THE PLACE OF IMPIETY IN CIVIC ARGUMENT

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Abstract

This paper considers the place of impiety within democratic theory. Contemporary political theory is concerned with discourse and has developed communicative norms to deliberation in the public sphere. These norms of deliberative democracy require, however, that participants be reasonable and guided by goodwill. These theorists do not give serious consideration to impiety, and in particular to its possibilities to move beyond antagonism, enabling prudence and promoting *philia*, civic friendship. A brief critical discussion of Seyla Benhabib's conception of deliberative democracy is followed by a discussion of the relationship of rhetoric to prudence. While prudence is usually considered in Aristotelian terms, it can also be viewed Sophistically. Sophistic prudence is strategic, impious, and often uses laughter. Three cases of impiety are then briefly examined.

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The liberals may well be godless, but they are not very bothered by justice.
The left, on the other hand, does want justice, but is still extremely pious.

Lyotard, Lessons in Paganism (1989)

The comic frame will appear the most serviceable for
the handling of human relationships.

Burke, *Attitudes toward History* (1984)

On 16 August 2000, Jean Chrétien was victim of an unexpected attack by a member of the PEI PIE Brigade, who placed a cream pie on his face before cameras that would relay this indignity to all of Canada. How should one characterise this act?[1] Under Canadian law, Chrétien was the victim of assault, and the pieman faces thirty days. However, this was not an assault in the usual sense. No physical harm was intended. Pieing seeks to insult without injury. Pieing is firstly a symbolic act. Furthermore, the act itself, unlike the pie, was not primarily addressed to the victim but to a judging audience. Pieing is a form of rhetoric that gives new meaning to *ad hominem*.

Pieing is an instance of the rhetoric of impiety. Pieing could be dismissed as incivility and as a mark of our incapacity to communicate. However, incivility does not fully capture what is central to the indignity visited upon Chrétien. According to Stephen Carter, a critic of contemporary incivility, current social and political relations – at least in the United States – lack respect and the "sacrifices we are called to make for the sake of living together" (Carter 1998, 11) Thus, superficially, to pie is uncivil. Respect is lacking. However, pieing does not abandon the category of respect, but tropes it. For Carter, the uncivil society is peopled with "barbarians running late," who are impatient, rude, and lack any sense of regard for others. These are reduced to obstacles or enemies if they hinder one's will. This hardly matches the pieman's attitude. Pieing is not an expression of unmediated anger or impatience, and furthermore begins with a deep appreciation of regard. Pie advocates follow a maxim of "do no harm" in choosing dish and ingredients. The pieman is not a barbarian but a clown, whose act is tactical, premeditated, and very mindful of appearances. Furthermore, his victims are not only treated as a means, but also as an end – since they are invited to reflect upon their own false piety.

Pieing is an instance of impious rhetoric, which is what this paper seeks to explore. It is a form of symbolic politics with a democratic component, for unlike the common rebuke or insult, its effects are subordinated to the judgements of its audience. While not argumentative in the usual sense, pieing implicitly does make the claim that its victims have received their just desserts. However, the proof of this claim is not in a minor premise, but in the pudding – in the response that the act itself provokes. We have an aesthetics of *ethos*. Just as the victim's *ethos* is subject to attack, so the pieman risks his own *ethos* in the performance, becoming worthy of respect only if he secures audience identification, and only if his act elicits the laughter that can stand as proof of his claim. Furthermore, such laughter requires a prior moment of judgement, a recognition of the justness of the act. Not all pieing is deserved. Pieing thus has a democratic flavour, not because it is oppositional, but because it invites a critical popular regard toward authority. Pieing offers a

rhetoric of comedy that, through impiety, enables judgement based in critical distance, and works to undermine the network of identifications that organise piety's *eros*.

While impiety is a recurring rhetorical figure in our actually existing democracies, it has received only limited attention among theorists of communicative democracy. This is hardly surprising, since theories of communicative democracy usually champion pragmatic norms derived from idealised models of conversation. Such models would consider impious rhetoric to serve only partiality and negative critique. Impiety, read as incivility, would be destructive of community. In what follows, I will offer an alternative view. Inspired both by Kenneth Burke and Jean-François Lyotard, I argue not only for an impious spirit, but I also seek to distinguish between different sorts of impiety, and argue for what I term prudent impiety, which is to say an impiety that is not simply destructive, but enabling.

Why Impiety?

Piety is usually considered an ethical virtue, consisting of duty to one's parents, superiors, or gods. The pious soul has internalised obligation. In answering the call, one is true to oneself. As Burke tells us citing Santayana, piety consists in "loyalty to the sources of our being" (Burke 1965, 71). Since these sources are at least in part external to the self, even while formative of it, piety proceeds through identification. Piety places difference under erasure. Piety is the virtue of harmonious subjects. Impiety, on the other hand, is piety's active negation, and consists of "ungodliness, unrighteousness, wickedness." Impiety, in its usual usage, is a sin: a refusal not only of duty, but also of God. Piety and impiety are not for as much simple antonyms, but set in play different ontologies. Piety moves toward unity: It seeks wholeness through the denial of difference. The pious soul, filled with grace, is constituted in harmony with itself and with its sources. Impiety begins, on the other hand, with a break, a refusal, a sin, and as such an affirmation of will. Impiety is inaugurated in difference. While piety is fundamentally based in a denial of self through transcendence, impiety begins with an other, or otherness within the self.

Both piety and impiety are aesthetic. Kenneth Burke describes piety as "the sense of what goes with what" (Burke 1965, 76) Piety is furthermore a system builder, for it is a "schema of orientation, since it involves the putting together of experiences." Piety is thus constitutive: its effects run deep. It prescribes acts that produce subjects. Burke well captures this dynamic, as he muses:

> *[I]f we can bring ourselves to imagine Matthew Arnold loafing on the corner with the gashouse gang, we promptly realize how undiscriminating he would prove himself. Everything about him would be inappropriate: both what he said and the ways in which he said it. Consider the crudeness of his perception as regards the proper oaths, the correct way of commenting upon passing women, the etiquette of spitting. Does not his very crassness here reveal the presence of a morality, a deeply felt and piously obeyed sense of the appropriate, on the part of these men, whose linkages he would outrageously violate? Watch them – and observe with what earnestness, what devotion, these gashouse Matthew Arnolds act to prove themselves, every minute of the day, true members of their cult. Vulgarity is pious* (Burke 1965, 77).

We will return in a moment to Burke's productive usage of incongruity in this anecdote. First, let us consider how piety moves from action to being. In the meeting of obligations, one both instantiates an attitude and fashions oneself into a certain kind of being. Furthermore, since piety is a kind of "loyalty to the sources of our being," piety aligns sources, being, and action. Impiety, on the other hand, dallies at the surface. Impiety remains aesthetic, not only because it is manifest in form, but because it cannot move beyond appearances. There is no "being" to go to. Impiety denies "being," or at least its self-presence. What could it mean to be disloyal to the "sources" of one's being, particularly if acts are expressive of being? Impious acts would imply a gap between a being and its sources. And yet, how could a being not be a manifestation of its sources? Being would have to be imperfect, tainted, or constituted in antagonistic sources, in contradiction. In other words, to quote Gorgias, "being is not." We are bordering on theology. Human 'being' originates in a constitutive lack, an original sin. Impiety is engendered through the Fall, itself predicated upon the gap between body and soul, and the former's weakness or incompleteness. Piety implies a holy *eros*, while impiety implies *betweeness* – and thus the maintenance of aesthetic distance.

There is more, for impiety, always implicating an irreducible other, is produced by that other's claim. One cannot be impious toward that which does not impose some obligation. Impiety is attributed. Admittedly, piety also is always inaugurated because of otherness. Obligations do not originate in the will, but befall a subject. Piety, however, gestures to erase that distance even as it appears. Impiety on the contrary functions as a refusal of that erasure as it enacts difference. Impiety is perspectival. Thus, as Ambrose Bierce notes in his *Devil's Dictionary*, "Impiety is my irreverence toward your gods." So understood, piety and impiety are more than ethical categories, but imply political relationships. Burke brings this home in his incongruous observation: "Vulgarity is pious." Vulgarity is pious because, while piety itself enacts an aesthetics of concordance, of harmony, it is not modelled necessarily upon what aesthetes would find beautiful. The gashouse gang, as much as the literati, are driven by a sense of rightness. They are "vulgar" only in our eyes, or the eyes of *our* Matthew Arnold, because they cannot master the manners of the cultured set. And also, piety is vulgar because it pertains to the common people or understanding. Piety's force arises from the currency of its manners, the purification and valorisation of a shared sensibility. Piety is social. Our "gashouse Matthew Arnolds" are driven by a sense of appropriateness, by an at least implicit understanding of a set of norms, but also are striving to *prove themselves* – in their own eyes and in the eyes of others. Impiety, in contrast, rejects sociality. To the righteous, impiety is sinful, even when it is only the result of indifference or ineptness. Impiety resists community.

Impiety, Reason, Democracy

The sociality of piety and impiety quite directly invokes fundamental issues of communication and democracy. We could, at the risk of simplification, map piety and impiety on communitarianism and liberalism, respectively. Piety, like communitarianism, privileges identity, while impiety, like liberalism, maintains difference. More pointedly, it seems that democracy originates in impiety, since a pious community scarcely needs a constitution offering ways of dealing with disagreement and difference.

Clearly, impiety has an ally in liberty. John Stuart Mill makes the point forcefully in *On Liberty,* where he condemns both the censorship and righteous dismissal of opinions considered impious. An advocate of toleration, Mill argues that those who seek to silence others whom they consider impious are guilty of hubris. In defending the liberty of opinion in the name of reason, Mill does not however celebrate impiety itself. That is to say, Mill is not an iconoclast. He does not applaud the gesture of refusal, even though he understands that the *agon* of contrary opinion serves truth. He values such contest, not only because "impious" views may be vindicated, but also because established opinions can be confirmed and strengthened. As such, even Mill subscribes to a certain form of piety: Toleration follows from loyalty to human finitude and reason. Furthermore, he recognises the piety of the "impious." Consider the two "impious" cases that support his argument: the executions of Socrates and Christ. Neither sought to be impious. Indeed, following Santayana, each from his own perspective was thoroughly pious. Neither abandoned his sense of himself – both were bound by duty. Socrates drank the hemlock rather than violate his city's law. Christ allowed himself to be crucified. Thus, both counterpoised one piety to another, even if gently. Both recognised the foundational power of the piety of martyrdom. As Lyotard notes of the martyr:

> *He asks only to die because he has already foreseen this important idea, that is, to die for a cause will attest to his truthfulness and reinforce his credibility. It has hard to imagine the Sophists and Cynics [impious Greeks] as martyrs. The martyr says: it is true because I die for it; my truth is not of this world* (Lyotard 1989, 71-72).

The profoundly impious, in contrast, would avoid prosecution, feign death, or like Protagoras, run away. The pieman will argue that the Prime Minister had welcomed the honour.

Our brief discussion of Burke and Mill should highlight that polities driven by consensus, identification, or manners will be characterised by a strong sense of piety. As we well know, majorities can be tyrannical; the vulgar can be excessively pious. This is in part why Mill and others have argued for liberty. The right to impiety is not absolute, however. Our cases and reflections suggest a distinction: One can, with Mill, see impiety in opinions. These would contradict strongly held prejudices. We can also, following our pieman, see impiety as a performance. Furthermore, one need not imply the other. And, while impiety inaugurates democracy, democracy's strategies for negotiating the tension between identity and difference can turn on admitting opinion but not actions.

Deliberative Democracy

The basis for current formulations of "deliberative democracy" is Jürgen Habermas's effort to develop a post-conventional moral theory. We should expect moral theory to be pious – its concern is duty, after all. And, while Habermas clearly distinguishes between moral and political discourse, the expectation of piety proper to the former also infects the latter. Moral inquiry, in the interest of communication, universalises speech rights, consists of deliberation and argument, and "legislates," yielding practical maxims than all moral subjects should adhere to. Fur-

thermore, communicative ethics is guided by something akin to the "public interest," for moral maxims can only be judged valid if they are universalisable, that is to say are applicable to all moral subjects. Participants are thus enjoined from judging maxims in terms of their private interests, even though they may formulate arguments that originate in a situated point of view. In other words, arguments in communicative action must be addressed to what Perelman terms the "universal audience." Interlocutors must be addressed in terms of their rational capacity and "convinced" rather than "persuaded" through appeal to their advantage or interests.

The task of translating Habermas's "politicised" moral theory into a normative political theory is taken up by Seyla Benhabib. She argues that, at least within modernity, the moral point of view implies two fundamental norms of "universal moral respect and egalitarian reciprocity" (Benhabib 1992, 30). These mean that "we ought to respect each other as beings whose standpoint is worthy of equal consideration (the principle of universal moral respect) and that furthermore ... [w]e ought to treat each other as concrete human beings whose capacity to express this standpoint we ought to enhance by creating, whenever possible, social practices embodying the discursive ideal (the principle of egalitarian reciprocity)" (Benhabib 1992, 31). So cast, Benhabib observes, agreeing with other commentators, that communicative ethics also serves as model of *political legitimacy.* Clearly, because impious gestures do not instantiate respect and do not participate in a moral "conversation" understood as dialogue, they cannot redeem claims to legitimacy. While norms of respect and reciprocity safeguard difference, including impious opinions and forms of life, impious performance is denied its political productivity. Even if impious performances are considered arguments, the manner that they enact "proofs" violates the principle of distance implicit to Benhabib's conception of respect.

The model of deliberative democracy developed by Benhabib, following Habermas, is not without its critics. At issue, at least for Iris Manyon Young and Thomas B. Farrell, is its restricted conception of communicative performance. Both Habermas and Benhabib recognise that communication is performed; they are informed by speech-act theory. Nevertheless, they value performances that are directed toward the communication of meaning – toward understanding. In other words, they remain guided by a cognitive interest – and by *mimesis*. Even while recognising the value of Benhabib's model, because it subordinates arbitrary power to deliberative procedures (Young 1996, 122). Young argues that it nevertheless undermines community, because communities are not founded in reason or a cognitive understanding of the position of the other. In fact, she highlights how the deliberative model is also restrictive. Deliberation privileges speech that is "formal and general," argument is a skill more often learned by the privileged, and affect is discouraged. Furthermore, the horizon of deliberative democracy, the "common good," generally is figured in terms of dominant interests (Young 1996, 123, 126). Thus, we could say that Young identifies the "piety" of deliberative democracy. Young notes that even reason is based upon exclusion. Young rejects Benhabib's view that deliberation is a co-operative process of inquiry and insists that, at least in the political sphere, it is agonistic and power-laden. Furthermore, Young observes that the deliberative model that Benhabib offers does not offer means to

foster community. Goodwill, or a sense of identification, piety toward democracy if you will, is taken as an *a priori*. In order to counter the "exclusionary implications of the deliberative model" (Young 1996, 122). Young proposes "communicative democracy," which would include such non-deliberative elements as greeting, narrative, and rhetoric. In her view, these would open democracy to differences that the pragmatics of deliberation exclude. Young considers that greetings, which is to say "phatic" forms of communication that establish and maintain social relations, are necessary aspects of democracy, because they serve to foster a recognition of particularity and can counter the antagonism of political debate. Similarly, she favours rhetoric, because it is a form of speaking that is attentive to the particularities of each audience, and permits an integration of reason and desire. Finally, she proposes that democratic communication must include storytelling, because narrative, unlike argument, "fosters understanding across … difference without making those who are different symmetrical" (Young 1996, 131). Specifically, in her view, narrative provides others with access to one's subjective experiences, permits the communication of the basis of situated premises and cultural values, and makes available the situated social knowledge of subjects, from their differentiated positions. Echoing Walter Fisher's critique of the "rational world paradigm" (Fisher 1984). Young cites Lynn Sanders who asserts that storytelling is more egalitarian than deliberation (Young 1996, 132).

Young's recognition of rhetoric, including greeting and storytelling, is echoed by Thomas Farrell, who argues that democratic theory errs in its preoccupation with formal and procedural questions of legitimisation, and should concern itself instead with the prudent mastery of contingency. Farrell observes that dialectic, which is at the heart of Benhabib's deliberative model, "tends to discourage participation from the world of phenomena" (Farrell 1993, 33). Rhetoric, on the other hand, remains at the level of appearances, and regards them as "the primary aesthetic material for the continual reinvention of human *agency*, which, in turn, offers some preliminary construal of their ethical possibility" (Farrell 1993, 32). What rhetoric provides is an art of enquiry into appearances, the elements of common life. Rhetoric, in other words, is the art of deliberating and struggling over appearances. Citizens mutually attempt to persuade each other. Farrell then considers the constituents to the effective practice of this art. Farrell is, like Benhabib and others, concerned with norms. However, while their norms become procedural criteria for judging validity, his take the form of prerequisites for a desired outcome: an adequate testing of appearances requires participation and reciprocity, civic friendship, affiliative agency, solidarity, regard and "even hope" (Farrell 1993, 50). If these are lacking, public deliberation is not illegitimate, but hindered, less capable of realising its full potential. Indeed, in this view, these norms are immanent to the idea of rhetorical practice precisely because persuasive discourse is constituted as a discourse that relies, that is validated, through the favourable judgements of others. Rhetoric thus implies, like do other deliberative democratic forms, a social relation. However, the rhetorical relation is distinct from reason's in two ways. First, in Habermas as in Benhabib, deliberation places certain *formal* demands upon participants. Respect and reciprocity must characterise their interactions as *deliberators.* The social relation is restricted to the moment of deliberation itself. The social relation that must suffuse Farrell's rhetoric exceeds the moment of speech. It

is not formal but substantive, encompassing not only the pragmatics of interaction but the character of the interactants. Second, Benhabib's deliberation and Farrell's rhetoric stand in a different relation to the "common good." Benhabib asserts that a commitment to the principle of a common good is a prerequisite to deliberative democracy. It stands as end, and deliberation stands as means. For Farrell, following Aristotle, goodwill is both a means and end of rhetorical performance. In other words, the art of rhetoric is productive of community, both substantively, to the degree it succeeds in producing a sharing of appearances, and performatively, since effective persuasion is dependent upon the enactment of a civic friendship. In other words, while Benhabib's deliberation requires a sense of community *a priori*, Farrell's rhetorical performance would produce it.

As such, while Benhabib's conception of deliberative reason can, as noted by Young, undermine community because it separates reason from desire, Farrell's rhetoric unites the two. In calling for greater appreciation of rhetoric, neither Farrell nor Young open a space for impiety, however. They both seek to put rhetoric in the service of *philia*, of civic friendship. As Farrell is at pains to point out, rhetoric implies not only a modality of speaking, but of listening. The "rhetorical audience" does not exist empirically, but normatively. Rhetorical discourse is addressed to the idea of an audience that will judge appearances in all their particularity with a view toward action. To practice the rhetorical art is thus to wager on community, and indeed to try to constitute it. Unlike the incipient universalism that Benhabib takes from Arendt, the aim is neither only to listen in order to understand the individual standpoints of all others, nor to argue in a manner than would woo the situated reason of each in their particularity, but to seek the means to persuade ethical others through an ethical performance, which is to say one where the enactment of civic character is key. This means, in other words that "we must first see the other in ourselves ... . To develop such a sense, we must be drawn out of ourselves" (Farrell 1993, 100). Rhetoric is thus an art directed toward, and when successful productive of, a "community of affiliation" (Farrell 1993, 134).

Farrell's call for a rhetorical culture is an excellent counterpoint to Benhabib's project, for it also is framed as a response to Habermas' interest in the pragmatics of moral and democratic communication. Farrell shares Benhabib's commitments to democratic community, the public sphere, and communicative reason. Furthermore, rhetoric can be less "terroristic" than Benhabib's communicative action directed toward either consensus or a strong version of mutual understanding, for while dialectic eschews appearances and seeks to found a community in the recognition of the truth of a substance, rhetoric seeks only the sharing of appearances. Nevertheless, rhetoric is not directed toward celebration of difference. The rhetorical communication of difference in narrative remains directed at mitigating the difference of difference. While rhetoric is sensitive to difference, and in many respects enables its communication, the usual aim of rhetorical practice is nevertheless difference's at least contingent *overcoming*. As such, what Young overlooks, and Farrell does not emphasise, is that despite its audience orientation, rhetoric is directed toward success. Rhetoric remains an *agonistic* art, whether it is directed against received opinion or a skilful counter-advocate, and as an art, requires cultivation and admits of expertise: Even greeting and storytelling can be practised more or less effectively. Furthermore, rhetoric does not produce a seamless over-

coming or happy synthesis without remainder, but a "victory" for some, even if new, point of view.

Farrell tempers rhetoric's agonistic character, by approaching reason through prudence, *phronesis*, the Greek virtue of practical wisdom. Rhetoric, for Farrell, is the genre of discourse that enables judging contingent questions in terms of plausible responses. As Farrell puts it:

> *The key rhetorical corollary to contingency is plausibility, a notion which allows that in public life the same verbal or non-verbal utterance may actually mean different things to different people. And, more radical still, it may even be that this is not such a bad thing. To echo and paraphrase McKeon's sense of a "productive ambiguity," it may be part parcel of how a more public, collectivised sense of phronesis really works, if it is to work at all* (Farrell 1993, 228).

Farrell does not seek the realisation of a fully self-present community. Rather, prudential rhetoric will negotiate how the community will appear to itself, what gaps or aporias are to be tolerated, what should best remain unsaid. The community will remain as a set of appearances, constituted in the dialectic of concealing and revealing. Audiences, which is to say the community itself as a listening and judging agent, will assess the plausibility and appropriateness of their own appearance within a context of contingent particularities. This appreciation for incompleteness or aporia does not extend to their performative attitude, however. Farrell's rhetorical culture requires goodwill, civic friendship, and, if not sincerity, certainly earnestness. Farrell does not consider moments where rhetorical "collaboration" requires its opposite, where one must be impious, either to battle the pompously pious, or to animate what Honig refers to as "remainders." He does not, in other words, take into consideration what Michael Schudson describes as a need for incivility:

> *Democracy may sometimes require that your interlocutor does not wait politely for you to finish but shakes you by the collar and cries "Listen! Listen for God's sake!" We call these situations social movements, strikes, demonstrations. We call the people who initiate such departures from civility driven, ambitious, unreasonable, self-serving, rude, hot-headed, self-absorbed- the likes of Newt Gingrich and Martin Luther King and William Lloyd Garrison. All of these are people willing to engage in democratic conversation but also pugnacious beyond the point of civility, even willing to make their case to opt out of conversation altogether, at least temporarily and strategically. Any fullbodied concept of democracy and the place of conversation in it would have to take account of the instances where conversation is itself an impediment to democracy's fulfillment* (Schudson 1997, 308).

Farrell does recognise rhetoric's *agon*, but even that is mediated by a kind of piety. Thus, Farrell's model of a rebuke is Joseph Welch's famous upbraiding of Sen. Joseph McCarthy during the "Army-McCarthy" hearings of 1954. McCarthy had advanced his political career through a fervent and reckless anti-communist crusade based largely in innuendo and false accusation. After having needlessly attacked the character of a young attorney (Fred Fisher) affiliated with Welch, Welch responded with a gentle narrative of this young man's innocence that concluded

with a stinging indictment phrased as rhetorical question posed, of course, more for the audience, journalists, and cameras, than for McCarthy's consideration: "Have you no sense of decency, sir, at long last? Have you no sense of decency?" (Farrell 1993, 44).

Farrell accounts for the power of Welch's attack on McCarthy. Welch adopted the proper pious tone: "The voice was solemn and oracular, a kind of Greek chorus intoning the mood of events. Welch thematised the episode tragically, in light of the irreversible damage frivolously inflicted upon another" (Farrell 1993, 44). In this contest of appearances, Welch succeeded in figuring McCarthy as sinful, as a violator of what is decent, acting in a manner both "dastardly and unnecessary" (Farrell 1993, 44). Welch succeeded in figuring McCarthy outside of the boundaries propriety, and so against friendly civility.

We should note as well that the stage had well been set for Welch's eloquence: McCarthy's violation of ethical norms was blatant, Welch had considerable standing as army counsel, the immediate audience already had misgivings about McCarthy and his campaign. The ensuing hush only reinforced the power of Welch's rebuke before the cameras. In an agonistic moment, Welch and a collaborating audience had refigured McCarthy and his campaign. McCarthy came to appear cynically pious against the pieties of civility. One can only wonder what would have happened if McCarthy had then been pied.

Welch did not need a pie. He already was one of the pious. His position enabled his righteous indignation. He speaks for the US Army, after all. Lyotard would say that he is one of the *viri.* He, no more than McCarthy, enables gestures of refusal. The weak, the powerless, the marginal would be less well served by his strategy, for they speak from the no-place of impiety. They require another form of prudence, and another kind of rhetoric. Sometimes the maximisation of impiety is their best tactic, the only way to bring the cameras to deliver them an audience, and shock or laughter becomes the best proof of their case.

Prudent Impiety

While Farrell does not theorise impiety, and on the contrary figures rhetorical culture in not very agonistic of terms, he nevertheless offers a place to begin thinking anew about our pieman and other gestures of refusal. We might ask then, whether impiety might be compatible with the civic relation or indeed could be prudent. Since performative impiety is an act of refusal of distanciation, why ask anything of it at all? First, because our pieman, at least, is acting politically. His act provokes reflection on the civic relation. Second, because impiety can be performed in a variety of ways with many possible effects. Some are merely offensive. Our Matthew Arnold among the gashouse gang, and they at the poetry tea, will at best provoke a laughter that serves as preface to their respective exclusions. On the other hand, our pieman's impiety is tactical: The pieman purposefully violates decorum (and the law) for rhetorical effect. Like the cynics, he counterpoises corporeality to abstract order. Whipped cream drips off the Prime Minister's face onto his tie. Face becomes physical, and no longer simply a metaphor for stature or status. Should we laugh, Chrétien becomes our inferior, being reduced, following Aristotle's theory of comedy, to a "lower type." He contests legitimacy and reason in one move. Lyotard, less sanguine than Habermas about reason, considers it to be one of the masters' distractions. Impious gesture can thus serve not only as

refusal of community and a refusal of being, but also as a counter-"statement," animating other powers, as when Diogenes counterpoises reason's *diexis* to movement and will. As Lyotard observes:

> *When one denies movement in front of Diogenes, he gets up and walks away. Isn't that the refutation of the Eleatic paradox, the Achilles heel of Zeno's paradox of the arrow? Rather than a refutation, it is a displacement of the problem: movement (synthesis par excellence), being inconceivable, involves not a concept but rather will. The cynical [impious] body organizes perspectives, which is the source of its poor strength, and thus escapes the masters' law,* mimesis (Lyotard 1993, 69).

Lyotard appreciates the strategies of the Cynics and the Sophists because they refuse the fixing of perspective that is prerequisite to reason. Their performative impiety does not serve reason, but dethrones it, calling attention to the arbitrariness of the "this is" and its consensus. Lyotard does not consider all gestures of refusal to be equal, however, for borrowing from Aristotle, he also calls for performances that are *prudent.*

Lyotard's conception of prudence is in many ways similar to Farrell's, in that it is an attribute of a symbolic act that is audience dependent and is directed toward the realisation of a contingent good. And, like Farrell as well as Aristotle, prudence consists in an artful response. Lyotard warns against the dangers of merely "reacting" to the powerful, playing their game, and adopting antitheses that will be swallowed up by their dialectic. What distinguishes Lyotard from Farrell, however, is the character of that good. In both cases, it is a relational, but for Lyotard "good" consists in the animation of difference, the undermining of community, the energising of multiplicity. His impious prudence is thoroughly agonistic, consisting in "seizing opportunities" to disrupt community in favour of anti-community. Lyotard, like Diogenes, seeks to disrupt the authority of the powerful, to enable impiety as an end in itself.

Lyotard warns the impious not to follow Ariadne's example. She challenged the gods on their own terms and was punished, transformed into a spider, for having too well succeeded. Impiety can be subject to rhetorical failures. If it engages no one, if it is not infectious, if it prompts no response, impiety has no power. Impiety is effective when it sets traps for the pious, and leads *them* to react, or better yet if it seduces them – even momentarily. Impiety is not strategic, but tactical. Furthermore, it must know its limits. As Lyotard notes in this exchange:

'You won't scare them.'

> *'If they are self-confident and laugh at us, so much the better. That is the only way that stratagems work'* (Lyotard 1993, 152).

Lyotard could have made his case stronger: it is better if they are laughed at while they are self-confident, and best if they are provoked, despite themselves to laugh *with* us, for such laughter dissolves mastery.

Impiety and the Comic Frame

While performative impiety is not necessarily comic, it is well suited to the comic frame. Laughter is antithetical to *pathos*, promoting in its stead an experience of otherness. It is no wonder that Heaven is not thought of as a place of laughter.

It is the centre of piety. In what follows, I will briefly explore three impious moments, their use of the comic, and at times ironic, frame, and explore their rhetorical effectiveness. I will return to the pieman, and the actions of his ilk in the light of their own impertinent manifestos. I will also review the tactics of Australia's "Sisters of Perpetual Indulgence," a gay order of lesbian nuns, and their impious parodies of the Catholic Church and its conceptions of gender, as treated in Toby Miller's *The Well Tempered Self.* Finally, I will look at the Mock Parliaments staged by Canadian feminists at the turn of the last century, as they sought to persuade male legislators to grant them the vote. In each case, I will consider the degree to which their tactics were rhetorically effective, or "prudent" in Lyotard's sense. Could they, in other words, provoke laughter that did not serve the masters?

Transvestite Nuns

In *The Well Tempered Self*, Toby Miller explores the politics of impiety as he considers the antics of the "Sisters of Perpetual Indulgence: An Order of Gay Lesbian Nuns." Miller outlines how Australia's state and various other institutions warmly welcomed Pope John Paul II when he visited Australia, and in doing so abetted the (re)production of categories of gender, sexuality, and morality. Miller then considers the actions of these uncivil "nuns," who resist and travesty pious civility. They are, like our pieman, performers. Comic advocates, they are active in the gay community, raising funds and promoting AIDS awareness. The Sisters play with gay stereotypes as they march, in extravagant habits, in gay pride parades. Miller underscores that they offer grotesque parody: With such titles as "Mother Inferior" and "Sister Mary Third Secret of Fatima," the sisters burlesque the Church, seeking to both provoke laughter and shock. They follow a "carnival-like anti-program" (Miller 1993, 206). In Miller's account, this "symbolic irreverency ... sends messages of subversion as much through its mode of address as its substantive content" (Miller 1993, 203).

The sisters resemble our pieman in any respects. They are impious. They usually refuse to take themselves seriously. But is their impiety prudent? Can it make the masters laugh? Does it seduce or set traps for them? Miller does not treat this question. His analytic framework does not allow for it, for he does not consider the sisters rhetorically, as addressing some audience in order to provoke a response. Rather, his focus remains semiotic, as he interprets their action in terms of its disruption of religious codes, and only considers their play formally, in terms of what their inversions would do to abstractly conceived participants. Disruption is meaningless, however, unless actually mediated by an audience. Signs do not have autonomous standing. One must ask, at the outset, who can participate in this semiotic play, whose laughter is sought? Miller does observe, however, that "when they dress and speak as they do, their form of communication sets off a desire for recognition" (Miller 1993, 212), but he does not reflect upon how they might act to provoke the realisation of that desire.

The Sisters do, of course, provoke laughter. The already impious will be amused, but a bearded man in pancake makeup and habit will not amuse the Pope or the faithful. This is one consequence of burlesque, which proceeds by radical reduction, and thus fails to recognise what it targets. As Burke observes:

> *The writer of burlesque makes no attempt to get inside the psyche of his victim. Instead, he is content with the externals of behavior, driving them to a "logical conclusion" that becomes their "reduction to absurdity." ... He deliberately suppresses any consideration of the "mitigating circumstances" that would put his subject in better light. ... The method of burlesque (polemic, caricature) is partial not only in the sense of* partisan*, but in the sense of* incompleteness (Burke 1984, 55).

The Sisters' inversion of Catholic pieties does not recognise the Pope, nor religious motives, and so offers nothing that their victims might recognise of themselves.

A recognition of the limits of burlesque accounts perhaps for the Sisters' more traditional protest during the Pope's 1986 visit: As he addressed an audience at Sydney University, two members of the Sisters stood and chanted: "Anti-woman, anti-gay, fascist pope, go away" (Miller 1993, 180-181). This was not comic, and while uncivil and impious, it was in no sense prudent. It also was ineffective. They were not acknowledged by the Pope and were, predictably, dragged away and beaten by the forces of order. If they affected righteousness more often, they could parlay such treatment into martyrdom.

Pie Minister

What of our pieman? Is his impious rhetoric more prudent? It certainly is less subtle. Pieing is an element of slapstick. It apposes the body directly to the reifications of authority. And, in a curious kind of way, it is more generous than the Sisters' performances. The victim is not burlesqued, but defaced. At its best, pieing is guided by a curious kind of respect. Canada's principle group of piemen, Quebec's "entartistes," maintain a web site that celebrates their exploits, outlines their principles, and offers links to similar sites internationally. These anarcho-pastry chefs offer a set of performative norms that should guide pieing: Pieing should be done in fun; pieing should be gentle, not aggressive; pieing should be safe, using pies of edible cream on paper plates; pieing should be covered by media; and finally, pieing should be a non-partisan act against the powerful of all political and ideological stripes.[2] Admittedly, pieing is physically more offensive. It is a form of assault. The pieman will not be lost in the crowd, but insists on recognition. He makes his mark before being dragged away. (Imagine the furore that a Pope's pieing would produce.) And yet, the affront remains on the surface. While the pious may take offence, the pieman's gesture does not insult, but humiliates through a shifting of frames, a redefinition of the situation. Furthermore, the laughter it seeks to provoke does not arise from a pimping of particular pieties, but rather from an undermining of a general human pretension to dignity, In slapstick comedy, pieing was usually not deserved, but merely happened. It befell one, as does fate. The laughter it provoked is in some sense cruel, as when one laughs at the victim of a banana peel, but also invites moments of guilt. We catch ourselves laughing when we know we should not. We find ourselves become impious.

Because pieing does not pierce, but only offers a glancing blow, it offers the possibility of comic rejoinders. The Prime Minister, continuing his tour of Prince Edward Island, could remark to gales of laughter, "You have developed a funny way of serving pies these days. I am not that hungry."[3] Editorial cartoonists could

sketch the RCMP, in charge of Chrétien's security, with pie on its face (*Le Soleil*, 18 August 2000). The pieman could defend his actions by citing an interview Chrétien had given, claiming that the Prime Minister had said that being pied was an "honour."[4] But pieing is also risky. While some letters to the editor defended the pieman, others expressed shock, and while the pieing of lesser figures had elicited more nuanced reactions from columnists, none came to this pieman's defence. They stifled their laughter. Despite some playful headlines, the topic of security dominated. Why was the head of state so vulnerable? Some speculated that the ultimate result would be a loss of Canadian civility, of a civil culture where political figures do not fear mingling with the people.[5] Also, our pieman did not help his cause, not limiting himself to buffoonery. As he was carried away, he was heard saying: "It's time the government was made accountable. It sure as hell doesn't happen in this country"[6] and his Pie Brigade associates issued a manifesto justifying their actions:

> *While there are a multitude of reasons to pie Chretien, this action was intended specifically to highlight and criticise the roles of Chretien and his government in pushing unlabelled, untested frankencrops on this country and the world. The Canadian Government has given many millions of dollars to the biotech industry, rubber stamped their crops without independent testing, and Chretien flies around the world to try to pressure countries like France to accept these untested genetic technologies.*[7]

Our pieman no longer appears playful, but self-righteous, and thus undermines his attempt to place politics within the comic frame, a frame that recognises the frailty of one's opponents as well as oneself (Burke 1984, 41).

Mock Parliamentarians

Lyotard observes that "the body, though obviously not the master body, not that of the gymnasts, can infiltrate the master discourse, laugh, and make one laugh" (Lyotard 1993, 68). For much of Western history, this "body" was female. Women were, by the physicality of childbearing and their provocation of male desire, fleshy, threatening, and in need of mastery. Women were thus, for the longest time, excluded from the public sphere and the institutions of governance. The quest for woman's suffrage was therefore impious. In Canada, through the staging of "Mock Parliaments," it was also comic. "Mock Parliaments" were a recurring feature of the Canadian campaign for woman's suffrage. They were theatrical performances for which admission was charged to raise funds for suffrage organisations. These staged and scripted events featured women in the role of parliamentarians debating woman's suffrage and other issues of social reform. Like our other two cases, Mock Parliaments were fundamentally ludic, standing as a form of play, even as they violated the *nomos*, the dominant normative order. Their gesture of refusal was ambivalent, mitigated. The women on stage sought the right to enter Parliament. The Sisters do not seek to join a holy order. Through parodic speeches – such as debating why men should not have the vote – they politely sought to produce laughter against their institutionalised exclusion. Mock Parliaments, as spectacles, provided a civil means for women to violate the norm that excluded them from the political sphere in part because, and this is fundamental, even opponents of woman's suffrage could enjoy the irony, not for its political message, but as Sophistic entertainment, as an oratorical drag show of sorts. Ambivalence and laugh-

ter fuse whatever anxiety woman as political subject might provoke, but her performance stands even as a resolution of the question of woman's "true" nature is deferred. Furthermore, standing both as orators and thespians, the women on stage could speak in manly ways and remain eloquent rather than shrill. Indeed, the 1914 Mock Parliament, scripted as a parody, offered the "hon. members" the opportunity to exercise the agonistic wit of parliamentary sparring.

As satire, Mock Parliaments were occasions for impious rhetoric. As entertainments, they nevertheless remained civil, troubling the gendered categories of Canadian society without themselves being categorical. Through irony, Mock Parliaments offered their antagonists a way of saving face, by feigning that these were just entertainments. As Hutcheon observes: "The irony and distance implied by parody allow for *separation* at the same time that the doubled structure of both (the superimposition of two meanings or texts) demands recognition of *complicity*. Parody both asserts and undercuts what it contests" (Hutcheon 1995, 7). Cutting the other way, however, Mock Parliaments exploited that tension by making it the basis of a political pragmatics.

Mock Parliamentarians, and by extension women as political subjects, were simultaneously female and agonistic, maternal and masculine, through an "edgy" performance of indeterminacy. Unlike the Sisters, whose deconstruction offers no relief and who are pious in their insistence on impiety, or the pieman, whose aggressiveness risks provoking the forces of order, Mock Parliaments offered places to pretend to hide. Progressive, conservative, and unstable, Mock Parliaments formed an appropriate, decorous, and effective strategy in a political culture based in deference and elite accommodation. They were, as such, instances of prudent impiety, with a civil edginess that succeeded in keeping the masters off balance.

Conclusion

In contrast with what models of communicative democracy inspired by theories of argument and Aristotelian rhetoric suggest, democracy need not be pious. Indeed, democracy requires impiety. Not all forms of impiety are equal, however, for impiety, as a symbolic refusal, is also rhetorical. Impiety addresses and seeks to provoke an audience. We can therefore derive norms of impiety. Impiety succeeds when it is contagious, when it renders the pious speechless. For this reason, prudent impiety often is marked by laughter. One cannot speak and laugh at the same time. While laughing, one cannot easily be pious.

Prudent impiety will do more than provoke laughter against the pious, but seek to infect them with non-sense, with the sinful gap that is at the origin of non-being. Then, democracy will be more than a circle of debates around an absent centre, but a relay of displaced voices.

Notes:

1. The author wishes to thank Peter van Wyck for his helpful comments.

2. Retrieved from http://www.entartistes.ca/ ethique.html, 10 April, 2001.

3. *Maclean's*, 28 August 2000, vol. 113, no 35, p.12.

4. *The Guardian* [Charlottetown], December 20, 2000, Final Edition, p. A2.

5. *The Gazette*, [Montreal], 18 August, 2000, Final Edition, p. A1.

6. *The Telegram* [St. John's], August 17, 2000, Final Edition, p .5.

7. Manifesto dated 16 August 2000, retrieved from http://www.entartistes.ca/cmna4.html, 10 April, 2001.

References:

Benhabib, Seyla. 1992. *Situating the Self: Gender, Community, and Postmodernism in Contemporary Ethics*. New York: Routledge.

Burke, Kenneth. 1965. *Permanence and Change; An Anatomy of Purpose*. 2d rev. ed. Indianapolis: Bobbs-Merrill.

Burke, Kenneth. 1984. *Attitudes toward History*. 3rd ed. with a new afterward. Berkeley: University of California Press.

Carter, Stephen L. 1998. *Civility: Manners, Morals, and the Etiquette of Democracy*. New York: Basic Books.

Farrell, Thomas B. 1993. *Norms of Rhetorical Culture*. New Haven: Yale University Press.

Fisher, Walter. 1984. Narration as a Human Communication Paradigm: The Case of Public Moral Argument. *Communication Monographs* 51, 1-22.

Hutcheon, Linda. 1995. *Irony's Edge: The Theory and Politics of Irony*. London: Routledge.

Lyotard, Jean-Francois. 1989. Lessons in Paganism. In A. Benjamin (ed.), *The Lyotard Reader*, 62-72. Cambridge: Basil Blackwell.

Lyotard, Jean-François. 1993. *On the Strength of the Weak*, *Toward the Postmodern*. Atlantic Highlands, N J: Humanities Press International.

Mill, John Stuart. 1859/1985. *On Liberty.* London: Penguin.

Miller, Toby. 1993. *The Well-tempered Self : Citizenship, Culture, and the Postmodern Subject*. Baltimore, MD: Johns Hopkins University Press.

Schudson, Michael. 1997. Why Conversation Is Not the Soul of Democracy. *Critical Studies in Mass Communication* 14, 4, 297-309.

Young, Iris Marion. 1996. Communication and the Other: Beyond Deliberative Democracy. In *Democracy and Difference: Contesting the Boundaries of the Political, 120-135*. Princeton, NJ Princeton University Press.