



Paul Krassner

Are Rape Jokes Funny?

Abortion was still illegal in 1970. At the time, as both an underground abortion referral service and a stand-up satirist, I faced an undefined paradox. Irreverence was my only sacred cow, yet I wouldn't allow victims to become the target of my humor. There was one particular routine I did that called for a "rape-in" of legislators' wives in order to impregnate them so that they would then convince their husbands to decriminalize abortion.

But my feminist friends objected. I resisted at first, because it was such a well-intentioned joke. And then I reconsidered. Even in a joke, why should women be assaulted because men made the laws? Legislators' wives were the victims in that joke, but the legislators themselves were the oppressors, and their hypocrisy was really my target. But for me to stop doing that bit of comedy wasn't self-censorship. Rather, it was, I rationalized, a matter of conscious evolution.

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Now, in July 2012, more than four decades later, rape-joking triggered a widespread controversy when a woman who prefers to remain anonymous went to a comedy club, expecting to be entertained. She chose the Laugh Factory in Hollywood because Dane Cook was on the



Photo by Michelle Henman

bill, but he was followed by Daniel Tosh, and she had never heard of him.

In an email to her Tumblr blogger friend, she accused Tosh of saying that “rape jokes are always funny, how can a rape joke not be funny, rape jokes are hilarious.” She was so offended that she felt morally compelled to shout, “Actually, rape jokes are *never* funny!” Tosh paused and then seized the opportunity, responding, “Wouldn’t it be funny if that girl got raped by like five guys? Like right now? What if a bunch of guys just raped her?”

The audience laughed raucously. After all, isn’t anyone who yells at a comedian practically asking to become an immediate target? But this woman was stunned and humiliated, and she left. In the lobby, she demanded to see the manager, who apologized profusely and gave her



free tickets for another night--admitting, however, that she understood if this woman never wanted to return.

In her email, she concluded that, “having to basically flee while Tosh was enthusing about how hilarious it would be if I was gang-raped in that small, claustrophobic room was pretty viscerally terrifying and threatening all the same, even if the actual scenario was unlikely to take place. The suggestion of it is violent enough and was meant to put me in my place.”

She added, “Please reblog and spread the word.” And indeed, it went viral.

Coincidentally, on the same night that Tosh, in his signature sarcastic approach to reality, provoked the woman, Sarah Silverman was performing at Foxwoods Casino and she touched upon the same taboo subject:

“We need more rape jokes. We really do. Needless to say, rape, the most heinous crime imaginable, seems it’s a comic’s dream, though. It’s because it seems when you do rape jokes, that the material is so dangerous and edgy, and the truth is, it’s like the safest area to talk about in comedy ’cause who’s gonna complain about a rape joke? Rape victims? They don’t even report *rape*. They’re just traditionally not complainers.”

Ironically, in *The Aristocrats*, a documentary entirely about a classic joke of the same name, Silverman complained that she was once raped by show-biz legend Joe Franklin.

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In the fall of 1981, I booked myself for a cross-country tour, from New York to Chicago, Minneapolis, San Francisco and Los Angeles.

While I was in New York, a nun was raped. When I got to Chicago, the rapist was also there. He had given himself up to the police. On stage I explained the true reason why: “He heard that the Mafia, in a rush of



Christian compassion, put a \$25,000 contract out on his life.” That part was true. “So now I’m asking the Mafia to use their clout to end the war in El Salvador since *four* nuns were raped and killed there.” They must’ve heard my request. By the time I got to Los Angeles, the *Herald-Examiner* was reporting that the Mafia was “probably the largest source of arms for the rebels in El Salvador.”

In the spring of 1982, there was a Radical Humor Festival at New York University. That weekend, the festival sponsored an evening of radical comedy. The next day, my performance was analyzed by an unofficial women's caucus. Robin Tyler (“I am not a lesbian comic -- I am a comic who is a lesbian”) served as the spokesperson for their conclusions. What had caused a stir was my reference to the use of turkey basters by single mothers-to-be who were attempting to impregnate themselves by artificial insemination.

Tyler explained to me, “You have to understand, some women still have a hang-up about penetration.”

Well, I must have been suffering from Delayed Punchline Syndrome, because it wasn't until I was on a plane, contemplating the notion that freedom of absurdity transcends gender difference, that I finally did respond, in absentia: “Yeah, but *you* have to understand, some men still feel threatened by turkey basters.”

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Although Tosh is a consistently unapologetic performer for the sardonic material he exudes on his Comedy Central series--which features a running theme of rape jokes, even including one about his sister--for this occasion he decided to go the Twitter route: “All the out of context misquotes aside, I’d like to sincerely apologize.” He also tweeted, “The point I was making before I was heckled is there are awful things in the world but you can still make jokes about them.”

According to Jamie Masada, owner of the Laugh Factory, Tosh



asked the audience, “What you guys wanna talk about?” Someone called out “Rape,” and a woman in the audience started screaming, “No, rape is painful, don’t talk about it.” Then, says Masada, “Daniel came in, and he said, ‘Well, it sounds like she’s been raped by five guys’—something like that. I didn’t hear properly. It was a comment—it wasn’t a joke at the expense of this girl.” Masada claims that she sat through the rest of Tosh’s performance, which received a standing ovation, before she complained to the manager.

Fellow comedians defended Tosh with their own tweets. Dane Cook: “If you journey through this life easily offended by other peoples words I think it’s best for everyone if you just kill yourself.” Doug Stanhope: “You’re hilarious. If you ever apologize to a heckler again I will rape you.” Louis C.K.: “your show makes me laugh every time I watch it. And you have pretty eyes”—except that he wrote it after watching Tosh on TV, but before he learned about the Laugh Factory incident. Nevertheless, he was excoriated and accused of being a “rape apologist.”

But C.K. himself is no stranger to sexual-assault jokes. Onstage, he has said that he’s against rape--“unless you have a reason, like you wanna fuck someone and they won’t let you, in which case what other option do you have?”

Conversely, on the second episode of his series, *Louie*, on the FX channel, he reversed such roles. After leaving a bar with an especially aggressive woman, Laurie (played by Melissa Leo), he had inadvertently met earlier, she performs fellatio on him in her pickup truck, then insists that he in turn perform cunnilingus on her. And he refuses.

So, she attacks him physically with unabashed viciousness, mounts him, and he gives in to her demand. In other words, Laurie rapes Louie. No joke. To watch this scene was positively jaw-dropping. It served as a reminder of how often comedians--and their jaded audiences--find prison-rape jokes not only to be funny, but also, as in the case of Jerry Sandusky, an act of delayed justice resulting in laughter that morphs into



applause.

Meanwhile, reacting to the Tosh tirade, Julie Burton, president of the Women's Media Center, stated:

"If free speech permits a comedian to suggest a woman in his audience should be gang-raped, then it certainly permits us to object, and to ask what message this sends to survivors or to perpetrators. Tosh's comment was just one extreme example of pop culture's dismissive treatment of sexualized violence, which desensitizes audiences to enormous human suffering. Internet outcry is encouraging, but popular media needs to push back too."

And the original blogger posted another message:

"My friend and I wanted to thank everyone for there [*sic*] support and for getting this story out there. We just wanted everyone to know what Daniel Tosh had done and if you didn't agree then to stop following him. My friend is surprised to have gotten any form of an apology and doesn't wish to press any further charges against [him]." What? Press charges? Rape is a crime. Rape jokes aren't. They are the risk of free speech. The blog concluded, "She does plan on returning to comedy shows in the future, but to see comedians that she's seen before or to at least look up artists before going to their shows."

Wait till she finds out Dane Cook suggested that she kill herself.

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What's funny is always subjective but not incapable of alteration. Now, over forty years since I stopped presenting my concept about a rape-in of legislators' wives, I have changed my mind about that decision in the process of writing this piece. I sent the first draft around to several friends, and I was particularly touched by a response from Emma Cofod, production manager at my publisher, Counterpoint/Soft Skull Press:

"Thank you for sharing this! I truly appreciate your thoughts here. I read about this woman's complaint last week, and the whole event turned



my stomach. What Tosh did was personally threatening, which is not OK. But even though I fall neatly into the feminist camp, I think your original joke is hilarious—within context, and coming from a comedian whose philosophy I identify with. Color me conflicted.”

I think that kind of conflict is healthy. And then the other shoe of my epiphany dropped when I saw Louis C.K.’s appearance on *The Daily Show*. This is what he told Jon Stewart between interruptions:

“If this [controversy about Tosh] is like a fight between comedians and bloggers--hyperbole and garbage comes out of those two places, just uneducated, unfettered--it’s also a fight between comedians and feminists, because they’re natural enemies, because, stereotypically speaking, feminists can’t take a joke, and on the other side, comedians can’t take criticism. Comedians are big pussies. So to one side you say, ‘If you don’t like a joke, stay out of the comedy clubs.’ To the other side you say, ‘If you don’t like criticism, stop Googling yourself every ten seconds, because nobody’s making you read it.’ It’s positive. To me, all dialogue is positive. I think you should listen.

“If somebody has the opposite feeling from me, I wanna *hear* it so I can *add* to mine. I don’t wanna obliterate theirs with mine, that’s how I feel. Now, a lot of people don’t feel that way. For me, any joke about anything bad is great, that’s how *I* feel. Any joke about rape, a Holocaust, the Mets--*aarrgghh*, whatever--any joke about something bad is a positive thing. But now I’ve read some blogs during this whole that made me enlightened at things I didn’t know. This woman said how rape is something that polices women’s lives, they have a narrow corridor, they can’t go out late, they can’t go to certain neighborhoods, they can’t dress a certain way, because they might--I never--that’s part of me now that wasn’t before, and I can still enjoy the rape jokes.

“But this is also about men and women, because a lot of people are trading blogs with e--ach other, couples are fighting about Daniel Tosh and rape jokes -- that’s what I’ve been reading in blogs -- but they’re both making a classic gender mistake, because the women are saying,



‘Here’s how I *feel* about this,’ but they’re also saying, ‘My feelings should be everyone’s primary concern.’ Now the men are making this mistake, they’re saying, ‘Your feelings don’t matter, your feelings are wrong and your feelings are stupid.’ If you’ve ever lived with a woman, you can’t step in shit worse than that, than to tell a woman that her feelings don’t matter. So, to the men I say, ‘Listen to what the women are saying about this.’ To the women I say, ‘Now that we heard you, shut the fuck up for a minute, and let’s all get back together and kill the Jews.’ That’s all I have to say about it.”

The audience laughed and applauded, as they did fifty years ago when Lenny Bruce ended a riff on prejudice: “Randy, it won’t matter any more even if you are colored and I’m Jewish, and even if Fritz is Japanese, and Wong is Greek, because then we’re all gonna stick together—and beat up the Polacks.”

My notion of a rape-in of legislators’ wives in order to impregnate them was no more to be taken literally than C.K.’s killing the Jews or Lenny’s beating up the Polacks. Rape-in was a misunderstood metaphor; a pro-choice parable that, unfortunately, has become timely again.