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Culture

Lowering the Bar: Lawyer Jokes and Legal Culture
Marc Galanter
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> *In the past, when I've talked to audiences like this, I've often started off with a lawyer joke, a complete caricature of a lawyer who's been nasty, greedy and unethical. But I've stopped that practice. I gradually realized that the lawyers in the audience didn't think the jokes were funny and the non-lawyers didn't know they were jokes.—United States Supreme Court Chief Justice William Rehnquist*

So begins this excellent compendium of lawyer jokes and their historical and sociological niche in society. This is not just another collection of lawyer humor for the lay person to chuckle at and for the lawyer to groan in mock pain over; no, this book provides an incredible amount of historical background for numerous legal jokes and analyzes how the lawyer has been perceived over the past few centuries and is viewed in society today. Virtually every lawyer joke imaginable is included, along with the author's insight into their meaning, origin and significance.

Citing references dating back to ancient Greece and the New Testament, Galanter notes that lawyers have long been objects of some derision, although the latest wave of lawyer jokes corresponds with the legal boom in America since the 1960s. Long gone from the public's current perception of lawyers are images of the "honest, virtuous truth-seeker" conjured up by such icons as Abraham Lincoln or Atticus Finch in *To Kill a Mocking Bird*.

Numerous jests hinge on the tension between lawyers' duty as "zealous advocates" for their clients and their duty to "the Truth." Truth often loses out, as in this couplet, credited to Ben Franklin: "God works wonders now and then; / Behold! A lawyer and an honest man."

Clients' resentment of fees and perceived over-billing has resulted in lawyers being portrayed as greedy and unscrupulous:

> *Lawyer: I'll take this case on contingency.*
> *Client: What's the contingency?*
> *Lawyer: If I lose, I get nothing.*
> *Client: And if you win?*
> *Lawyer: You get nothing.*

The "hired gun" notion of lawyers has led to them being viewed as opportunistic: "A lawyer was walking down the street and saw two cars smash into one another. Rushing over, he said, 'I saw everything and I'll take either side.'"

Portraying lawyers as skilled liars, economic predators, and even playmates of the devil, lawyer jokes invoke the gamut of human failings. This book captures all of them in brilliant and comical fashion.

The author knows whereof he speaks. He is the John and Rylla Bosshard Professor Emeritus of Law at the University of Wisconsin-Madison and Centennial Professor in the Department of Law at the London School of Economics and Political Science.

Anyone who finds lawyer jokes humorous (including most lawyers) or has always wondered about how and why they became so popular will very much enjoy this "lowering of the bar."