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## “Where There’s a Will There’s a Lawyer’s Bill”: Lawyers in Anglo-American Anti-Proverbs

### Introduction

#### 1. Anti-proverbs

Proverbs have never been considered sacrosanct; on the contrary, they have frequently been used as satirical, ironic or humorous comments on a given situation. For centuries, proverbs have provided a framework for endless transformation. In the last few decades they have been perverted and parodied so extensively that their variations have been sometimes heard more often than their original forms. Wolfgang Mieder has coined the term “*Antispruchwort*” (*anti-proverb*) for such deliberate proverb innovations (also known as *alterations*, *parodies*, *transformations*, *variations*, *wisecracks*, *mutations*, or *fractured proverbs*) and has published several collections of anti-proverbs in German and English.<sup>1</sup>

Like traditional gems of wisdom, anti-proverbs appear in a broad range of generic contexts, from personal letters to philosophical journals, from public lectures and sermons to songs, from science fiction to comics and cartoons, from fables to poetry. They are also found in great abundance on the Internet, in advertising slogans, in the titles of books and articles, and in magazine and newspaper headlines. Anti-proverbs are commonly quoted in collections of puns, one-liners, toasts, wisecracks, quotations, aphorisms, maxims, quips, epigrams and graffiti. There is no sphere of life where they are not used. It should be noted that while some anti-proverbs negate the “truth” of the original piece of wisdom completely [for example, *Crime pays—be a lawyer {Crime doesn’t pay}*<sup>2</sup>], the vast majority put the proverbial wisdom only partially into question, primarily by relating it to a particular context or thought in which the traditional wording does not fit. Typically, an anti-proverb will elicit humor only if the traditional proverb upon which it is based is also known. Otherwise, the innovative strategy of communication based on the juxtaposition of the old and “new” proverbs is lost. Anti-proverbs may contain revealing social comments. More often than not, however, being based on mere wordplay or puns, they are playful texts generated primarily for the goal of amusement.

All’s fair for anti-proverbs: there is hardly a topic that they do not address. As Mieder states, “Just as proverbs continue to comment on all levels and occurrences in our daily life, so do anti-proverbs react by means of alienating and shocking linguistic strategies to

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<sup>1</sup> For a summary of relevant research see T. Litovkina, A.–Mieder, W.: *Old Proverbs Never Die, They Just Diversify: A Collection of Anti-Proverbs*. Burlington–Veszprém, 2006, 1–54.

<sup>2</sup> For the reader’s ease all anti-proverbs are followed by their original forms, given in { } brackets.

everything that surrounds us”.<sup>3</sup> There is a wide range of professions and occupations subjected to mockery in Anglo-American anti-proverbs, embracing politicians and doctors, accountants and policemen, teachers and writers, whores and housewives, among many others:

Politics makes strange bedfellows–rich. {Politics makes strange bedfellows}  
 What can’t be cured supports the doctor. {What can’t be cured must be endured}  
 Those who can do; those who can’t, teach; and those who can’t do anything at all, teach the teachers. {Those who can do; those who can’t, teach}  
 Crime doesn’t pay, except for the writers of detective stories. {Crime doesn’t pay}  
 You can lead a whore to culture but you can’t make her think. {You can lead a horse to water, but you can’t make him drink}  
 All work and no play makes a housewife. {All work and no play makes Jack a dull boy}.

Without any doubt, the lawyer<sup>4</sup> is the most popular target of Anglo-American anti-proverbs.

## 2. Lawyers as object of people’s scorn and butt of American lawyer jokes

In “Legal Ethics: A Comparative Study” common complaints about lawyers from around the world were classified into five general categories:<sup>5</sup>

- abuse of litigation in various ways, including using dilatory tactics and false evidence and making frivolous arguments to the courts;
- preparation of false documentation, such as false deeds, contracts, or wills;
- deceiving clients and other persons and misappropriating property;
- procrastination in dealings with clients; and
- charging excessive fees.

As has been pointed out by Anna T. Litovkina in a previously published analysis of American lawyer jokes from the Internet<sup>6</sup> (collected from hundreds of websites in spring 2009),<sup>7</sup> the greatest anger and irritation in the jokes is directed at lawsuits, the high income

<sup>3</sup> See Mieder, W.: *American Proverbs: A Study of Texts and Contexts*. Bern, 1989, 244.

<sup>4</sup> See T. Litovkina, A.: Professions and Occupations. In: T. Litovkina, A.: *Old Proverbs Cannot Die: They Just Fade into Parody: Anglo-American Anti-Proverbs*. Habilitation essay (manuscript). Budapest, 2005, 107–112.

<sup>5</sup> Hazard, Jr. G. C.–Dondi, A.: *Legal Ethics: A Comparative Study*. 2004, 60.

<sup>6</sup> In the early 1980s, a new joke cycle appeared in the USA, and has continued to flourish ever since. This is a lawyer joke cycle. Lawyer jokes have been published in book form, and have also been displayed on various American websites. According to a 1997 Internet search by a legal journalist, 3,473 sites were devoted to lawyer jokes (see Yas, D. L.: First Thing We Do Is Kill All the Lawyer Jokes. *Massachusetts Lawyers Weekly*, 1997, 20 October, 11). For more, see T. Litovkina, A.: Law is Hell: Death and the Afterlife in American Lawyer Jokes. *Acta Juridica Hungarica*, 50 (2009) 3, 311–328.

<sup>7</sup> See T. Litovkina, A.: Greed, Lies and Negotiable Justice: Stereotyped Lawyers in American Lawyer Jokes. *Acta Ethnographica Hungarica*, 2011 (in press). See also Galanter, M.: The Faces of Mistrust: the Images of Lawyers in Public Opinion, Jokes and Political Discourse. *University of Cincinnati Law Review*, 66 (1998) 3, 827. For more on the stereotypical traits of lawyers see Galanter, M.: *Lowering the Bar: Lawyer Jokes and Legal Culture*. Madison, 2005; Galanter, M.: The Great

of lawyers, and lawyers' greed and stinginess. According to the jokes, attorneys frequently bill their clients services that they fail to provide. To drain more and more money out of their clients, lawyers deliberately try to delay justice by focusing on technicalities and legal procedures. Lawyers' ignorance, skillful manipulation, corruption and dishonesty are also common themes. Since lawyers are inveterate liars, they are not to be trusted under any circumstances. They take advantage of their own clients, and they frequently take sexual advantage of them. They are pushy, arrogant and snobbish. They associate with Devil. These are only the most common stereotypical traits of the lawyers who are ridiculed in American lawyer jokes from the Internet. Not surprisingly, considering all these negative traits, lawyers should be exterminated.<sup>8</sup> The place where they go after they die is Hell.<sup>9</sup>

### 3. *The focus of the present study*

The present study focuses on stereotypical traits of lawyers according to the Anglo-American anti-proverbs. What are the dominant stereotypical traits of a lawyer and his behaviour? What negative features is he hated for? Why is it that the lawyer, and not the representative of any other profession or occupation, is the figure who is most often mocked in American anti-proverbs? Does the lawyer's stereotype in American anti-proverbs contain any truth? These and many other questions may be posed in regard to Anglo-American anti-proverbs about lawyers.

The anti-proverbs discussed in the present study were taken primarily from American and British written sources. The texts that follow, along with others too numerous to include, were drawn from hundreds of books and articles on puns, one-liners, toasts, wisecracks, quotations, aphorisms, maxims, quips, epigrams, and graffiti. All of the anti-proverbs quoted here (together with references to their sources) can be found in the book "Old Proverbs Never Die, They Just Diversify: A Collection of Anti-Proverbs".<sup>10</sup>

While certain themes occur pervasively in anti-proverbs about lawyers, others appear in only a few. For this reason, my discussion may sometimes appear to be uneven and the treatment of certain thematic categories may seem to be disproportionately broad or narrow, but in all cases my examples reflect the proportions found in my source collections. It must also be mentioned here that a number of our anti-proverbs treat several thematic categories simultaneously. Such examples could be discussed in various parts of the present study. As a rule, anti-proverbs that embrace more than one theme will be quoted and discussed only once, except in cases in which only a few anti-proverbs have been identified to illustrate a specific theme.

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American Lawyer Joke Explosion. *Humor—International Journal of Humor Research*, 21 (2008) 4, 387–413; Davies, Ch.: American Jokes about Lawyers. *Humor—International Journal of Humor Research*, 21 (2008) 4, 369–386.

<sup>8</sup> Lawyers' extermination is a theme of one of the largest groups of American lawyer jokes, and also one of the themes of two of my articles see T. Litovkina: Law is Hell... *op. cit.*; T. Litovkina, A.: Az ügyvédekkel történő leszámolás különböző módjai az amerikai ügyvédviccekben (Various Methods of Reckon with Lawyers in American Humor). In: Gecső, T.–Sárdi, Cs. (eds): *Új módszerek az alkalmazott nyelvészeti kutatásban* (New methods in Applied Linguistic Research). Székesfehérvár–Budapest, 2010, 191–197.

<sup>9</sup> Hell is a theme of another largest group of American lawyer jokes, and also one of the themes of my other article see T. Litovkina: Law is Hell... *op. cit.*

<sup>10</sup> See T. Litovkina–Mieder: *op. cit.*

Although this study focuses on anti-proverbs, in a few cases—in order to make a point, or to confirm or challenge some statements expressed in anti-proverbs—I could not resist the temptation to quote American lawyer jokes or other humorous texts (they are generally cited in notes with precise reference to their sources).

## I. Discussion

Before presenting an analysis of stereotypical traits of lawyers according to Anglo-American anti-proverbs let us at first examine some American proverbs concerning law, lawsuits and lawyers.<sup>11</sup>

### I.1. American Legal Proverbs

Donald F. Bond stated that “Perhaps no profession has contributed more to our proverbial stock than the law”.<sup>12</sup> Elsewhere he wrote: “the view of the law reflected in proverbs reveals the distrust of legal matters which the common man has long held. The dangers of becoming involved in law suits, the expense, the interminable progress of litigation, the uncertainty of justice—on all these points his instinct has been to steer clear. Similar lines—and equally unflattering—form the picture of the lawyer in proverbial lore”.<sup>13</sup>

Let us first see how law is reflected in American proverbs. It is better to observe the law, and not be involved in any legal procedure: *Keep the law and keep from the law*. Indeed, after a legal case has been started, its outcome cannot be predicted: *To go to law is to go to sea*. ‘Law’ is depicted as something extremely cruel: *In a thousand pounds of law there is not one ounce of love*. Moreover, it justifies disorder and madness: *Law often codifies disorder and make madness legal*. People who don’t know that something is against law can still be punished for doing it: *Ignorance of the law is no excuse*. This idea is contested in the following two proverbs: *Laws are made to be broken*; *Laws are made to be evaded*. Laws should not be too gentle, neither should they be too severe, since *Laws too gentle are seldom obeyed; too severe, seldom executed*. Where there are many laws, there will be definitely a lot of offenders, since there will be always a chance to find various ways to overcome such laws: *The greater the number of laws, the more thieves there will be*; *The more laws, the more offenders*. By using money, and through corruption, one might turn the law in whichever direction is needed, as affirmed in the proverb, *The law is like an axle: you can turn it whichever way you please if you give it plenty of grease*. Justice is given to the rich, therefore, *There is one law for the rich and one for the poor*; *Who will have law, must have money*. While petty criminals are punished, large ones are frequently allowed to go free: *Laws catch flies and let hornets go free*. Someone in need might be forced to do illegal things: *Necessity knows no law*; *Where there is hunger law is not regarded, and where law is not regarded there will be hunger*. In times of misfortune, no one pays attention to laws, and, therefore, they are constantly broken; more than that, those who break them, are not punished: *Laws are silent when wars are waging*.

<sup>11</sup> The proverbs quoted here were recorded in the USA at the second part of the XX century see Mieder, W. (ed.): Kingsbury, S. A.—Harder, K. B. (eds): *A Dictionary of American Proverbs*. New York, 1992, 362–364.

<sup>12</sup> See Bond, D. F.: English Legal Proverbs. *Publications of the Modern Language Association*, 1936, 51, 935.

<sup>13</sup> See Bond, D. F.: The Law and Lawyers in English Proverbs. *American Bar Association Journal*, 1935, 21, 725.

How is the nature of the lawyer revealed through American proverbs? A good attorney is seen as a very bad person: *A good lawyer, a bad neighbour*. Lawyers are pushy and arrogant: *Lawyers earn their bread in the sweat of their browbeating*. Attorneys' frequent task is to deal with dishonest people and criminals. Just in vein, the following proverb emphasizes: *If there were no bad people, there would be no good lawyers*. Lawyers' ability to "change white into black" and reshape reality is emphasized in the proverb *Lawyers, like painters, can easily change white into black*. Attorneys delay justice by focusing on technicalities and legal procedures. Instead of trying to reach harmony and timely resolution of their cases, they do anything possible in order to foment and prolong conflicts. The better a lawyer is, the longer his case can last, that is, the more money he can make. Indeed, as the proverbs stress, *Lawsuits were invented to make lawyers rich*; *The longer the lawsuit, the larger the lawyer's fee*. The proverb *No matter who loses, the lawyer always wins* points out the 'win-win' situation of a lawsuit—for an attorney. In fact, lawyers are not needed when laws speak: *The best government is that in which the law speaks instead of the lawyer*.

A few additional American proverbs about law, lawsuits and lawyers:

A man who is his own lawyer has a fool for a client.

Always tell your doctor and your lawyer the truth.

Possession is nine points of the law.

Lawmakers should not be lawbreakers.

Where there's no law, there's no bread.

Where law ends, tyranny begins.

The execution of the laws is more important than the making of them.

Fond of lawsuits, little wealth; fond of doctors, little health.

If one family has a lawsuit, ten families are involved.

Now let us turn to the main point of our discussion, Anglo-American anti-proverbs that target lawyers, and let us examine the dominant features of lawyers and their behavior, according to these biased anti-proverbs. My discussion is organized in six sections. The first two sections focus on the main stereotypical traits associated with lawyer in Anglo-American anti-proverbs: the cost of lawsuits, the high income (and fees) of lawyers, and their stinginess, greed and general fondness for money. While the first section treats these themes in general, the second reflects how lawyers are portrayed in comparison with doctors and accountants. The focus of the third section is on lawyers' ignorance and stupidity, and the fourth discusses such basic features of lawyer profession as lying, dishonesty, cleverness, and cunning, as well as skilful ability to manipulate. The fifth section, portraying two special breeds of lawyer—defense attorneys and those dealing with marital law—depicts their main features. Last but not least, the sixth section displays other stereotypical qualities of lawyers, for example, their feeding on the troubles, misfortunes and conflicts of others, as well as their fighting nature, toughness, arrogance, and so on.

## **1.2. Anglo-American Anti-Proverbs about Lawyers**

### *1.2.1. "Practice does not make a lawyer perfect, but enough of it will make him rich"*

The greatest anger and irritation in Anglo-American anti-proverbs are directed at the cost of lawsuits, the high income of lawyers, their fondness for money and greed:

Time is money, especially when you're talking to a lawyer or buying a commercial.

{Time is money}

Possession is nine points of the law, and lawyers' fees are the other ninety-one points.

{Possession is nine points of the law}.

Despite the fact that some attorneys do not attain professional competence and might not have enough legal experience, they still charge their clients a lot of money, and can make quite a good living:

Practice does not make a lawyer perfect, but enough of it will make him rich. {Practice makes perfect}.

Nowadays, the fees of American lawyers (especially of those who are "high-powered", "good", or "first-class") are incredibly high. Not surprisingly, quite a lot of Anglo-American anti-proverbs from our corpus treat this topic:

Ignorance of the law is no excuse, unless you can afford to hire a good lawyer.

{Ignorance of the law is no excuse}

After a man has had occasion to employ a first-class lawyer it is useless to tell him that talk is cheap. {Talk is cheap}

An honest confession is not always good for the soul, but, in most cases, it's cheaper than hiring a high-powered lawyer. {An honest confession is good for the soul}

Honesty is the best policy, because good lawyers come high. {Honesty is the best policy}.

These days lawyers are even called "money grabbers". There is a belief that they put their hands in their clients' pockets, and try to empty them.<sup>14</sup> They are especially good at prospering by their clients' deaths. This is why a diligent, hardworking person who, by accumulating wealth and taking care to save his money, only contributes to the financial well-being of his heirs and, consequently, of their lawyers:

Take care of the pennies and the dollars will take care of your heirs and their lawyers.

{Take care of the pennies and the dollars will take care of themselves}.

The numerous transformations of the proverb *Where there's a will, there's a way* express a similar idea. All the anti-proverbs below are based on different connotations of the noun "will",<sup>15</sup> for example, "the legal statement of a person's wishes concerning the disposal of his property after death"; "the document containing this", indicated by the parodies below:

<sup>14</sup> If, however, a lawyer's hands are in his own pockets, as the following humorous text suggests (although not an anti-proverb), it might be only due to the fact that it's cold:

"It was so cold last winter that I saw a lawyer with his hands in his own pockets."

<http://www.scroom.com/SCROOMtimes/Humor/Lawyer.shtml>

<sup>15</sup> The popularity of the proverb, *Where there's a will, there's a way*, for homonymous punning (i.e. based on sound identity) may be explained by existence of different connotations of the noun "will". By seeing the words "dissatisfied relative", "lawsuit", "inheritance tax", etc. introduced into the context of the following transformations one has to reinterpret the original meaning of "will" from the proverb text and switch it to other connotations.

Where there's a will—there's a greedy solicitor getting in on the act.  
 Where there's a will there's a lawyer's bill.  
 Where there's a will—there's a dissatisfied relative.  
 Where there's a will, there's a lawsuit.  
 Where there's a will, there's an inheritance tax.

*I.2.2. "The lawyer agrees with the doctor that the best things in life are fees"*

There is a wide range of professions and occupations depicted in American lawyer jokes, along with the career of a lawyer. Very frequently lawyers show up together with professionals who, similarly to them, are also assumed to have skills based on extensive theoretical knowledge, and professions which also enjoy a high social status, regard and esteem (for example, medicine, scripture, accounting, or engineering). Most frequently, the lawyer shows up simultaneously with his eternal rival, the doctor. It is not surprising, since these two professions are considered to be two of the most preferred, prestigious and valued professions in American society. Accountants, engineers and priests are very frequent companions of lawyers and doctors in American lawyer jokes.<sup>16</sup> In the same vein, according to a 1997 Internet search by a legal journalist,<sup>17</sup> there were 3,473 websites devoted to lawyer jokes, while 227 sites displayed jokes about doctors, and only 39 featured accountant jokes.

Many parents dream that their children will choose a career in medicine or law, which will definitely bring them financial success:

When you grow up, son, you can be whatever you want—a lawyer or a doctor. (caption to a cartoon)<sup>18</sup>

These two professions are especially popular with Jewish parents:

Two Jewish women meet on the street, one with children. The other says, "Such beautiful children how old are they?"

"The doctor is seven and the lawyer is five."<sup>19</sup>

What happens to a Jewish boy who can't stand the sight of blood and who stutters? Unfortunately he cannot become a lawyer, and he cannot become a doctor either. Therefore, according to the joke below, the only prestigious profession left for him is the career of an accountant:

What is the definition of a C.P.A. (Certified Public Accountant)?

It's a Jewish boy who can't stand the sight of blood and who stutters.<sup>20</sup>

<sup>16</sup> For more on professions and occupations in American lawyer jokes, see T. Litovkina, A.: "Advice Is Cheap...Except When You Consult a Doctor or Lawyer or Tax Accountant": Lawyers, Doctors and Representatives of Other Professions in American Lawyer Jokes, 2011 (in press).

<sup>17</sup> See Yas: *op. cit.* 11.

<sup>18</sup> <http://www.lawyer-jokes.us/modules/news/index.php?storytopic=3>

<sup>19</sup> See Dundes, A.: *Cracking Jokes: Studies of Sick Humor Cycles and Stereotypes*. Berkeley, 1987, 124.

<sup>20</sup> See Dundes: *Ibid.*

As in American lawyer jokes, in Anglo-American anti-proverbs the lawyer's most frequent companion is his eternal rival, the doctor. The following anti-proverb deals with the theme of lawyers and doctors' greed, stinginess, and their fondness for money:

The lawyer agrees with the doctor that the best things in life are fees. {The best things in life are free}.

The proverb transformation above employs a technique of punning, one of the most popular techniques of eliciting humor in anti-proverbs: the word "free" is substituted by the word "fees", which sounds and is spelled similarly but not identically,<sup>21</sup> and is antonymous to "free", thus completely negating the meaning of the original proverb text (i.e. the most important things do not cost any money and can't be bought for any money).

In the following anti-proverb lawyers, doctors and tax accountants—the choice left to the "Jewish boy who can't stand the sight of blood and who stutters" in one of the jokes above—are shown as formidable and greedy economic predators, unwilling to move without fees:

Advice is cheap...except when you consult a doctor or lawyer or tax accountant. {Advice is cheap}.

### *1.2.3. "Necessity knows no law, and neither does the average lawyer"*

The havoc created by an ignorant lawyer is also one of the commonest themes of Anglo-American anti-proverbs about lawyers. Observe the four examples below reworking a popular legal proverb of Latin origin {*Ignorantia iuris non excusat*}, the proverb *Ignorance of the law is no excuse*. Our first example is in the form of a joke:

The judge interrupted proceedings to observe, "Ignorance of the law is no excuse in the eyes of the law." "I should like to ask, Your Honor," inquired the prosecuting attorney, "if your remarks are addressed to the defendant or to his lawyer?"

If one can be punished for not being familiar with law, and, consequently, for breaking it, lawyers who are not familiar with law are exempted from being punished for their ignorance of the law:

Lawyers are the only persons in whom ignorance of the law is not punished.

Moreover, they might be even rewarded (that is financially, by getting their fees), despite the fact that their poor counsel might even do harm to their client:

Ignorance of the law excuses no man who retains poor counsel.

The following text is in the same vein as the American proverb *No matter who loses, the lawyer always wins*:<sup>22</sup>

<sup>21</sup> Such kind of punning is called paronomasia.

<sup>22</sup> Here is a humorous definition of a contingent fee:

When asked, "What is a contingent fee?" a lawyer answered, "A contingent fee to a lawyer means, if I don't win your suit, I get nothing. If I do win it, you get nothing". [http://www.notary.com.sg/law\\_jokes\\_3.htm](http://www.notary.com.sg/law_jokes_3.htm)



Ignorance of the law prevents a lawyer from winning your case, but not from collecting his fee.

Both the proverb and the anti-proverb above aim at the 'lose-lose' situation of a lawsuit—for a client (that is if a client loses a case, he gets nothing, since a claim bankrupts him; if, however, he wins, the situation is the same, and he gets nothing, since he has to pay his lawyer's fees). Thus, lawyers always win, even if they are poor professionals, and are not familiar with law.

The three transformations of another legal proverb, *Necessity knows no law* (also of Latin origin {*Necessitas non habet [frangit] legem*}), touch upon the topic of the lawyer's ignorance as well. In the second and third texts lawyers are even sarcastically given a nickname<sup>23</sup> ("Necessity", the first word of the original proverb):

Necessity knows no law, and neither does the average lawyer.

As a student in law school, they called him "Necessity" because he knew no law.

The trial had been proceeding for some time and everyone was amused by one lawyer's consistently referring to the opposing lawyer as "Mr. Necessity." After awhile, the judge inquired, "May I ask, Mr. Jackson, why you always refer to learned counsel as 'Mr. Necessity'?" "Simply, Your Honor," was the reply, "because he knows no law."

In spite of the fact that the vast majority of anti-proverbs stress lawyers' cleverness, intelligence, and cunning (dominant traits lawyers needed for lawyers; see the last section of the present study), nevertheless, according to the following anti-proverb in the form of a wellerism,<sup>24</sup> some lawyers might be stupid, although stupidity is not one of their stereotypical features. The fact that the cabbage-head is compared to the head of the lawyer simply speaks for itself:

"Two heads are better than one," as the cabbage-head said to the lawyer. {Two heads are better than one}.

<sup>23</sup> Employing puns that play on personal names is a frequent technique of proverb transformation, for example "A Chicago man calls his sweetheart *Revenge* because she is so sweet" {*Revenge is sweet*} (for more on punning in Anglo-American anti-proverbs see T. Litovkina, A.: The Pun Is Mightier than the Sword: Types of Punning in Anglo-American Anti-Proverbs. In: McKenna, K. (ed.): *The Proverbial 'Pied Piper': A Festschrift Volume of Essays in Honor of Wolfgang Mieder on the Occasion of His Sixty-Fifth Birthday*. New York, 2009, 141–154; T. Litovkina, A.: Paronomasia, Homonymy and Homophony in Anglo-American Anti-Proverbs. In: Soares, R. J. B.–Lauhakangas, O. (eds): *2 Colóquio Interdisciplinar sobre Provérbios–Actas–2nd Interdisciplinary Colloquium on Proverbs–Proceedings*. Tavira, 2009, 275–288.

<sup>24</sup> Wellerisms, named for Charles Dickens' character Samuel Weller, are particularly common in the USA, Great Britain and Ireland. This form of folklore is normally made up of three parts: 1) a statement (which often consists of a proverb or proverbial phrase), 2) a speaker who makes this remark, and 3) a phrase that places the utterance into an unexpected, contrived situation. The meaning of the proverb is usually distorted by being placed into striking juxtaposition with the third part of the wellerism.

*1.2.4. "There's honor among thieves—at least, until they begin to deal with lawyers"*

Some of the most stereotypical traits of the legal profession according to Anglo-American anti-proverbs are connected with lying and dishonesty. Let's demonstrate this with two examples. The proverb mutation below plays on two different words pronounced and spelled identically:<sup>25</sup> to *lie* (to deceive), as opposed to *lie*<sup>26</sup> (to be in a reclining position; or to be at rest). In fact, the transformation does not use explicitly the words "*lying*" but only implicitly refers to them:

Any time a lawyer is seen and not heard, it's a shame to wake him. {Children should be seen and not heard}.

The anti-proverb above might also be considered an allusion to the proverb *Let sleeping dogs lie*, indicating one should never do anything that might instigate trouble from a lawyer. The anti-proverb might also refer to other qualities popularly associated with lawyers, such as their ability to talk too much, to use language that is hard to understand, and to complicate things, creating chaos and confusion.

The anti-proverb below is a clear indication that honest lawyers simply don't exist, and therefore, they should never be trusted or relied upon. Indeed, lawyers are even depicted as less honest than thieves:<sup>27</sup>

There's honor among thieves—at least, until they begin to deal with lawyers. {There's honor among thieves}.

<sup>25</sup> As we can see from the two texts below, the two different connotations of the word "lying", which have already been discussed above, are played upon again, this time in American lawyer jokes:

"What do lawyers do after they die?  
They lie still."

<http://www.lawyer-jokes.us/modules/news/article.php?storyid=77>

"How does an attorney sleep?

First he lies on one side, and then he lies on the other."

[http://wilk4.com/humor/humorm353\\_lawyers.htm](http://wilk4.com/humor/humorm353_lawyers.htm)

<sup>26</sup> These words are some of the most frequently used words for punning in Anglo-American proverb transformations:

"Truth lies at the bottom of a well, but if it lies, how can it be the truth?" {Truth lies at the bottom of a well}

"As you have made your bed, why lie about it?" {As you make your bed, so you must lie on it}

"Politics makes strange bedfellows, but they are always willing to lie on their own side." {Politics makes strange bedfellows}.

<sup>27</sup> Not surprisingly, lawyers are called thieves in a number of jokes:

"If you see a lawyer on a bicycle, why don't you swerve to hit him?  
It might be your bicycle."

<http://jokeparty.com/>

"A lawyer and a physician had a dispute over precedence. They referred it to Diogenes, who gave it in favour of the lawyer as follows: 'Let the thief go first, and the executioner follow'."

<http://xar.us/funny/lawyer/shortjokes.html>

Or, as the next rhyme suggests:

"Between grand theft and a legal fee,  
There only stands a law degree."

<http://www.vakilnol.com/lawoneliner.htm>

We have already mentioned above that one of the frequent tasks of lawyers is to work for dishonest people, for those who in pursuit of getting more money (or power, or fame, etc.) “help themselves” by breaking the law. As we know from everyday life experience and from a well-known proverb, *Evil communications corrupt good manners*:

Lawyers help those who help themselves. {God helps those who help themselves}  
If God helped those who help themselves, those who help themselves wouldn't have to hire expensive lawyers.

The two examples below even recommend that a person breaking law—in order to save money—should honestly confess everything (obviously, not to a lawyer), so that it will not be necessary to hire a lawyer, which would force him to pay high fees:

An honest confession is not always good for the soul, but, in most cases, it's cheaper than hiring a high-powered lawyer. {An honest confession is good for the soul}  
Honesty is the best policy, because good lawyers come high. {Honesty is the best policy}.

As can be seen from the two alterations above, being honest and hiring a lawyer are perceived to be two contradictory things. Either you are honest, and you are forgiven for everything, or you employ a lawyer; in other words, the quality of honesty is not considered to be one of a lawyer's stereotypical features.

Other basic features of the legal profession—skillful ability to manipulate, as well as cleverness, cunning and slyness—are presented sarcastically in the following anti-proverb:

Where there's a will, there's a way—out for the lawyers. {Where there's a will, there's a way}.

The mutation above is also an example of one of the most dominant themes reigning in American lawyer jokes: “Smart guy wins.”

As has already been mentioned above, one of the tasks of lawyers (especially those who deal with criminal law) is to help people who do not know laws, or more than that, who do not respect them, and, therefore, break them. The anti-proverb below stresses that good lawyers—for high payment—are ready to falsify reality, in order to ‘clear’ their clients and, therefore, to help them to win their cases:

Ignorance of the law is no excuse, unless you can afford to hire a good lawyer.  
{Ignorance of the law is no excuse}.

#### 1.2.5. “How to make crime pay: become a lawyer”

As we have seen from the examples quoted above, the overwhelming majority of Anglo-American anti-proverbs treating the lawyers speak about them in general. Two special breeds of lawyers are, however, mentioned in a number of our anti-proverbs: defense attorneys and lawyers who deal with marital law. Let us have a look at some representative examples.

Quite a few of anti-proverbs in our material deal with criminal defense lawyers, a breed of lawyer specializing in the defense of those charged with crimes. While the original proverb *Crime does not pay* means that although crime may be profitable for a while, it will

not pay in the long run, its transformations below express the opposite idea: crime does pay; what is more, it might pay you very well, especially if you are a lawyer defending criminals:

How to make crime pay: become a lawyer.  
Crime pays—be a lawyer.

The following joke, employing a punch-line in a form of a proverb, enlarges the criminal lawyer's ignorance and incompetence to the extent that it leads to his clients' (unjustifiable) conviction (or even death sentence). And the fact his clients cannot reveal any secrets ("being almost invariably convicted"), helps the lawyer attract new clients whose fate might be similar to those who have never had a complaint about the way he has looked at their interests, and practice law for years without knowing it properly:

A criminal lawyer whose clients, especially when tried for murder, were almost invariably convicted, boasted in the hearing of Montague Williams, "I have been forty years at the Bar, and I have never had a complaint about the way I have looked after my clients' interests." "That's because dead men tell no tales," retorted Williams. {Dead men tell no tales}.

Lawyers dealing with marital law are brought up in the following variations. The first one portrays an overcritical lawyer by indicating that a lawyer gets acquainted with all the negative deeds (naturally, very frequently enlarged) of their clients' spouses:

No man is a hero to his wife's lawyer. {No man is a hero to his valet}.

While the original proverb—*Hell hath no fury like a woman scorned*—emphasizes that no one is angrier than a woman who has been rejected in love or otherwise offended, its transformation below modifies the original text. Such a fury becomes her lawyer. It is not surprising if we just think of how much lawyers hear about extra-marital affairs of their clients' spouses:

Hell hath no fury like the lawyer of a woman scorned.

#### 1.2.6. "Old female lawyers never die; they just lose their appeals"

After discussing the main stereotypical traits of American lawyer, according to these biased anti-proverbs, in the last section of the study let us focus on a few more features that lawyers possess. A feature typically associated with the legal profession is that lawyers feed on the troubles, misfortunes, and conflicts of others:

Necessity knows no law, but it is intimately acquainted with many lawyers. {Necessity knows no law}.

The proverb transformations below and an American proverb *Lawsuits were invented to make lawyers rich* also support this statement:

Clothes make the man, and suits make the lawyer. {Clothes make the man}  
It takes two to make a bargain...and a lawyer to write the contract. {It takes two to make a bargain}.

The following text illustrates such stereotypic traits of a lawyer as fighting nature, toughness and arrogance:

In court, wrangling between lawyers is nine points of the law. {Possession is nine points of the law}.

However tough lawyers are, they can't always win their suits, despite the fact that one of the dominant themes of anti-proverbs about lawyers is "Smart guy wins". The following proverb alteration—the only example in our corpus which emphasizes the female<sup>28</sup> gender and the age of a lawyer—is a pun on an *appeal* submitted in court by lawyers and the *sex appeal* of ageing female lawyers:

Old female lawyers never die; they just lose their *appeals*.<sup>29</sup> {Old soldiers never die, they just fade away<sup>30</sup>}.

It has to be pointed out here—and this is not surprising at all—that the figure of the honest, trustworthy or kind attorney hardly ever appears in our material. A rare exception, however, just proves the rule. The following proverb variation depicts a lawyer who, when he sees that there is no chance for winning a lawsuit, simply recommends his client to forget about his case, despite the fact that the lawyer will not be able to make any money on this case:

Let bygones be bygones...unless your lawyer thinks you have a good chance of winning a lawsuit. {Let bygones be bygones}.

<sup>28</sup> According to numerous examples from the corpus of Anglo-American anti-proverbs, some of the most stereotypical female features are vanity, female beauty and sexual attractiveness. Naturally, youth is an important aspect of women's physical attractiveness and sex appeal. Unfortunately youth does not last forever. For more on women in Anglo-American anti-proverbs, see T. Litovkina, A.: The Nature of Women as Revealed Through Anglo-American Anti-Proverbs. In: *Proverbium: Yearbook of International Proverb Scholarship*. 2011, 28 (in press).

<sup>29</sup> In order to understand ambivalent puns (as in the cited example) one needs an ability to view one situation from two, or sometimes more than two, different perspectives. Let us view two more ambivalent puns from my data, both of which are mutations of the proverb "*Old soldiers never die, they just fade away*". In both of the mutations the word "balls" may stand for two concepts: (1) a spherical object for use in a game or (2) testicles:

"Old rugby players never die. They simply have their *balls* taken away."

"Old golfers never die, they just lose their *balls*."

<sup>30</sup> The proverb "*Old soldiers never die, they just fade away*", which generated the largest number of parodies in my corpus of Anglo-American anti-proverbs (79), has provided a template for ridiculing a wide range of other professions and occupations (for example accountants, politicians, physicians, salesmen, etc.):

"Old accountants never die; they just lose their balance."

"Old physicians never die; they just lose their patients."

"Old politicians never die—they just run once too often."

"Old postmen never die. They just lose their zip."

"Old salesmen never die—they just get out of commission."

Good jokes never die; they only pass along. Example: The comedian's wife sued for divorce, claiming he tried to joke her to death. (for more on the mutations of this proverb see T. Litovkina–Mieder: *op. cit.* 244–248.

Many more stereotypical traits of lawyers' character and behavior could be discussed and exemplified in the present study but now I must conclude.

### Summary

The present study has focused on the profession subjected to the greatest mockery in Anglo-American anti-proverbs (or proverb transformations), the profession of lawyer. In the present study the most stereotypic traits of lawyers and their behavior have been discussed, as illustrated by some representative examples of Anglo-American anti-proverbs. As has been demonstrated through a number of proverb transformations, the greatest anger and irritation are directed at the cost of lawsuits, the high income of lawyers, and their greed. Lawyers' ignorance and their skillful manipulation are also common themes. Lawyers are inveterate liars. Finally, the list of lawyers' vices encompasses a number of other negative qualities as well, including stupidity, aggression, cunning, and dishonesty. Lawyers most frequently appear in Anglo-American anti-proverbs together with doctors, and accountants. Representatives of all three professions are seen as hungry in their pursuit for money.

The present study has shown that, like traditional Anglo-American proverbs in general (for example, *A good lawyer, a bad neighbour; Lawyers, like painters, can easily change white into black; No matter who loses, the lawyer always wins*), the overwhelming majority of legal proverb parodies are also extremely demeaning to lawyers. It is not my task here to discuss if the stereotype of the lawyer in Anglo-American anti-proverbs accurately portrays the traits and behavior of American legal professionals. As one of the leading American folklorists, the late Alan Dundes, pointed out at the end of eighties:

In the United States, as elsewhere, individuals acquire stereotypes from folklore....The stereotypes may or may not be accurate character analyses—they may or may not be in accord with actual, empirically verifiable personality traits. The point is that folk stereotypes exist, and that countless people make judgments on the basis of them. There is probably no other area of folklore where the element of belief is more critical and potentially more dangerous, not only to self but to others.<sup>31</sup>

Elsewhere in the same book, Dundes added: "Folklore does not create society; it only mirrors it. If the mirror image is unattractive, does it serve any purpose to break the mirror?"<sup>32</sup> A few years later Edward J. Bander emphasized that "law reflects, rather than molds, society. If a society is mean, craven and litigious, it is not the lawyers that are responsible—they simply fill the vacuum that could be sweetness and light with a mean spirit and acts of vengeance".<sup>33</sup>

### Implications for Further Research

This study has focused on Anglo-American anti-proverbs that make fun of lawyers. It would also be important to discuss proverb mutations treating other professions and occupations (for example, politicians and doctors, accountants and policemen, teachers and writers,

<sup>31</sup> Dundes, A.: *Cracking Jokes: Studies of Sick Humor Cycles and Stereotypes*. Ten Speed Press, Berkeley, 1987, 116.

<sup>32</sup> *Ibid.* 38.

<sup>33</sup> Bander, E. J.: The Lawyer as Devil's Advocate. In: *The Lawyer and Popular Culture: Proceedings of a Conference*. Littleton, 1993, 178.

whores and housewives), and compare the stereotypical features associated with these professions and occupations with those attached to lawyers. Since proverbial language is said to reflect the system of values and conventions of a country, it would be useful not only to discuss American attitudes presented in anti-proverbs treating the legal profession, but to conduct cross-cultural comparison and contrasts involving the United States and other countries.<sup>34</sup> An intercultural comparison of Anglo-American legal anti-proverbs to legal anti-proverbs in other languages would be also of great interest and significance.<sup>35</sup>

<sup>34</sup> Legal anti-proverbs are not particularly popular in Hungary. In the corpus of over 7000 Hungarian anti-proverbs recorded by Anna T. Litovkina and Katalin Vargha only six proverb transformations about lawyers have been found. For more on Hungarian legal humor see Fenyvesi, Cs.: *A jog humora* (The Humour of Law). Pécs, 2003; Fenyvesi, Cs.: *A jog humora és rejtélyei* (The Mysterries and the Humour of Law). Pécs, 2010; T. Litovkina, A.: Minden, amit tudni akartál a jog és a rendőrség humoráról, de nem volt kitől megkérdezned (Everything what you wanted to know about the Humour of the Law and the Police but had nobody to ask). Interview of Anna T. Litovkina with Csaba Fenyvesi, advocate, lecturer, editor of the book *Humour of Law*). In: T. Litovkina, A.–Barta, P.–Hidasi, J. (eds): *A humor dimenziói* (Dimensions of Humour). Budapest, 2010, 237–245.

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