

LINGUISTICS

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UNIVERSAL CONSTITUENTS OF THE CONCEPT “LAWYER” IN THE MINDS OF LAYMEN

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Abstract

The article is about the concept “LAWYER” as it is reflected in the minds of non-lawyers. The authors deal with the concept “LAWYER” as it is exemplified in jokes, anecdotes, proverbs, and observations of well-known people about lawyers. The materials have been selected by the random sampling technique from different online sources. They are of American, French, and German origin. The authors refer to the ideas of Benjamin Franklin, Louis XII, and Martin Luther King, Jr. about law and lawyers. Special attention has been paid to the African American perception of lawyers. The conclusion is that the concept “LAWYER” in the minds of laymen is full of universal negative constituents which are predetermined by the nature of legal profession all over the world.

Keywords: semantic primitive; universal constituent; joke; anecdote

Introduction

Nowadays the concept “LAWYER” is one of the basic concepts of any nation. Eventually any person will have to deal with legal notions or apply to a law firm. The most important concepts are reflected in the human language. Anna Wierzbicka

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notes that "...the key to a rigorous and yet insightful talk about meaning lies in the notion of semantic primitives (or semantic primes)" [1]. We also believe that semantic primitives are the integral parts of concepts in human minds. They make up more complex clusters (or constituents) of the conceptual framework that we will consider in this article. Linguistic universals are typical of almost all languages. Wierzbicka's follower Cliff Goddard believes that "universal semantic primes have an inherent grammar – a "conceptual grammar" – which is the same in all languages; that is, each semantic prime has certain combinatorial properties by virtue of the particular concept it represents" [2]. It should be noted that by universalism we mean the extreme probability of the fact or the idea. We also agree with Ray Jackendoff who affirms that "to study semantics of natural language is to study cognitive psychology" [3]. Human perceptions of all the objects and events in the world around are undoubtedly predetermined by individual and social cognitive psychology.

The aim of this article is to describe universal constituents of the concept "LAWYER" in the minds of laymen (i.e. people who are not specialists in law).

Methods

In this article we use a semantic method of conceptual analysis. Conceptual analysis begins with identifying research questions and choosing a sample or samples. The question we raise here is the following one: what are universal constituents of the concept "LAWYER" in the minds of laymen? To answer this question we have chosen a certain type of texts: jokes, anecdotes, proverbs, and observations of well-known people about lawyers. Once chosen, the text must be coded into manageable content categories. The process of coding is basically one of selective reduction. By reducing the text to categories, consisting of a word, set of words or phrases, we can focus on, and code for, specific words or patterns that are indicative of the research question. In looking at the texts, chosen with the help of the random sampling technique from different online sources, the research question might involve examining the number of words used to describe this or that situation that reveals the true attitude of laymen to lawyers. Actually we want to reveal universal ideas about lawyers that people have in their minds. Researchers of the Colorado State University used identical methods to examine several Clinton

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speeches on health care, made during the 1992 presidential campaign [4].

The concept “LAWYER”

We will consider the concept “LAWYER” in the minds of laymen as it is exemplified in jokes, anecdotes, proverbs, and observations of well-known people about lawyers. We believe that this material will help us analyze the constituents of the concept “LAWYER” in the minds of laymen quite thoroughly because it reveals the true attitude of laymen to lawyers. In most cases laymen perceive lawyers as people who perceive the world in a special way. It’s partially due to the peculiarities of their profession and to the language they use. K.V. Matsyupa and E.Yu. Balashova point out “the problems of the culture of lawyer’s writing, and in particular such aspect as the usage of professional jargonisms in legal acts, which is currently topical” [5].

In most cases, lawyers are considered to be unprofessional, greedy, corrupt, and untruthful to their clients and colleagues. People think that lawyers are likely to avoid responsibility and interpret the law on their own account, etc.:

Necessity knows no law; I know some attorneys of the same. (Benjamin Franklin) [6].

“Q: What do you call a lawyer with an IQ of 50.

A: Senator.

Q: What' the difference between a lawyer and a boxing referee?

A: A boxing referee doesn't get paid more for a longer fight.

Q: How does an attorney sleep?

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

Q: How many lawyers does it take to screw in a light bulb?

A: Three, One to climb the ladder. One to shake it. And one to sue the ladder company” [7].

Rather often lawyers are compared to somebody or something that provokes negative associations or disgusting feelings (e.g. socially dangerous people, pigs, mosquitoes, devils, vampires, dirt, etc.). It should be noted that lawyers turn out to be worse and more disgusting than all these negative things:

“Q: What's the difference between a mosquito and a lawyer?

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A: One is a blood-sucking parasite, the other is an insect.

Q: Why did God make snakes just before lawyers?

A: To practice.

Q: What's the difference between a tick and a lawyer?

A: The tick falls off when you are dead.

Q: What's the difference between a lawyer and a bucket of manure?

A: The bucket.

Q: What's the difference between a lawyer and a vampire?

A: A vampire only sucks blood at night" [8].

All the negative constituents which are typical of the stereotyped image of a lawyer in the minds of laymen result in the fact that a strong desire to harm a lawyer or even kill him is a part of many jokes that we have analyzed:

“Q: How are an apple and a lawyer alike?

A: They both look good hanging from a tree.

Q: What do you call 25 attorneys buried up to their chins in cement?

A: Not enough cement.

Q: What do you call 5000 dead lawyers at the bottom of the ocean?

A: A good start!

Q: What's the difference between a dead skunk in the road and a dead lawyer in the road?

A: There are skid marks in front of the skunk.

Q: How do you get a lawyer out of a tree?

A: Cut the rope.

Q: Do you know how to save a drowning lawyer?

A: Take your foot off his head.

Q: Where can you find a good lawyer?

A: In the cemetery" [7].

Though our examples are only in English, we believe that such constituents of the concept “LAWYER” have been typical of many European nations through time. The fact that we have come across many jokes, proverbs, and observations containing toponyms, references to the authors, and their nationalities proves this supposition:

“Q: Why did New Jersey get all the toxic waste and California all the lawyers?

A: New Jersey got to pick first" [7].

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“Lawyers: those who use the law as shoemakers use leather: rubbing it, pressing it, stretching it with their teeth, all to the end of making it fit their purposes. Louis XII ((1462-1515) King of France (1498-1515))” [8].

“A good lawyer is a bad neighbour. French Proverb” [9].

“When two dogs fight for a bone, and the third runs off with it, there's a lawyer among the dogs. German Proverb” [10].

Yulia Kuznetsova notes that “modern linguistics is socially-oriented and involves much of people’s ethnic, professional, or territorial characteristics” [11]. It is also obvious that the concept “LAWYER” is closely related to the concept “LAW”. A generally negative laymen’s attitude to law and lawyers can have not only national but also racial grounds.

African Americans have always been dissatisfied with white lawyers and laws, enacted by whites. For example, Martin Luther King, Jr. wrote in his letter from a Birmingham Jail that laws could be divided into just and unjust ones. He urged people to disobey unjust laws: “any law that degrades human personality is unjust. All segregation statutes are unjust because segregation distorts the soul and damages the personality. It gives the segregator a false sense of superiority and the segregated a false sense of inferiority. Segregation, to use the terminology of the Jewish philosopher Martin Buber, substitutes an "I it" relationship for an "I thou" relationship and ends up relegating persons to the status of things. Hence, segregation is not only politically, economically and sociologically unsound; it is morally wrong and sinful. Paul Tillich has said that sin is separation. Is not segregation an existential expression of man's tragic separation, his awful estrangement, his terrible sinfulness? Thus it is that I can urge men to obey the 1954 decision of the Supreme Court, for it is morally right; and I can urge them to disobey segregation ordinances, for they are morally wrong” [12].

African Americans have not stopped perceiving white laws and white lawyers as something that is very often morally wrong. Svetlana Maksimova noted that “such extra-textual factors as forced relocation of Africans to the USA, mass migrations, urbanization of African Americans, and their adaptation to the new social, economic, and political conditions were extremely significant both for African Americans and for the languages they spoke” [13]. We believe that the extra-

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textual factors mentioned by Svetlana Maksimova have also influenced African Americans' attitude to law and lawyers.

Conclusion

We have found several universal constituents of the concept "LAWYER" in the minds of laymen. Lawyers are UNPROFESSIONAL, GREEDY, CORRUPT, UNTRUTHFUL, IRRESPONSIBLE, and DISGUSTFUL. People have a strong desire TO HARM or even KILL lawyers. We suppose that only social and legal restrictions prevent people from doing it. The capitalized adjectives and verbs mirror these universal constituents. They are universal because the same ideas are typical of the people in the USA, France, and Germany. The materials show that people's race does not make any serious difference in perception of lawyers. We have all the grounds to believe that other nations are the same in this regard.

So, laymen perceive lawyers rather negatively. Lawyers are considered to be making money out of other people's grief. Lawyers are ready to tell lies when it is profitable. A redress for a violated right does not satisfy the victim much because he or she has to go through lots of exhausting and expensive legal procedures.

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THE TEXT-PRIMITIVES IN TRAINING NON-NATIVE LANGUAGE: THE LINGUISTIC ASPECT

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