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Just Because You're Offended Doesn't Mean You're In The Right: A Perspective on Language, Comedy, and Ethics

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Abstract

Some humor is offensive, but does this convey a moral constraint on what comedians can include in their jokes? Using stand up bits and reflections on comedy from George Carlin, Louis C.K., and Doug Stanhope, various philosophies of humor, and the linguistic philosophy of H.P. Grice, I explore the given question and attempt to settle the disputes about when it is prudent to be offended, in what ways comedians should be allowed to offend, and whether or not words can hurt just as much as sticks and stones.

Keywords

Comedy, Language, Ethics, Offensiveness, Laughter, Philosophy, Jokes

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Comments

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I. Introduction

Comedy should be transgressive and it should make the audience think about the joking matter in a new, deeper way. Of course, comedy by its nature should also be focused on entertainment and some people are not entertained by deep thought, new considerations of an old idea, or any manner in which their preconceived notions are questioned, tampered with, or affronted; however, that is not going to stop a comedian from doing their job. Because of this, there will sometimes be a disconnect between what the comedian says and what the audience hears; this disconnect is what can elicit certain negative reactions from the audience that all revolve around the idea of offense and being offended.

Generally, our understanding of offense is that someone has said something that we do not like, that is an unacceptable idea to espouse, and that in some way harms us. This conception of offensiveness leads to the conclusion that to be offended is to experience a moral affront, but is this the case? More generally, the question must be asked: is offensiveness in comedy a moral question? If it is, there must certainly be limits on what comedians can and cannot joke about. If it is not, then there must be some kind of an agreement that maintains a special status for the comedian in the joking context. This paper will propose an answer to the given question that appeals to both sides of the argument, but that ultimately holds that unless a person's autonomy has been debased or attacked then the feeling of offense is irrational and should be more fully understood before responding to the perceived offense. This position is a proposed midpoint between the comedians and some philosophers, the former being the voice of dissent and the

latter being the voice of assent toward the moral question of offense in comedy. In order to grasp my conception of the solution, we first look at the existent positions.

The comedians assert that, no, offensiveness in comedy is not a moral question. By virtue of their craft or by their own personal feelings about joking, the prevailing sentiment seems to be that the joke cannot go too far as long as it is a joke as opposed to a personal verbal attack.

George Carlin and Louis C.K. both relish the aesthetics of words and they also mention in their stand up how words are the mechanisms that we use to present our perspectives and ideas to the world and that censoring words and phrases is analogous to censoring modes of communication as a whole. Doug Stanhope stresses that “offensiveness” is a mindset that weakens human beings and that we are conditioned to react negatively to certain words or phrases which he finds deplorable. In diverging from the other comedians, stand up philosopher Ted Cohen shows that offense is a wish to be free of discomfort but he cannot find any moral culpability in comedy because of its lack of genuine harm or degradation of the audience’s moral character based on hearing and laughing at the humor. However, Cohen also maintains that just because there is no overarching moral theory that pertains specifically to jokes that does not mean that one should discount their feeling of moral reprehension as “false.” To bolster their case, they need look no further than Ronald de Sousa or Merrie Bergman who both maintain that jokes represent and bolster underlying attitudes that are implicit in the humor and that these attitudes can make manifest a power struggle between dominant groups and the oppressed. In other words, comedy is morally culpable because it is prevalent and it necessitates recognition of power or of a mindset that allows for the joke to be funny. But, then, how do we understand offensiveness?

When offensiveness is discussed, the concept seems to be that the speech act has been experienced and interpreted as offensive by a listener. There are many conceptions of what it

might mean for an utterance x to offend a person P such as “ x is offensive if and only if P is offended by x ” or “ x is offensive if and only if there exists P who would be offended if P experienced x .” My conception of meaningful offense is understand as such: *x is offensive if and only if P could be reasonably offended if P experienced x .* Reasonability is the key with the question of whether or not an utterance is offensive as it is possible to say that one is offended by any speech act, however the offensive content is not the same across all of these speech acts. The reasonability factor is what allows for some measurement of the offensive content and it is grounded in the innate quality of autonomy.

In order for offense to be meaningful, the offending utterance must be intended and recognized as oppressing one’s autonomy. To be offended is to experience a post-reactive cognition that plays off of various, possibly unconscious, receptacles of experience: one’s vulnerability or moral conditioning or even the social structure that the utterance might be questioning. The operative point, again, is that to offend a person is to oppress that person’s innate autonomy, to attempt to circumvent, undermine, or otherwise tamper with an intrinsic facet of one’s being. But, how do we understand if the speaker is truly attempting to oppress the listener’s autonomy and how does the listener respond reasonably? The answer to this question is rooted in the binary of intention and recognition proposed by H.P. Grice.

H.P Grice stresses a conception of linguistic meaning as a relationship between intention and recognition is summed up by the following: “A uttered x with the intention of inducing a belief by means of recognition of this intention” (Grice, 95). Intention imbues the utterance from A with semantic content and makes it a legitimate utterance or at least an utterance that is attempting to serve some sort of purpose. The other part of this binary is the need for recognition of the original intention by the speaker’s audience. This is the essence of why language is used as

a vessel for description in the first place: words and constructions of language are meant to induce a belief in some audience, known or not. Meaningful discourse necessarily includes both intention and recognition as Grice has framed them because it is through these cognitive processes that linguistic understanding is possible. Moving forward with the Gricean understanding, I will begin with a treatment of the offende and an exploration of the question “is being offended necessarily to be harmed?”

II. How Dare You: The Offende

A central contention to deal with in discussing the position of the offende is whether or not being offended is the necessarily to be harmed, or whether or not words can actually hurt us. My position is that, no, words do not necessarily hurt us, that our language does not have that kind of force behind it inherently. There are cases in which offense is helpful to the offende: when a professor sits you down to tell you that your writing style is immature and needs work, you might be offended, but that feeling of offense is irrational; the professor had a good intention of relaying a request for you to work on your writing. There are cases in which being offended can be good for society as a whole, such as when Richard Pryor would use his humor to make the white racial establishment wake up and see how they were mistreating the black community or how George Carlin pointed out the hypocrisy and intellectual harm in censoring language in popular media. Were their jokes seemingly offensive? Of course, but they were offensive to those who could not see the greater positive message. Finally, there are cases where offense is morally neutral, but these cases will be given a more full treatment in Section IV of this paper.

However, these cases are not meant to say that offensive language can never legitimately harm us: there are certainly cases in which jokes debase the audience through various

mechanisms including strengthening oppressive social structures and deliberately attacking an individual or group. These cases warrant special attention as they are the source where meaningful, legitimate offense is found. The social structures include cultural biases, general discrimination, and irrational feelings of hatred for individuals or groups. These structures are strengthened or weakened by individual actions, including speech acts. Thereby, it can be argued that utterances can entrench these structures that expressly limit the autonomy of oppressed groups and individuals. Again, this is the cause of meaningful offense: when a comedian's joke serves to debase the humanity of an individual or group, their feelings of offense are entirely legitimate and are responding to a morally culpable act. The question, then, is how do we determine if a joke is strengthening problematic social structures?

In addition to the binary of intention and recognition, H.P. Grice also argued that a listener understands the speaker's meaning by making inferences called implicatures from what the speaker says to what the speaker means. A joking example: *What do Winnie the Pooh and Alexander the Great have in common? They have the same middle name.* The idea in this joke is not that a fictional bear and a Roman conqueror both actually have the same middle name; rather, the audience is meant to notice something that maybe they have never noticed before in the two names and thereby juxtapose the two figures while simultaneously recognizing the given commonality between them. This implicature requires various background beliefs that are shared by the linguistic community in which this joke is being told, i.e., that these two figures are known and that they are two very different figures. It is possible that the more you use these background beliefs the more you will reflexively believe them; as such, if these beliefs are supportive of the dominant oppressive social structure then there is a morally culpable set of

beliefs being further propagated and entrenched: this is bad. But, who is recognizing this moral culpability in comedy?

The offende is tasked with recognizing the content of the offender's utterance while simultaneously locating the intention behind the offender's word or words. Again, I maintain that in order for a feeling of offense to be philosophically meaningful it must stem from an utterance that seeks to actually oppress the autonomy of the listener, that attempts to create an environment or feeling in which the personhood of the listener is compromised, circumvented, or otherwise called into question by the offender. Merrie Bergman addresses this conception and provides a useful starting point for understanding offensiveness from the perspective of the offende.

Bergman's essay is aimed specifically at "sexist humor and what's wrong with it" which provides a specific subset of jokes and humor that is generally considered offensive and is mainstream enough to be easily recognized and encountered by the average person. Bergman presents a cognitivist position that holds that "sexist humor is humor in which sexist beliefs (attitudes/norms) are presupposed and are necessary to the fun." (Bergman, 63). The various problems of offensive humor such as sexist humor all share characteristics which are easily understandable: the humor creates and reinforces stereotypes and humor allows these stereotypes to be presented as fact rather than simple mechanisms that propel the joke forward. In these ways, humor may allow for the solidifying of norms into legitimate biases that people then propagate into society as a whole. In Bergman's view and in the views of any person in an oppressed group, this kind of joking and subsequent reinforcing is understandably seen as morally corrupt.

Bergman also gives an overview of views of the comic and theories of humor that are important to her thesis, the most applicable theory being the Incongruity Theory which she

interprets as referring to humor that is funny “if [the humorous episode] is contradicted by our beliefs, attitudes, and/or norms” (66). She connects this conception to sexist humor (and offensive humor in general) in the following way: “Sexist humor is humor in which sexist beliefs, attitudes, and/or norms must be held in order to perceive an incongruity or are used to add to the fun effect of the incongruity” (70). Extrapolating this idea to attend to all offensive humor, the idea seems to be that to laugh at an utterance that is based in an offensive mindset the listener must necessarily recognize the possibility of the joke to be true, at least along the lines of conditioned thoughts and feelings pertaining to the subject. For example, a dumb blonde joke is only funny if the listener legitimately believes that there exist women (or men in some cases) who would commit the dumb acts that are highlighted in the presented jokes. In this way, the listener “generates the appearance of sense behind an incongruity” (71) and is able to laugh at the joke.

Further, Bergman describes the idea of the hidden sense/moral incongruity theory in which the incongruity masks an “apparent sense in or behind the incongruity, or some element that makes the incongruity plausible” and that “behind the incongruity...there is always a moral – a point to the joke” (67). Generally hidden senses and hidden morals are separated but they seem to be operating on hugely similar ground in regards to the topic of this paper. In Bergman’s view, the point of sexist jokes is to reveal that the person (woman) being spoken of is indeed stupid or inept and thus she should be ridiculed, that she deserves the derision for her inability to function on the same level as a man. Again, the obvious moral concerns here come from the listener or audience allowing the norms associated with and necessary for the successful operation of the joke to become more than just abstract notions: it is when the understanding of the comic content of a joke moves beyond the abstract to the real that problems arise. However, I

would contend that this move need not be made if the proper treatment is taken in regards to the responses to these jokes.

In response to Bergman, I would adopt a different cognitivist position that plays on the transcendental ability of the mind, that one need not be subject to an experience in order to discuss it, that accrued experience touches on enough topics that are closely related that I can at least attempt to adopt a mindset that is not currently or never has been my own. Specifically, it seems necessary to work with the power of recognition and the social ability to interpret a speaker's intention. Laughing at offensive humor does not necessitate sharing the beliefs espoused in the joke just as laughing at a person falling on a banana peel does not necessitate having ill will towards that person as you are reveling in their misfortune. I would create a firm distinction between perceiving and seeing an incongruity or a hidden moral in a joke, as Bergman does: "When from our point of view an episode *is* incongruous, we perceive the incongruity. When we discern a point of view from which an episode *would be* incongruous, we see the incongruity" (70). Extrapolating from this distinction, I will focus on seeing the incongruity rather than perceiving the incongruity because seeing an incongruity is analogous to recognizing why an utterance would be funny if and only if it is stated within the context of a joke.

I begin to diverge from Bergman and De Sousa here as they both maintain that hypothetically assuming a set of beliefs is an unsuitable manner through which we would attempt to find the laugh in offensive humor. And yet, one adopts hypothetical mindsets often: consider the emotional construct of empathy, or the argumentative strategy of playing the devil's advocate, or conducting a simple historical analysis of a person and their actions by asking the question "what were they thinking?" A rational, autonomous human being can and must adopt

hypothetical mindsets in order to interact successfully with the world around oneself. I posit that this assumption of beliefs can be done as well in the realm of humor and that often it must be done as a functioning part of the recognition side of the intention/recognition binary. In this way, one is able to laugh at a potentially offensive joke by seeing how the humorous situation (the incongruity) could be funny in the context of the joke by assuming the beliefs required by the construct of the joke.

Additionally, jokes are utterances that have a special status in society. By their nature, jokes requires the listener to have a certain amount of background knowledge in order to fully grasp the nuances of what is going on in the language. They also require a certain context that allows for the fullest grasping of the aforementioned nuances and a level of comfortability between the speaker and the listener. More so, in a joking context the listener must give the speaker license to discuss taboo topics that are otherwise considered directly offensive. We allow the speaker to offend our conventional sensibilities and I would argue that we even suspend our morals in order to recognize the comedic content with as little personal backlash as possible. This phenomenon is seen in the conflicting response of laughter while thinking “I shouldn’t be laughing at this.” But, as Ted Cohen points out, we “may make the reflexive mistake of denying that the joke is funny” if we are offended (Cohen, 83). The trouble then is that the listener is doubly condemning a joke as being both offensive and not funny without allowing for the possibility that the joke is in fact funny to some without being meaningfully offensive to them.

Consider the following potentially offensive example: “Why do black people only have nightmares? Because the last one who had a dream got shot.” The listener is able to recognize the incongruity (black people only having nightmares) through the mechanism of recognition of historical context (Martin Luther King Jr.’s assassination and his “I Have A Dream” speech).

The listener must also hypothetically assume for the sake of the joke a reality in which black people really do only have nightmares and then follow the logic of the joke to its end. Is this joke potentially offensive? Of course, but it need not be if the limits of the humor are kept within the limits of the joke itself. In other words, if a listener hears this joke and then firmly believes that black people only have nightmares they are violating the joking context and intermingling the abstract reality of the joke with our common reality in which it is simply incorrect to continue assuming the logic of the joke.

As one can see from the above discussion of the cognitivist position on offensive humor, there is another position that becomes evident and that I attempted to combat in the distinguishing of a positional, context-driven humor ethic, that other position being the consequentialist position. This perspective holds that the possible complications of offensive humor stem from the “harm they cause or are likely to cause,” (Bicknell, 460) harm in this case tending towards the legitimizing of offensive feelings and beliefs. The legitimizing of these views is based in the idea that there is a community created between the joketeller and the audience and that a mutual laugh bonds them together on the subject of derision that is being laughed at (Bicknell, 460). This community bonding seems to portray a type of power dynamic that plays off of the higher power of the joketeller and his ability to shed some light on a funny topic for the amusement of the audience, that the joketeller “lends one’s authority” to the joking topic (461). It is understandable that this sort of dynamic would be troublesome for the listener who finds the jokes offensive, but there seems to be an essential disconnect here on the basis of how jokes function based on comedic content and context.

Comedians are engaged in a continuing dialogue with audiences that can essentially be summed up in the same way that Socrates questioned citizens on the street: why do you believe

what you believe and what do you see in the world around you that has made you believe these things? Especially since the advent of observational humor as best represented by Jerry Seinfeld in our modern context, comedy holds up the mirror to nature in a way that other art forms do not quite capture. Plato was concerned about the effects of comic theatre in his perfect state and he maintained that comedy would necessarily be regulated so as not to upset the populace against the government by making the state a subject of laughter and derision. Comedy by its nature is forced into digesting experiences, perspectives, and general life into language that reflects for the listener how silly the world can be, how silly *we* can be. But, of course, this kind of reflection is context-driven.

One of the facets of offensiveness is the circumvention of context in regard to how the offendeed understands the extent of a joke. Bergman mentions this in her essay: “If a feminist does feel offended, it is not the humor that is responsible for the offense. Rather, she is offended because she is psychologically unable to separate what goes on in the parlor room from what she experiences outside of the parlor room” (Bergman, 77). Bergman does not find this conclusion strong enough as she continues on to affirm that any offense is “a real offense committed by the person,” (77) that offensive humor penetrates just as deeply and as tangibly as language that is explicitly meant to harm that listener. But, again, Bergman’s comments on offense must be qualified as universal. To take a strong position, humor is not universal and it cannot be by the simple fact that what is funny to one person may not be funny to another person. Offense operates similarly: what is offensive to one person may not be offensive to another person, even if those two people are part of the same group that is being joked about. Bergman shows that “[feminists] are merely trying to confine the fun [of jokes about women] within respectable

limits” (77), but, of course, the question becomes what are the limits of offensive language or can there even be limits?

I would like to think that legitimate comedians are people who are well-versed in the nature of offense and who understand that there are some facets of the human experience that are vessels for negative feelings, facets that add up and contribute to a person’s feeling of vulnerability. This seems to be one of the ways that offensive language touches the offende, by making an explicit move towards an implicit feeling. One of the ways that this kind of move can be understood is through the mode of “bad words.” Bad words provide a useful means of discussing the intention/recognition binary, but the one that I will be focusing on stems from my first conclusion in the first chapter which is that no word is inherently immoral. My reasoning for this claim is found in my second conclusion, that words become understood as immoral through processes of conditioning. When a person uses a curse word, the idea is that they are peppering their conversation with a term that has a greater semantic weight than other more commonplace, more acceptable terms: saying “I don’t give a shit” often provides more of a punch than simply saying “I don’t care.”

The interesting thing about the latter phrase is that few people could reasonably say that they are offended by the phrase based on a) their recognition of the phrase’s meaning and b) their recognition of the speaker’s intention. In other words, the listener would not be offended because the usage of the term is not one that is meant to cause a reaction of personal offense, unless of course the listener had said something which they expected to be cared about and the speaker had responded with that kind of dismissal. In essence, as with all words, curse words have different usages and some are simply not offensive; the difference is seen or interpreted by the listener along the lines of their understanding of these various definitions and usages of the word and it

would reasonably be considered much more odd if the listener was offended by a curse word because they only know one level of its meaning.

What these two conclusions lead to is a third proposition, namely that using a word or phrase that offends the sensibilities of the listener is not inherently morally corrupt though it may certainly be counter to social convention. Language is context-driven and that context is simultaneously driven by intention and recognition. There is also the question of levels of intimacy, feelings of vulnerability, and the general differential of power between the speaker and the listener, but the offensive content of an utterance is not necessarily an affront to one's moral sensibilities. The offende may feel a sting of the words, but that experience is not thereby meaningfully offensive unless, as I have stated before, it compromises the autonomy of the listener, unless the individual's capacity for rational decision-making based off of one's own free will is oppressed or attacked by the utterance in question. But, what kind of perspective on this sort of offense do we get from a comedian, specifically a comedian who is known for his immense popularity and immensely dark material?

Louis C.K. begins his record "Chewed Up" with a track called "Offensive Words" that has already been touched on. The last three minutes of the track are devoted to "the 'N' word," but he clarifies for us "not 'nigger', by the way, I mean 'the N word'." Louis explains that saying "the 'N' word" is just "white people getting away with saying 'nigger'" because the phrase is meant to "put the word 'nigger' in the listener's head" through the process of intention and recognition. A person who understand what the speaker is saying will know exactly what the speaker is attempting to convey, but what that does is make the person say the word in their head: you recognize what it means and you are able to interpret the intention, that the speaker did not want to say the offensive word so he or she used a synonymous phrase instead. Louis takes

issue with this, saying “why don’t you say it instead and take responsibility for the shitty words you want to say?”

While being a humorous example, Louis shows all the same that the semantic content of an utterance is dependent as heavily on the listener as it is on the speaker. The speaker obviously has to pack intention and the hope for recognition into a speech act, but it is up to the listener to unpack these ideas and conceptions, hopefully in the “correct” way or at least in a way that provides the greatest potential for full understanding of the utterance’s content. In this almost Hegelian dialectic, the offender assumes the role of the master conveying semantic content to the listener, but the slavish potential offeree stays “potential” until the offensive content is fully realized. In this way, the speaker could intend so much more (or so much less) than the listener ends up finding within the language.

Grice discusses this understanding of the importance of the listener as such: “for x to have meaning, the intended effect must be something which in some sense is within the control of the audience, or that in some sense of ‘reason’ the recognition of the intention behind x is for the audience a reason and not merely a cause” (Grice, 96). The audience must have some semblance of control over how the speaker’s speech acts will be construed and this imbues the audience with a kind of power that affects the speaker in profound ways: consider how widespread misunderstandings occur and how the intended effect of an utterance can be twisted into something entirely different than what was intended, like a more fully realized Telephone Game.

Grice continues on and makes another pertinent comment about the audience’s relationship with the utterances of the speaker: “One cannot in any straightforward sense ‘decide’ to be offended; but one can refuse to be offended. It looks then as if the intended effect

must be something with the control of the audience, or at least the *sort* of thing which is within its control” (96-97). By this estimation, one can see how the offensive content of an utterance can certainly be intended by the speaker but for it to truly hit, it must be recognized and construed as offensive by the audience. To tell a racist joke to an audience of racists will not produce an offended response, but it might produce a laugh. Similarly, to tell a racist joke to an audience that has no conception of what a racist joke is will also not produce an offended response nor will it likely produce a laugh. The audience’s recognition of the content of the utterance is paramount in the context of joking and of potentially offensive material.

In many ways, it seems, the audience is more important to the creation of the offensive material than the speaker. By recognizing the offensive content, whether it is actually in the utterance or not, the audience or listener a) finds the offense, b) interprets it as offensive, meaningful or not, and c) holds this belief to be true, that the utterance was in fact offensive. As Grice points out, it is also possible for the audience or listener to refuse to be offended by an utterance which levies a certain amount of power and possibility on the potential offende(e)s as the actual creators of the offense.

From a different angle, offense cannot exist in a cultural vacuum. Bicknell asks the reader to participate in a thought experiment:

Imagine a world without economic or social injustice or prejudice, a world where even the memory of such injustice or prejudice is so faint as to be nearly unrecoverable. I submit that in such a world, jokes at the expense of gays, blacks, and other currently marginalized groups, would be no more troubling than lawyer jokes are to us today. (464)

Bicknell provides an excellent concluding point for this chapter on the offende(e) by asking the reader to consider how offensiveness is constructed in language, where it comes from, and what the activist offende(e) (Bergman) could do to stop the negativity surrounding offensive humor. In a world where every person is truly equal, the vulnerability and oppressed autonomy that creates

meaningful offense would be nonexistent. However, it is also important at this point to consider the words of Naomi Weisstein, whom Bergman cites in her article. Weisstein explains that “it is extraordinarily difficult to understand what it means to be out of power when you aren’t there” (75). Then, in order to understand what it might mean to be in that power, I turn to the offender.

III. Bad Words, Bad People: The Offender

The comedian is attempting to get the audience to laugh through whatever means he or she can. Jokes can require an immense of set-up in order to deliver the finely-tuned punchline, they can be matter-of-fact observations that are meant to display a ridiculous, absurd, or at least interesting component of life that the audience might not have considered before. And, of course, there are ways by which the comedian might offend the audience in order to elicit a laugh. But, how does the comedian do this successfully?

It is possible that the offender finds the offense itself a misunderstanding. On his track “Giant Black Cock,” the comedian Doug Stanhope asserts the following idea: “If you are offended by any word in any language, it’s probably because your parents were unfit to raise a child.” This idea comes in a stream-of-consciousness rant that culminates after Stanhope discusses how he shows a picture of his father’s corpse to those who show him baby pictures of their children and how he uses the term “faggot” liberally without attaching sexuality to it. A casual listener might be offended by this tirade, but Stanhope continues on and explains his above quote in relation to offensive language, specifically words that have an attached social stigma:

All it is is a sound that you can make with your mouth. It’s not a weakness that you have naturally...you’re nothing but weak. And your parents look at that and they think “not weak enough. We can make this thing even weaker by training it to react poorly to different sounds that you can make with your mouth.” (Stanhope, 2008)

Stanhope's point is drawn along the lines of the seemingly uncontrollable emotional response that certain words or linguistic sentiments bring up in listeners. He advocates almost an amnesia that would wipe out the cultural biases that certain words are imbued with. However, for the person who might not be familiar with Stanhope's work, he is a widely-recognized inflammatory comedian who is precise and purposive in the ways that he deconstructs social standards about language.

A separate understanding of this sort of counter-linguistic turn is professed by Louis C.K. on his track "Offensive Words" (Chewed Up, 2008). Louis begins his show by saying to a random audience member "hey, faggot, how ya doin'?" and then continues on to describe how he misses when the cultural context surrounding the word "faggot" was not that of a negative connotation in reference to homosexuals but instead towards any actions of a person, hopefully a friend, that one found annoying: "You called somebody a faggot when they were...being a faggot, ya know? I would never call a gay guy a faggot unless he was being a faggot. Not because he's gay, ya understand?" This discussion is later continued when Louis mentions that, simply, "no words are bad." In a profound sense, Louis C.K. is confronting those who would confront him for using language that is conventionally held as offensive and thereby bad and he is not dismissing them as much as he is universalizing a language ethic that is self-contained in the language itself. His discussion continues with an analysis that describes how some people often use certain words in ways that are meant to be hurtful or hateful and these speech acts foster a negative connotation. In this sense, words themselves, while maintaining their ability to be vessels for meaning, are understood as bereft of the possibility to be offensive *in and of themselves*.

However, Louis C.K.'s distinction about words not being bad does not stop any person, specifically stand-up comedians, from employing "bad words" with the explicit knowledge that their language is considered "unacceptable" or at the very least taboo by the general populace. Because of this understanding, the offender must necessarily accept the weight of their words and be willing to explain themselves in a situation in which they are called on their offenses. One of the seminal comedians whose work was analyzed and critiqued in such a manner was George Carlin. In the chapter "Wurds, Werds, Words" from his memoir, Carlin discusses his admiration for all words and, more specifically, his love of pointing out how "we use, misuse and abuse words." Before digging into the ethics of language that Carlin discusses, it is important to understand that there is a deeply aesthetic angle to the ways in which this man understood language. Consider his ideas about the rhythm and flow of insults here:

Some guy came home from the service and I asked him what it was like being in the army. His reply: "Fine if you don't mind waking up at five in the morning with some burly, loudmouthed cocksucker yelling at you." Burly, loudmouth cocksucker. Great rhythm to that. Loud burly cocksucker: not the same at all. I wrote that down. (Carlin, 157)

The importance of aesthetics in language need not be lost in the discussion of a language ethic and Carlin is vocal about this point in a different sense: to properly insult a man, your words should sound good or right together. Another way of looking at it would be that if you're going to use bad words then you should at least make them sound good. Through this understanding of language, the listener is subject to language that is purposive and acts as an even more encompassing vehicle for meaning and content based on the choices of language that are made. Here then Carlin's language ethic is relevant.

One of Carlin's best known bits is known as the "Seven Dirty Words" sketch, which started off more generally as "Seven Words You Can Never Say on Television" and later morphed into "an equally mind-rotting, spine-curving, peace-without-honor sequel called 'Filthy

Words” (169). Out of these various bits, the listener receives a thorough education in what language means to a person who so frequently uses it in order to elicit not just laughs but introspection and critical thought. For example, in discussing the use of the word “shit,” Carlin points out that “Shit is an interesting word because for the middle class it’s still a rude, dirty, gooshy kinda word. But the word shit is okay for the man at work – he can say it like crazy” and then he continues on to give a list of different ways that the “shit” is construed to minimize its offensive quality and augment its societal recognition and, in some sense, its social significance. However, not every listener is willing to subject themselves to language that they find offensive and, as Carlin details, he has been brought before his fair share of courts with startling results in many cases.

One case that is especially interesting is that of a man from New York who heard a radio broadcast of “Filthy Words” while driving with his young son. He subsequently wrote a letter to the FCC “complaining about the usage of such language on the air” and the ensuing dialogue between the offending radio station and the FCC led to release a statement regarding “indecent” language that defined such language as “words that describe ‘in terms patently offensive as measured by contemporary community standards sexual or excretory activities and organs at times of the day when there is a reasonable risk that children may be in the audience’” (171). This court case was settled in the U.S. Court of Appeals but the FCC appealed to the Supreme Court which sheds more light on the conversation about the nature of offensive language in American culture by invoking the ruling of our highest judicial body. The ensuing case is certainly worth considering in light of my treatment of the offender.

For purposes of moving beyond the purely descriptive into the philosophical, a quick synopsis of the case is that the FCC won and it became known that the original complaint was

filed a man named John Douglas who worked for a conservative watchdog group called Morality in Media: he was essentially a “professional offender” in many ways (172). The majority decision from the Supreme Court included the following:

Patently offensive, indecent material presented over the airwaves confronts the citizen...in the privacy of the home, where the individual’s right to be left alone plainly outweighs the First Amendment rights of an intruder...To say that one may avoid further offense by turning off the radio when he hears indecent language is like saying that the remedy for an assault is to run away after the first blow. (171)

While the majority decision makes a case for reasonable offense on the part of the listener, it seems to entirely miss any treatment of the offender. For this sort of discourse, one must look to the written dissent:

In our land of cultural pluralism there are many who think, act, and talk differently from the members of the court and who do not share their fragile sensibilities. It is only an acute ethnocentric myopia that enables the Court to approve censorship of the communication solely because of the words they contain...The Court’s decision...is another of the dominant culture’s efforts to force those groups who do not its mores to conform to its own way of thinking, acting, and speaking. (172)

Through the message of the dissent, Carlin builds his own version of a language ethic that allows for any and all words and every sentiment that could possibly be expressed by a person. In his view, “words were the issue” (172) and to limit words is to limit language and to limit language is limiting entire systems of communication. By mitigating the possibility of offense, one is mitigating a greater possibility of authentic communication and this, in my view, is entirely morally corrupt, much more than an offender offending an offeree in any case.

To assume the role of the offender requires a cognitive effort that intends to use language in ways that will be recognized as offensive. As such, meaningful, autonomy-compromising offense cannot be understood as accidental: it requires the intention to oppress. Jokes can be used as weapons by attacking the individuals or groups in order to entrench negative ideas or to cast dispersions or inflate discriminatory conceptions. However, simply making use of or mentioning

oppressive structures and background beliefs in a joke does not itself oppress, again necessitating the intention to oppress in order. Comedians are able to and allowed to offend a sensibility in a person as long as they do not oppress that sensibility. The idea is that to poke fun at something is not necessarily an attempt to debase or oppress it. I maintain that most comedy makes use of oppressive structures without oppressing rather than actually making comedy into a weapon. Given these considerations, it is easy to draw distinctions in that there is comedy for good, for bad, and for neither.

Comedy for good is often seen in the attempts of comedians to uncover and address social inequalities and societal flaws; comedy for bad is seen in jokes that use stereotypes and inequalities in order to validate the dominance of those in power and to further show that those in power are better or more correct; and there is comedy that is not meant to be morally culpable. In this final kind of comedy, the idea is that the joke is intended to be nothing more than funny and the audience is to recognize it as functioning solely for the sake of comedy. Any offense that might be levied in the language is not that which is intended to oppress or otherwise harm the autonomy of the listener, it is meant to aid the audience in recognizing the full effect of the joke. In this way, the offense is victimless.

IV. Victimless Offense or Words Can Never Hurt Me

The question of whether or not being offended is necessarily to be harmed brought up a situation that requires further exploration. What happens in cases where being offended is morally neutral? Do they even exist? I maintain that these cases are legitimate responses to or conditions of certain types of humor and, more so, I will posit that to be the subject of a

victimless offense could easily solve the problem of meaningless offense in every sense. First, it is critical to understand what is entailed in victimless offense.

The clearest description that one can give of victimless offense would be in comparison to the concept of victimless crime. In such cases, an action is deemed illegal but the effects of the action stop at the act itself; there is a noticeable lack of repercussions for any person outside the offender and the act does not impede on the rights of others. Consider jaywalking in the middle of the night when there is no traffic on the road. Is this a violation of the law? Certainly, but what police officer would cite a person for this act? My guess is one who does not have the prudence to see that any potential negative effects of the jaywalker's act are extraordinarily unlikely. The idea here is that a victimless crime only violates the integrity of a statute in any meaningful way. To be inflexible about the relativism of small-scale illegal acts would generally deem the person in question too strict or possibly too categorical about their views on crime. In this way, one can see how victimless offense becomes a more reasonable response to those who see no humor in potentially offensive jokes.

Can a joke violate a social standard or rule of etiquette commonly held by the general populace? Of course and many do, but I would still maintain that there is no real, concrete harm done in many of these situations. Another important distinction to make initially is that victimless crime is often seen as a consensual act. The criminal may agree to pay a prostitute for sex, but the prostitute also has to be willing to accept this money, thereby breaking the law. Victimless crime is inherently a two-way street just as victimless offense must also be consensual or else the speaker and the listener are both in trouble. If a person goes into a comedy club with the entirety of their social conscious intact and unprotected, they will certainly not laugh and they might even feel a legitimate sensation of offense. The nature of comedy is one

which plays on this implicit suspension of morals: we as listeners are able to laugh fully and unashamedly at jokes that might deal with injuring or killing lawyers or dumb blondes or any other joke that requires us to at least recognize the information that the comedian is attempting to get across because we suspend the parts of our ethics that would maintain that these speech acts are inappropriate in a non-joking context. Whether a person actually believes the information that is necessary to comprehend what makes the offensive joke funny, that person is able to temporarily suspend his or her post-cognitive response to address and fight against the offenses from the speaker. At the very least, you should know what you're getting into by wandering into a comedy club; therefore there is some manner of preparation before actually being *in* the club listening, even if that preparation is simply to be aware that a comedy show is a context in which many taboo subjects will be examined and possibly embraced.

To address it once more, the sole factor that makes a feeling of offense meaningful is whether or not the feeling is tied to a debasing or oppressing of the listener's autonomy. In the power struggle between speaker and listener, the listener ultimately has the decision about what to take away from the speaker's dialogue. However, as was addressed previously in this paper, the speaker packs her speech with intentions that will hopefully be understood and applied to the utterance that the listener hears. In a comedy setting, the speaker may need the audience to understand that offensive content of his or her utterance in order for the joke to be found funny. I've discussed necessary background knowledge in the previous section, the idea being that there might need to be an ability to adopt hypothetical mindsets or to recognize stereotypes or archetypes that the speaker is employing or understand historical context in order to recognize the comedic content of an utterance. But, of course, comedic content is not necessarily offensive

content and offensive content is not necessarily comedic content. How do we then make the distinction in order to further develop this account of victimless offense?

The mechanism of offense is a fragile emotional and cognitive switch that some comedians have mastered in order to advance their craft. Through his offensive and self-deprecating humor, Louis C.K. makes himself seemingly more human to his audience. The importance of this cannot be discounted when one is standing on a stage in front of hundreds of people and the power struggle between speaker and listener is in full-swing. He breaks himself down in front of the audience while simultaneously breaking down cultural norms and linguistic anomalies in order to generate laughter at the expense of and *because* of those things that we take for granted about ourselves and about our language. For example, Louis has a joke titled “The Way We Talk (Hilarious)” in which he describes the misuse of the word “hilarious” by some “fat white guys”:

One of ‘em used a word that really pissed me off because it was *how* he used it. He used the word “hilarious.” That’s one of those words we use that we don’t care what it means...Do you know what “hilarious” means? “Hilarious” means so funny that you almost went insane when you heard that thing!

Louis presents for his audience a distinction that will aid in advancing my concept of victimless offense, and that is the distinction between the following two understandings: *That* is offensive vs. *I* am offended. By developing this binary, it is much easier to contend with the mechanisms with which comedy offends and on what levels those offenses are occurring.

This paper has developed both sides of the given distinction as isolated sides of the same mechanism, but what happens when they are discussed in relation to one another? In looking at the phrase “I am offended,” the basic assumption is that there was an offensive utterance levied by some speaker to a listener who was reasonably offended by this utterance. Once an utterance has been deemed offensive, it is a necessity that one looks at the offending utterance and

determines where the potential offense has come from because there is a built-in possibility that the listener has simply misunderstood the intention on the speaker or that their own cognitive processes have developed an innocent phrase into something offensive. Consider a student of geography describing the location of Norfolk (pronounced Nor-fuck by Virginians) and having a listener hear them incorrectly and think that they were spouting off a curse word, thereby getting offended by the usage of said “dirty” word. In this case, we could see that there was an obvious misunderstanding and the subsequent explanation would dispel any lingering offended feelings or misjudgments of the speaker’s character by the listener.

By no means are all potentially offensive utterances this innocent though. Consider another example that Ted Cohen uses in order to showcase a joke that “many people are bothered by”: *How did a passerby stop a group of black men from committing a gang rape? He threw them a basketball* (Cohen, 77). As Cohen points out and as I have discussed, the joke necessarily hinges on the listener’s knowledge of the existence of various stereotypes about black men in order to find any humor in this joke. There is no room for a misunderstanding, but there is room here for a moral objection, whether the objector can make a valid argument for their feeling or not. An argument that can and should be made though is a one that seeks to understand the other part of our distinction, the part that discusses and attempts to show why “that is offensive.”

Determining why “that is offensive” does not require the full emotional and cognitive shift that accompanies the determination that “I am offended,” though it does require the listener to give reasons or some semblance of a justification about how or why the utterance has functioned in what may or may not have been the intended way. If the utterance as not intended to be understood as having any offensive content, there could be another misunderstanding or maybe an appeal to past experiences or some other personal reason that is not immediately

evident. Joking about the legitimacy of clowns as actors with someone whose parents make a living as professional clowns may very well bring about feelings of offense in the listener that were not intended by the speaker and the listener could assert that “that is offensive,” the idea being espoused by the speaker in accordance with the listener’s own feeling of being offended. But, the more striking example comes when the listener can say that an utterance is offensive but her or she is not offended.

In advancing this idea of recognizing offense without being offended, a few necessary conditions must be in place, namely that a) the speaker must have intended to offend some personal or social standard that the listener can recognize; b) the listener must recognize the offensive content in the comedic content; and c) the listener must maintain an emotional state of “not offended.” The first two conditions are easy enough to contend with based on the Gricean model that I have been working with in this paper, but how does one contend with the final condition? I would first posit that the phenomenology of being offended includes both a mental and emotional shift, in that the offense and its extenuating conditions are recognized cognitively which begets an emotional response. Whether that reaction is positive or negative is up to the listener, though the speaker will almost always be seeking a positive reaction, in this case a laugh. Next, I maintain that a reasonable response to an utterance with some offensive content requires a measured intellectualization of what that offensive content is trying to do. If it is attempting to debase the autonomy of the subject of the joke then it is morally wrong. If the content is attempting to uncover or lambast some nasty personal or social standard, I would reasonably assert that it is morally good. However, if the offensive content is a necessary component of recognizing the humor of the joke, it follows then that it is an utterance that bears no moral weight.

Consider again the joke about the black men who halt their rape on account of the opportunity to play basketball. There is a potentially debasing sentiment about the nature of what a black man is, but that requires an intellectualization of the joke that goes beyond the basic sentiments that it is conveying. The joke turns on the idea that black men are caricatured as a) sexually aggressive and b) loving to play basketball. Of course, as Cohen points out, the joke does not explicitly say these things: it requires the listener to supply that background knowledge (Cohen, 78). The joke itself is humorous based on the understanding that these stereotypes exist and that these stereotypes have some kind of semantic content that allows for the listener to hypothetically adopt a mindset in which the considerations that are needed to be made to find that joke funny can be made – again, hypothetically and for a short amount of time – in order to recognize and appreciate the comedic content. In this way, a speaker can offend a sensibility of the listener without making the listener be in a fully offended mental state. But, again the question presents itself: can an offensive joke be morally neutral if it offends in any way? More so, can a joke harm the listener in any real sense through offense or otherwise?

David Shoemaker's thoughts as he puts them forward in "Dirty Words' and the Offense Principle" become especially relevant here. Shoemaker maintains in accordance with Joel Feinberg that there is a difference between harming and offending based on principles. For Feinberg, the phenomenology of harm includes "the violation of a person's rights which involves a setback to that person's interests" (Shoemaker, 547). To injure a person in a way that makes them unable to easily move presents an affront to their interest in being able to move freely. We often think of harm as being a physical attack of sorts that the harmed knows about directly, but one can also be harmed by covert means – stealing money from one's bank account, for example (Shoemaker, 550). The difference with offense is that, as Shoemaker puts quite plainly, "you

simply cannot be offended without your being in an offended mental state, i.e., a mental state involving a negative attitude toward the offending action/event” (550). For further clarification, one turns to Feinberg’s definition of offense as “unpleasant or uncomfortable experiences – affronts to sense or sensibility, disgust, shock, shame, embarrassment, annoyance, boredom, anger, fear, or humiliation – from which one cannot escape without unreasonable inconvenience or even harm” (547). Given this definition, offense seems particularly insidious, but Feinberg maintains a distinction that is analogous with the aim of this chapter: to support the idea of victimless offense.

As Feinberg’s definitions show, it is possible to say that to be offended is to be harmed. However, he draws a distinction that makes it clear that if being offended is any kind of legitimate harm then it certainly requires more explanation because a mean word is not quite the same as a broken leg. Feinberg submits that “some offenses are (in a narrow sense) ‘harmless’ in that they do not lead to any further harm, that is, they do not violate any interests other than the interest in not being offended” (548): note that in removing the victimhood from the potential offeree, one cannot move past the speech act itself. By this, I mean that the potential offense stops at the offeree and by necessity cannot move beyond what was said and what was interpreted. Based on the logical progression of the comedic, the next step is to laugh, to recognize the listener’s intent to be funny and thereby to have a post-cognitive reaction that is wholly positive with little to no thought tending towards any negative connotation.

Grice also mentions offhandedly another distinction that helps to build the case for victimless offense, bringing up the point that “one cannot in any straightforward sense “decide” to be offended; but one can refuse to be offended” (Grice, 96). In this way, Grice portrays how “the intended effect [of an utterance] must be something with the control of the audience, or at

least the sort of thing which is within its control” (Grice, 97). He extrapolates this point by discussing the possible pun that is implicit in describing how one must have a reason for believing something which is “quite like ‘having a motive for’ accepting so-and-so” (96). Through this description, one can further grasp how it is that an audience could reasonably decide to not be offended by utterances that would normally sway them in a negative direction. This decision seems to call for two considerations, namely that a) the listener must be in a state of mind where they are willing to suspend their morals for the sake of the joke and b) the context of in which the speaker and listener are participating must be one that is comfortable for both of them so that (a) may be effectively accomplished.

The way that such an environment is created so as to facilitate the given considerations is through the explicit understanding that the utterances from the speaker are all meant for the enjoyment and betterment of the listener. When these understandings are breached, that is when autonomy can be compromised and that is when offense becomes a real and legitimate threat to the listener. However, if one’s autonomy is not being threatened by the joke, then it stands to reason that there is something else beyond ethics happening here. When a joke offends a sensibility of the individual but the individual does not enter into the post-cognitive offended mental state, there is a legitimate victimless offense occurring. This phenomenon is not uncommon: listening to any ostensibly offensive stand-up comedian will result in the listener laughing in spite of one’s own beliefs. That, I posit, is the point of the transgressive, be it comedy, questioning thought, or otherwise. The purpose of these art forms is to place the subject in a situation in which one experiences some positive emotion or has some positive thought or reaction despite any information or instinct to the contrary that would have the subject reject the experience and label it (for our purposes) as “offensive” and therefore “unacceptable.” I maintain

that discounting the entertainment value of offensive value is a silly decision, but discounting the didactic value of being offended is morally corrupt in and of itself. Through victimless offense, the listener is able to full enjoy the comedic content of an utterance while simultaneously recognizing the offensive content and understanding it as a necessary component of the joke. In this way, the listener is able to freely laugh secure in the knowledge that he or she is experiencing harmless offense, harmless fun.

V. The End of Offense (Yeah, Right)

Given the arguments in my paper, it is essential to clear up any misconceptions or lingering questions about the nature of offense in comedy, the first big idea being that despite any efforts on my part as a joke teller to minimize the number of times that someone could possibly assert that they are genuinely offended by a joke of mine, it is a facet of the questioning mind to combat the things that one sees as unjust or simply not okay in one's experience. Cohen makes it quite clear in his final chapter that being offended need not be shooed away because it seems to be unrealistic or unreasonable: a feeling is a feeling and it should be expressed and respected. I agree with him up to a point, but my contention lies in the fourth section. I will always respect the offended listener's mindset but I would seek to understand more about why they are experiencing that cognitive shift and thereby that emotional elicitation. If one's autonomy has not been compromised then I would ask them to reconsider for themselves, not for me, why they are responding to my utterance with offense rather than laughter. What is it about my joke that got to you and what can we do to understand the feeling more deeply?

As Feinberg maintained, to be offended is to be in an offended state of mind. Grice mentioned that it seems unwise to say that someone can simply decide to be offended. Given

these two thoughts, the offender is dealing with an offended mindset that has come about naturally through the same ability for autonomous cognition that birthed the original offense. Given this relationship, it requires prudent action on both parts. Through mindful consideration of the offense, it becomes clearer that if there has been no debasing of the humanness of the listener through any intention or recognition on either end then the offense is by its nature victimless and to be victimless is to be unharmed. Then, in our unharmed state, we are able to laugh freely with full appreciation of the joke and all of its content.

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