

CARTER, MORGAN ELLEN, M.A. *Undue Burdens: The Black Woman Subject In June Medical Services LLC. V. Russo* (2020)
Directed by Dr. Nancy Myers. 28 pp.

Examining the US Supreme Court case *June Medical Services LLC V. Russo*, I draw on the complicated trajectory of Louisiana law and Alexander Weheliye's theorization of the assemblage of the nonhuman to argue that Black women in Louisiana face particular legal barriers and forms of criminalization that speak to a longer history of rendering Black women's bodies as simultaneously invisible and hypervisible. By emphasizing the impossibility of a Black female subject in the legal imaginary, I critique the positioning of Act 620, a law that would refuse abortion providers to practice without having admitting privileges to a hospital within thirty miles of the location of the procedure, which would result in the reduction of abortion providers in Louisiana to only one. I use the historical and contemporary legal legacy of the state to enact rhetorical practices of invisibility and hypervisibility to both criminalize Black women as well as refuse or create obstacles to a multitude of social services. I highlight how the particular *Russo* Supreme Court case is part of a larger trajectory and history of refusing Black women legal subjecthood through individualist and paternalist rhetoric, which both shapes and takes place in law and its enforcement.

CARTER, MORGAN ELLEN, M.A. "Will You Test Your Strength Out on Me?": Comic Disruptions and the Rhetorical Memoir. (2020)
Directed by Dr. Heather Adams. 24 pp.

I look at six pieces by comedians, three stand-up specials and three memoirs, to examine comedy as a form of rhetorical response that emerges from a situation that is rooted in personal, embodied experience. I critique Lloyd F. Bitzer's and Richard E. Vatz's oppositional writing on the rhetorical situation and its being rooted in either a distant, generalized event or the language used to articulate such an event as the primary factors in eliciting a response. Instead, I privilege Jacqueline Jones Royster's intervention on the tension between "subject matter" and "subjectivity" as well as Sarah Ahmed's work on phenomenology to assert that when bodies that make up and are directly implicated in events or situations become those that speak on and address them, another form of rhetorical agency is possible. Looking at comedians who are women of color and/or queer, I illustrate how stand-up comedy, when performed by Other bodies, is an accessible and strategic means of persuasion as well as enacting change on both a personal and social level.

UNDUE BURDENS: THE BLACK WOMAN SUBJECT IN
JUNE MEDICAL SERVICES LLC. V. RUSSO

AND

“WILL YOU TEST YOUR STRENGTH OUT ON ME?”:

COMIC DISRUPTIONS AND THE
RHETORICAL MEMOIR

by

Morgan Ellen Carter

A Thesis Submitted to
the Faculty of The Graduate School at
The University of North Carolina at Greensboro
in Partial Fulfillment
of the Requirements for the Degree
Master of Arts

Greensboro
2020

Approved by

Committee Co-Chair

Committee Co-Chair

APPROVAL PAGE

This thesis written by Morgan Ellen Carter has been approved by the following committee of the Faculty of The Graduate School at The University of North Carolina at Greensboro.

Committee Co-Chair_____

Committee Co-Chair_____

Committee Member_____

Date of Acceptance by Committee

TABLE OF CONTENTS

	Page
UNDUE BURDENS: THE BLACK WOMAN SUBJECT IN <i>JUNE MEDICAL SERVICES V. RUSSO</i>	1
WORKS CITED	27
“WILL YOU TEST YOUR STRENGTH OUT ON ME?” COMIC DISRUPTIONS AND THE RHETORICAL MEMOIR	28
WORKS CITED	55

UNDUE BURDENS: THE BLACK WOMAN SUBJECT IN *JUNE MEDICAL SERVICES V. RUSSO*

We might concede, at the very least, that sticks and bricks *might* break our bones, but words will most certainly *kill* us.
Hortense J. Spillers, “Mama’s Baby, Papa’s Maybe”

Introduction

On October 4, 2019, it was announced that June Medical Services LLC filed a lawsuit against the state of Louisiana to challenge the constitutionality of a new law that would require doctors who provide abortions to have admitting privileges at a hospital within thirty miles of the site where the abortion is provided. Similar to the Texas Case of *Whole Women’s Health v. Hellerstedt*, the act would reduce the state’s already dismal three providers to only one. Passed in 2014, Act 620 was quickly challenged by abortion providers and reproductive justice advocates, with many arguing that the law would only create undue burden on those seeking abortions. With sixty-one percent of abortions performed on Black women, activist organizations such as Louisiana-based Women With A Vision (WWAV) and the Texas-based Afiya Center have positioned the law as a massive attack on bodily autonomy. With post-Katrina displacement and economic devastation, Black women in Louisiana face particular legal barriers and forms of criminalization that speak to a longer history of rendering Black women’s bodies as simultaneously invisible and hypervisible. Set to hear arguments on March 4, 2020, *June*

*Medical Services LLC v. Russo*¹ is only one of many abortion restrictions proposed across the country. However, the geographical and socio-economic implications of Act 620 are entangled with Louisiana's peculiar judicial and legislative trajectory and its conceptualization, or *lack thereof*, of the Black female subject. By arguing that Black women are rendered simultaneously invisible and hypervisible, I mean that they are denied explicit legal recognition (or claim to legal personhood as property), signifying a particular lack in the legal imaginary; at the same time, they are subject to heavy policing and enforcement of more specific punishments and restrictions, which is made possible by that aforementioned lack. I refer to the legal imaginary as a space of consciousness that assumes a common set of values, norms, moral investments, and, of course, law that is not inseparable from material, *lived* experiences and effects. The former situation of invisibility makes possible the latter hypervisibility, as it makes possible the individualized practice and enforcement of law. Black women's bodies have been placed on display thus are more prone to policing, criminalization, and imprisonment. This is possible due to the *impossibility* of a legal Black female subject.

Although this process within the legal imaginary and its material effects might be said to be true of the United States in general, the distinctly varied and complex landscape of Louisiana law and legislature provides insight into what Pauli Murray coined as "Jane Crow," which describes how two marginalized identities cannot be entered into or even conceptualized within the legal imaginary: in particular, the double-

¹ Formerly *June Medical Services LLC v. Gee*. This change took place on February 6, 2020 after a staffing change at the Louisiana Department of Health.

marginalized identity of Black woman. This is demonstrated in the immediate effects of coinciding invisibility and hypervisibility that Black women experienced during the height of the Crimes Against Nature by Solicitations (CANS) indictments in post-Katrina Louisiana:

When invisible, no one saw the work Black women did, the violence they endured, and what it took to survive that violence every day. And when Black women were not seen, it was easy for them to be devalued, to never get the support they needed, to never get credit for work they did. But when hyper-visible, those very same things that went unseen become reasons to stigmatize Black women—and identify them as objects of fear or further violence (Deon and Haywood 268).

The socio-cultural process which allows the blame for acts of violence and neglect against Black women's bodies to be deflected *back onto those bodies* is a frequent motif in the judicial and legislative history of Louisiana, a major slave port state with the largest number of free persons of color in the nineteenth century.

The particular struggles and nuances regarding Black women and reproductive justice are not only nationwide but also global; attention to the US Supreme Court's decision regarding Act 620 has been articulated as a national threat—one that could provoke a return and revision of *Roe v. Wade*. However, I focus on Louisiana's Act 620 as it speaks to and is influenced by a legal trajectory that is specific to the state in its (anti)construction of Black women as legal subjects. I take on the question of Black womanhood in the Louisiana legal imaginary. Rather than positioning Black women as merely constructed within and by intersectional matrices of power, I instead argue that they are *rhetorical assemblages* of the nonhuman. As such, the treatment here of law,

legislation, and courtroom practice is not as unbiased, static rules of agreed-upon governance or shared morality, but rather as living, constitutive, and material forms of rhetoric that represent sociopolitical dialogue pertaining to anxieties and/or *perceived* shared values. James Boyd White illustrates how law, legislation, and its practice are simultaneously a translational process as well as a narrative one. By understanding law as a form of rhetoric, we can begin to understand how “[...] it is at once both a social activity—a way of acting with others—and a cultural activity—a way of acting with a certain set of materials found in the culture” (691). In other words, by reading the law as both being influenced by as well as producing a sociopolitical discursive that exercises a type of biopower, it becomes less static, and, more importantly, less abstract. Law, and further, the legal imaginary, are constitutive phenomena.

Louisiana Law as Rhetoric with Material Consequences for the Nonhuman

In the case of Act 620, the more immediate predicament is that of invisibility, which through its function is an *indicator* of hypervisibility. Invisibility, or the refusal to explicitly acknowledge or include Black women, not only as legal subjects but as rhetors, contributes to hypervisibility which results in increased involvement and subjection to the police, the carceral state, and the courtroom. For example, if Act 620 were to successfully shut down all but one clinic providing abortions², the lack of access can and will result in seeking other options, including but not limited to illegal and unsafe termination methods. There is also the concern of the lack of emergency services wherein a

² On June 29, 2020, the Supreme Court ruled in favor of June Medical Services, holding to their previous *Hellerstedt v. Whole Women’s Health* reasoning.

termination is deemed necessary to save the mother's life. In a state where the majority of those seeking abortions are rural Black women and the mortality rate for births is the highest in the country, legal and social personhood and, too often, livelihood, are refused. The state's rhetorical move to situate doctors without admitting privileges as negligent or incompetent obfuscates the material, socio-economic stakes for Black women in the south, who would face an even more increased chance of indictment, imprisonment, and/or death.

This invisibility-hypervisibility legal context has real and lasting material/embodied consequences and conditions for Black women. However, the legal constructions and constrictions mark them as fluid, unstable rhetorical assemblages of race, gender, and class, which deprives women, more specifically Black (southern) women, of legal and rhetorical status and agency. It is the lack of attention to the gendered, raced, and classed intersections of identity in which Act 620 effectively renders invisible the needs and therefore personhood of Black women in the state. In turn, a hypervisibility is implicated that can include, but is not limited to, criminalization through the financial and practical barriers that result from a lack of access to reproductive care and abortion. Indeed, in their first *writ of certiorari*, June Medical Services LLC argues that the act creates undue burden, stating that, "Louisiana does not seriously dispute that, if certiorari is denied and Act 620 goes into effect, all but one clinic in Louisiana will close, and no physician will be left in the state who provides abortions after 17 weeks' gestation" (7). Speaking to a larger historical dialogue around Black women and reproductive justice, Act 620 emphasizes the law as product and

producer of an imaginary that operate within and through racialized rhetorical assemblages through its rendering of the needs and status of Black women as illegible.

Through an exercise of biopolitical power, Black women become racialized rhetorical assemblages of the nonhuman in the legal imaginary. This assertion is based on three sub-assertions: 1) that race and gender, as articulated assemblages (always in relation to each other), are “sociopolitical processes” as opposed to cultural or biological classifications (Weheliye 4); 2) that juridical personhood is dispensed and refused through these articulated assemblages; and 3) that law/legislation/legal practice is influenced by and produces a rhetoric that is both material and imaginary. In other words, Black women’s active and relational properties of rhetorical assemblage produce their simultaneous hypervisibility and invisibility. Act 620 and the threat of restrictions to a group with a majority of Black women, along with legal and judicial reasoning in support of the act, is a contemporary example of how these assemblages implicate invisibility. Through the active and relational capacities of assemblage, Black women most affected by a provision that would incur both mobility and monetary drains would be primarily working-or-lower-class and rural. Due to these relational carriers which refuse them juridical personhood as articulated through property, Act 620 effectively erases these Black women as viable rhetorical agents. By asserting race and gender as sociopolitical assemblages, I am not asserting that these concepts of treatments of categorization are somehow ‘unreal.’ Rather, I intend to underscore the realm and the role of rhetoric, both individualized and social, in cultivating quite *real, material* effects on Black women’s bodies and status of juridical (non)personhood. Situating the institution and practice of

law as both being influenced by and producing material rhetoric reiterates both Alexander G. Weheliye's and Hortense J. Spiller's attention to grammar and signification as a trajectory point in which to understand how something so seemingly abstract and intangible as language and rhetoric can have such realized material and embodied consequences.

Concerns around the process by which the cultural and legal imaginary transforms to both erase as well as enact violence on bodies stems from critique of the conceptualization and treatment of race (and gender) as a 'real object.' The 'real object' position assumes race as a biological and scientific given/constant, forgetting or ignoring the way race is inscribed; or, as Weheliye writes, racialization "as a conglomerate of sociopolitical relations that discipline humanity into full humans, not-quite humans, and nonhumans" (4). Weheliye reworks and reframes Gilles Deleuze and Félix Guattari's notion of *assemblage*, which asserts that relational components of social and embodied being and identification are neither stable nor fixed; rather they are active, displaceable, and replaceable upon one's bodies and others. Expanding and reorienting this concept, Weheliye introduces *racializing assemblages*, wherein those three aforementioned classifications of (non)humanity are produced. Focusing on the *relationality* of those components as the driving force within which articulation is possible, Weheliye notes how, these articulations "produce and give expression to previously nonexistent realities, thoughts, bodies, affects, actions, idea, and so on" (46). As he asserts, canonized theories of bare life and biopolitics act as if racialization is transcend-able and therefore defer to

purely biological or cultural enunciation of the human, which results in a legal/legislative restriction of racialized subjects to an understanding of personhood-as-property.

Spillers flags one means by which language and rhetoric work their way onto the Black woman's body in the American grammar (symbolic) system. Spillers too rejects 'race-as-real-object,' providing insight into the simultaneously embodied and symbolic process enacted in order to strip the Black body of any chance of being read as human. Spillers argues that "gendering" occurs in space of the domestic, a space which has historically been held at odds and at distant proximity from the Black body. Highlighting the "ungendering" which is necessary to occur in order to transform Black bodies into quantities, or property, as a premier function of the Middle Passage, Spillers shows how human cargo is defined in opposition to the domestic. However, the domestic is the space in which grammar is awarded and practiced through the concept of kinship. Because the slave and human cargo have not only been stripped of gender, but of kinship as well, in order to articulate these bodies instead through property relations, the privileges of grammar and names is necessarily refused. The juridical naming of "slave" as opposed to personal terminology of "man," "woman," "persons," etc. emphasizes the refusal of subjecthood to Black bodies, while the stripping of kinship refuses a particular status within the confines of nationalism. Reproduction under the guise of slavery was not considered as a contribution towards morality and patriotic ties as a whole but as a contribution of capital for the individual slaveowner.

However, Spiller's target is the American grammatical and juridical predicament as a whole. Though it can be said that the Louisiana legislative trajectory has within their

Code Noir and slavery codes the juridical name of “slave,” there is also the presence of terms such as “free persons of color,” pointing to a larger population of bodies (mostly of Black descent, if at least partial) operating outside the legal definition of slave and property than the American legislative as a whole. It is important to note that though these bodies might be given a convenient name of “persons,” they are still not configured within the sphere of domesticity and, therefore, still refused juridical personhood or citizenship. This socio-political sub-subjectivity, coupled with the purely social practices of concubinage with free persons of color through local, cultural institutions such as ‘quadron balls’ in nineteenth century Louisiana, points to a different kind of early configuration of Black women in Louisiana wherein motherhood and maternity more explicitly serves or *threatens* white investments in and conceptualizations of family and kinship. As seen through certain legislative restrictions concerning Black women in Louisiana, such as the “tignon law,” region-specific concerns around Black women have centered on their threat to ‘proper,’ white family structures. The “tignon law,” which came into effect under Spanish rule of the Louisiana territory (1762-1803), took explicit concern with the appearance of Black women and warned against excess in dress and self-expression. Even more specifically, however, is the law’s particular preoccupation with a feature of the literal body by requiring Black women to cover their hair. *Tignon*, a Louisiana Creole word for “headwrap,” went on to signify not only how Louisiana law has and would continue to make Black women hypervisible by forcing them to literally *cover up* or remain at the margins, but also how Black women would respond to this

hypervisibility through a tradition of resistance whose trajectory is certainly equal to but might even reach further back than Louisiana and its legal imaginary.

Act 620: The Question of Public Identity

By framing Black women as rhetorical assemblages of the nonhuman in the Louisiana legal imaginary, *June Medical Services LLC vs. Russo* (Act 620) operates as an example of invisibility as enacted through Black women as [necessarily] nonhuman in a local legal imaginary (which is then projected onto a national stage). However, Black women as rhetorical assemblages of the nonhuman also highlight the responses and refusal of this process. For in *June Medical Services LLC vs. Russo*, the plaintiffs in question are the abortion providers and the community that benefits from their services. In their *writ of certiorari*, June Medical Services criticizes Louisiana's lack of explicit or immediate benefits that Act 620 would provide, but the many obstacles it creates for those seeking treatment, arguing that this establishes undue burden on patients. The plaintiffs also argue that, like Texas' *Whole Women's Health vs. Hellerstedt*, Act 620 attempts to place the burden on providers who cannot gain admitting privileges, an individualized process that varies with each hospital. Both of these arguments put forth by June Medical Services serves to exemplify the strategic invisibility of those seeking treatment the most: lower income Black women in rural areas. By implementing undue burden on these women (that is, by limiting their access through financial and locational barriers, but providing no actual benefit to their constitutional right to reproductive health), Act 620 does not only diminish the little resources in place, but directs the responsibility of these rights *away* from the government. As such, Black women are

rendered invisible in the legislation and the state's debate on bodily autonomy, leading to not only the lack of access to safe reproductive care, but also redirects the resulting burden onto Black women. In their petition for *writ of certiorari*, June Medical Services does argue that the *initial* burden of credentials is placed on the providers. However, I contend that the results of Act 620's passing—unwanted pregnancies, unsafe abortions, lack of reliable pre-and-post-natal care— absolutely is rhetorically figured as the fault and failure of Black women. Previous examples of this type of hypervisibility can be found in that prescriptive naming: the “Welfare Queen,” a public identity which in turn represents a cultural narrative.

The “Welfare Queen as a public identity is, much like the majority of legislation with major impact of Black women, tied up with motherhood and the body. Angie-Marie Hancock notes how the “Welfare Queen” as an image becomes excessive: “Conflation of all welfare recipients with single, poor Black mothers largely reflects the supercession of inegalitarian traditions of race, gender, and class over the facts concerning the demographic characteristics of welfare recipients (23-24). Black women become the all-encompassing signifier of the welfare recipient, and marital and motherhood status become proof of this. The Black-woman-as-problem becomes a prominent theme here. Specifically, her body and the way it takes up space. Hancock writes, “The “welfare queen” public identity has two organizing dimensions: hyperfertility and laziness” (25). In this particular situation, the Black woman is immobile but takes up space and threatens economy through reproduction. Hancock illustrates how public image functions beyond an imaginary, to legitimize the legal and political subjugation of Black women. Using

Patricia Hill-Collins concept of “controlling images,” Hancock argues that the “welfare queen” was an image borne out of response to and in order to control the growing political organization of single, poor African American mothers. Hancock shows us how the welfare program of the United States, from its conception, has a strong relationship with motherhood: the context of a rise in both American nationalism and maternalism in the Victorian social consciousness fueled the program. A national example, the “welfare queen” can also have localized identity-based differences: the local image of the “welfare queen” in central West Virginia, a rural area with a low population of people of color, might be white; however, the assumption is that she is a mother. On the other hand, Louisiana, with a much larger population of Black women might find the image of single Black motherhood inextricably tied with the image of the “welfare queen. What is important to note is Hancock overall emphasizes that motherhood and maternity are central to the image and that race and racialization, however contingent, play an important role in not only the national social imaginary, but the national legal imaginary as well.

Like Act 620 and its trajectory, the “welfare queen” image and the legislative and political discourses that drove it were clearly bound to the social imagination and the rhetoric it produced. The variations in rulings, along with the precarity of individualized determination and policing, underscore how the legal imaginary is at once both a national and local location with effects on individual bodies that make up a significant percent of an already at-risk population. The status of Black women’s visibility cannot be undermined in its role of naming and implicating their bodies as not only risky or

threatening, but also *criminal*. Both hypervisibility and invisibility are key techniques where the contingency of personhood is a question of where, when, and how Black women are or are not seen. What makes them visible or invisible are rhetorical moves that create and are created by a social imaginary.

The “Welfare Queen” unlike the “tignon law,” is a national situation rather than localized one specific to Louisiana. Its example shows us that Louisiana’s legal imaginary and rhetorical action are not unique, but act as an extension of a larger national imaginary that holds an investment in the subjugation of Black women. What is peculiar about Louisiana and Act 620 in particular is how it is also an extension of a localized legal imaginary, wherein the subjugation of Black women rests in specific rhetorical techniques that continue to reappear. A national legal imaginary has a different approach to refusing legal status to Black women through erasure. The problem of Black motherhood from a national standpoint did not rest in the fault of Black women, but in the absence of the Black father, and as such, historically operates as a national effort to curb Black women’s procreation. In the mid-twentieth century, cases from (but not limited to) California³, Virginia, and North Carolina⁴ all reveal not only how hundreds of thousands of people were unknowingly or otherwise sterilized (with some, but not all of these cases being ruled legal), but that Black women were disproportionately more likely to be sterilized. This double-invisibility and victimization of Black women stands in stark contrast to Louisiana efforts, which rather hinges on the culpability of the Black woman

³ See *Buck v. Bell*, which served to uphold Virginia (and by extension, California) sterilization laws.

⁴ See *Re Sterilization of Moore*

as criminal and, therefore, attempts to make her known. Hancock's maternal focus on the "welfare queen" is coupled with marital status. Starting with the advocacy for widow's pensions, the loss of the father and/or husband became the threat which people rallied behind when pushing for more protections of motherhood. The argument that "every woman is one man away from welfare" illustrates a movement's rhetorical response to both highlight the wide-ranging possibility of *any* mother needing welfare, but also to problematize the use of the single Black mother as the iconography of the "welfare queen" (39).

Whereas the "welfare queen" and its legislative histories might be more concerned with the hypervisibility of the single Black mother as the 'problem' with the welfare system (through social and political rhetoric she became the "welfare queen" that exploited a social system), by extension it redirects attention toward how these women take up space and expand (through reproduction), Act 620 and its so-called "friends of the court" rely primarily on invisibility in order to enact legislative control and policing on their bodies and maternity. Without accounting for an unstable personhood assembled and disassembled through matrices of race, class, and gender, the court produces an undue burden on the body in which it is refused a right of personhood. In terms of precedence, a Supreme Court ruling in favor of the state would also bring to the forefront *Roe v. Wade* and the overall question of the access to not only abortion, but reproductive health as a whole, as a right. Thus, Act 620 stems from and reiterates both local and national legal imaginaries and simultaneously influences them at extremely high stakes.

The Rhetorical Paradox of Louisiana Personhood for Black Women

What the framework of Law as Rhetoric offers is an articulation of the limitations of traditional legislative discourses and activism. Weheliye gestures to this by highlighting the limitation of using law as a trajectory point for race scholarship or theorization. Many forms of violence against/on the racial body are articulated as legal, such as within the penal system, which reiterates and reenacts the practice of the plantation (or death camp) but through a juridico-discursive plane. As such, treatment of the law as a static point-of-reference, rather than a living text and discourse that produces material effects, relegates race, racialization, and racism back to the primitive rather than accounting for its modern constitution and assemblage formation. Indeed, if the law were static or produced within a vacuum, which is what this ahistorical framework assumes, it would not be possible to reconceptualize or rearticulate race and gender within the legal imaginary. How then could Louisiana's Crimes Against Nature Statute, through its repeated revisions, produce an exception for the victim of human trafficking and/or incest?

The importance of examining exception through the construction of the victim lies in what Weheliye argues as a type of preconditional suffering demanded by the court in order to obtain certain rights to personhood. In order for the subject to not be recognized as 'not guilty' (a category not immediately assigned to the nonhuman subject) they must be proven to be a victim of circumstance. As the current Louisiana CANS statute states:

C.(1) It shall be an affirmative defense to prosecution for a violation of Paragraph (A)(1) of this Section that, during the time of the alleged commission of the offense, the defendant was a victim of trafficking of children for sexual purposes as provided in R.S. 14:46.3(E). Any child determined to be a victim pursuant to the provisions of this Paragraph shall be eligible for specialized services for sexually exploited children.
(LA Rev Stat § 14:89)

The statute then attempts to differentiate between a criminal offender and a victim:

(2) It shall be an affirmative defense to prosecution for a violation of Paragraph (A)(1) of this Section that, during the time of the alleged commission of the offense, the defendant is determined to be a victim of human trafficking pursuant to the provisions of R.S. 14:46.2(F). Any person determined to be a victim pursuant to the provisions of this Paragraph shall be notified of any treatment or specialized services for sexually exploited persons to the extent that such services are available. (ibid)

Those who gain access to victimhood through the narrative process of the courtroom not only dodge the violence of the incarceration complex but also navigate toward the possibly of the not-quite-human. Perhaps. However, those sex workers who have been denied victim status due to an assumed exercise of agency (also due to the narrative process of the courtroom) and their subsequent branding as ‘sex offenders’ emphasizes the dangers of reading race and gender as ontological absolutes rather than as active assemblages that are constituted and reconstituted through active the rhetorical processes and spaces of law. As Weheliye contends, “[p]olitical violence plays a crucial part in the baroque techniques of modern humanity, since it simultaneously serves to create not-quite-humans in specific acts of violence and supplies the symbolic source material for racialization” (28). In Spillers’: “We might concede, at the very least, that sticks and bricks *might* break our bones, but words will most certainly *kill* us” (68). The victim and

the agent; the mother and the nonmother; the human, the not-quite human, and the subhuman, are all rhetorical acts of naming that occur within the juridical process and then are exercised on/against the body through restrictions, policing, incarceration, etc. In the case of Act 620, an undue burden, through rhetorical silence, restricts the body: women cannot go to this provider because this provider does not have this particular admitting privilege at this particular hospital. As such, like the victim of sex trafficking, the rural Black woman becomes circumstantial: by averting the gaze away from her she is no longer part of the discussion. When one is no longer part of the discussion in the courtroom, one becomes invisible.

The latest CANS controversy arose in the complex and debilitating aftermath of Hurricane Katrina in 2005. Though most of post-Katrina coverage was highly narrativizing, including personal testimony as well as journalistic stories of survival and resistance, the voices of Black women were largely left out. Instead, much of the mass media representation of these women during Hurricane Katrina were images and videos of pilfering and desperation, as many could either not afford to leave or believed that, due to the prevalence of hurricanes in that area, that they could ride the storm out. These images and videos were played largely out of context and with the majority showing nonwhite, specifically Black, people. The narrative and rhetorical hypervisibility of Black bodies as criminal is noted by Michelle Miles and Duke W. Austin: “During and after Katrina, Blacks and Whites experienced two different realities in large part due to their differing negotiation of rumour—and the mass media played to and exploited this” (34). Controlling images and narratives of Black survival versus white survival underscore the

contemporary reiterations of the metalanguage around Blackness, even in times of collective crisis.

Those black women who were not displaced and who worked in the street-based economy of New Orleans faced a climax of criminalization in post-Katrina efforts to reinstate a moral social order. The Crimes Against Nature Statute, which throughout centuries has criminalized multiple sex acts, saw a repositioning in 1982 as a response to the AIDS crisis during which sex workers and gay men became hypervisible causes of its spread. The result, CANS, not only enforced disciplinary action through imprisonment and fines but also mandated fifteen years' registration as a sex offender for one conviction and a lifetime registry for two convictions. Andrea J. Ritchie, a police misconduct attorney, extends the consequences of the enforcement of law on an individual basis:

[i]n addition to the myriad mandated sex offender registration and notification requirements, local police or state officials had the *discretion to seek imposition of additional registration requirements*, such as posting bumper stickers, signs, handbills, and clothing labels identifying plaintiffs as sex offenders, refuse to accept certain forms or proof of residence, or deny plaintiffs permission to be away from their usual address for more than seven days (35, emphasis added).

Through discretion on the part of the police about who gets charged with CANS and who gets charged with prostitution, the criminalizing effects of CANS extended beyond the 'male problem' introduced in the 1980s to target Black women. Laura McTighe and Deon Haywood note that by 2011, "ninety-seven percent of women registered as sex offenders were mandated to do so because of a conviction" and that "seventy-nine percent of those registered because of CANS were Black" (266). These women exist in a

doubled state of invisibility through the postbellum Jim Crow carceral sphere where Black women became increasingly criminalized and imprisoned. They then became simultaneously hypervisible, where Black women in sex work became marked as points of revision and discipline. The federal move by the Department of Justice to make funds available to rebuild New Orleans' criminal justice system post-Katrina, which mandates the targeting and apprehension of 'felony fugitives' such as those registered as sex offenders, expedited this hypervisibility (271). As a result, women with CANS convictions faced a lack of access to social services and abuse protections, even criminalizing them further in abusive situations.

However, most pertinent about the CANS struggle is that it was able to be enacted on a much more individualized basis because there were *two* laws in effects regarding the prosecution of sex workers in Louisiana. The Criminal Statute regarding prostitution, still in effect today, takes precedence when CANS is overturned and mandates minimum prison sentences, minimum bail, and even counseling and health services. The simultaneous existence of these statutes allows for the police to be both law enforcers and lawmakers: through their ability to arrest and submit to prosecution under specific, *separate and different* laws, their violence, both direct and institutional, is at their discretion. This opens up pathways for law enforcement to act on what they might deem as "reasonable suspicion" or "probable cause," highly racialized and gendered inferences that designate who is a threat and who is not. Ritchie emphasizes that,

Police are not simply enforcing unjust laws which can be challenged, reformed or repealed, but rather are making law and creating classifications every day in countless interactions, through projections of highly racialized and deeply classed

social constructions and relations of gender and sexuality onto our racially gendered bodies (367).

Richie's argument highlights the active and dynamic functions of law as rhetoric, and subsequently how rhetoric becomes law. As she notes, the creation, practice, and influence of law are not isolated to the courtroom or some further distant space of deliberation. Rather, through separate instances of interpretation and enforcement, law is borne and conceptualized in multiple spaces but begins outside of legislative institutions, most often on the street. As such, the dispensation of juridical personhood is first initiated where Black women are always already unsafe. According to Weheliye, due to the capacities of racialized assemblages as being heavily reliant on the *relationality* of components, not only of gender, race, sexuality, and class, but also of *space* and *place*, these assemblages are fluid, displaceable, as *replaceable* onto bodies. In other words, examining the action of and ability to enforce on an individualized level that disproportionately targets Black women, both cisgender and transgender, makes obvious a (but not *the*—this is a phenomenon that occurs and reoccurs, articulates and rearticulates) discipline of Black women as nonhumans.

Furthermore, the differentiation of nomenclature between a criminal code statute regarding prostitution and a statute which places an act under the category of *Crime Against Nature* addresses quite directly the situation of Black women as rhetorical, racialized assemblage of the nonhuman. After all, the trajectory of the Louisiana legal imaginary regarding Black persons, persons of color and of mixed racial descent, queer persons, but most specifically and largely Black women, have been constructed as

orienting toward protecting societal good or some abstract ‘quality of life.’ Both invisibility (restricting or refusing access to citizenship rights) and hypervisibility (identifying or locating Black women as ‘the problem,’ or architects of their own invisibility) have been reiterated throughout Louisiana since the early nineteenth century. A tradition of Louisiana law in all of its peculiarity is to position Black women as a threat to the family and the moral social order.

Though CANS was more concerned with the sexual act itself and the subsequent hypervisibility of the Black women in Louisiana’s street-based economies by branding them as sex offenders, the question of its circumstantial nature speaks again to Act 620. By means of being indicted under this or that statute meant whether one had access to certain resources and services, but it also meant being first made visible: the identification marker ensured that policing would continue. In a similar strain, Act 620 restricts access to those in lower-income and/or rural areas through invisibility and silence. While Women With a Vision, June Medical Services, Afiya Center, and many others bring to the forefront the women who are adversely affected by the legislation, those who support Act 620 address these issues dismissively. Such rhetorical silences point to what is at stake in the visibility of Black women in the courtroom and legislative imaginary: by not looking at, listening to, or addressing them explicitly, their entire situation becomes circumstantial. Such an unstable personhood never quite attains the status of human. Becoming circumstantial might be a part of becoming nonhuman.

Conclusion: The Undue Burden, or, the Re-articulation of the Black Woman Subject

There are two dominant arguments in support of Act 620 which refuse Black women subjecthood and agency in the legal imaginary. However, they operate differently. The first is an assertion that the law works to protect women seeking abortion care by ensuring that the providers have taken adequate responsibility to ensure that the patient has access to emergency care. According to the purposes stated in the original house bill,

It intent of the legislature that each physician who performs an abortion as defined in R.S. 40:1299.35.1, whether the abortion is surgical or drug-induced, shall follow the long-established procedure of reporting anonymous, aggregate abortion statistics and health complications to the Department of Health and Hospitals, subject to all state and federal privacy protections, for the purpose of providing anonymous and accurate public health and safety data regarding abortion and its impact on women's health. (House Bill 388 p.4)

In turn, activists against Act 620 argue that regardless of the abortion provider's admitting privileges, patients may seek emergency care on their own behalf, marking this argument irrelevant. Kristen Clarke, the President and Executive Director for Lawyers' Committee for Civil Rights Under Law (Lawyers' Committee), also points to the fact that the risk of complication during an abortion is extremely low, especially compared to common procedures such as wisdom tooth extraction. However, Clarke highlights that the risks of the law are specific, but far reaching:

Without the access to abortion care, Black women maybe find themselves unable to attain basic tenants of civil rights, such as adequate healthcare, housing, education, and employment [...]. Such care is especially essentially for young people to determine their futures: Of the Black women in Louisiana who sought abortion care in 2018, 78% were under the age of 30.

With no examples offered up as to how exactly this case would protect women, especially in the case of abortion and/or emergency care, activists argue that the act would simply create undue burden—and this burden would most directly affect Black women. By refusing to account for how Black women not only make up the majority percentage of those seeking abortions, but also the majority percentage of the birth mortality rate and those suffering from income inequality in Louisiana, Act 620 obscures subjecthood and citizenship rights. These women are not simply forgotten, but omitted or erased, as non-relevant to the society that the legal system aims to maintain and protect.

The second argumentative move in support of Act 620, Clarke reveals, is that “[...] the law is motivated, at least partly, by the stigmatizing belief that Black women who have abortions commit genocide.” This argument is specifically peculiar because it is both bound with and at tension with the figure of the Black woman as a threat to the white family. By refusing to stay in her own racial bounds, she is a threat to whiteness; however, here she is also formulated as a threat to the Black family and Blackness. In this way, the Black woman is again an architect of her own demise as well as the demise of her own community. The Black woman is the problem. What is not said, what is not accounted for, is often what gets emphasized: what is not is *what should be not*. The victimization at work here is often identified with a paternal tone often taken up by the legal imaginary: in the passing of the law, the restriction of access becomes a means of protection not only against ‘irresponsible’ providers without admitting privileges but against themselves as well. The undue burden becomes a promise of protection. The *lack of access to* becomes an *investment in*.

Throughout this piece, I have endeavored to show how Act 620 is both non-peculiar and peculiar: it speaks to a longer trajectory of a legal system that has used social and governmental techniques of power in order to not simply *erase* Black women, but to make them *invisible*. Invisibility, it should be clear, is distinct from erasure: the law does not remove Black women from the picture. This should be emphasized: Black women are never not-present. Their inhabitation of the courtroom, or of the legal imaginary for that matter, should not be questioned. If this were the case, then the subsequent hypervisibility could not occur. The presence of the Black woman is not the question; rather, it is how her presence gets to be visible. What rhetorical moments, however seemingly small, move her from out-of-the-question and circumstantial towards the question-to-be-answered, the constant problem in which we must monitor in order to control and nullify?

Act 620 is a moment such as this, however it not so small. As noted above and in various other pieces on this Supreme Court decision, Act 620, though a state-focused piece of legislation, has a national implication for re-thinking the legislation since *Roe v. Wade*. *Roe v. Wade*, in 1973 to now on women's reproductive healthcare. Who has the agency in these laws, the courts, the medical institutions, or the woman subject? Here, "woman subject" refers to the idea of the woman-as-subject, which is linked closely with the biological notion of woman as a reproductive sex, or at least a subject capable of reproduction. As such, her reproductive state gets bound with her subjectivity. The connection between the woman subject, her presumed biological disposition, and her agency have largely affected how and where their presence appears in both legislation and medical practice. On the other hand, Act 620 emphasizes how even those rhetorical

moves that appear agentive operate as assemblages on the pretense of being on “behalf” of those women subjects. Thus, the agency of woman rhetors becomes out-of-the-question as the responsibility and consequences move away from considering their subjectivity as even relevant. By moving the gaze away from these women and toward the doctor with or without admitting privileges, the woman-subject and her body fail to have voice in a conversation that ironically has the largest material effects on them.

Further, the circumstantiality of the woman-subject speaks to the peculiarity of Black women’s assemblage as nonhuman in the legal imaginary. The largest amount affected by the law is working-and-lower-class Black women in rural areas, which has been a dismissed argument due to their circumstantial nature. Rather, Black women become enveloped into a larger rhetorical subject category: that of all women. This erupts not only in the strategy of the state, who argues that by enforcing the admitting policy that they are somehow protecting all women from an evil for-profit abortion industry but also in the case of June Medical Services and their own friends of the court, who argue that they are protecting the autonomy of all women. As Spillers illuminates the violence in refusing gendered monikers, what violence happens when the gendered name gets privileged in a legislative trajectory where that gender has been historically white. Moreover, this points to the dangers of trying to establish a claim to legal personhood in an imaginary that, as Weheliye points out, demands and re-inscribes violence and pre-conditional suffering as the only means to obtain such a personhood: “[A]s evidenced in the prison-industrial complex, the pretense of juridical equality rarely abolishes selective legal insouciance or genocidal acts against those who have been touched by racializing

assemblages of the flesh” (88). However, in the immediate case of a ruling regarding bodily autonomy, the refusal of legal personhood in favor of other possibilities is not only impractical but highlights how a gendered articulation of humanity still leads us back to the racialized assemblage. In both its local and national trajectories, either ruling reiterates violence because it folds the Black woman into the subjectivity of Woman.

WORKS CITED

- Clarke, Kristen. "Louisiana's Act 620 Will Restrict Abortion Access For Black Women." *Essence*, *Essence* 3. <https://www.essence.com/op-ed/louisiana-abortion-restrictions-act-620/>
- Hancock, Ange-Marie. *The Politics of Disgust : The Public Identity of the Welfare Queen*. NYU Press, 2004.
- June Medical Services LLC. V. Russo*
- McTighe, Laura, and Deon Haywood. "'There Is No Justice in Louisiana': Crimes against Nature and the Spirit of Black Feminist Resistance." *Souls*, vol. 19, no. 3, 2017, pp. 261–285.
- James Boyd White. "Law As Rhetoric, Rhetoric As Law: The Arts of Cultural and Communal Life." *The University of Chicago Law Review*, vol. 52, no. 3, 1985.
- Schafer, Judith Kelleher, et al. *An Uncommon Experience : Law and Judicial Institutions in Louisiana, 1803-2003*. Center for Louisiana Studies, University of Southwestern Louisiana, 1997.
- Spillers, Hortense J. "Mama's Baby, Papa's Maybe: An American Grammar Book." *Diacritics*, vol. 17, no. 2, 1987, pp. 65–81.
- Weheliye, Alexander G. *Habeas Viscus: Racializing Assemblages, Biopolitics, and Black Feminist Theories of the Human*. Duke Press, 2014.

“WILL YOU TEST YOUR STRENGTH OUT ON ME?”: COMIC DISRUPTIONS
AND THE RHETORICAL MEMOIR

Either you will cry or laugh, and I try my best to figure out how to do the second one. I know life is no laughing matter, but having experiences can be
Tiffany Haddish, *The Last Black Unicorn*

Upon the success of her first Netflix comedy special *Nanette*, Hannah Gadsby wonders if she should have “budgeted” her trauma a bit more (*Douglas 2020*). This is a striking statement for many reasons; the first is that we hardly consider trauma as the subject matter for laughing or joy. Comedy, understood as a means of catharsis and even relaxation, is often positioned as away from the traumatic and painful and instead towards the silly, mundane, and lighthearted. However, walking us through the grammatical structure of jokes and through the means by which she became a comedian, Gadsby repeatedly undermines the binary between “high art” and “low art” to show us that jokes do much more than simply make the audience laugh. Gadsby instead offers that jokes and overall narrative humor can be an act of violence as well as an act of hope. Repeatedly stating that “you learn from the part of the story you focus on,” Gadsby articulates a complex framework of joke-telling as a rhetorical act that can be both dangerous and proliferative (*Nanette 2018*). This framework speaks to Jacqueline Jones Royster’s interventions on subject position and subject matter and her emphasis on how personal storytelling and testimony “placed one against another against another build credibility and offer [...] a litany of evidence from which a call for transformation in theory and

practice might rightfully begin” (Royster 123). Royster’s major intervention is with who tells and arranges these stories: “I have come to recognize, however, that when the subject matter is me and the voice is not mine, my sense of order and rightness is disrupted.” While Royster provides the importance of being able to tell one’s own stories and perspectives, Gadsby highlights the precariousness of rhetorical agency when it comes in contact with genre and audience. Gadsby’s assertion that she needs to tell [her] story *properly*” gestures towards the possibility of there being wrong ways of telling one’s own story, wherein even though the subject matter has become the subject, order and rightness are still refused by the audience (*Nanette* 2018). In short, while comedy increasingly offers the ability to inhabit a stage and tell one’s own narrative, the functions and consequences of this narrative are shaped and informed by the rhetorical demands of the genre.

This thesis examines representative work by four comics--Mindy Kaling, Ali Wong, Tiffany Haddish, and Hannah Gadsby--and investigates how they draw on not only their personal experience, but the economy of comedy, in order to assert their rhetorical agency as well as critique the dismissal of their comedic success as circumstantial. The economy of comedy is a two-fold: first there is the literal economy of comedy as something that is produced for consumption, where supply and demand necessitate a regulation and distribution of comedic work. That work which appeals to the largest consumer base is often that which is deemed the most successful. Branching off of this literal economy, the regulation and distribution become a matter of asking who is producing comedy for whom. In this way, the economy of comedy could be understood

as what Lloyd F. Bitzer terms as a “rhetorical situation,” where the comedian/producer is the rhetor and the audience/consumer are not simply the audience, but a part of the situation to which the comedic rhetor is responding.

I examine three stand-up specials, all produced by Netflix: Amy Wong’s *Baby Cobra* (2016), Hannah Gadsby’s *Nanette* (2018), and Tiffany Haddish’s *Black Mitzvah* (2019), along with three “memoir-works”: Mindy Kaling’s *Why Not Me* (2015), Tiffany Haddish’s *Last Black Unicorn* (2017), and Ali Wong’s *Dear Girls* (2019). I use the term “memoir-works” to refer to the not-quite-ness of the works (two in particular), to fall fully under the traditional memoir genre as well as to gesture to way the stand-up shows themselves also draw upon the same devices we find in memoir. Considering this shared technique, I also assert that the stand-up programs themselves can and should also be considered as memoir-works. Much like memoir in book form, stand-up comedy draws on the speaker’s personal experience in order to observe, respond, and even record moments. In addition, both draw on political and popular reference in order to situate themselves along and against social attitudes and assumptions. These comics make disruptive and necessary rhetorical moves, through the genre of comedy, rendering an audience that may not initially be perceived or understood to be rhetorical. Nonetheless, these rhetorical moves enable the comics to simultaneously invoke laughter while also sharing personal experiences not often considered “fitting” subject matter for the comedic stage. These comics’ memoir-works illustrate a desire that extends beyond mere representation to confrontation and even uncomfortable engagement.

Drawing from a variety of rhetorical engagements with comedy as well as from the theory of rhetorical situations, I make two claims about how these comics' works should be valued for their rhetorical significance. The first claim is that while the comics themselves dismiss their work (both on and off stage)—a dismissal that the theory of rhetorical situations seemingly would uphold, their silly approach to sharing personal subject matter emphasizes a larger struggle to be seen as legitimate subjects. Through the comedic genre, personal storytelling is not only entertaining, but it allows these comics-as-rhetors to bear witness to having been othered and to leverage this othering as their very subject matter. This move allows them to overwrite the script of othering and to use their rhetorical comedic voice to be themselves, teach their audiences, and also to fulfill their primary role of entertaining. The second claim is that the stand-up set documents one phenomenological reorientation while generating another. The first reorientation is the comics' inhabitation of the stage, where their otherness is brought front and center; they literally move from the margins. The second reorientation is a disorientation of the audience, brought on by the centering of otherness in their focus. The orientation of the comedic other requires the disorientation of the comedic audience. In other words, as these comics gain rhetorical agency through their arrival on the stage, the demands, purposes, and overall entertainment outcomes of the comedic genre shift.

The direct rhetorical purposes of the comedic works I look at vary by author and by form. Mindy Kaling's *Why Not Me* is a collection of personal essays which draw on personal experience but by no means try to encapsulate her life as a whole. The book itself is rather short but positioned as a heartfelt confessional: one with clear rhetorical

moves: “I’m excited to share my stories *so you can see what I’m really like*” (Kaling 5). While Kaling’s collection of essays speaks to a more generalized (albeit still specialized in some ways) audience (the fan of comedy, or at least the fan-of-*this-person-in-comedy*), Wong’s work is framed as intended for her two daughters in order to educate, guide, and even confess to them. *Dear Girls* is marketed as a collection of letters also drawn on Wong’s personal experiences but written in a second-person format that is directive. She writes an inheritance for her daughters: “The idea for this book is inspired mostly by a note from my father than began with “Dear Alexandra”” (Wong xii). A gift from her father becomes another gift to her daughters: “These letters explore a lot of the topics I wish my father and I had discussed (and some I’m glad we didn’t tbh)” (xiii). As such, these works operate like “memoir-works”; they give us flashes of personal narratives and reflection/response, but we can hardly hope that they are true autobiographical works. Rather, as Tiffany Haddish points out, they are “here to teach” (*Black Mitzvah* 2019). Though comedy is often dismissed due to its primary function as entertainment and further as an inappropriate means of discussing or disseminating observations and social commentary, these comedians have articulated purposes that exceed mere entertainment.

Rhetoric’s Comedy Problem

Comedy is often considered a theatrical genre as it involves storytelling. Considered useful to the dramatic stage, comedy is considered appropriate when reserved to entertainment and inappropriate when used in so-called “real world” situations. Most of these situations involve the political and public spheres, where discussions over class, race, gender, sexuality, ability, and many other factors are sought to be addressed with

tones of seriousness. Aristotle illustrates this when he contrasts the comedic writer in his two works *Rhetoric* and *Poetics*. In both, he treats the comedic as a form of ridicule, however he allows that at least in its poetic performance, comedy allows for a pleasure not afforded in tragic plots. Aristotle finds the different functions of comedy in rhetoric versus comedy in poetry in the different functions of rhetoric and poetry themselves. For rhetoric, Aristotle claims, “The modes of persuasion are the only true constituents of the art: everything else is merely accessory” (*Rhetoric* 19). Meanwhile, poetry, he argues is a form of imitation; it is imitation, he argues, by which men learn first. Moreover, Aristotle asserts, “And it is also natural for all to *delight in works of imitation*” (*Poetics* 227, my emphasis). To be clear, Aristotle’s discernment comes from the differing treatments of character and how it comes to be paired with its style of delivery. He continues to emphasize that comedy is a form of ridicule: to imitate to ridicule is different than to persuade to ridicule. However, it is important to note here that Aristotle’s surrounding comedic landscape and archive of classical era Greece consisted of narratives in which players acted out events. In contrast, the image of the rhetor stood solo, relating to the audience not an imitative narrative but a strategic persuasion.

Again, it is important to keep in mind that Aristotle was one man, living in ancient Greece, contributing only his share to a larger dialogue. Daphne O’Regan’s article “Rhetoric and Old Comedy” surveys the sophists response to comedy to emphasize the intermingling of comedic and rhetorical technique. Arguing that comedic drama and sophistic argumentation shared, among other things, orality, timely context (*kairos*), and the embodied situation of man, O’Regan shows how both shared the public

sphere and therefore intermingled regularly. The muddling of comedy-in-and-as-rhetoric has continued to flourish, at least in the Western European tradition of thought. For example, Jody Ender's "Rhetoric and Comedy" provides insight into how lawyers in medieval France exercised dramatic techniques and in turn the stage-setting of the dramatic era was often a courtroom. In the twenty-first century, we have seen comedy take on many spaces and compositions, and it has very clearly been invoked in the current political setting: The White House Correspondents Dinner is one event wherein comedy and politics literally collide.

There is a rich history where rhetors often invoke comedic techniques and comedic drama often uses the rhetorical setting as a focal point. However, though the comedic drama may be seen as a form of political *commentary* and the rhetorical space might occasionally use comedic undertone, comedy as a form of writing (and performance) has not necessarily figured as persuasive, or rhetorical. This could be due, perhaps, to two assumptions about comedy: (1) that a comic work is *primarily* fiction (this is to say that even when comic works are based on truths, they are treated as though their fictionalization comes first); and (2) that comedy is an act of ridicule. From its conception, stand-up comedy has challenged both of these assumptions. As an oratorical performance in which a comedian delivers a monologue to a large audience in a theater, the imagery alone calls to mind the familiar vision of the rhetorician delivering treatises to students and the general public. However, rather than focusing on grand morals, ethics, and personal versus social habit, comedians deliver personal anecdotes and stories from their lives, including of those around them. These comics comment on current events and

political situations, noting how these have created experiences for themselves, and, again, those around them. If anything, stand-up comedy comes from a “truer truth” than pure rhetorical work might: material, embodied, lived truth. While the theory of the rhetorical situation demands an articulation of an issue or problem—an exigence—that is identified outside of the body and primarily on a larger social scale, these comics-as-rhetors instead work from a personal background, where the situation first is located in their own bodies and experiences.

Originated from various entertainment forms from the nineteenth century, stand-up comedy has experienced a steady increase of both performance and consumption. In recent years, with streaming services such as Netflix and Hulu, people have access to more specials and series productions; for instance, there is a series featuring beginning comedians from “all around the world.” Such easy access to the material, along with its placement as comedic material (and therefore purely there for entertainment purposes), might obscure the rhetorical merits of these works. Because stand-up comedy is seen as by and for popular culture, it often gets dismissed; stand-up comedy can be influential, yes, but not *persuasive*. Or this might be an assumption. What happens when we do read stand-up comedy as a type of rhetoric? What about when we think of stand-up comedians as rhetors? Through this lens, what happens when comic Others arrive on the stage? How might they disrupt certain comic lines in order to explore other places of comic pleasure?

Women Comics and Reorienting the Genre of Comedy

Comedy as genre and as practice is oriented towards —meaning it is positioned by and for—a consumer base that is both racialized and gendered. Sarah Ahmed writes

extensively on the orientation of both space and bodies in *Queer Phenomenology*, emphasizing how objects and the spaces they inhabit shape bodies, impressing restrictions and imposing lines to follow. As Ahmed states, “Lines become the external trace of an interior world, as signs of who we are on the flesh that folds and unfolds before others” (18). The orientation of comedy by and for a large, “general” consumer base proliferates more than simply an economy of consumption and production for comedians to follow; instead, this economy takes place not only on the stage but on the body that inhabits this stage as well as the bodies that make up the audience. The orientation of comedy towards dominant voices—mainly white male voices—means that not only is the space itself oriented, but the bodies which carry these voices are oriented as well; they are able to move about and expand. For example, both Gadsby and Wong highlight the ease of the predominantly white male body and his subject matter on stage, pointing to the difference in ability to “take a joke” and well as giving that joke, depending on who receives what. This double-orientation of both space and bodies begs the question of what it means to be “at home” or to “belong” on the stage, and further, how this belonging allows for certain voices that belong to certain bodies to be able to speak on and inhabit the stand-up stage with ease. Much like Ahmed’s critique of the “masculinity of philosophy,” which “is evidenced in the *disappearance* of the subject under the sign of the universal,” the masculinity and whiteness of stand-up comedy as a genre has provided white male bodies as the given vehicle of consumption (34, my emphasis). In other words, for white males, funniness and humor are given, assumed, and further, their inhabitation on the stage is presumed natural. Like philosophy, in comedy

white maleness disappears into a universal voice, one whose arrival on the stage is not only never questioned but is necessarily separated from this arrival and the history of labor and relationships that brought it about. However, while these “universal,” oriented voices come to inhabit and speak without question, those whom the stand-up stage is not oriented for (in other words, disoriented bodies) not only struggle to arrive on the stage but find their arrival is always a matter of question and scrutiny.

Here, who consumes and who is listening become productive factors in comedy, ones that shape and inform its production and distribution. These comics illustrate the continuing quest to finally put an answer to a question so common that it became its own comedic trope: *Are women funny?* We find them all answering that *yes, of course women are funny*, and it might just be *because* they are women! However, this is not the only question of their funniness wrapped up in their identity: three of these comics are women of color, and the fourth identifies as “a little bit lesbian” (Gadsby 2018). Prior to the 2010s, stand-up comedy has been largely dominated by heterosexual white men due to the position of comedy as appealing to the majority, or “the masses.” However, with the rise of streaming services and an increase of non-majority (nonwhite, non-heterosexual, disabled, etc.) viewers that increasingly demand content that they can relate to, we have also seen a rise in comics that have a variety of identities and backgrounds. As such, the question of audience again becomes a matter of supply and demand—a matter that exceeds the assumption of comedy being for a general public or for mere means of entertainment. All four comics write and perform material on how their success has been

predicated on a cultural fad rather than a social need. In many ways, these comics show us how they come to get recognized as circumstantial.

Going beyond abstract rhetorical concepts of subject and subject matter, however, these comedians assert how their circumstantiality is bound with their embodied Otherness. In other words, these comedians bring to the forefront the material realities of arriving on and maintaining their inhabitation of the stage. They also flesh out the sometimes violent, sometimes pleasurable paths their arrivals have taken, emphasizing how stand-up comedy can and is performed from lived experience. Through these material, physical invocations, Wong, Gadsby, Haddish, and Kaling situate their subjectivity and rhetorical voice as inextricably linked to not only their bodies' inhabitation of the stage, but the history of that body as it is told over and over again. These embodied stories placed "one against another against another," as Royster puts it, are not directly funny; instead, they often focus on places of discomfort and dis-identification. However, and perhaps most importantly, these comedians draw on how these tense spaces of non-belonging have informed and shaped their subjectivity. Gadsby's framework of joke telling offers an exigence—tension—that erupts long before her arrival on the stage and is embedded within her own presence: "I didn't have to make the tension; I *was* the tension!" (*Nanette* 2018). In *The Last Black Unicorn*, Haddish writes on how comedy became an attempted and failed means of literal physical protection while living in foster homes: "I thought that if I made these girls laugh, they wouldn't beat me up. They'd let me be the goofy one in the crew or something. But that didn't really work" (Haddish 49). Meanwhile, Mindy Kaling writes on how comedy did

help her to find a place in a sorority at college, but at a price: “I thought I would like an environment of all women, where I was deemed the ‘funny one.’ But it took me twelve weeks to realize that I don’t really like organizations where people are ‘deemed’ things” (Kaling 39). Comedy is about how one does or does not belong. In other words, comedy becomes about being disoriented when the material is not performed for nor originated from those whom the language or space is oriented for; the orientation of the comedic Other demands the disorientation of the comedic audience. Rather than simply “poking fun” and providing commentary on the mundane, these comedians show how comedy has been a means of making sense of how one inhabits this world while also offering a lexicon and grammar to articulate it in ways that are not only accessible to their audience, but also, importantly, accessible to themselves. In this way, stand-up comedy is both rhetorical and phenomenological. The orientation (or disorientation) of bodies in the comedic space can be the factor that allows for a rhetorical purpose or event to erupt. There is a small, but growing, field of writing on contemporary comedy and rhetoric with an even smaller portion focusing specifically on stand-up writing and performance. A collection of this writing, *Stand Up, Speak Out: Stand Up Comedy and the Rhetoric of Social Change*, features sixteen articles on stand-up comedy as a medium capable of eliciting social change, highlighting the accessibility of the genre as a key factor. However, while this collection offers important insight to comedy as response and intervention, there is little written on how embodiment and the space of the comedic stage affects who gets to speak and on what subject matter. For example, Alberto González’s chapter “Response: Stand Up, Race and Culture from Insult to Reflection”

presents the work of Lenny Bruce and his comedic influence as an important departure away from and against the racist humor of the 1950s where “In the case of stand-up comedy, the *absence* of critical interrogation of race relations during the Civil Rights Era emphasizes its *presence* in the larger society and the corresponding need for inclusion among comics” (128). While the absence and presence of certain dialogues and comedic techniques around Otherness is covered extensively, the absence and presence of Other bodies/voices themselves has not been raised as a necessary intervention into comedy. As Royster highlights of the state of Other bodies/voices being “subject matter but not subjects,” the praise of white male (oriented) comedians for addressing and critiquing racial and gendered tensions on the stage occludes the absence and presence of the bodies that experience these tensions (and subsequent violence) firsthand (Royster 125). As such, when these Other bodies arrive on the stage and speak, much more than a response to a rhetorical situation occurs. Royster writes:

If I take my cue from the life of Ida Wells, and am bold enough to go beyond the presentation of my stories as juicy tidbits for the delectation of audiences, to actually shift or even subvert a paradigm, I’m much more likely to receive a wide-eyed stare and to have the value and validity of my conceptual position held at a distance, in doubt, and wonderfully absorbed in the silence of appreciation (127).

When those that make up the subject matter of interventional work become subjects themselves, or when Other bodies practice their own interventional comedy by relying on their personal experience, a distance is closed between that which seems far away (the Other, the silent subject matter) and that which is centered (the white speaking subject). While white, masculine comedians like Bruce are said to have “worked to make the

absence present” (González 128), comedians who are women of color and/or queer, like Wong, Haddish, Kaling, and Gadsby, work to make their *presence* present.

The Appropriate Inappropriate: Silliness as Functional Rhetorical Response

All four comedians not only draw on their personal backgrounds and experiences in order to write and produce comedy but also locate these private spaces as critical points in their arrival on the stage and their resulting subject formation. As such, how these comedians inhabit, arrive at, and move in-between spaces informs and helps to produce both subject matter and subject formation. The stage is a space of many concerns in regard to this as both restrictive but also generative. Key to these comedians’ memoir-works are practices of recording differences in their experiences both before and after their arrival on the stage as well the continuous instability of their inhabitation of public and recognized comedic space. Often these comedians contrast the repeated labor they perform in both acquiring and maintaining this inhabitation with observations of quick acceptance of comedians considered to be more “mainstream” or “identifiable.”

While comedy’s accessibility and potential as a tool for social change is often and more increasingly noted, the treatment of comedic works is far from a serious rhetorical intervention or response. In other words, though comedy can and is perceived as a response, this response does not effectively meet the requirements set forth by its rhetorical situation. Lloyd F. Bitzer gives a defining characteristic of the rhetorical situation: “In any rhetorical situation there will be at least one controlling exigence which functions as the organizing principle: it specifies the audience to be addressed and the change to be effected” (7). Though stand-up comedy, and comedy in general for that

matter, is framed as commentary and engagement with the social and political and can even address specific movements and events, it is often argued as falling short of providing or enacting the “change to be effective.” Wong, Haddish, Kaling, and Gadsby are aware of the ineffective and trivial framework of their genre, gesturing to it in both direct dismissals of their own work as serious as well as by challenging the perception of the genre as an easy access point for all. Hannah Gadsby tells her audience that “none of us are leaving here a better person” (*Nanette* 2018); while Ali Wong laments how she was “tricked” into being the breadwinner of her family, offering a narrative of how she purposely “traps” a Harvard-educated suitor only to be using her comedy labor to be paying off his student loans (*Baby Cobra* 2016). Meanwhile, Mindy Kaling refuses any comedic ethos predicated on a direct response to political and social situations, instead offering over two hundred pages of embarrassing anecdotes and even shallow exchanges with world leaders. Writing on her invitation to the White House to meet the president, Kaling centers her limited knowledge, referencing mostly popular cultural references such as Marilyn Monroe’s affair with John F. Kennedy and blaming her dislike of her guide on her knowledge of *The West Wing* and *The American President*, two political television shows set in the White House. Kaling writes, “My perception of people in the White House has been shaped 100 percent by Aaron Sorkin” (137). In *Black Unicorn*, Tiffany Haddish also refuses the purposeful comedic ethos but goes further to simplify her comedic career as a mere form of survival: “I don’t know how or why, but all the bad shit stopped. All of it. Just from doing open mics” (139). Later on, Haddish frames her stand-up special *Black Mitzvah* as a celebration. However, like Gadsby, Wong, and

Kaling, Haddish's work, though purposefully framed in the trivial, goes on to confront and challenge numerous narratives and assumptions that revolve around her body and its arrival on the stage.

Richard E. Vatz's critical response to Bitzer's rhetorical situation provides the groundwork for why stand-up comedy does not meet the expectations of a proper rhetorical response. Similar to the means by which these four comedians have emphasized the personal and trivial nature of their work, Vatz critiques that personal experience and response may reflect the beliefs of the individual responder, they "do not, however, tell us about qualities within the situation" (154). While Bitzer frames the rhetorical situation as that which comes first and elicits a response, Vatz presents a situation as articulable and definable through its linguistic interpretations. Vatz argues,

The critical question, therefore, is what accounts for the choice by political spectators and participants of what to organize into a meaningful structure and what to ignore. Any rhetor is involved in this sifting and choosing front-page stories versus comic-page stories or the speaker highlighting facts about a person in a eulogy (156).

While Bitzer argues that the rhetorical is situational, Vatz argues that the situation is, itself, a rhetorical construction. In other words, Bitzer's framework offers an event or situation as that which elicits a rhetorical response that identifies and enacts moments of change while Vatz positions the communication of the event or situation as that which shapes and informs a response. Stand-up comedy, as drawing on personal experience and framed as social commentary rather than drawing from what is to be considered the "proper" choice of facts and events, is at clear tension with both Bitzer's rhetorical

situation and its demands as well as Vatz's argument that an existing rhetorical perspective is necessary in order to enact persuasion or change. In contrast, stand-up as a mode of entertainment does not rely on established and wide-reaching, general sources of knowledge (i.e., the "front page") and instead often relies on "lower," more personalized modes of understanding through personal experience and relational comprehension. In other words, while comedy provides a rhetorical purpose of engagement and response through tension and its subsequent release, it falls short of the persuasive goal which Vatz suggests. As these four comedians note and even sometimes reinforce, comedic work and stand-up in particular does not necessitate a call for action or even a drive for change. To repeat Gadsby, "none of us are leaving here a better person."

However, although all four comedians express a sort of "purposelessness" to their performative and written work and although they consistently deconstruct their own ethos and rhetorical agency on the stage, all six works also express a desire to enact or affect some sort of difference by the end of their work. Haddish's *The Last Black Unicorn* and Kaling's *Why Not Me* both articulate a desire to inspire and enact identification. Haddish's introduction is framed as an invitation to her audience—one that elicits both identification and disidentification: "I decided to write this book in the hope that someone will read it and feel like, "If she can do it, I know I can!" (i). The end of Kaling's text includes an anecdote about a group of young women of color lining up to ask for her advice at the end of an interview and how Kaling feels she failed her through fumbled advice. Ending her collection of essays on subject matter that ranges from the beauty secrets of Hollywood, to romantic relationship and sexual fantasies, to meeting the

president and receiving her own television contract, Kaling offers revised and assertive advice to the young women of color. Though these comedians repeatedly undermine their own work, they still continue to express hope that the personal narratives they write and perform culminate in more than simply entertainment. However, the sense of purpose put forth by these comedians is not identifiable in either a distant or fully realized situation nor one that is first filtered through a rhetorical linguistic. Rather, Wong, Haddish, Kaling, and Gadsby all respond to a situation that is first and foremost identifiable within their own bodies. In other words, their own inhabitation and embodied experience makes up and forms the situation to which the comedians react. Along the lines of Royster, the subject becomes the subject matter.

Rhetorical Response as Phenomenological Reorientation

This truth, as can be seen from above, originates in those personal anecdotes and stories. A stand-up joke comes from a story. You can get a story from what happens to you. In *Nanette*, Hannah Gadsby talks of stories. She tells us, “You learn from the part of the story you focus on” (Gadsby 2018). Breaking down the grammatical structure of a story versus a joke, she notes that for a joke to take place, a loss in the story must occur. A joke can be seen as a deviation from a story: it stops at a point along a narrative line and moves towards a punchline, a point of relief from the climax. We can suppose this is why it’s called “comic relief.” So, the loss is the ending: the joke *fails to attend to* the points of tension that demand release. What it does, instead, is reorient the audience toward a different side of that tension: the question of possibility it provides, a question of what would happen if we were to respond in a different way. Gadsby notes the

relationship between herself as joke-giver and her audience as joke receivers: “[I]n this context, what a joke is, is a question that I have artificially inseminated. Tension. I do that. That’s my job. I make you feel all tense, and then I make you laugh, and you’re like [sighs] ‘Thanks for that.’” Emphasizing that her role as joke-giver relies on an exchange (she *gives* the tension to the audience), Gadsby raises many questions about what the role of a comedian is or what the platform of the stand-up stage offers. Most importantly, Gadsby questions her arrival on the stage and what her body inhabiting that space does.

Gadsby’s formulaic approach to comedy reinforces Ahmed’s theorizing on queer phenomenology and the affect alien, where Gadsby’s own discomfort and unhappiness in certain spaces extends to her inhabitation of the stage. Indeed, immediately we can note the centrality of Gadsby’s queerness as necessary to her affective response and technique. Ahmed’s *Queer Phenomenology* asks what it means for a body to be “oriented,” or rather, what it means to be in a space that extends a body’s reach and to be surrounded by objects that provide motility to that body. In terms of phenomenology, motility of the body is concerned with how and where that body can move, and how easily or difficult that movement can be depending on the body and the space it inhabits. In terms of the comedic stage, I am considering how certain normative bodies experience an easier arrival on that stage than Others. This motility also has to do with how our bodies interact with that space and inform it. Ahmed revisits Husserl’s table throughout the work, asking how we might turn ourselves toward the table, how we might find the table among other objects, and how we situate that table along a background. She asks how we arrive at the table and points to how the table might be inherited. Noting how it might be easier for

some to get to the table more than others, Ahmed also points to the work it might take to arrive at the table. Gadsby is concerned with the stage: how has she arrived here? Because she is a comedian; she is a joke-giver. To give a joke is to have a joke, to have been given or to have inherited that joke. To have a joke is to have a story.

The stories from which jokes are born, she presents, can have *too* pleasant endings: her mother becomes the so-called “hero” of her coming-out-story. But they can also be traumatic: the violence on the body, as when she reveals the true truth of what happened at the bus stop. Gadsby reorients her audience towards tension; in fact, she locates *herself* as tension. She is a tense object, a space where tense events occur. This tension occurs in the event of misunderstanding. Gadsby may be disoriented. To be disoriented, according to Ahmed, is to be “out of line” with the proper objects, to be restricted by the spaces you inhabit rather than extended by them. In this way, Gadsby can neither meet the appropriate entertainment demands of the comedic genre nor the “fitting response” to the rhetorical situation. Early on, Gadsby illustrates how spaces do not extend to meet her. She notes how homosexuality was criminalized in Tasmania until 1997; how, socially, lesbians’ stability was fragile: “Do they even exist if no one’s watching, really?” (Gadsby 2018). She goes on to material about how she had trouble identifying with the representation of gay life she had had access to as a child. Commenting on the loud, busy party she saw in footage of Sydney Mardi Gras, she asks her audience, “Where do the quiet gays go?” Gadsby is concerned not only with places in which she is restricted and tense, she is looking about for places to go in which she can stretch out and feel comfort.

Nanette begins with an arrival: Gadsby unlocks and opens the front door to her house, where two dogs rush to meet her. She deposits her keys, sunglasses, and phone into baskets arranged on a shelf by the door. She puts on her glasses and looks before her; the camera cuts to her walking down a hallway, her hand trailing along the wall to her right. Moving to her kitchen, a refrigerator is shown with pictures tacked along the side. A bouquet of sunflowers sits arranged below. Gadsby's figure moves to an electric kettle, switches it on, and reaches to her left for a tea pot. A cup of tea is made. Her house is arranged, and her practices of arrival are reflected as just that: practice. Gadsby settles in; she makes herself "at home." Despite this, Gadsby spends the special showing us how very not "at home" she is. Her out-of-placeness comes from her incoherence: she notes how when first perceived, she might be a "good bloke." However, this perception is only temporary: soon she's a "trickster woman." She notes how this often happens in small towns. She expresses her discomfort in *being in* a small town and how these spaces restrict her reach. Ahmed writes on how disorientation "involves failed orientations: bodies inhabit spaces that do not extend their shape or use objects that do not extend their reach. At this moment of failure, such objects "point" somewhere else or the make what is "here" become strange" (Ahmed 160). Gadsby turns back to the stage and to her role as joke-giver: "I have to quit comedy" (Gadsby 2018). Gadsby tells us she must leave the stage because she has built a living on self-deprecation, something she can no longer do anymore. The stage, like the small town, has been restricting her and her body can no longer sustain inhabiting that space. Stress and tension can be embodied: "Bodies can even take the shape of such stress, as point of social and physical pressure than can be

experienced as a physical press on the surface of the skin” (Ahmed 160). *Nanette* will continue to show us how the body taking up that space is a question of particular importance.

To have a story to tell is to have a body impressed by tension. Gadsby makes this very clear to her audience. However, it is not only her tension which has, as of late, taken place on the comedy stage and with the comedian body. Comedians who disorient and are disoriented cannot bend to fit into the comedic space before them; at least not without those violent repercussions that Gadsby mentions when she asserts that she must “quit comedy.” Instead, these comics, through their full inhabitation, disorient the space itself along with the audience that inhabits it with them. What happens when audiences get reoriented towards tension, and the comedian-body as a tense object? What happens when those arrive to “provide tension relief” are those who come from tense backgrounds? Comedy, both in poetic and rhetorical forms, is often seen as a male-dominated space, and a white one at that. As such, the stand-up stage has been shaped by and for those bodies which dominate it, allowing those bodies to extend with ease, while those who bodies which are considered Other, may find the space restricting, perhaps claustrophobic.

Those dominating bodies are oriented: they have not only come into this space by through an ease of proximity to it, but through their *inheritance of that space*. To inhabit this space when one is not oriented for it can be to be stopped. Comedians that are “not funny,” or rather, *only perceived as funny when seen as an object to be beheld rather than a subject committing an act of humor*, are often stopped, and asked “how did you get

here?” Ali Wong, an Asian American comic with Chinese and Vietnamese heritage, hints at this in a collection of letters to her daughters, titled *Dear Girls: Intimate Tales, Untold Secrets, and Advice for Living Your Best Life*. Describing a moment that she recounts as being made to feel “like a real outsider,” Wong writes of a man who touches her pregnant belly and asks, “So this is your hook, this is your thing, right?” (Wong 72). An ironic moment here: because she must not be funny (due to her Otherness—her necessary distance from what shapes the comedic stage), she has achieved her arrival. Her pregnancy here is situated as a pathway to success. An unsolicited comment follows: “You’re so lucky, Ali. Me, I’m just another white guy. But you are both a female *and* a minority” (her emphasis). Contrarily, Wong illustrates throughout her memoir just how untrue this assertion is: her status as both woman and minority, along with her pregnancy, have suggested that she does not arrive on the stage. Precisely the fact that she has been asked if her Otherness is “her thing” gestures toward the idea that she should not be there.

The feeling that Wong should not be there is tied up with her success. Her fame came with the 2016 debut of her stand up special *Baby Cobra*, filmed when she was 7 ½ months pregnant with her first child. In the special, Wong is hyper-aware of her pregnant state, beginning with the statement: “We’re going to have to get this shit over with, because I have to pee in like ten minutes” (Wong 2016). Wong, in a fitted dress that accentuated her rounded belly, proceeded into material ranging from her positive HPV status, sex, and defecation (among other subjects). Wong’s fitted dress is important to note because she provided visual aids through miming to her audience, at times fully on her back with her legs raised. Though pregnancy factors largely into her routine, Wong

expands her material to show the nuanced and uncomfortable experiences she's had while emphasizing her background as an impetus for these events. More importantly, this background and collection of experience is presented as *informing* her comedic orientation: she is funny because her background is disoriented. In both *Dear Girls* and *Baby Cobra*, Wong's identity as not only a woman, but an Asian American woman with Chinese and Vietnamese heritage, has directed both her experiences and her responses to them. Like Gadsby, Wong's comedy works because she has a background, or a *story to tell*. The questions of Gadsby's and Wong's respective arrival to the stand-up stage is predicated on these stories, which in turn make up their backgrounds.

In this way, stand-up comedy can act as a form of memoir when comics center their background and personal experience in a manner that goes beyond entertainment towards other possible rhetorical functions. It is, after all, a genre that relies heavily on the personal anecdote, a story wherein an event happens involving the comedian themselves. They become the central narrator; we are presumed to be listening to a series of stories about their life or involving them, which in turn affect the way they inhabit and perceive the world. Gadsby comments on the small town: "I don't feel comfortable in a small town. I get a bit *tense*" (Gadsby 2018, my emphasis). Gadsby's disorientation with the small town is due to her background there; the tension comes from a story or stories that involve her body and the space it inhabits. Throughout the entire special, in fact, the audience learns various facts and anecdotes about Gadsby's life: where's she's from (Tanzania), her degree (Art History), and even tales of her history with comedy and her reception. *Nanette* is almost autobiographical. This technique, although not an unusual

approach taken by stand-up comedians, is deployed differently here: it is due to, rather than in spite of, Gadsby's background that she is able to arrive on the stage.

However, comedy as memoir can and does take literal form: since the arrival of late-night television and comedy clubs, comedians have penned their lives' tales and adventures. These memoirs operate differently from the stand-up set; they offer holistic, unusually chronological accounts of life (up to a certain point). Like the stand-up set, they are focused usually on either the comedian's arrival on the stage or the condition of their inhabitation upon its arrival. In other words, these memoirs usually take place before or since one's arrival, while stand-up sets may make sense of one's presence through either their background or trajectory.

The arrival on the stage is different than the inhabitation of the stage. Gadsby expresses the desire to "quit comedy" because the stage does not allow her to stretch out. She marks how the stage and the audience demand her to make light of her situation, to "release the tension" for them. However, in releasing tension *for them* she must hold tension *in herself*. The demand for one's release is a denial of another's. Gadsby tells us, "I need to tell my story properly," implying that, for the sake of others, she has been demanded to 'lose' parts of it; those parts which make those around her uncomfortable.

Conclusion

Though the initial engagement with and consumption of comedy has been understood as primarily entertainment, Wong, Haddish, Kaling, and Gadsby draw on the personal nature of the genre to disrupt its own shallow conventions and assumptions. These comics make moves that are simultaneously entertaining as well as rhetorical,

utilizing seemingly silly and laughable personal aspects and anecdotes as pathways to interrogate and dismantle their own otherness and provide uncomfortable engagements as well as unlikely identifications. By reading and watching their work in the framework of the theory of the rhetorical situation, I have put forth two claims: (1) that the comics take advantage of the comedic genre and its expectations in order to attend to their own otherness and disorientation on and off the stage; and (2) that the stand-up set itself generates a complex process of disorientation, where their inhabitation and agency disrupts the inhabitation and agency of the audience themselves.

The larger implications of framing comedy as both rhetorical and phenomenological are in how these comics' disruptive and collaborative moves result in the spread of disorientation in a focused manner. Ahmed notes that not only can disorientation "move around," but the state of being disoriented "requires an act of facing, but is a facing that also allows the object to slip away, or to become oblique" (171). The mere inhabitation of and ability to speak on the stage is only half of it: what is also important is how these comedians continually draw focus on themselves and their disorientation. In other words, they keep their audience facing them. In this way, the four comics maintain their disorientation and otherness, not in an attempt to alleviate or amend their situation (to make themselves "fit" better on the comedic stage), but to share these with their audience. By folding discomfort into laughter, they upset both the genre and the audience by focusing and refocusing on the situation at hand, rather than direct rhetorical action. This longer, hyper-focused meditation on disorientation and otherness refuses the immediate relief of tension as the end point and instead promotes a longer

engagement with the problem at hand—a problem articulated in and represented by their own bodies.

This thesis has been a short interrogation into what happens when comedy is generated and performed by those othered by the genre itself as well as in their everyday lives. When these comics take the stage, they prioritize their own embodied experiences and responses. What their inhabitation on the stage and what the further focus point on their otherness offers is a focus on what that otherness enacts and how it is felt on a personal level. Opportunities remain for additional examination of comedy not only as the spread of disorientation, but also the spread of bad feeling, or feeling uncomfortable, or simultaneously “left out” while also being the subject of conversation and scrutiny. Where will feeling bad in funny or silly spaces lead us?

WORKS CITED

- Ahmed, Sarah. *Queer Phenomenology*. Duke Press, 2006.
- Bitzer, Lloyd F. "The Rhetorical Situation." *Philosophy & Rhetoric*, vol. 1, no. 1, 1968, pp. 1–14.
- Gadsby, Hannah. *Nanette*. Netflix, 2018.
- Haddish, Tiffany. *The Last Black Unicorn*. Gallery Books, 2017.
- _____. *Black Mitvaz*. Netfliz, 2019.
- Kaling, Mindy, *Why Not Me?* Crown Publishing, 2015.
- Royster, Jacqueline Jones. "When the First Voice You Hear is Not Your Own." *Landmark Essays on Rhetoric and Feminism*, ed. By Cheryl Glenn and Andrea J. Lunsford. Routledge, 2015, pp 122-132.
- Vatz, Richard E. "The Myth of the Rhetorical Situation." *Philosophy & Rhetoric*, vol. 6, no. 3, 1973, pp. 154–161.
- Wong, Ali. *Baby Cobra*. Netflix, 2016.
- _____. *Dear Girls*. Random House. 2019.