on obscenity has shifted and racial material has become much more taboo. Yet even that is an oversimplification. The judgment on what is/is not taboo greatly depends on a reading by a particular audience, it is only locally stable. Further, if the “work” of humor is taken

solely to delineate a space for its reception as carnivalesque, we fail to explain the serious legal and institutional reactions to humor (such as the prohibitions against and censure of blue humor) even when it is received as such. Finally, by taking on a pre-set notion of Carnival we have very little description of how that politically efficacious work is done, only the stipulation that humor is successful only to the extent that this space has already been constructed.

Instead, we should examine the spaces themselves for hints as to the logics that underwrite them. These logics usually become apparent when rules are violated. In looking at the logics that underwrite the arrest of Bruce, we can discern the conditions of possibility for humor to act in a political way. The attempts, both legal and theoretical, to define particular types of humor as obscene mark the attempt to circumscribe humor that would serve a political function, namely the deterioration of rules of decorum. While this move might not be progressive, it does promote humor's rhetorical efficacy, and preserves the possibility for humor to do something else – for humorists to be activists.

The institutional uptake represented by New York and the Laugh Factory's attempt to ban certain words as hate speech or fighting words, like the attempts by the municipalities to ban the words Bruce used as obscenity, certainly says something about the words themselves; but it also says something about the space of humor. Certainly, the words are given precedence as containing too much meaning, regardless of context. But the interruption/intervention by legal entities marks the humorous space, like the Carnival space, as not being a topsy-turvy world free of efficacy or politics, but as having the potential for political efficacy – even if only in the case of inciting riots.

However, to the extent that the law that would proscribe hate speech (as a pre-existing problem) actually defines and enforces its capacity to act as such, and further prescribes behavior to ensure its continued uptake, such laws would seem to serve a socially detrimental function. Words are specifics that can be legislated, but in enacting laws against obscenity and hate speech our institutions attempt to deal with the messiness of connotation by effectively making it a part of the denotative meaning, which is not the most beneficial change, simply delimiting the dynamism of the text by designation of a system of *litige*. Changing the connotation would seem to be much more activist, yet connotation has to be changed via audience judgment, which maintains a fluidity that legislation cannot. The humor of Bruce and Chappelle contain the potential for a critical interpretation predicated on individual acts of self-reflection, and thus may serve a socially activist function, if only they are taken up as such. This potential for stand-up to function as grass roots activism is only hampered by definitions and laws that would circumscribe those acts with the most potential to intervene. Such definitions and laws are, in Lyotard's terminology, *terrorist*.

Absent the law, the audience is free to judge, and their judgment can be more than simply laughing or becoming outraged. They can decide whether or not the use of particular words harms or helps (or both, or neither). They can also decide whether the humor is repressive or progressive (or both, or neither). A law cannot require this kind of thought, only action. Thinking cannot be legislated, only the results. Yet in prescribing action in the face of proscribed words, the law becomes inimical to thought.

It is fairly easy to see definitional moves when they are taken up and enforced by legal and economic institutions. The trick is to recognize similar definitional moves

when they are more subtly enacted, when the language is not easily problematized, when a law is not just unwarranted but would constitute an abuse of power – in other words, when there is no defensible reason for moral outrage. In such cases, the audience may not critique, protest, walk-out, boo or heckle; instead, they may simply remain silent. They may explain their silence by trying to resurrect hierarchies based on form (rather than on content). Both of these moves will be examined in the next chapter. In the final chapter, I turn to Stephen Colbert's address to the 2006 White House Correspondent's Dinner in order to summarize my arguments and also to serve as a case study in humor's political potential.

CHAPTER V
SILENCE: ON THE POLITICS OF NOT LAUGHING¹

In order to conclude this project, I would like to sum up my arguments via the evaluation of one final text and its potential as political action. On April 29, 2006, Stephen Colbert delivered a keynote address at the White House correspondents' dinner. At the time of the address, Colbert, who began as an improvisational comic and later served a stint as a correspondent on The Daily Show with Jon Stewart, had recently acquired his own program, The Colbert Report, on Comedy Central. Though he was invited to give the address by Mark Smith, Associated Press reporter and then-president of the White House Correspondents' Association, though many in the press were apparently fans of his show, and though Colbert performed his usual persona made popular on his show, which has been called a parody of right-wing conservatism, an "imitation of the quintessential GOP talking head – Bill O'Reilly meets Scott McClellan" (Scherer), nevertheless the press corps could not seem to find the humor in his satirical remarks when made before the President. The audience didn't laugh and, further, didn't report on the incident. As a result, the address, carried on C-SPAN and subsequently uploaded to YouTube.com (where it quickly became one of the hottest downloads of the weekend), became inflammatory, inciting a discussion about journalistic responsibility between mainstream media news and their colleagues on the internet, a situation that has since been labeled "Colbertgate."²

I began this dissertation by discussing humorous tropes and their ability to define a space for humor to act politically. In line with this topic, we might note that Colbert's humorous address can be classed as irony, parody and possibly satire, but this does not necessarily translate, as Michael Scherer of Salon.com claims, into *détournement*.³ As I

noted in Chapter Two, what Guy Debord, the Situationists and Christine Harold call *détournement* is the detour, diversion, hijacking, corruption or misappropriation of the capitalist spectacle enacted to bring about its demise – in short, a vested political act with some humorous potential. Beginning from a perspective of critical rhetoric, I address the possibilities of ironic messages such as Colbert’s to serve as or enact *détournement*. In this conclusion, as I have in the larger project, I examine the discourse for the signs of an underlying logic by and through which humorous irony is judged as deeply political and/or funny. I am not asking whether the broader discussion or the jokes themselves are political or funny (or both, or neither), but rather, what are the conditions of possibility, the underlying logics by which they are judged and how such judgments impact the possibilities for *détournement*.

As I said in my introduction, my thesis is relatively straightforward, and yet as I’ve tried to chart in this extensive project, it contradicts most of the research done on political humor. Though even recent studies find that humorous, ironic satire fails to further any one particular political goal, I argue that ironic texts are useful in that they can provoke thought, which is itself a worthwhile political goal.⁴ However, to understand this provocation, we have to get past traditional notions of rhetoric and embrace a rhetoric that is *pagan*. In examining this event and its interpretations via secondary and tertiary texts, I hope to display the moments at which the reception of humorous irony becomes problematic, when an easy reception as humor or rejection thereof is impossible; when the audience is provoked to thought. Before analyzing the controversy, I will examine Colbert’s speech, which, as the occasion for critique, deserves a moment of our time; this will also serve as a review of Chapter Two. I then turn to the

controversy and seek the possibilities for humorous irony in the enigmatic moment of audience silence. In this discussion as in Chapter Three, silence is differentiated both from laughter (the preferred response to humor) and from its antithesis, outrage. This latter differentiation is warranted as the mainstream press blames the reasons for its silence not on outrage, but on a definitional distinction between politics and art, thus effectively marking a delineation similar to the one discussed in Chapter Four. Finally, because laughter and outrage are read as a simple polarization, I posit silence as a moment of prudential judgment, of *phronesis* that provokes thought, which is the goal of *détournement*.

Colbert

Colbert began his address with self-denigration, but employed a comparison between himself and the President that ultimately linked them both in a derogatory fashion. As he warmed up, Colbert's self-referential barbs seemed increasingly aimed at the President, and because they the most often quoted segments of his address, I will include a few of them here. Some of his remarks were shallow: "we're not brainiacs on the nerd patrol. We're not members of the fact-inista." Some were not so shallow:

I stand by this man because he stands for things. Not only for things, he stands on things. Things like aircraft carriers and rubble and recently flooded city squares. And that sends a strong message: that no matter what happens to America, she will always rebound with the most powerfully staged photo-ops in the world.

Then Colbert switched gears; still claiming allegiance to the President, he focused on the press corps itself, and these comments are not so shallow:

And as excited as I am to be here with the president, I am appalled to be surrounded by the liberal media that is destroying America.... what are you thinking, reporting on NSA wiretapping or secret prisons in Eastern Europe? Those things are secret for a very important reason – they’re super depressing. And if that's your goal, well, misery accomplished. Over the last five years you people were so good – over tax cuts, WMD intelligence, the effect of global warming. We Americans didn't want to know, and you had the courtesy not to try to find out. Those were good times, as far as we knew.

Colbert then began to work the room, pointing out individual political figures and celebrities in the crowd, for the most part at the shallow level, but sometimes with unexpected teeth. Finally, Colbert brings us home with a video clip that would serve as his audition for the job of White House Press Secretary. He believes he’s a good candidate because he has “nothing but contempt for these people [the Washington press corps].”

In its ironic form, Colbert’s message affords many possible readings. While he doles out compliments to the President, many believe we are invited to read Colbert’s remarks as “left-handed” or tongue-in-cheek – as satiric verbal irony. As I noted in chapter two, traditionalists believe that opposition between the stated and the intended results in the negation of the former by the latter, after all, responding with a photo-op is not the same as a practical, pragmatic response to national tragedy. However, if Colbert’s treatment of the President is tongue-in-cheek, when he turns his attention to the press, we could read his criticism the same way. When he congratulates them for missing

reportage on tax cuts, WMDs and global warming we are invited to read it as bad for America; but by the same token, when he scolds them for reporting on NSA wiretaps and secret eastern European prisons we are invited to see it as a step in the right direction.⁵ In other words, if Colbert is a discordant narrator, simply and consistently stating the opposite of his convictions, then we must recognize that his sword cuts both ways.⁶ In truth, not all of Colbert's respondents read his treatment of the press negatively. Tim Grieve of Salon.com and later Neva Chonin of the San Francisco Chronicle find that in the video, Colbert actually presents the possibility that the White House correspondents might unite and rise up against the G.W. Bush administration.⁷

Further, Colbert's speech is not just verbal, but performative, and his persona is thus a possible source of humor. Colbert's views are not synonymous with the President's actual views, but a reduction thereof. Thus Colbert misrepresents the facts of the matter; as a narrator, Colbert's persona is not just discordant, but unreliable as well – it is ironic satire.⁸ Colbert's ironic persona as a parody of right-wing conservatism results in a further source of irony – the relation between the stated and the plausible. Therefore, we may laugh at the effigy of the President he has constructed and all the more at Colbert for believing the effigy is the reality, or as I have cast it, we laugh at his parodic satire.

The most positive reading, then, is that Colbert allows his audience to laugh at him as a parody of right wing conservatism and via that fun-house mirror, to laugh at a misrepresented (misunderestimated?) President of the present and the press corps of the past, while celebrating the current press corps – the people who have begun conducting investigative reporting again and might perhaps unite to cause problems for the G.W. Bush administration. Given the occasion, speaker and audience, this might be the type of

speech that would meet expectations and incite laughter. However, this was not the primary way it was taken up, neither by the mainstream media nor by the critics on the internet.

Given the possibility of such an innocuous reading, what the response of the press (both mainstream and in the blogosphere) displays is not that there is an easy, pre-determined and intended meaning that can be read by the simple application of clear social norms and rules – what we, following from Jean François Lyotard and Maurice Charland, have called *litige* – but a complex and sometimes haphazard, prudential form of judgment (or *phronesis*). What we are dealing with are competing rhetorics, and rhetoric deals not with the certain, but with the possible, the probable, the plausible. By the mainstream press’ and bloggers’ reactions alike, we can note that irony is not a simple negation of the stated by the intended, but as Linda Hutcheon and Kenneth Burke would each have it, an interplay between two (or more) possible meanings. The point here is not that people cannot draw conclusions or make judgments, but that they do so from particular subjective perspectives and with particular political investments – they are forced to supplement the humorous text and via that supplementation, create it as humorous and/or political.⁹ Nevertheless, it is these judgments (as expressed via how the text is “taken up”) that matter.

Colbertgate

To examine the uptake of Colbert’s address and continue this review, I’d like to work the problem as it occurred in the media, which is to say, backward – from the lack of response in the press, to the response in the room and then focus on the moment of

decision (or judgment) in the room. Since the press' response was initially silence, I shall move through three forms of silence: silencing, judgment and thought.

Silencing

When the mainstream press covered the event, it omitted or included only scant mention of Colbert's address. For many of those in the blogosphere and on the left (often conflated as necessarily the same thing), this omission was a travesty of the highest order. For the bloggers, the press corps' silence was an attempt to suppress the message, an act of silencing that was itself a political act. In these critics' opinion, Colbert had done something extraordinary: he spoke truth to power (Chonin; Froomkin "Why So"; Grieve "Why Colbert"; K.L.; Scherer; Walsh). Further, most believed he had attacked the (current) press corps for their (past) complacency (Carlin; N. Cohen; Collins; Froomkin "Why So"; K.L.; Scherer). Very few recognized the positive message about "good" reporting being done at present. Thus, most critics read the content of Colbert's speech as having only one possible meaning: as an overt negation of a happy vision of an effective President and press corps. The internet critics believed the silencing reaction of the press enforced just such a determined political interpretation.

This interpretation hinges on a distinction between silence and laughter. Colbert's address was purportedly entertainment, and, as discussed in Chapter Three, as a form of entertainment, humor is judged as successful by audience response (i.e. laughter). Laughter is the preferred response to humor, and, some would argue, the only viable goal of the humorist (Borns; Gilbert; Limon; Nachman; Stebbins). If laughter – even fake laughs or guffaws – were the response in the room, then perhaps no one would have noticed anything out of the ordinary (i.e. newsworthy). We, as a secondary audience,

may have remained unsure if Colbert's act were political as it seemed to produce no consequences other than those traditionally expected of humor. In this rubric, the mainstream press' silence indicates a decision that the humorist's material is consequential and therefore disqualifies that material (for the President and press) as a source of humor. The logic then extends thusly: Colbert's speech chastised the President and the press corps, therefore it was political; because it was political it was newsworthy. The fact that the news organizations didn't report it displayed the extent to which they are tied to the President and unable to admit their past mistakes (Collins; Fromkin "The Colbert" & "Why So"; K.L.; Walsh). Based on this reading, internet bloggers created a grassroots buzz that lambasted the press for trying to sweep this incident under the rug. Sites such as Salon.com posted web-articles reading the content and context of the routine and forcing media acknowledgment.

Two acts of possible *détournement* thus emerge, one from theories of intention (Chapter Two) and one from outraged uptake (Chapter Three). On the one hand, while Scherer reads Colbert's act as *détournement* due to the context in which he spoke, this can only be true if his intention was disruption, co-optation and pranking, and Colbert has never expressed such. In fact, Colbert's subsequent silence on the issue presents his statements as more ironical, more enigmatic, than ever before. Further, if Colbert's content is read as a traditional parody or satire that negates the dominant rhetoric, it does not meet Debord's conditions for *détournement*. As I explained in Chapter Two, Harold and the Situationists reject parody as an effective rhetorical strategy because its ironic structure simply effects a negation that "maintain[s], rather than unsettles, audiences' purchase on the truth" (192). But again, these critics rely on a definition of parody and

irony that maintains the intentions and investments of the author as a negation of the original text. Thus they conclude that, while parody may serve as a repurposing of the spectacle, it still relies on the spectacle to further a message and thus does nothing to destroy the spectacle form itself. However, if we reject such an over-determined definition of irony and parody both as goal and effect – reject the model of *litige* so represented – we may get a better picture of how irony and parody work.

On the other hand, the internet buzz can certainly be classed as *détournement*. Those who wrote in response co-opted the incident, judged its meaning and thereby invested it with political value in order to disrupt the easy, unproblematic reception of the political spectacle as repackaged (*sans* Colbert) by the mainstream press; they became the mirrors of Matt Drudge and Guy Aoki, repurposing and representing the material *as* serious discourse. However, this co-optation is also dependent on an over-determined reading of Colbert's address, on a pre-set, intended meaning of his parody and satire that Colbert himself has neither confirmed nor denied (not that it should matter). If we accept this reading, the efficacy of Colbert's address rests on an ability to produce outrage (the opposite of laughter), and thus not on humorous irony, a distinction that reinforces the perception that humor as such can have no political effects. The distinction here is once again based on a Freudian notion that laughter is unconscious and therefore free from thought; that laughter represents the eruption of the unconscious despite the controlling taboos of the conscious, whereas outrage displays that conscious thought and therefore judgment has prevailed. Laughter in this economy trivializes, whereas outrage displays political investments.

As I noted in Chapter Three, while this response recognizes Colbert's speech as political, the act of silencing this outrage sanctions is perhaps the least desirable result for the humorist as it rules out ironic humor as an exercise of activist agency, instead relegating it to the polarizing, over-determined realm of ridicule. Such texts polarize and divide; they determine that a significant part of the audience will not find them funny and the others will laugh at those maligned.¹⁰ Therefore, while laughter is not a judgment of the political, outrage seems to defy the material's definition as humor. Silence may thus mark a position in the liminal space between laughter and outrage, on the cusp of a decision to laugh or revolt; it is in this space that judgment or thought can be enacted. Yet, as with laughter and outrage, we must first reject a notion that silence has a definitive meaning. Luckily, silences, like sources of humor and types of laughter, are manifold. Silence need not mark outrage. Sometimes it may mark a withdrawal, more definitive than that expressed in a guffaw, from the topic or material at hand; a lack of engagement at any level. However, it may also represent a moment wherein the humorous frame is shared, yet laughter is curtailed for one reason or another. Further, the mainstream press claims their act of silencing is a result of a (if only slightly) different type of silence, a silence that marks a judgment that humor has failed as such because of its form.

Silent Judgment

When the members of the press corps respond to the criticism by their colleagues on the internet, they go back to the initial response in the room – that Colbert's speech wasn't newsworthy because it wasn't funny (Argentsinger & Roberts; Collins; de Moraes; Scarborough, Matthews and Carlson; Steinberg). Yet to respond to their critics,

the mainstream press must first counter the assertion that they were upset – decorum and social standards dictate they must show they can take a joke. Only then can they assert other motives for their silence. Unlike Lenny Bruce and Michael Richards, Colbert didn't use problematic language; it is his content, not his language, that is damaging.

Nevertheless, the members of the Washington press corps attempt to cast their silencing response as a judgment about form rather than content. However, as in Chapter Four, the privileging of form over content as a criterion for evaluating humor also marks a strategic attempt to define the proper realm of humor versus politics, thus enforcing the distinction between them. In this case, it also defines what is newsworthy and points out a distinction between two models of newsworthiness: citizenship and consumerism. By what standard should Colbert be judged, on his political relevance or artistic merit? Such competing models of newsworthiness in turn have repercussions for what counts as political spectacle.

In order to deny Colbert's routine political relevance, the press must first show that they can "take a joke" and not take it personally. This is the basis of the bloggers' entire critique of the act of silencing: if the press took it personally then the content must be judged political. In answer, the mainstream correspondents assert that they and the President weren't offended by his routine: "I don't think [Colbert] really crossed the line. I just think he wasn't terribly funny" (Dana Milibank qtd. in Grieve "Stephen Colbert"); "to say that the crowd was offended by him, I don't think so" (Argetsinger qtd. in Froomkin, "Why so"). Some even claimed boredom: "it was hard to tell if the president was annoyed or simply bored... Midway through, I found my attention wandering too" (Collins); "Bush wasn't laughing at the routine because he had tapped Colbert's home

and he'd already heard it before" (Scarborough, et al.). Such comments are perhaps best summed up by Mary Matalin who, in an interview with New York Times writer Jacques Steinberg, said: "Because he is who he is, and everyone likes him, I think this room thought he was going to be more sophisticated and creative." However, this reaction to Colbert mirrors the critique that instigates it in that it marks the stakes of the discussion: if the press' silence is indicative that they were offended by the message, then the content of the message is determined and (deeply) political.

The counter-logic thus extends: the press corps was not moved to laugh with (or at) Colbert, therefore his humor was not successful as such and therefore it was not worthy of reporting. Yet by countering the bloggers' arguments, the mainstream press also admit to its relevance, further enforcing a distinction between the serious and the humorous that would relegate humorous irony to apolitical status. Yet if the press and President's silence indicates a judgment about form, then the speech and the silence itself have no political value. The press thus needs to build such an argument.

When pressured, the press didn't make claims that comedy cannot be judged after the fact – that the lack of laughter in the room was sufficient critique. Instead they ran very elaborate arguments to explain why it wasn't funny, and this was blamed not on content, but on form. Scott Collins of the Los Angeles Times attacked the routine's construction as "a hodgepodge of hit or miss gags" that "could've used some judicious editing." In the New York Times, political analyst Mary Matalin disparaged the content as a "predictable, Bush-bashing kind of humor" (qtd. in Steinberg). MSNBC's Keith Olbermann objected to its tone (qtd. in Grieve "Lou Dobbs"). Analyst Ana Marie Cox described it as a problem of persona, specifically "false immodesty" when "false

modesty” is the norm (Scarborough et al.). The New York Observer’s Chris Lehman described Colbert’s fault as an inability to break character (qtd. in Walsh). Also, The Washington Post’s Amy Argentsinger and Roxanne Roberts took issue with Colbert’s choice of targets or butts: “Colbert’s cutting satire fell flat because he ignored the cardinal rule of Washington humor: Make fun of yourself, not the other guy” (qtd. in Grieve “Stephen Colbert”). The New York Times’ Elizabeth Bumiller and The Washington Post’s Richard Cohen described the incident as a violation of decorum or expectations (qtd. in Grieve “Colbert”).¹¹

As in definitional distinctions between humor, obscenity and hate speech, etc., each of these justifications for not reporting on Colbert shifts the topic of the conversation away from the question of political merit (and therefore newsworthiness) to the question of artistic merit, thus occluding the potential for the artistic to be political. As Tim Grieve points out, this is a non-sequitur (“Stephen Colbert”). When they do discuss the left’s insistence on politics, Ana Marie Cox and Noam Scheiber describe it as a “Stalinist aesthetic” – a privileging of political content over artistic merit, further reinforcing a split between art and politics (qtd. in Grieve “Stephen Colbert”). Thus, the general message is that those on the left who would privilege the politics of humor aren’t looking at humor as such, but as a tool of propaganda, whereas art should not be judged by these standards (i.e. on content).

Yet, taken overall, this is a battle over what rightfully belongs in the spectacle and what can be excluded. In this rendition, President Bush and the press corps’ silence may have been a lack of laughter, yet it was not quite outrage. In contrast to those in the blogosphere who argued that the silent/silencing reception marked the content as political

(the arguing of which reified it as political) and thereby lobbied for its inclusion in the spectacle, the press argued that their silence rhetorically constituted the message as neither political nor humorous. Because they weren't offended, it wasn't political; because they didn't laugh, it wasn't humor. Therefore the omission of his routine from the political spectacle was justified. The larger debate reinforces humor's polyvalent (but not polysemic) qualities. Neither side effectively argues that this humorous text has multiple possible interpretations, yet from the conversation we can note that one can apply differing values to the texts to derive (or dismiss) political effects.¹²

Perhaps this silence is different from what I've called silencing in that it evades the funny/political divide. By failing to laugh (silence), one can declare that the message is not funny and not political, or that the message is not funny but deeply political, or that it may be funny but it is also deeply political. Yet, this falls prey to the same problems we noted of laughter in Chapter Three: ultimately, as an ephemeral lack of response, silence tells us very little – we can never know which.¹³ However, because of their inability to find humor, the press corps walks away; they conclude that Colbert's performance is not newsworthy. The disinterested (if not disapproving) silence that follows his humor is carried into a silence that refuses to perpetuate it – silencing. But there is another silence present in many instances of political ironic humor, one that, because of the ephemeral nature of audience response, must be arrived at theoretically: the silence before the decision to laugh (or not).

Silent Thought

As discussed thus far, we have several models of *détournement*, none of which are entirely satisfying. First, if Colbert's speech in context counts as an act of

détournement, it is so by virtue of being, not a humorous parody or satire, but a determined attempt to persuade – it was calculated to offend and outrage the immediate audience, to co-opt the event in order to speak truth to power. Despite this being the popular opinion of internet writers, this just doesn't seem to be the most likely case, and it is not the most desirable outcome for either the humorist or we spectators. Some may argue that the value of Colbert's speech was as a conversation starter – that ironic humor doesn't "do" political work. In this view the activism, the *détournement*, was enacted by the bloggers in response to the pre-determined, innate meaning of the text. However, while the conversation between mainstream media news and online news is of great moment in American politics, we should not allow it to eclipse the value of Colbert's routine. The routine itself provoked thought, and that, perhaps, is the best that humorous irony can do politically.

The key here is that the humorist who employs irony is not the same as the bona fide politician. Christine Harold notes that a better model for such speakers might be the prankster, a model she derives from Nietzsche's comedian. Such a figure tries out different tactics to jam or "prank" the system, to turn the spectacle back on itself and encourage the audience to act politically – this, she claims, is *détournement*. We should note that pranksters and comedians do not rely on enduring logics that inhere between pre-existing groups, or *litige*, but on interaction and friction among ad hoc and ephemeral individuals and groups, in short on *phronesis*, on prudential judgment. In Chapter Two, we called such people (both agents and audiences alike), following from Jean François Lyotard, *pagans* ("Letters"). But what are the characteristics of these pagans?

In summary, in Chapter Two I examined how Limon's requirement of a comic's humorous intentions, like Stebbin's delineation of "pure" versus "quasi-stand-up," privileges non-political motives over political, but I would not so divide my model. Intentionality can be ruled out when dealing with the politics of stand-up, as to have a political motive is not necessarily to produce an effect, and for me it is the uptake or effects that matter. However, the intention of humor is important as it necessitates changes in foci, framing and context that may operate to provoke politically relevant thought. The practices engaged in by the stand-up are thus consistent with Kenneth Burke's concept of casuistic stretching that may produce perspective by incongruity (perspective being a synonym for judgment, and thereby thought) regardless of our ascription of motive (Attitudes).

Further, we should note that this is no chance encounter; audiences enjoy stand-up as humor and seek it out. When the comic is unknown, the audience may be more likely to be active in judging her/him as funny or not, but it does so based on its interpretation of the material, which must be approached cognitively before more active forms of uptake are enacted (e.g. boo's, heckling, walking out, critiquing or protesting). Even when audiences expect "messages" in their humor (as one may expect to hear statements about race at a Chris Rock show), they still have to work to decipher meaning.

As in Chapter Three, we should not delineate political stand-up by positive reaction lest we unnecessarily limit its potential effects. To do so is especially problematic because positive reactions are not simple; laughter is not guaranteed to be trivializing – it may be an act of political humor by transforming its target text (e.g. via guffaws) – but it is a complex response that is nearly impossible to pin down. On the

other hand, negative reactions do not exhaust the act's status as humorous stand-up (particularly when some laugh), but mark the politics of that humor, in Meyer's terminology, as the basis for differentiating. Yet I do not wish to limit the political efficacy of humor to carving up/polarizing the audience into factions or groups (marked by laughter/outrage). Let us rather state at this point that the political value of stand-up is to disrupt the easy interpretation of a text, thus provoking politically relevant thought. Thus the stand-up who would act politically has as a key strategy continuous disruption, attempts at and provocations to rearticulation that keep his/her audience perpetually off-balance, without anchor in agreed upon or *a priori* realms of judgment, and thus perpetually thinking.

The polarization of audiences, as I argued in Chapter Four, tends to provoke institutional attempts to physically quarantine and/or definitionally disqualify certain language, topics and practices from the realm of humor – which for me only marks the arenas wherein humor can have the most impact. While evoking politically relevant thought by reference to such incidents requires a considerable amount of ethos and finesse, they should not be ruled out as summarily “not funny” lest we restrict humor's function to affirming the status quo.

What legal restrictions best display is the danger *litige* poses for stand-up comedy, and humor more generally. When we codify what is/is not humor, we proscribe certain forms from the model, but at the same time prescribe reactions that allow us to remain passively reactant. In other words, it circumvents politically relevant thought and the action that follows by deference to laws or rules – in Lyotard's terms, ruling out a proactive reply by supplying reactions, a *terrorism* inherent in all acts of definition.

As we can see with Colbert, if we abandon the focus on intention and embrace the humorist as a *pagan*, as a trickster whose goal is humor, then we may read the responses of both the mainstream press and the internet critics as competing rhetorics, none having a complete purchase on truth – despite some agreement between them. In this understanding, the ironic nature of Colbert’s address represents an antecedent gap, a problem or as I (following from Lyotard) have cast it in Chapter Two, a *différend*, that makes such rhetorics necessary (*The Différend*). As I noted in the introduction, the recognition of such gaps is the goal of a critical rhetoric (Biesecker). Kendall R. Phillips characterizes these gaps as “spaces of invention; spaces within which the possibility of new actions (or utterances or selves) can be imagined” (332).¹⁴ It is in the moment before meaning is determined, when we are still producing and trying out new discourses, that change and transformation of the rules of the game itself is possible, but only if we subject “old and new discourses to a reflective/inventional pause” (Phillips 339).

While it may be true that, as Joanne Gilbert notes, “The extent to which we consciously choose to laugh or refrain from laughing may be the extent to which humor actually affects social reality” (164), we know from those following Althusser that ideological moves precede structural moves; they pave the way for concrete changes. This should not, as traditional rhetoricians tend to do, relegate ironic humor to sideline status – in Augusto Boal’s conception a “dress rehearsal for the revolution,” the real enactment of which will occur later in some other sphere (122). The moment of deciphering humorous irony *is* the political moment. Ultimately, if it does not produce a favorable reaction (be it a wry smile, an appreciative groan, or a knowing chuckle), it may not qualify as humor. However, if it produces instant laughter, instant adherence, is

it really doing anything political, is it really provoking thought? It is when the meaning is in doubt that thought must follow. Thought only occurs in the moments before a decision (judgment) is reached, in the moment of struggle over a rupture. In this space, we can do more than fall back on simple convention as criterion; that is, we can do better than simply *reacting* – a simple return to ‘what we do’ that reflects the consensus of the status quo (although we frequently do this). Instead, we might *reply*, make a new move in the game that results in a change in the rules, or a new game. In this conception, spaces of invention and *différends* both preserve “the possibility for the unsayable to be able to find its way into words” (Charland and Sloop 293). Thus invention is a displacement and problematization that exists “at a point between the present and the possible” (Phillips 338) and is the goal of *détournement*. As an ironic humorous text, Colbert’s speech provides a key example of such a space.

The idea of criticism is thus not to close discourse through solutions – the resistant acts that drew our attention, such as the battle over Colbert’s speech, do that – but to call attention to and initiate spaces in which new discourse may be produced, in short to highlight dissent, freedom and thought, to perpetuate the conversation and to provoke or “flush out thought” (Foucault). It is in this vein that I have tried to problematize an easy notion of humorous irony through examination of the silencing of Stephen Colbert. It is in the temporal, discursive space of the silence that precedes a laugh, I argue, that ironic humor has the most potential as *détournement*.

If we embrace a *pagan* view of rhetoric, we may find a wellspring of hope because, as we might note from the metaphor, rather than a marginal space at the edges of civilization, the *pagus*, or the realm in which *pagans* act, is everywhere save those isolated

oases that are *polis*, or the realm in which *litige* holds sway. The *pagus* is the predominant space (Lyotard, “Letters”). *Pagan* rhetorics abound. For instance, in our case example there are multiple gaps: Colbert’s parodic persona is one, the humorous irony of his speech is another, but both the press’ silence and acts of silencing also represent enigmas that call for discursive closure. Nevertheless, the first two texts have a distinct advantage: they evoke pleasure.

Final Thoughts

From a *pagan* perspective, when faced with a (purportedly) humorous situation with political import, it becomes important to deal with silence. A *pagan* perspective helps us to understand the humorist as a political actor and rethink humor more broadly in political terms. In this view, the more ambiguous the act, the more productive it is for enactments of audience agency, for *détournement*.

Jeffrey Jones notes that the value of humorous political talk shows like Politically Incorrect with Bill Maher may lie in their “positive negativity.” Even though such shows serve as negations of partisan politics, they invite viewers to engage in political discussion. As I have displayed, the negativity of ironic humor must be inferred, but the positive value is also always a potential conclusion. Further, due to the affective quality Jones (following from Lawrence Grossberg) attributes to humorous texts, we may be invited to re-think. While the old adage “if you have to explain it, it’s not funny” may be true, the solo examination of why it’s funny to me is productive, and does nothing to diminish my delight in the text, especially if I can find multiple loci of the humor. The best jokes can bear such scrutiny and hold up remarkably well.

Further, the discussion of Colbert brings up another potential of *différends*: that in our mediated age, the message is not confined to its expression in the immediate spectacle. In its mediated form humor is also radically temporal, reemerging and changing with each new context. Thus, humor can be re-judged. The humorous routine is paradoxical, contradictory; it invites not simply judgment, but re-judgment as it can never, ultimately, be decided. This is the space in which political work and joke work collide to provoke thought. Thus, through the possibility of re-judgment we multiply the silences wherein we exercise our political agency, the space in which invention occurs, the instances of thought.

There remains much work to be done. The library shelves overflow with treatises on humor, such that this project has only addressed, to paraphrase Burke, a tiny sliver of that reality; there is more humor theory than this project could possibly encompass. I am aware of an overwhelming quantity of theory and criticism about jokes, feminist or women's humor, humor at the margins (African-American, Native-American, Queer theory, etc.) and Jewish humor. By and large, I believe that most of this theory falls prey to the problematic assumptions I have already identified (judging by the more recent publications I have seen). However, there may be some gems in there (perhaps in rough form) that deserve to be unearthed and/or adapted to the purposes of a critical rhetoric.

Further, we should continue to look for and highlight those instances that display the potential for a politically active humor. Historically focused projects might question whether humor is activist in times of activism, or whether (and when) changes in the cultural climate open up topics and areas previously taboo. While Stephen Colbert

provides a good example of a parodic empowered persona, we might expand the discussion of parody and personae by examining what can be accomplished when the marginalized parody themselves; what separates racial parody from racist parody? Also, though I have circumscribed generic distinctions, such as comedy, burlesque, etc., from this project due to their standardized form, we should reexamine the premises as well as the applications of these genres in order to gain a better understanding of their political efficacy.

Finally, we might consider that if this is an effective way to examine humorous discourses, what is to stop us from using similar methods to examine seemingly overt political discourses? Perhaps assumptions of intentionality are always flawed. Perhaps audience judgment is always prudential, and performances are not to be trusted. Perhaps institutional constraints and definitional delineations are never easily applied. Perhaps there is more to be gained by discovering sources of audience agency that outweigh having a unified, overarching a priori system. And we, along with Colbert, can take some comfort in that.

NOTES

Chapter IHumor and Political Stand-Up: Introductions, Definitions
and History

¹ I use the term “comic” throughout to avoid the gender problem inherent in the terms comedian/comedienne. A further warrant for this move is that comics frequently refer to themselves as such. I realize this may cause some confusion with “the comic” as a rhetorical frame, but I believe the context of the use will clarify my meaning. How we recognize a comic is another matter entirely. Certainly some comics have name, or at least face, recognition. Another way is through the space: their appearance in a comedy venue, whether it be a club or a media event, such as the televised special or concert film. Sometimes, however, as often occurs at open-mic nights or in warm-ups for other acts, the comic is merely introduced as such. Further, when I face an audience and attempt to be humorous (as I frequently do when teaching undergraduates), don’t I take on some aspects of the stand-up comic? What passes as stand-up seems a product of a larger context, a particular formation discursively delineated and policed.

² Oxford English Dictionary. The term humor has a bit of a loose definition owing to some specific uses tied to forms of comedy in literature. Three prominent examples: Northrop Frye uses humor to denote a ruling passion, which is found to be amusing in the hyperbolic manner in which a character pursues it; Kenneth Burke uses “humor” to describe a genre that is distinct from his “comic” and “burlesque”; Freud’s humor is an “automatism of defense” with which the audience member protects herself from strong and damaging emotions (233). While other definitions confine humor outside the realm of the political (e.g. “A particular disposition, inclination, or liking, *esp.* one having no apparent ground or reason; mere fancy, whim, caprice, freak, vagary” [Oxford English Dictionary]), whether or not this definition is prudent is exactly the question of this inquiry. I wish to avoid taking a stance on humor that renders it into one of three typical schemes (superiority, tension release, or incongruity), or falls out of a discussion of humor entirely by treating forms of comedy (as a literary form).

³ I read this as a distinction between physical behavior and speech, where the terms “comically” and “funny” are synonymous.

⁴ My hope is that I can discuss humor within these parameters without simply falling into a discussion of the genre of comedy in literature, either in its classic or more contemporary manifestations. However, much of the critical work on humor is done in the confines of critiquing televisual and film comedies. Perhaps this is because a notion of “comedy” provides critics with a generic context that greatly simplifies things. As such, rhetorical critics primarily turn to the work of Northrop Frye, Kenneth Burke and Hugh D. Duncan when they discuss humor – and most of the humorous objects are chosen with this generic frame in mind – thus a theory of humor is practically prescribed prior to the beginning of analysis. This reduction of humor to genres of comedy is

inadequate for a few basic reasons. First, not all comedies succeed in producing humor. Sometimes they tear at the heartstrings, making us feel sad or guilty. Further, while the rhetorical space of humor delineated by the comedy may well add to the creation of humor in certain forms of stories (even in the broadest sense, such as a joke taking the form of a story), it does not fully describe other types of humor, such as one-liners or word play. Therefore, while the forms of the comedic genres in television and film are often conflated with humor and may add something to this discussion, at this point I wish merely to draw on expressed theories of humor and the impact of each theory on critique. However, being that so much work occurs here, and especially the type of work I wish to problematize, I address some of it in my review of literature. Nevertheless, the definition of humor and specifically stand-up remains somewhat malleable, and will therefore best be addressed through an examination of what passes for and is labeled as such.

⁵ While some authors such as Stebbins would divide this category into “pure” and “quasi-stand-up” (apparently delineated by the presence of a larger plot or message – and thus quite possibly by motive), such an easy delineation is inimical to this project. Stebbins’ two other categories, mixed stand-up and team comedy, do not apply to our definition here.

⁶ While I do not claim to agree that all members of society care about all the issues that one or even many comics take up in their routines, perhaps it is not misleading to suggest that the issues that appear the most frequently appeal to most people who consume stand-up.

⁷ Further, I do not wish to relegate stand-up comedy to the roles it has always played. To do so is to rule out the possibility of finding something new. Instead, I wish to examine what allows stand-up to function at all in the political arena – to explore the parameters of this formation and what these constraints encourage and discourage.

⁸ I borrow this term from Ono & Sloop, 536 n1.

⁹ I owe much of this early history to Mintz. For more on the wise-fool, see: Gifford; Gilbert; Goldsmith; Kaiser; McMullen; Welsford.

¹⁰ It would be a mistake here to define this contract, for, as Michel Foucault notes, such contracts are radically contextualized in their spatial and historic sites. Foucault’s work may be read as an attempt to display the radical contextuality of concepts such as sexuality, madness and order.

¹¹ For an expansion on infelicity, see Austin; for an expansion on non bona fide, see Raskin.

¹² Fatout; Gribben; Stebbins. Stebbins notes that although others used humor, Twain was the first to make it the basis of his monologue, rather than an accent to an otherwise serious piece. Also, Stebbins notes that others may have been doing humor, but were

acting out personae. What he misses is that Mark Twain was as much a mask for this man, Samuel Clemens.

¹³ While some of these forms of humor might appear to be attacks that would seem to return us to a critique of power, the general view is that there was nothing overtly political about such attacks; they were often pat comments about being tall or short, fat or thin, well-dressed or underdressed, only as “political” as they were personal, which is to say, not very. Clearly this mode of humor represents a problem for the account of an era of “non-political” humor prior to the launch of the “New Political Humor” discussed by Nachman. Insofar as the humor is a critique of fat/thin, clothing style and therefore class differences, etc. it can be defined as “political” in the era of identity politics. This type of humor also requires a particular set of expectations and finesse in order to avoid offense, another word for judgment that signals the imposition of the political and the limit of humor. These expectations and practices may need to be incorporated into Chapter Three.

¹⁴ Some authors such as Stebbins say this push occurred later, specifically 1963, with the birth of New York’s Improv.

¹⁵ I borrow this term from Jon Stewart. Stewart makes the point that “what we [comics] do is implicit, it is in the ether. The national anthem is an amazing song. Did it win any wars? No, but it adds an atmosphere and a flavour and it adds to a national dialogue. Jokes don’t destroy things. They don’t kill anybody. They’re just atmospheric” (cited in Wherry). I wish to contest this characterization.

¹⁶ The timing of this coincides with the rise of feminism and the notion that ‘the personal is political’; thus there seems to be an expansion in the import of the messages stand-ups create.

¹⁷ Berger, 7, n3. Though attributed to Aristotle, we should note that this quotation developed post-Aristotle by scholars who had read his treatise on comedy prior to its disappearance.

¹⁸ Human Nature, Chapter ix, § 13. Hobbes, somewhat like Bergson, includes a notion that we can find our past actions humorous when we feel that we’ve improved/changed.

¹⁹ Northrop Frye also notes that the (literary) New Comedy of Rome brought down the seemingly mighty, and thus served as a leveling discourse, although this pushes us into a critique of literary criticism which is outside the scope of this project. In any case, many more recent critics, such as Mulkay, note that humor largely serves to enforce social hierarchy.

²⁰ For a more detailed description, see Berger.

²¹ The argument of lack of force and obscuring issues such as power imbalances are perhaps best seen when this theory is applied to the space of the Carnival, discussed below. For an example of how humor may trivialize an issue see Hundley.

²² See for instance, John Fiske's comments on humor in television; Joanne Gilbert.

²³ Bakhtin and Morson make a distinction between "shallow" and "deep" parody that works particularly well with any humorous form. Taking as given that parody seeks to critique, this distinction is between a focus on (and exposing of) superficial faults versus fundamental or systemic faults. At its most basic level, incongruity is perhaps the most shallow of the humorous theories.

²⁴ We should note that Burke has a larger discussion of humor (as a genre opposed to comedy and burlesque) that may confuse us here. To clarify, my notion of humor is more in line with Burke's notion of comedy.

²⁵ For instance, see Dow; Hundley; Fat; Fiske; Geiser-Getz; Gilbert; Gring-Pemble and Watson; Jones; McIntosh, Murray and Murray. While some of these are studies of comedy as a literary genre, and some are social scientific, they all reference one or more of the prominent theories.

²⁶ While studies of performance are also important to stand-up comedy, it is not always relevant. The area encompassed by performance studies greatly exceeds the context of stand-up, just as humor and stand-up exceed their performative aspects. Thus, for the sake of brevity, research on performance will be examined in later chapters.

²⁷ Inherent in this document are binary relations between the humorous and the serious, and between the political and the apolitical (or at least, pre-political). I am not trying to draw these distinctions, but rather to point them out as seemingly inherent to a number of studies on humor, especially the early work. Some of these critics explicitly state such views, but many others perform the distinction in the way they go about their criticism. I'm trying to move to the more productive 'both/and' relationships noted by Miller, Harold and others, but I'll need more tools than these authors can provide, and this requires a recognition of the limitations imposed when the source I use draws such distinctions explicitly or implicitly.

²⁸ In contrast to more serious orators, the humorist first establishes that what s/he says is not in earnest – that s/he is "just kidding," giving the audience the option of taking the message at face value or leaving it as an effect of harmless play. For more on this *jokework*, see Freud; Fry; Mulkay. This will be discussed more in chapters two and three.

²⁹ Lawrence Grossberg notes that articulation is itself a "practice of linking together elements which have no necessary relation to each other; the theoretical and historical practice by which the particular structure of relationships which defines any society is made" (397). Once a particular articulation gains prominence, it may become semi-fixed

although it is never unchangeable. Because there is no necessary relation among elements, and because objects may exceed any one discourse formation – multiple discourse formations may apply to the same object – these practices of articulation become important sites for critical engagement.

³⁰ See Biesecker.

³¹ For more on discourse formations, see Foucault, The Archaeology of Knowledge. For more on *litige*, see Lyotard, “Lessons,” and Lyotard and Thébaud, Just Gaming.

³² Foucault discusses contradictions in Archaeology. See also Biesecker. For more on *différends*, see Lyotard’s The Différend.

³³ Because the resistant act produces a particular set of results, to some extent it closes off further resistance; it closes the gap that produced it in a particular manner, thus obscuring that the gap was ever there. For more on this, see Biesecker.

³⁴ It is worth mentioning that I can only discuss comics whose works or deeds are known. Hoards of comics try new things, regularly cross the line. Only a bare few of these have achieved success, but many more have been ostracized, banned from clubs, not granted access to venues which might garner them, if not economic success, at least greater exposure. These failed stand-ups might be a better gauge of the limitations of this category, but we must work with that to which we have access.

Chapter II

Satire, Irony, Parody and Personae: Intentional Critiques are a Funny Thing...

¹ On Politically Incorrect, Maher failed to have his contract renewed for 2002 after he made remarks (on 9/17/2001) that the suicide bombers who took over the planes in the 9/11 attacks were not cowards, but rather we [the USA] were cowards for waging war by launching missiles from safety.

² Satire is sometimes thought to be a subset of irony and sometimes the superior term. The distinction is problematic because one can employ irony for satiric ends, yet this is not the full scope of irony; however, one can also employ satire ironically, that is to say, speak satirically while meaning something different. Such distinctions between satiric irony and ironic satire at some point become moot to the extent that they are always potentially present and yet never guaranteed uptake by any particular audience.

³ Verbal irony may be further subdivided into sarcasm, hyperbole, understatement, rhetorical questions, double entendre, and jocularly (Gibbs).

⁴ For irony, satire and sarcasm, I’m working primarily from Muecke and Booth; for parody I rely on Morson and Rose.

⁵ Booth notes a more nuanced form of irony evidenced in Thomas Swift's "A Modest Proposal" (Irony). As Booth states, "The essential structure of this [Swift's] irony is not designed to 'deceive some readers and allow others to see the secret message' but to deceive *all* readers for a time and then require *all* readers to recognize and cope with their deception" (106).

⁶ 138. Gring-Pemble and Watson also note that Garner's choice of material is too broad, comprising the entire pantheon of fairy tales. Further, his treatment of political correctness is hyperbolic, including elements such as alternate spellings of women as "womyn", which reduces the movement to a form that the audience may reject as implausible. Finally, he tries to do cover too many social issues, such as including in his Jack and the Beanstalk narrative an entire animal rights critique of the family's history of mistreating the cow that is ultimately traded for magic beans. They argue that although James Finn Garner's intention is expressly to ridicule the political correctness movement, his choice of material, reliance on *reductio ad absurdum* and "scattergun" attacks on a broad range of issues might leave people with the idea that the moderate forms of political correctness are beneficial and that alternative arguments exist.

⁷ Betsy Borns defines a joke as a dick joke when the audience laughs because a particular word (in this case "fuck") is used. I will have more to say on dick jokes in Chapter Four.

⁸ This form of humor is sometimes referred to as literary irony (Mueke). However, we should also note that it attempts to employ a disjunctive syllogism, but there are three terms (rather than two) that are not mutually exclusive; the recognition of this *republican* model's failure may thus add to the humor.

⁹ Of course, this opens up a can of worms, which will take another project to parse out. Namely: What happens when a speaker parodies her/himself? What should we call it when a speaker establishes a generic persona that doesn't reference any specific speaker/agent? Can/should we posit that any speaker is ever bona fide or *arché*, thus relegating all else to *mimesis*? I pose these and other questions in another work-in-progress.

¹⁰ For more on other functions of parody see Rose 1993.

¹¹ Work already has been done on defining the limit of stand-up comedy on the opposite side of seriousness, as it shades into absurdity (Wuster).

¹² Not all these attempts are politically progressive in their stated intentions. Some comics address issues in a misanthropic/chaotic/entropic manner; they wish to break down taboos, to rehash issues in order to demystify them – to rejoice in the fact that they can say anything. Some of these attempts believe that entropy is a worthwhile long-term goal, the reduction of everyone to equal levels of depravity. Humorists like Don Rickles, Lisa Lampanelli, Carlos Mencia and South Park creators Trey Parker and Matt Stone seek to hit everyone equally – therefore we all become equal in our status as targets.

¹³ Booth, Fiction. From a postmodern/post-structuralist perspective, a genuine author does not exist (or no longer exists, being a moving target that has long since changed locations), thus the author implied by the text is as real as we can get, or should need to.

¹⁴ I rely on Abbott for this definition, but see also Scholes, Robert and Robert Kellogg. The Nature of Narrative. New York: Oxford University Press, 1968.

¹⁵ A key example here is Stephen Colbert's talk-show persona, but I shall have more to say about Colbert in Chapter Five.

¹⁶ While some might argue that all humorists work this way, that only older, established comics critique at will, there are others like Loni Love, Alonzo Bodden and many other up-and-comers who begin with political topics, displaying that perhaps this form is more acceptable.

¹⁷ As Kaiser notes, "[T]he idea of the wisdom of the fool always stands in contrast to the knowledge of the learned or the "wisdom" of the worldly. In this respect, the oxymoron, "wise fool", is inherently reversible, for whenever it is acknowledged that the fool is wise, it is also suggested, expressly or tacitly, that the wise are foolish."

¹⁸ There is certainly some overlap here between satire as a rhetorical device and Kenneth Burke's notion of comedy; however, for our purposes here (and for reasons previously mentioned) I will refrain from bringing Burke into the discussion here. Chaim Perelman notes that to choose to argue is to show a certain respect for the audience, thus taking the time to correct, if nothing else, may be a display of liking that may actually soften audience perception of the butt of the humor.

¹⁹ As opposed to the *polis*, the space of *republican litige*, Lyotard calls these spaces the *pagus*, the godless, open space or *nomos* outside the city (or *polis*) walls ("Lessons"). We might label the *pagus*, following from Deleuze and Guattari, a *smooth* space in contrast to *striated*, highly delineated space of the *polis* (McKerrow). These are the wild areas, peopled with unknown elements. In this space, there are no pre-set groups, no enduring logics, only spaces of interaction and friction among ad hoc and ephemeral individuals and groups.

²⁰ 512. Burke admits that this definition of irony is parallel to a certain form of relativism in that any term or object within the relation "can be seen from the point of view of any other term" (513).

Chapter III

Laughter and Outrage: Dichotomous Uptake of Divisive Humor?

¹ Accounts vary, mainly in terms of whether Silverman originally said that the word chink was "inappropriate" versus "horribly offensive." This version, from wikipedia.org and girlcomic.net is the same as the joke she retold two weeks after the original incident

on Politically Incorrect with Bill Maher. The full text of that appearance is available at http://www.onlinepokercenter.com/blogs/poker_addict/2006/01/sarah_silverman_chinks_on_cona.html

² The winning ad was to be aired during Superbowl XXXIX, but that's a separate issue.

³ See for instance Richard L. Eldredge's article "Margaret Cho's 'Assassin' [sic] takes a hit at politics, sex and mom" in The Atlanta Journal-Constitution (6/9/2005), or her own voiceover introducing Assassin.

⁴ See her response to one such threat of picketing (her 2/6/2004 performance at the Houston Improv) and defense of her paying fans' abilities to defend themselves on her blog, titled "Protest This," available at <http://www.margarecho.com/blog/protestthis.htm>. There is also a link to the letter sent to the Improv, the manager's response to that letter, and links to multiple letters sent to Cho attacking her. You can also check out an edited version (obscenities @\$\$\$'ed) of the letters on the American Politics Journal website, available at <http://www.americanpolitics.com/20040114CroMag.html>

⁵ Not that I wish to restrict their agency to consumption, as this chapter will show.

⁶ A further problem with intent that is relevant here is that, as both Freud and Limon note, the quintessential comic's intent is humor. Freud states that the purpose and function of jokes is "the protection of sequences of words and thoughts from criticism" (130) – comics try to prevent thoughtful engagement with their text. Thus, in failing to produce humor and evoking criticism, our case comics have failed to produce their desired effect; they have ceased to fit perfectly the definition of humorist and taken on the traits of rhetors.

⁷ As my references throughout this project will show, one would need a series of scatterplots to chart the positions of the various scholars, with no "line of best fit" in sight; they seem to pick and choose positions almost at random.

⁸ Stand-up Alan Havey notes "when they [the audience] come in to see a comedian they want to be grabbed. They want someone taking over for a couple of hours, or twenty-minutes, or whatever—it's like going to prostitutes, therapists or the movies." As cited in Borns, 17. This simile also is suggested by Bill Grundfest, owner of New York's Comedy Cellar on Borns' 13. The inclusion of therapists seems out of place in this view – further evidence of the conflation of audience role. The therapist seems to fit the next model of "cerebral stripper" better.

⁹ Borns also suggests comics are "cerebral strippers, seducing us, ever so slowly, as they peel off layer upon layer of our collective repression until finally, when the laughter dies down, we find ourselves naked, brains exposed to the cross-ventilation of comic insight and age-old inhibition" (14). Further support for this view is implicit in Borns' notion that audiences are unaware of artistic distinctions (such as the distinction between the

dick joke and sexual humor, something I will discuss in more detail in chapter four), and it's up to the comic to shepherd them.

¹⁰ Jerry Seinfeld explains: "Comedy is a dialogue, not a monologue—that's what makes an act click. The laughter becomes the audience's part, and the comedian responds; it's give and take" (16). Here we see a sort of call and response in reverse, the audience calls out for more of the same (or for something different), and the comedian obliges them.

¹¹ George Carlin notes: "People vote when they laugh.... This happens when you get to any subject where people don't want to reveal their comfort level with it—even if it's not something they're intimately involved with.... [an audience member] doesn't want to reveal [this comfort level], so he goes, 'Hmm, I don't understand this at all,' and he certainly isn't going to laugh at it" (as cited in Borns, 18).

¹² Heckling is sometimes thought to be an interruption particular to stand-up comedy, since one would never heckle at the theater. However, the tradition of shouting or heckling the speaker is as old as oration itself, and in fact, some scholars argue that sophisticatedly trained rhetors were only successful to the extent that they were able to craft speeches in ways that made their opposition disinclined to shout them down, more inclined to hear them out, and thereby to win suit. While in contemporary political discourse the conventions of logical, rational debate stipulate that the speaker should be heard out, these are not the norms, especially on programs such as Hardball and Crossfire. Further, our current political climate ensures that political speakers do not have to suffer hecklers, as many instances with the Bush administration have shown. Finally, many performers are heckled, from professional athletes to musicians (especially when the musician is not a "name," attracting self-identified fans).

I believe the question of whether or not Kyle Doss and Frank McBride were heckling Richards to be immaterial to the extent that Richards and many in the audience thought they were. Also remember, these categories are not mutually exclusive. Perhaps protesters and critics will pay for the privilege of hearing the performance (and we might say "again," to the extent that they may have previously), but this is done in order to cause further disruption.

¹³ Although the dynamics of the comedy stage allow the comic to ignore the heckler – after all, the comic has a microphone and a spotlight and the heckler does not – some comics cannot resist the interaction. Sometimes hecklers can help the performance, and some hecklers think they're making a contribution, but this contribution is not welcome to most comics. Comic Richard Belzer notes of those who think they're helping, "they're the ones you want to grab by the throat. They're the kind of people who would knock the skull out of Hamlet's hand during a Shakespearean play – they break the third, fourth and fifth wall, and make their own wall" (as cited in Borns, 138).

¹⁴ This is not to say that comedians don't give pre-planned responses. Examples abound such as "I remember my first beer!" Or Carol Leifer's response to groups of male hecklers: "No women with you tonight? [to the audience] I wonder why..." (as cited in

Borns, 136). Some comics also create their act with key moments in which they can reference any hecklers, then s/he just ignores them until that point.

¹⁵ See for instance, the blog at [USA Today](#).

¹⁶ The reasons for heckling vary – some may crave attention, some may be mean-spirited drunks, some want to feel a part of the show, or think that they’re making a positive contribution – and many comics may enable these people, whether it be granting them the attention, attacking people, doing mostly audience participation or fostering a carnivalesque/”rodeo” atmosphere where everyone is participating and interjecting (Borns).

¹⁷ For a brief summary, see Jasinski.

¹⁸ [Just Gaming](#), 26. Charland and Sloop note that Lyotard disagrees with Aristotle in that “prudence cannot simply be conventionalism” (296), thus the appointment and application of a “universal” rule based on convention is ruled out of court.

¹⁹ Limon notes that “artistic seriousness” only applies to what we might call “high culture” art, which requires recourse to critics. When the art form is ephemeral, such as ballet or opera, the decision falls to the critics who witnessed the event. When the art form is more enduring, such as a novel, the decision is deferred: “posterity will judge,” thus these high forms have claims to seriousness (13). Of course, many have critiqued such a high/low distinction as elitist in nature, thus this distinction is fairly quickly dispensed with.

²⁰ 12. As Limon puts it, “the audience cannot err, it cannot feign, it cannot be misled” (13). Laughter is a very limiting criteria, but Limon argues it is involuntary and less ambiguous than smiles or other indicators. I want to address these assumptions of what is definite and what is ambiguous later (in Chapter Five).

²¹ Even Lenny Bruce reportedly once said, “Audiences individually may be idiots, but together they’re a genius” (27).

²² Borns notes in the case of the individual audience member who is not at all happy, “one can always yell, ‘Hey, what the hell are you talking about?’ and, most likely, you’ll get an answer” (25). And audience dissent is certainly recognized as a possibility. But when such interruptions occur, the audience as a group also may go farther; Borns notes the audience may mutiny and take back control of their anxieties (which is what they have ceded to the comic in order to garner tension release).

²³ 13-14. Holland states, “Only when some person laughs has the joke become a psychological event. And only when many people laugh does it become a social one” (187). Laughter thus provides legitimation for psychological or social study. Yet we might ask: why is the lack of laughter any less interesting? Why isn’t the failed joke cause for a study in social and psychological dynamics?

Because many claim that Lenny Bruce is outrageous, Limon looks to one particular joke to examine the dynamics of outrage. However, in the performances of Lenny Bruce's piss joke, Limon finds that the American audience cannot truly be outraged, because the joke relies on intrinsic acceptance of certain cultural norms – the American audience “demands to be abject, demands, by such treatment, to be outraged, which is to say, if I may pronounce the too evident paradox, demands not to be outraged” (16). It is the Australian audience that approaches true outrage (though it never erupts as such) because they do not have these demands. Thus the joke is a violation in that it is not a violation: “Urinating on an audience may be a surprise to them, but that urinating on an audience is a surprise is no surprise” (15-16). Because of this lack of a shared frame, the audience doesn't laugh, thus the joke hardly qualifies as such.

²⁴ This presents another danger of the heckler. To a certain extent, criticisms from the outside world are mediated by the criticism of those who are immediately present. By Limon's logic, if the immediate audience finds the act amusing, the comic has no need to defend it once it's filmed or digitized. However, when the act is interrupted before it can be laughed at, the comedian has truly failed. Once the act is disrupted, the uptake of the original humor is no longer possible – any response by the comic is not guaranteed reception as humorous, and thus the comedian needs to be wary.

²⁵ Limon casts outrage as a similarly unconscious loss of control on the opposite side of the emotional scale (pain). The key here is “irruption”: it must emerge violently, explode out of the person, thus is outrage emplaced in the physical register. Under Limon's rubric, laughter and outrage may be the opposite of thought. But in light of this distinction, perhaps “irruption” is merely an unfortunate turn of phrase. Perhaps it is more in line with Limon's views to say that outrage is a critical (and therefore conscious/thoughtful) encounter with the text. We might easily note that outrage need not be physical, nor does physical expression ensure it is unconscious. To the extent that anger is a secondary emotion, outrage becomes not the unconscious expression of pain, but a conscious, secondary response to it, and thus requires thought processes. Yet this new portrayal of outrage only reinforces the divide between conscious and unconscious.

²⁶ In fact, many comedians find that once their act is transmitted via mainstream media, they have difficulty performing it; many in the audience already know it, and although they may want some of the old schtick, they also want some variety. As a correlate, many comics will not present – or are not offered opportunity to present – their work in such venues until it is polished. Thus we should note that the artifacts included in this critique are necessarily textually fixed or “sedimented” in particular kinds of ways, whereas previously they may have varied greatly.

²⁷ A series of immediately present audiences have shaped the comic's routine, the live-audience being televised confirms the humor and serves as mediator of our reaction, thus though we don't get the experience in the same form, format or context as the live audience, we still are encouraged to laugh by that audience.

²⁸ While Meyer mires us in authorial intention, to say that the serious depends on the rupture of the humorous is also to fall prey to an *a priori* understanding of the intentions of the comic, which is problematic because they are pagans, unreliable and discordant narrators. Meyer's position rests on his examples of bona fide *republican* political speakers, such as Ross Perot and Ronald Reagan, who wish to obtain rhetorical effects, not the *pagan* unreliable narrators represented by stand-up comics. For these *pagans*, clarification becomes problematic; it takes a large amount of inference to arrive at the conclusion that we know what the speaker "really means." For instance, when Silverman responds to her critics in her special, Jesus is Magic, she states, "I don't care if you think I'm a racist, I just hope you think I'm thin." It is difficult to believe that she truly doesn't care about the audience's perception of her beliefs, and the shift to a focus on her appearance may lead us to believe the opposite. Yet there she is, apparently mocking Asian Americans and in particular Guy Aoki. Thus, her response constitutes a dodge that doesn't really clarify the issue. This is a result of an unreliable narrator who pushes for humor, rather than for truth or clear representation of the facts. Similarly, stand-ups feel free to inject their own versions of social norms or reinterpret those in existence, thereby perhaps doing little to enforce such norms.

²⁹ This is not limited to verbal humor, or even to contrived physicality, such as aping, pantomime and pratfalls; the humor of any so-called spontaneous joke is, for Mary Douglas, situationally dependent and the understanding of the joke in relation to the situation requires cognition. Similarly, a funny face is only funny in comparison to one's normal countenance (or the countenance of a normal, unfunny-looking person) and the distinction among the two involves a cognitive process. Consider that infants are socialized to smile and laugh at funny faces; they do not immediately do so.

³⁰ NB: This comes from a frame of superiority. In a frame of tension release, we could posit that it is a distinction among stressors and triggers; what is creating the tension and what triggers that release. We would always laugh at stressors in light of the release, but even this relationship can be complicated when one delves deeper.

³¹ It is because of these problematics of power that Limon rules this form of laughter out of his absolute model. Further, Limon notes we cannot claim fake laughter (or any alternative motive) after the fact.

³² This is slightly problematic, in that many may argue that, particularly in the case of minority humor, these attempts at challenging existing power structures does little to unseat them – it does not trivialize them in the way that the dominant group can do. However, this reliance on the real is not productive for us here, for reasons I soon hope to show.

Chapter IV
Censure: Institutional Constraints and the Question of
Carnival

¹ The San Francisco arrest was for his routine at the Jazz Workshop in 1961. The New York arrests were for his performances in Manhattan in 1963 and at the Café Au Go Go in Greenwich Village, 1964 (Nachman).

² However, we should note that Bruce never paid any fines, never served any real jail time, and was, in the end, never convicted.

³ For the application to Western thought in general, see Michel Foucault's The Order of Things.

⁴ For instance, classic critics such as Quintilian and Cicero attempted to find and/or articulate rules for humor. Their tropic conceptions of parody, literary irony and satire are thought to represent specific meanings and intentions and thus serve distinct social functions. However, inherent in the establishment of tropic rules is a realization that any humor derived therefrom is a by-product; the primary objective is to forward an argument. Huizinga would classify such tropic forms as *false play*, a form of play akin to Stebbins' "quasi-stand-up" discussed in Chapter Two. This form of play is "used consciously or unconsciously to cover up some social or political design." We can extend this argument by noting that these forms of humor are thus marked as different than other, more spontaneous forms. This process attempts to make humor the slave of *litige*, chained and bound to a logical, rational cause – namely, in most cases, a judgment based on the standards of argument. This grants some political purpose to humorous space, but the extensions of that purpose remain problematic for the reasons previously stated.

⁵ Yet for Cicero, this requires an element of self-discipline. A relevant example comes from the rules that govern bodily functions (urinating, defecating, sex, etc.): "to perform these functions—if only it be done in private—is nothing immoral; but to speak of them is indecent. And so neither public performance of those acts nor vulgar mention of them is free from indecency" (*De officiis*, 1.127). This shift to prescription, Hariman argues, shifts decorum into the realm of rhetorically performative morality.

⁶ Unlike Richards' case, Limon notes that in the prosecution of Lenny Bruce the court was not acting on behalf of any audience, but on behalf of a theoretical society that may not actually exist.

⁷ I take my cue here from Toby Miller, who as noted in Chapter One is one of the few critics who discusses the carnival-esque without simply quoting Bakhtin and moving on to analysis.

⁸ All of these definitions rely on a model of decorum that is based in the same ground as Cicero's prescription of moral comportment with regard to bodily functions.

⁹ It is unclear as to whether or not he actually had any impact. Consider this: Bruce's trials are not listed as significant events in obscenity law. Thus, the use of obscenity buried the man and didn't change the law.

¹⁰ This type of restriction is not germane to obscenity, but also inheres in hate speech and fighting words, as I shall soon show.

¹¹ Carlin performed his act in many clubs prior to the legal battles over its radio play, only being arrested once, for repeating it in a park in Chicago. This case was immediately thrown out by the initial judge on the grounds of First Amendment freedom. The laws on even mediated uses of obscenity have loosened. Film and cable television are perfectly capable of using language, as documentaries such as The Aristocrats, and shows such as HBO's Deadwood have proven. Even broadcast restrictions are loosening, as now most of the words on Bruce's and Carlin's lists can be said after 10pm, when the children are presumed to be asleep. The legal definition of obscenity has also shifted from describing any morally repugnant material to describe material that deals with sex, as determined by the landmark 1973 U.S. Supreme Court case Miller v. California.

¹² It is important to note that Chaplinsky v. New Hampshire 315 U.S. 568, 572 (1942) defined hate speech and fighting words two decades before the civil rights era, yet the use of so-called hate speech didn't become recognized as broadly applicable to stand-up comedy until that later time; that is, until critics began to recognize that everyday language, conversation, and yes, even stand-up was not trivial, but a consequential form of political action.

¹³ It is interesting to note that body parts are still discussed. Scatological/Fart/Urination jokes are a breach of decorum, but they are commonplace in stand-up. Dick jokes may not always garner repeat custom, but they at least get a shocked laugh, and thus continue to enjoy a place in a comic's repertoire. Further, terms that are derogatory to women or homosexuals are also not prohibited with the same fervor. Only racist language in specific contexts is universally policed with the same vigor.

¹⁴ Although legal sanctions against hate speech and fighting words pre-existed Bruce's standup, they were not enforced by the state, at least, not in comedy clubs (white or black). Perhaps the segregation ensured that the use toward a person thought to occupy a disempowered position by a white individual (read as a person of higher social power) could not occur – thus enforcement in these spaces was unnecessary. Though Bruce regularly used words like nigger, spic, pollock and faggot in his act, these words do not appear on the list of offenses for which he was arrested.

¹⁵ 315 U.S. 568, 572 (1942). In R.A.V. v. City of St. Paul (1992), the court went on to assign some free-speech value to fighting words:

It is not true that "fighting words" have at most a *de minimis* expressive content, or that their content is in all respects worthless and undeserving of constitutional protection; sometimes they are quite expressive indeed. We

have not said that they constitute “no part of the expression of ideas,” but only that they constitute “no essential part of any expression of ideas.”

¹⁶ In her review of the case, Butler discusses the logic by which cross-burning is determined to be not a “fighting word,” but an expression of a “‘viewpoint’ within the ‘free marketplace of ideas; and that such ‘viewpoints’ are categorically protected by the first amendment (53), thus circumscribing what constitutes speech itself.

¹⁷ Post Chaplinsky, the court has since clarified that for the fighting words doctrine to apply, there must be “personally abusive epithets,” that a derogatory term for a person must be used toward someone in a hurtful manner; that is, in a particular context and with a particular intention (Cohen v. California [1971]). Under this rule, certain obscene terms become susceptible to fighting words doctrine when they are used to describe a person; e.g. fuck, cunt and cocksucker are considered to be particularly offensive as descriptors and may incite a violent reaction. When used toward heterosexual males, these terms connote an accusation of femininity and/or homosexuality which approaches hate speech in that it promotes violence against those so-labeled. Yet such labeling only requires physical retaliation to the extent that one wishes to perform hegemonic heterosexual masculinity. When this is not the case, the response does not perform an incongruent perlocution as I’ll define it below; which may make lead us to consider it differently.

¹⁸ Further, to try to reappropriate the word is to attempt to obscure or forget the history, something that should not be attempted – even if it cannot be done.

¹⁹ Via the logic of this discourse, those who would ban the word argue that African Americans participate in their own denigration via their protest to the word. Contrarily, hate speech, as constituted by names, has a *historicity*, which “is not simply a history of how [the words] have been used, in what contexts, and for what purposes; it is the way such histories are installed and arrested in and by the name[s]” (p. 36). Butler calls this “a sedimentation, a repetition that congeals, that gives the name its force” (p. 36). It is this sedimentation which may give the utterance a ritualistic quality, which thus gives it power as a performative.

The illocutionary speech act performs its deed *at the moment* of the utterance, and yet to the extent that the moment is ritualized, it is never merely a single moment. The “moment” in ritual is a condensed historicity: it exceeds itself in past and future directions, an effect of prior and future invocations that constitute and escape the instance of utterance (p. 3).

On this basis, Butler claims that words do not have an absolute meaning, but one that depends on the context. The word nigger is only powerful in a system in which there is a history of lynching associated with it – thus it is not the word itself, but the history referenced via the word that creates it as powerful. Butler thus underlines the difficulty of identifying an instance of hate-speech. This notion of language as freed from a source who intends harm (to the extent that the source cannot actually enact the full brunt of the harm, regardless of intention), creates a somewhat difficult situation for litigation. The

notion of a “victim” who was “harmed” by the speech act necessitates a sovereign “assailant” who “harms.” We cannot prosecute the “sedimentation.”

For Butler, any such effort to persecute hate speech is an attempt to retether language that “constitutes a wishful effort to return to a sovereign picture of language that is no longer true, and that might never have been true, one that, for political reasons, one might rejoice over not being true” (p. 93). However, the displacement of this blame onto a subject may be “driven by a wish to return to a simpler and more reassuring map of power, one in which the assumption of sovereignty remains secure” (p. 78). For more on this see Butler.

²⁰ Remember that Bruce’s list of offenses did not include hate speech or racial epithets; his arrests were for sexual and excretory material. It’s highly probable that some descendents of Gregory or Redd Foxx, if not these men themselves, used the term in “black” clubs, prior to Pryor and Bruce.

²¹ I have Pryor as the first from Richard Townsend, in “I Ain’t Dead Yet, #*%\$@!!”; Bruce’s use is relayed by Grover Sales, as quoted in Nachman; I will have cause to address this routine momentarily. Pryor didn’t begin in stand-up until 1963. Gregory’s autobiography, *Nigger*, was not published until 1964. It is important to note that comedy was racially segregated until Dick Gregory broke down the colored barrier just one year before (1961), playing Chicago’s Playboy Club.

²² As cited in Horowitz. Gregory, after hearing the bit, reportedly told journalist Grover Sales: “‘This man is the eighth wonder of the world and if they don’t kill him or throw him in jail he’s liable to shake up this whole fuckin’ country.’ As it played out, all three events transpired.” (Nachman).

²³ Though, strikingly, this is not true of those who respond to Silverman. Those who oppose the term “Chink” don’t necessarily feel moved to violence.

²⁴ Where in this exchange does the humor lie? There are several ‘jab lines,’ Chappelle’s coined term “Vanilla Icy” as a descriptor is an unexpected note, the switch to ghetto vernacular and pantomime for the African Americans and the change of voice for the white man persona are somewhat parodic. The image of a “Vanilla Icy” white man calls to mind an image of urban and/or suburban white youths who adopt African American fashions, slang and habits in order to fit in and/or identify with this marginalized group, which further marks this character as a parody. The switch in voices also sets up a contrast that is surprising and therefore amusing. Further, the switch from “nigga” to “nigger” is incongruous, and designate the parodied persona as inferior (unaware of the difference between the two words, or perhaps just a recognition that whenever a white man says the word, it always expresses the latter term), not one of those who could use the term. Within the frame of parody, the white man’s use of the word is performed as transgressive, and we can feel superior to the inferior individual who doesn’t know the social convention or his place in society.

Chapter V

Silence: On the Politics of Not Laughing

¹ A version of this chapter was recently published in the August 2008 issue of the Electronic Journal of Communication.

² For legal reasons, it was then moved to google.com, after C-SPAN sent a cease and desist letter to YouTube. C-SPAN can be credited with looking out for its economic investment in the footage, while not engaging in censorship, as the footage has remained available.

³ For distinctions among irony, parody and satire, especially regarding which is primary and which is secondary, see Chapter Two.

⁴ For instance, using Wayne Booth's model of irony to examine satire, Lisa Gring-Pemble and Martha Solomon Watson reject humorous satire as an effective rhetorical strategy because its ironic character allows the audience to choose which part of the message they accept and separately choose which part amuses them: "the audience can laugh at the humorous elements in the ironic discourse but reject the disparagement that is its goal" (138).

⁵ I should note that some in the press took the photo-op jab to include the press, since the photos are staged for the press, who are once again cast as Bush's lapdogs. But again, this is the press corps of yesterday; Hobbes' logic of an ability to laugh at "oneself formerly" should still provide an opportunity for laughter.

⁶ For more on discordant narrators, see Cohn.

⁷ Grieve notes:

In the video, Colbert fantasized that he was the new White House press secretary, forced again and again to confront the question of why the administration invaded Iraq.... There's a moment where Colbert mashes together tapes of old press briefings to make it sound like all of the White House reporters are asking questions at once – as if the press corps is rising up, as if the administration is being called to answer for all that it has done. ("Why Colbert")

Neva Chonin later concurred that the video represented a hopeful message: "it was a beautiful illusion that will never happen, but it should."

⁸ For more on unreliable narrators, see Abbott.

⁹ As Sloop and Ono note, "obligation [to judge] happens, judgment happens" (54).

¹⁰ Some in the mainstream media make the argument that Colbert's speech isn't deeply political for those who laughed at it. Mary Matalin's comment about the predictability of the routine is a case in point: if you found it funny, you must already agree with Colbert's

points, thus he's not doing anything new or sophisticated. This rhetoric, if elevated to a logic, would have significant implications for a humor that would act politically: political humor in this model has a pre-set meaning and thus is always divisive; it always involves a split delimited by laughter and outrage. For part of the audience it will not be funny and for others it will not change attitudes (and perhaps for some it will accomplish neither). Many of the bloggers mention that the problem Colbert addresses is tragic, not comic; thus they don't find it funny either – they also fail to laugh. However, this only further entrenches the distinction, entrenches silence as a judgment of an over-determined meaning of the text. To assert this divide is to claim a particular space for political humor, but the parameters of that space place unwarranted constraints on agency.

¹¹ Not that there were no political links in the mainstream press. Gene Lyons of the Arkansas Democrat-Gazette even went so far as to call it “lese majeste: the crime of insulting the king,” or as Frank James put it: “How do you criticize the president without disrespecting the presidency?” However, while these last two quotations paint a picture of the message as directed against Bush, and perhaps therefore political, James and Lyon avoid the argument that Colbert insulted the press.

¹² For more on polysemy, see Ceccarelli and Fiske; for more on polyvalence, see Condit and Gring-Pemble & Watson.

¹³ Limon and others argue that laughter exhausts itself in the moment of its expression; as the moment expires, laughter can never be reprised. Thus, despite our ability to “fake it” (Horowitz) or guffaw (Gilbert), even these performances have little efficacy when drowned in the aggregate of the group laugh.

¹⁴ Because the resistant act produces a particular set of results, to some extent it closes off further resistance; it closes the gap that produced it in a particular manner, thus obscuring that the gap was ever there. For more on this, see Biesecker.

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