OXFORD JOURNAL
OF STUDENT
SCHOLARSHIP

Between a Knee and a Wrist Slap: Dissecting Courtroom Humour across a Public-Practitioner Divide

Prisha Sharma
prishaasharma@gmail.com

ABSTRACT

Courts are viewed as rational, objective, even solemn institutions, upholding law and maintaining social order. However, legal battles inherently trigger biological 'fight-or-flight' responses. While humour can act as a crucial safety valve, discharging this nervous energy, it simultaneously risks causing contempt, bias, or professional violations. Current literature often overlooks the exact boundaries of this tension; this paper addresses that gap by investigating what differentiates a benign icebreaker from a disruptive breach of courtroom decorum.

This study employs an ethnomethodological approach, analysing the micro-decisions of legal actors by analysing on-screen courtroom depictions and qualitative responses of industry professionals. Coupled with audience-rating exercises, they gauge external perceptions of legal wit.

Analysed through frameworks of Superiority, Relief, and Benign-Violation theories, findings reveal that successful courtroom humour is multifaceted rather than a singular, calculated tactic. It manifests across a spectrum: as an oppressive tool to assert authority, a tentative coping mechanism for nervous energy, or a natural, instinctual human impulse to find lightness in high-pressure environments. Its success and appropriateness fundamentally depends on how these diverse motivations interact within each institutional setting.
Practitioner responses entail an evident structural distribution of humour, shaped by privilege and hierarchy. On a 5-point Likert scale from strongly disagree to strongly agree, 85.7% of respondents selected a 3 or higher, heavily agreeing that judges who wield humour 'humanise' the court, whereas lawyers who do the same risk the court's respect. Nonetheless, an equal 85.7% tend to disagree that they consciously edit humorous remarks to ensure appropriateness.

Ultimately, this research demonstrates that humor is not an ornamental lapse of decorum or a mere distraction. Rather, it serves as a functional, calculated strategy essential for maintaining socio-psychological boundaries, authority, and fostering cooperation within the legal system.

Keywords: Law, Humour, Courtroom, Benign-Violation Theory, Superiority Theory, Relief Theory, Popular Media, Legal Dramas

1. INTRODUCTION: NO LAUGHING MATTER?

A lawyer walks into a bar. What does she order to drink?

Just ice…or justice. It all depends on which bar she is in.

Courts are traditionally institutions with strict decorum and a key pillar to upholding the law and maintaining social order. Humour emerges to play a pivotal role in courts; providing relief from prolonged high-intensity situations and serving as a socially corrective mechanism (Oakley & Opesking, 2016).
Those who wield it however, also risk contempt, bias and harm to other entities. This risk is further amplified by the fact that the courtroom is oftentimes a theatre of contradictions: it demands a performance of absolute rationality from individuals driven by evolutionary biological imperatives. While courts function as sites of intellectual debate, participants' bodies can, at times, tend towards interpreting the environment quite differently.

Biologically, the human body can interpret intense social conflict, such as a high stakes legal battle, much like a physical threat. This psychological pressure potentially triggers the release of adrenaline and cortisol, both labelled 'stress hormones', effectively launching the body into a state analogous to a 'fight-or-flight' mode (Dickerson & Kemeny, 2004; Russell & Lightman, 2019).

One can think of social conflict as a stewing pressure cooker. If internal tension is not vented, the vessel will eventually explode: escalating into further destructive situations and even violence. Humour, then, can act as a safety valve. It allows accumulated psychological pressure to be safely discharged through the physical act of laughter. Its complication in a legal setting, however, is that physical valves on pressure cookers offer a controlled release of steam in high-pressure environments, and are designed to allow for safe depressurization afterward. Humour offers no such guarantee.
When individuals use wit to perforate this pressure, they may trigger an explosion of mirth, but this is not assured (Maíz-Arévalo, 2020). Though, in accompanying any successful outcome, it has the potential to serve as a cognitive reset leading to relaxation for individuals and groups. (Lecourt, 2005).
Unlike a mechanical safety valve which responds to the laws of physics, the valve of 'wit' responds to hierarchical social intelligence and an apt wielding of it. (Bitterly, 2022) Successful application of humour in a courtroom depends on a speaker's ability to calculate the precise amount of pressure to release without shattering a fragile, constructed decorum of proceedings. Thus, it is safe to assume that that humour generally treads on very thin ice in a court of just(ice).

Current literature (Hobbes, 1651/2016; Spencer, 1860; Suls, 1972; McGraw & Warren, 2010) primarily focuses on the theoretical or historical functions of humour; however, there is a distinct lack of empirical baseline data regarding the perceptual boundaries of humour in practice. In particular, scholars like Anleu, Mack, and Tutton (2014) and Brandt (2018) have examined judicial demeanour and discourse, yet there

remains an absence of comparative data evaluating layperson perceptions alongside professional practictioner standards regarding the 'benign-violation' threshold in the courtroom.
Addressing this void is critical because the comparison concerns far more than differences in comedic taste. In a justice system where institutional legitimacy relies on decorum, it reveals how professional role, institutional authority, and media distance crucially dictate subsequent meanings and consequences of a humorous act. Uncovering how lay audiences, whose expectations are shaped by dramatised media, diverge from practicing legal professionals is vital for identifying where public perceptions of justice risk misalignment with the reality of courtroom operations.

In attempts to bridge this gap, I aim to analyse reactions to courtroom humour. The comparative analysis will particularly assist in determining if professional legal training creates a discrepancy in tolerance for humour relative to the general public. Furthermore, narrative input responses will aid in understanding the tactical strategies lawyers may use in traversing situations. This multifaceted approach attempts to illuminate the dynamics underlying the ultimate question of professional survival: where is the fine line between a knee and a wrist slap?

This paper attempts to map the evolution of legal wit and chart a boundary between a 'benign' icebreaker and a professional violation by documenting micro-decisions regarding humour, comparing on-screen courtroom situations, and interviews with professionals in the industry. Data rooted in ethnomethodology of legal actors and audience-rating exercises will be analysed through established cognitive theories of humour: specifically, Superiority Theory (Hobbes, 1651/2016), Relief Theory (Spencer, 1860), Incongruity-Resolution Theory (Suls, 1972), and Benign Violation Theory (McGraw & Warren, 2010). Applying these frameworks to the distinct pressures of a courtroom, this research examines whether humour, beyond an ornamental lapse of decorum, may operate as a calculated mechanism for managing socio-psychological boundaries. Consequently, synthesising, these theories establishes a conceptual basis to explore how humour potentially functions to nativage legal performance while balancing authority and cooperation.

To address these objectives, this paper proceeds as follows. Section 2 traces evolutionary and historical origins of humour, highlighting its transformative nature evident beyond surface level perceptions. Section 3 reviews foundational cognitive and social theories of humour alongside literature on courtroom discourse, identifying the operational gap between professional decorum and public perception. Section 4 outlines the mixed ethnomethodological approach, detailing the sampling protocol for the practitioner cohort, the layperson evaluation exercises, and the data analysis procedures. Section 5 presents the quantitative survey findings and qualitative themes concerning the perceived effect and boundaries of courtroom levity, discussing them through the lens of selected theories of humour. Finally, section 6 synthesises the study's theoretical and practical implications, acknowlegdes research limitations, and outlines scope for future inquiry into the topic.

2. SURVIVAL OF THE WITTIEST: EVOLUTIONARY AND HISTORICAL ROOTS OF HUMOUR

According to Darwin's Theory of Evolution by Natural Selection (Darwin, 1859/2015), organisms best adapted to their environment were most likely to survive and reproduce. In line with this evolutionary perspective, researchers suggest that humor itself may be an adapted survival tool:

> "The ability to generate and perceive humor is a biological process—a cognitive phenotypic trait—almost certainly dependent on a corresponding genetically based neurological substrate," (Polimeni & Reiss, 2006, p. 247).

Following this, there are several evolutionary accounts of humour as a cognitive trait: one which signals intelligence, creativity, and social bonding. It allows individuals to manage threat, uncertainty, and navigate through social situations.

One may describe this phenomenon, which I do as 'Survival of the Wittiest': this concept can be traced to the existing scholarly observation that humour is an adaptation which allows individuals to be better suited to their respective environments (Weisfeld, 1993). This, however, is entirely dependent on the situation one happens to find themselves in.
While it is highly likely that biology gifted humanity with the faculty for wit, culture has historically determined whether this wit got one a seat at the table or a walk to the gallows. Humour and its expression through comedy have evolved throughout history, adapting themselves to suit the cultural values and norms of each era (Kuipers, 2008). It has tended to serve as a mirror, presenting insights into the human condition and inherent nature.

Historically, the court jester functioned as a critical political tool, uniquely licensed to speak truth to power via witticism (Otto, 2001). Nevertheless, this ancient mirth was oftentimes subject to suspicion of malice by philosophers and religious writers; fuelling the thought that rulers and intellectuals utilised mockery to marginalise dissent from prevailing social hierarchies.

Humour is memorable; therefore, so are the humorous. Democritus, for instance, was a pre-socratic Greek philosopher, well renowned for formulating his atomic theory of the universe. Nonetheless, he is better known as 'The Laughing Philosopher', due to "his emphasis on the value of 'cheerfulness.' " (Berryman, 2023, para. 1). Beyond a simple cheerful disposition, Democritus' mirth often served as a tool to mock the perceived foolishness of his fellow citizens (Bremmer & Roodenburg, 1997, p. 17, as summarised in Polimeni & Reiss, 2006). This illustrates a pivotal hierarchy and power dynamic: as seen in Democritus' example, 'The Laughing Philosopher' was more than jovial, he was mocking. This ancient wit, therefore, was often double-edged. As championed by Plato, Aristotle, and Hobbes, Superiority Theory proposes an underlying power dynamic in the subtext of each humorous experience, and that humour stems from a "sudden glory" found in the mockery of others (Hobbes, 1651/2016, p. 27).

In an academic context, Superiority Theory has the ability to transform wit into institutional dominance. When a higher-up uses humour, they may tread a path alike Democritus', using their established professional status to define the boundaries of permissible witticism. Thus, 'The Laughing Philosopher' serves as an ancient blueprint for the gatekeeper of humour: where the 'right to joke' is a direct reflection of one's position in a power structure.

3. THEORETICAL APPROACHES TO COURTROOM HUMOUR

The intersection of humour and the law is often viewed as an incongruous and paradoxical alliance. One relies on rigid stability and rule following, while the other thrives on ambiguity and subversion of expectations. However, humour is further noted to be "a societal thermostat that detects public uneasiness and 'slowly activates social change'," (Adriaensen et al, 2023, p.3). An example of this is Blank Page Protests, where the structural tension of censorship is atypically met with the ultimate ambiguity of an empty sheet. By utilising irony to elucidate the absurdity of a rigid system, the marginalised can diagnose societal ills that the law is often too slow to acknowledge, and mitigate the impact of.

The cognitive mechanics driving humorous subversion are best explained by Incongruity-Resolution Theory (Suls, 1972; see also Morreall, 2024 for a broader review), which posits that amusement is triggered by a sudden mental clash between what is expected and what actually occurs. If a seemingly conceptual contrast is successfully resolved by the listener making sense of it within the appropriate context of interaction, any initial cognitive tension dissolves into laughter thus rendering incongruity as a primary vehicle for wit.

Beneath the surface of these cognitive shifts is a vital physiological release explained by Relief Theory (Spencer, 1860), which frames humour as an organic medium to discharge somatic and psychological tension . As sociologist Norbert Elias observes, "he who laughs cannot bite" (cited in Eagleton, 2019, para. 1). Elias suggests that laughter serves as a tension-relieving social mechanism that temporarily inhibits physical aggression, signalling the shift from a state of 'fight or flight' to one of perceived social safety. When we laugh, our respiratory and facial muscles are hijacked, rendering us physically incapable of maintaining an aggressive posture.

Unfortunately, the law is often inherently traumatic for many, frequently dealing with loss of liberty, assets, and even life itself. Humour, when successful, can provide a 'defense reaction', allowing practitioners and victims to process this pity, fear, and anger of a courtroom without being consumed by it. This state of emotional revival becomes necessary to progress through potentially extended periods of time. When a courtroom 'erupts' in laughter, present hierarchy is momentarily flattened. Everyone participating, whether a judge, defendant, advocate, or scribe are all subject to the same biological reflex. For the duration of the 'eruption', the experience reiterates to those involved that beneath imposed social order, there exists a shared human substrate (Vlieghe et al., 2010). Although, Hobbes' Superiority Theory may swiftly regain control after that moment has passed.

Nevertheless, this shared common ground is remarkably fragile. The same mirth which can dissolve conflict and offer relief can swiftly morph into a tool of exclusion. To evaluate this balance, contemporary scholarship looks to Benign Violation Theory (McGraw & Warren, 2010), which asserts that humour occurs when a situation is simultaneously perceived as a threat to a norm, and completely safe. In legal settings, a joke generally constitutes an infraction because it disrupts established decorum. When the benign balance of a joke shifts towards a genuine violation, lacking the protective psychological, spatial, or media distance to keep the threat harmless, this human connection evaporates, replaced once again by the unyielding hierarchies of prevalent social structures.

The weaponisation of hierarchy is empirically demonstrated by Jacobi and Sag (2019), who reject the conventional reading of courtroom laughter as an "equalizing force" or "lighthearted distraction" (p. 1423). Analysing more than 9,000 laughter episodes across decades of U.S. Supreme Court oral arguments, they prove that judicial humour operates predominantly as an instrument of advocacy, evaluation, and status. Drawing a conclusion that the bench "overwhelmingly direct their most humorous comments at the advocates with whom they disagree, the advocates who are losing, and novice advocates" (p. 1423), they posit that laughter becomes a predictive indicator of case outcomes rather than shared mirth. The benign nature of such humour is preserved solely for the higher-status speaker, leaving lower-authority participants exposed to real professional threat.

Grounding this dynamic in lower-court practice, Anleu, Mack, and Tutton (2014) construct an operational spectrum of courtroom humour spanning from appropriate and acceptable to inappropriate and sanctionable. Their research underscores that movement along this spectrum is heavily stratified, echoing the divide observed in Jacobi and Sag's work.

Moreover, as Brandt (2018) argues through the lens of carnivalesque humour, comedic and mediated narratives frequently function as spaces of dehierarchisation: enabling marginalised 'outsiders' or lower-status 'underdogs' to playfully invert entrenched power structures as they challenge institutional authority. Still, in a real-world legal setting, such attempts at dismantling institutionalised power structures carry genuine occupational risk. Together, these scholarly foundations demonstrate that the 'benign-violation' threshold is never fixed, even within the legal realm; rather, its boundary is actively dictated by the speaker's institutional position.

4. METHODOLOGY

Utilising a research framework bolstered by mixed-method components, this study draws upon the principles of ethnomethodology and performance oriented analysis. Ethnomethodology is "a sociological approach that examines the ways in which individuals engage in ordinary, everyday interactions to construct and maintain social order." (Vance, 2019, para. 1). This methodology was chosen since the research prioritises interpretational, interactional, and affective nature of humour over its quantification as

a static frequency or quantity. The goal is to examine how humour is actively constructed, understood, and managed within the legal sphere.

Instead of focusing on a single geographical location, this research examines a variety of digital and public legal-cultural sites. The visual data is sourced from courtroom dramas and documentary series from Singapore, India, and the US, while the legal framework is established through an analysis of media coverage, publicly available judicial records for the three nations.

The study involved a cohort of 25 layperson participants, and a smaller cohort (N=7) of legal professional responders: consisting of law students, and active legal practitioners. Primarily drawn from urban academic and professional circles, professional participants were identified through a purposive sampling strategy to ensure they possess direct experience with legal pedagogy and courtroom culture. Purposive sampling can be defined as "the intentional selection of specific units (such as individuals, cases, or events) based on their relevance to the research question, enables the researchers to gain deep insights into complex phenomena." (Tajik, Golzar and Noor, 2024, p.1).
Grouping law students alongside veteran practitioners introduces an internal hierarchy that may influence tolerance for humour. Blending these experience levels therefore captures a wider spectrum of legal culture, further reflecting multifurcation of thresholds where perceived risk of participating in humour is likely to be highly influenced by institutional standing: seasoned litigators possess the experience and security to risk strategic wit, whereas junior associates are vulnerable to scrutiny that discourages levity.

This is supplemented by snowball sampling to leverage professional and institutional networks for further recruitment. Snowball sampling entails a recruitment technique in which "research participants are asked to assist researchers in identifying other potential subjects" (Oregon State University [OSU], 2010, para. 1). Data collection for this study employs a multi-method approach: combining performance analysis and quantitative audience-rating exercises conducted over a period of 3-5 weeks.

The primary dataset features three short clips (30-45 seconds) curated from courtroom series and media such as Maamla Legal Hai, Liar Liar, and Legally Blonde. These clips have been strategically selected to reflect diverse dynamics in speaker power, humour targets, and tone setting. To capture audience perception, a Google Forms rating survey was administered to individuals to evaluate the clips on scales with statements encompassing the humorousness, appropriateness, and benign or violating nature of each scene (see Appendix A for complete survey instrument).
Legal professionals completed a specialized survey utilizing Likert scales to measure agreement with statements regarding humor in practice. This survey also included two short-answer questions designed to elicit personal anecdotes from their professional experience (see Appendix B for the complete survey instrument). The participating practitioners (N=7) represented diverse legal backgrounds as follows:

- P1: Law Student (0-2 years experience)
- P2: Constitutional/Criminal Defense Attorney (3-8 years experience)
- P3: Corporate Lawyer (3-8 years experience)

- P4: Corporate Lawyer (3-8 years experience)
- P5: International Law Student (0-2 years experience)
- P6: Prosecutor (8-15 years experience)
- P7: In-House Technology Counsel (3-8 years experience)

Analysis of these narrative inputs was utilised to inspect the emotional trajectory of humour with a specific focus on how humour may generate feelings of relief, discomfort, solidarity, superiority, or humiliation. Themes were organised and managed using Excel-based categorisation for systematic tracking of insights. The survey data was further processed through descriptive analysis to produce emerging tables and percentages. These findings are conveyed through visual representations, for instance, via bar charts, to illustrate how and to the extent to which participants classify and perceive humour. By layering these techniques, this research aims to synthesise qualitative and emotional data with clear, quantifiable trends in perception.

While the identified participant group contributing to this study does not target conventionally vulnerable or marginalised populations, it engages with individuals operating within highly hierarchical and professionally sensitive environments. Because the research explores informal workplace cultures and institutional dynamics, the disclosures from legal professionals and law students are treated with a high degree of care to prevent any professional repercussions.

This study also distinguishes between public datasets and human interaction. Judgements, trailers, and media artifacts were utilized as publicly accessible materials with minimal ethical risk. All interviewees and survey respondents were engaged through a process of informed consent. Participation was strictly voluntary, and individuals maintained the right to skip specific questions or withdraw from the study entirely prior to the final analysis. To uphold legal and ethical standards, no confidential court records or private recordings were be collected; furthermore, participants were not asked to comment on active or sensitive litigations.

Strict measures were in place to protect the identities of all participants: any quotations were anonymized, and over-specific identifying details have been removed. Digital recordings and research notes were stored in secure, restricted-access environments. Lastly, in cases where a specific professional role may have inadvertently revealed a participant's identity, descriptions were generalised in the final report to ensure anonymity without compromising the study's analytical integrity.

Several methodological constraints inherent to the design warrant consideration. First, the practitioner sample size (N=7), while metholodogically appropriate for qualitative ethnomethodological depth and detailed narrative analysis, limits the generalisation potential of findings. Consequently, findings derived from the practitioner cohort must be interpreted as directional indicators of professional culture rather than verified, statistically generalizable standards across the legal profession.

Furthermore, the study's reliance on filmed dramatised courtroom media clips introduces an artificial barrier compared to live trial proceedings. While dramatised excerpts exemplify instances where the theories of humour interact, public cohort responses remain filtered through entertainment media conventions, which cannot fully replicate the authenticity of a genuine courtroom.

Finally, a fundamental asymmetry exists between the data collection instruments used for each cohort. While lay participants directly rated on-screen dramatized clips, practitioners responded to generalized institutional and normative statements regarding humor in professional practice. Because the two cohorts did not evaluate identical stimuli, the study lacks a comparable baseline data to pinpoint exact statistical discrepancies between practitioner and lay thresholds.

5. DATA ANALYSIS

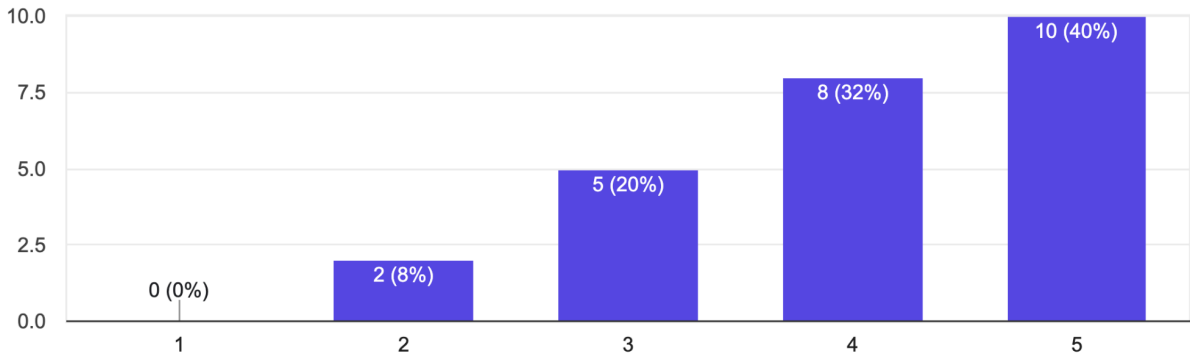
5.1. Dramatic Irony, Catharsis and Dynamics of Relief Theory

Humour within legal settings can be seen as a safety valve, discharging courtroom tension to briefly flatten rigid, professional hierarchies. To explore this dynamic, respondents from the public were asked to evaluate a comedic courtroom clip from the film “Liar Liar”.

The selected clip features defence attorney Fletcher Reede struggling through a formal trial under the influence of a supernatural curse functioning as a truth serum. Deprived of his ability to deceive, exaggerate, or withhold the truth, his attempts to manage a high-stakes trial are hindered as he involuntarily blurts out self-sabotaging truths before the bench.

The clip was widely perceived as humorous, with the vast majority of participants (84%) rating it a 3 or higher on the 5-point Likert scale. The underlying mechanism driving this humour appears to be tied directly to the psychological release of witnessing high-stakes tension. When asked if the main-character’s desperate behaviour (driven by a curse forcing him to be honest) made the scene more humorous, 72% of respondents agreed or strongly agreed, (Scores 4 and 5), while 0% strongly disagreed (See Figure 1). This indicates that watching a legal actor experience extreme, desperate tension creates a psychological buildup that is ultimately resolved through comedic relief.

Figure 1: Table Showing 5-Point Likert Scale Responses to the Prompt: *“Knowing the lawyer is "cursed" to be honest makes his desperate behaviour more humorous.”*



Furthermore, this comedic relief is amplified by the subversion of traditional courtroom expectations. Participants noted the structural irony of the scene: with 84% agreeing or strongly agreeing (4 or 5), that a truth-bound lawyer appears satirically out of place when forced to tell the truth. No respondents disagreed with this sentiment.

This sharp subversion operates on two distinct levels. Principally, it upends expected courtroom foundations: namely, that the institution is designed to seek absolute truth by showing that candid honesty actually renders the legal actor satirically out of place. Simultaneously, it subverts the audience's cynical expectation that legal proceedings rely on strategic deception and rhetorical varnish. By forcing a lawyer to abandon his 'performance', this scene exposes and alleviates the rigid, adversarial pressures inherent to the court.

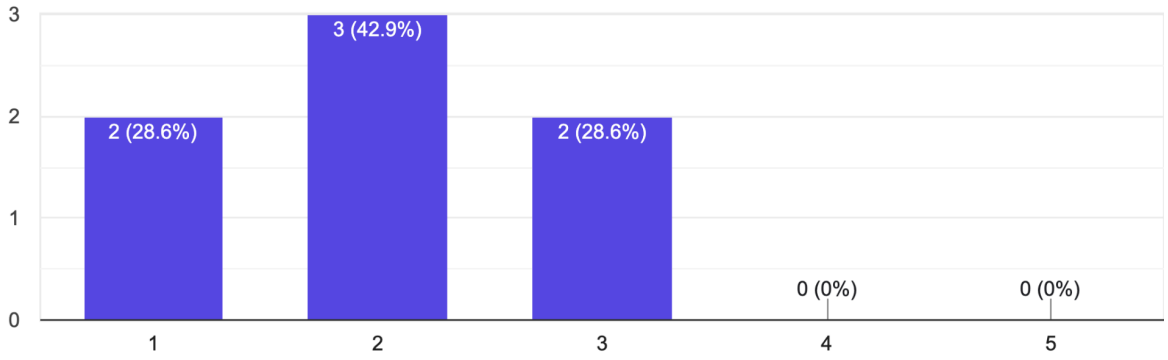
Moreover, the dramatic irony embedded within this scene is a bridge between the classic Relief Theory of humour and Superiority Theory. In comedic literature, dramatic irony breeds a sense of superiority because the audience possesses critical narrative information that characters lack. Here, the viewers are fully aware of the supernatural 'honesty curse' while courtroom participants are left entirely bewildered by the lawyer's sudden, self-destructive admissions. As discussed in the Literature Review, Superiority Theory posits that humour arises from a situation where we perceive ourselves as elevated above the subject of mockery. Because this audience holds the upper hand narrative-wise, they are uniquely positioned to judge and laugh at the chaotic scene from a safe and detached distance.

This structural superiority actively facilitates the relief generated from this scene as the audience's omniscient perspective transforms what would have been a stressful, career-ending professional meltdown into a safe, comical spectacle. The tension generated by the lawyer's desperate struggle is rapidly discharged through laughter due to the audience's informational advantage which removes any genuine stakes or discomfort from the viewer's experience. Consequently, the dramatic irony ensures that the courtroom's rigid hierarchy is not only flattened by the truth, but also playfully subjugated to the superior awareness of the audience.

While lay audiences readily perceive humour as a mechanism for structural relief, data from legal practitioners reveals a more cautious utilisation of humour in these high-pressure situations. When surveyed on whether they use humour specifically to prevent themselves from becoming emotionally overwhelmed during professional high-stakes situations, the majority of practitioners expressed disagreement: with 57.2% selecting a score of 1 or 2. Only 28% agreed (scoring a 4), and none strongly agreed.

A similar downward trend emerged regarding client interactions: 71.5% of practitioners disagreed or strongly disagreed (scores 1 and 2) that humour is essential for building rapport with clients experiencing legal trauma (See Figure 2). None of the participants agreed or strongly agreed with the statement. This suggests that while practitioners may recognise the theoretical emotional relief humour provides, they are highly selective in practice, especially mindful in avoiding it as a method to regulate their emotions when managing client trauma.

Figure 2: Table Showing 5-Point Likert Scale Responses to the Prompt: *"Humour is essential for building rapport with clients experiencing legal trauma."*



Instead, qualitative data suggests that legal professionals view humour not as a therapeutic intervention for crisis, but rather as an opportunistic tool for low-stakes social intelligence. When asked to describe a time when a witticism successfully diffused conflict or tension, for example, participant P4, who identifies as a corporate lawyer with 3-8 years of experience, noted, during *"presentation[s] from interns about their fun facts,"* the inclusion of *"funny stories and jokes and puns help[ed] break the ice."*

This cautious approach raises a critical question regarding the cognitive labour behind professional humour: do practitioners avoid humour in these settings because the mental burden of self-censorship requires too much effort? The data suggests otherwise: an overwhelming 85.7% of respondents disagreed or strongly disagreed (scores 1 and 2) that they consciously edit or rehearse humorous remarks in their head to ensure appropriateness. Mirroring this sentiment, 71.5% of practitioners agreed or strongly agreed

(scores 4 and 5) that when wit is used in a legal setting, it feels like a **"spontaneous reflex rather than a calculated mental effort."**

However, the data also highlights a small minority who experience this cognitive labour differently. 28.6% of professional respondents strongly felt that wit is not a spontaneous reflex (scoring a 1), which is potentially a direct alignment with the 14.3% who explicitly agreed (scoring a 4) that they must actively edit and rehearse their remarks before speaking.

Despite these minority outliers, the broader data reveals a striking divergence between laypeople and legal professionals regarding how humour operates. While lay audiences readily consume and decode courtroom humour to be intuitive, as a stress-relieving 'safety-valve', practitioners do not view humour as a laboured, carefully-treaded performance they must mentally calculate. Instead, they navigate wit through an internalised professional filter. This restraint suggests that the barrier to levity is not the immediate cognitive burden of self-censorship, but an ever-present awareness of institutional boundaries: before a legal actor determines whether a remark provides relief, they must first possess the structural authority to deliver it.

5.2. Incongruity-Resolution and The Institutional Right to Joke

While Relief Theory explains the internal physiological impulse to discharge tension, it does not account for who is permitted to release that tension within the intensely stratified arena that is a courtroom. The deployment of humour in legal settings is rarely democratic. Rather, the permission to joke closely mirrors institutional rank, and the social meaning of a joke fundamentally shifts depending on the hierarchical direction in which it travels. Within the rigid power structures of the legal system, humour can either be used downwards as an assertion of authority, or upward as a subversive tool to challenge established power.

Participants responded to a courtroom scene from the film "Legally Blonde", highlighting how lay audiences process upwardly directed humour. In the chosen clip, protagonist Elle Woods cross-examines a key witness, participating in a murder trail merely as a novice first-year law intern rather than a seasoned practitioner. By leveraging her specialised knowledge of perm maintenance to dismantle the witness's fabricated alibi, an inexperienced outsider successfully cracks the case and outmaneuvers the room which underestimated her abilities.

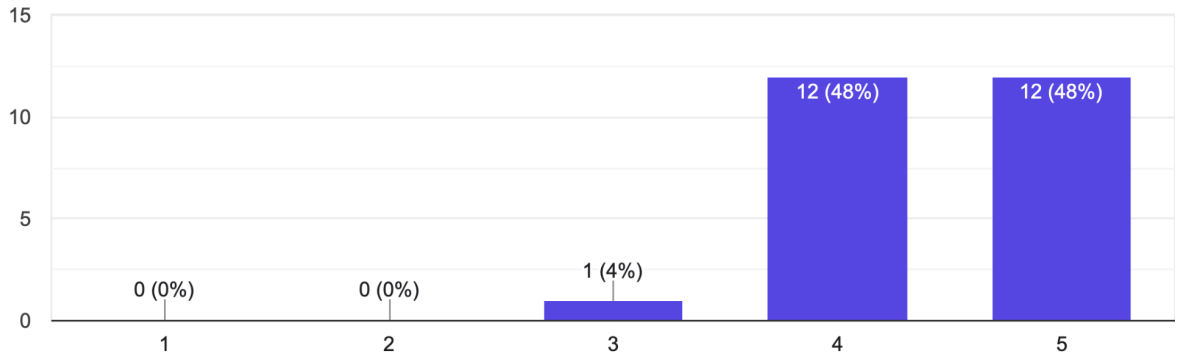
The clip was widely well received, with 84% of respondents evaluating it as funny (scoring a 3 or above). This comedy was largely reliant on Incongruity-Resolution Theory; 88% of participants found the explicit contrast between "hair-care talk" and formal legal conversation leaning towards humorous (scores 3-5).

Incongruity theory dictates that amusement is triggered by a cognitive clash between two distinct outcomes: the discrepancy between what we expect and what actually occurs. Here, the rigid, formal domain of a murder trial is unusually invaded by the unsuspecting, highly-gendered knowledge about

perm maintenance. The audience, and other characters within the scene experience a cognitive mismatch, which is instantly resolved when this seemingly irrelevant information turns out to be crucial to break the witness' statement.

This clever resolution of incongruity is precisely what triggers the ultimate superiority payoff. Initially, both the courtroom figures and the witness doubted protagonist Elle Woods' capabilities, reducing her credibility due to her heavily gender-stereotyped talk. However, this assumed superiority is completely undermined when her specialised knowledge proves to be definitive evidence, thus transferring the intellectual upperhand to the underestimated outsider. This intellectual pivot culminates in a profound sense of triumph for the audience: 100% of respondents reported a positive evaluation (scores 3-5) regarding their satisfaction when the witness was outsparted, with a massive 96% clustering at agree or strongly agree (Figure 3).

Figure 3: Table Showing 5-Point Likert Scale Responses to the Prompt: *"I felt a sense of satisfaction when the witness was outsmarted and her skeptics were proven wrong."*



While lay audiences celebrate this upward subversion, data from legal practitioners posits that inside the profession, the right to joke reflects entrenched institutional power. When practitioners were surveyed whether they feel that they must 'earn' the right to be humorous through their professional status before it is considered acceptable, the results revealed a distinct trend towards systemic caution. A combined 57.2% of respondents agreed or strongly agreed (scores 4 and 5). Contrasting with Elle Woods' fictional success as a first-year intern, this emphasises that within real legal spaces, humour is viewed as an earned privilege tied to authority rather than an organic communication tool accessible to all ranks.

This structural division of privilege becomes even more stark when analysing the professional risks of humour based on an individual's role. Practitioners noted a clear double standard regarding who is permitted to fracture decorum, heavily learning towards agreement: 85.7% selected scores 3 and higher, with the premise that **"A judge who makes a joke is 'humanising' the court; a lawyer who makes a**

joke is 'risking' the court's respect." Because the judge holds absolute systemic authority, their humour is perceived as a benevolent humanising concession. Conversely, lawyers occupy a subordinating position of advocacy, and any resulting attempts at humour may be viewed as an unnecessary gamble which threaten professional decorum.

This quantitative hierarchy is deeply spotlighted by narrative inputs outlining the realities of everyday practice, exposing the operational gaps and high stakes of 'joking up'. When asked to describe a time when witticism successfully 'diffused' a conflict in a legal setting, participant P3 argues "*Never*," further elaborating that "*the legal profession is very serious and using humour either in courtrooms or in a setting where senior advocates are being briefed is frowned upon.*" The barriers against lower-ranking professionals wielding humour is further compounded by the gruelling structural demands of the legal profession. As the same respondent highlighted, *"corporate firms need 12-16 hours of billables from associates every day. So, when people are struggling to sleep, humour can barely be a defence mechanism."*

The 'right to joke' within a legal setting is at its core, a direct reflection of institutional power. While laypeople find immense satisfaction in fictional media that weaponises humour to flatten arrogance, real-world practitioners operate often, under an uncompromising hierarchy. High systemic pressures leave little scope for lower-ranking professionals to subvert authority like Elle Woods does; for now, wit remains an earned luxury of the powerful, both an assertion of status for those at the top, and a professional hazard for those at the bottom. Yet identifying that authority which governs humour leaves a critical practical question unresolved: when a courtroom actor does cross the line, precisely where does harmless eccentricity end and punishable misconduct begin?

5.3. Media Distance and Boundaries of Acceptable Humor

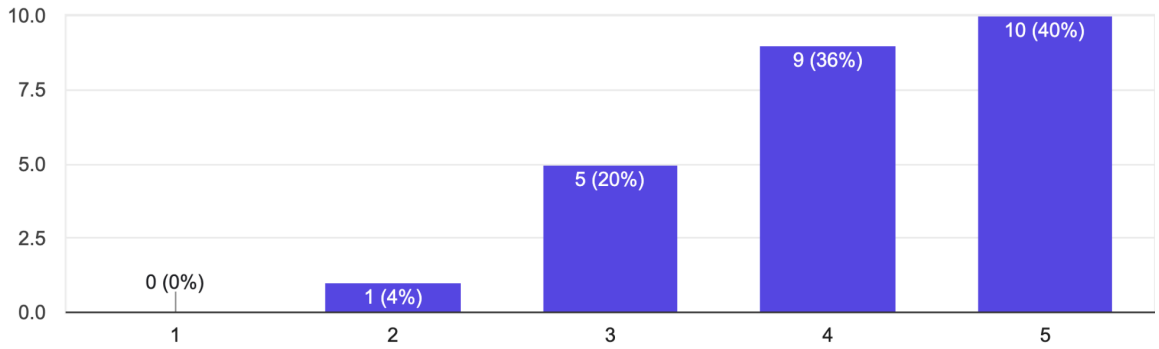
If institutional hierarchy determines who holds the license to joke, Benign Violation Theory provides the diagnostic framework for determining when that license expires. The survival and success of humour within any institutional setting is crucially dependent on the boundary between what is deemed acceptable and what is considered offensive. As previously outlined in the Literature Review, according to Benign Violation Theory, humour occurs when a situation is both a violation and is safe simultaneously. Regarding the highly structured and risk-averse legal system, this delicate line is drawn quite differently by the lay public and legal professionals, whose specialised training significantly narrows what can be appraised as 'harmless.'

In mapping how lay audiences navigate this boundary, respondents were made to rate a clip from the Hindi-language Indian web-series "Maamla Legal Hai"*,* featuring an absurd dispute involving a parrot accused of hurling vulgar slurs and abuses at a neighbourhood woman. The hearing rapidly descends into comedic chaos: its humour derives from the juxtaposition of the rigid judicial setting and the uncontrollable, profane antics of an animal entirely indifferent to legal decorum. The data demonstrates a classic execution of a successful benign violation. On one hand, the public clearly recognises the

underlying breach of institutional norms: 92% of respondents scored 3 or above, noting that the parrot's behaviour constituted a significant violation of courtroom decorum.

Simultaneously, the comedic framing provides the necessary psychological 'safety valve' to render this scenario benign. 96% of respondents lean towards ranking this clip harmless (scoring 3 and above), with 40% strongly agreeing (score 5), that this scenario felt harmless (Figure 4). Displacing the offensive language onto an animal supplies a structural and psychological distancing because the bird lacks human agency or malicious intent. Therefore, the public can laugh at the severe institutional infraction without feeling that real-world ethical boundaries have been crossed (Brandt, 2018).

Figure 4: Table Showing 5-Point Likert Scale Responses to the Prompt: "Even though rules were broken, the situation felt harmless."



For legal practitioners, however, professional training and institutional liability begins to constrict this benign zone, making them potentially more sensitive to potential violations. This tension is deeply personal, with 57.2% of practitioners leaning towards the view that wit is a core part of their professional identity (scores 3 and 4), and 42.9% agreeing that a well-timed witty remark acts as a "social lubricant" in high-stakes environments like negotiations or moots. Lawyers value humour as a pivotal tool, yet they recognise that beyond certain controlled social interactions, humour easily transforms into an existential professional threat.

Qualitative data from the practitioners' free-text responses highlights specific triggers where humour fails to remain benign, crossing into the sphere of severe violation. The most prominent triggers include heavily condemned jokes containing *"racist or sexist undertones,"* (P4), such as a *"male lawyer making insensitive and inappropriate remarks to [a] female victim,"* (P5). Practitioners emphasise that humour in sensitive contexts *"takes away from the seriousness required"* (P2), especially in cases involving profound trauma. This directly mirrors earlier quantitative data where 71.5% of practitioners disagreed or strongly disagreed (scores 1 and 2) that humour is essential for building rapport with clients experiencing legal trauma (Figure 2).

Unlike the public's consequence-free appraisal of fictional media, real-world breaches of the professional benign threshold carry severe penalties. In one striking anecdote shared by participant P3, a colleague playfully admitted that he *"overslept and thus could not reach the Supreme Court on time."* While intended as a universal, lighthearted excuse, treating a failure of duty with levity crossed an unyielding boundary for the individual's institution, resulting in *"an official inquiry and a pay cut from [the] next month."* While specific consequences may vary between each independent institution, this reflects an industry norm that humour in judicial settings threaten to the core virtues of a court's impartiality and neutrality. Resultant practices of this subjugate its user to both formal and informal regulation (Anleu, Mack & Tutton 2014). These divergent thresholds confirm that the benign boundary is neither static nor universal, setting the stage for an integrated model of how these disparate cognitive and institutional forces interact.

5.4. A Verdict on Wit: Data Analysis Summary

Tracking these empirical threads: from the somatic relief documented in 5.1; through the hierarchical permissions identified in 5.2; and to the liability thresholds exposed in 5.3, the data reveals that courtroom humour cannot be explained by any single theoretical lens in isolation, instead uncovering an interdependent, tiered architecture.

For lay audiences, courtroom humour is accessible, intuitive, and highly satisfying; it functions seamlessly as a safety valve for structural relief, an equipping medium for upward superiority, and a consequence-free manner to enjoy a Benign Violation. To the public screen-watcher, the knowledge of the rigid architecture of courtrooms is entirely constructed by the narrative media, in most cases, framed as a playing field for narrative triumph, and occasionally, comedic tension.

For legal professionals, however, the courtroom allows less of a playground. Practitioners seem inclined to operate on a safer side within a high-stakes, risk-averse reality where the right to joke generally tracks institutional power. This leaves junior professionals vulnerable to material harms such as formal inquiries and pay cuts should they misjudge the room. While the lawyers of this study inherently value wit as an instinctual social lubricant, their specialised training likely constricts their benign threshold. In traversing the actual intricacies of the legal field, lawyers are likely to reserve their wit for the lower-stakes, informal settings, as opposed to the decorum of the court.

Rather than validating these four theoretical paradigms as parallel, independent models, the data demonstrates that they operate in an interdependent, tiered form. Incongruity-Resolution functions as the catalyst, introducing a baseline cognitive mismatch. However, whether that incongruity registers as humour is entirely dependent on its perception as per the tenets of Benign-Violation Theory. Crucially, the findings challenge the universality of this benign boundary: while media distance enables lay audiences to evaluate severe decorum violations as 'harmless', professional immersion and institutional liability radically compress the benign threshold for legal practitioners. If a scenario clears this boundary,

Superiority and Relief theories contest for a final impact payoff. For the public, upward superiority and vicarious relief provide potent catharsis against rigid hierarchy. Conversely, for practitioners, the real-world utility of relief may often collapse under the burden of professional risk. Here, the deployment of superiority-adjacent humour reflects institutionally ingrained ranks: the authority to fracture decorum may be humanising for the judge, but potentially career-ending for the subordinate.

6. CONCLUSION: JOKES ASIDE

This paper has bridged abstract humour frameworks with institutional realities, largely relying on primary data to map the contrast between public perceptions and practitioner beliefs. The data addressed initial research objectives by revealing that where laypeople view courtroom humour as an avenue for emotional relief or triumph against superiority, practitioners treat it often as an earned privilege aligned strictly with hierarchy. The public's expansive benign threshold is actively shielded by media distance, whereas the practitioner's threshold is heavily constricted by professional liability; any action that individuals find humorous can simultaneously be deemed an intolerable, punishable breach of conduct.

The multifaceted motivations and impacts of humour in courtroom settings prove that to be 'logical', arguments need not be solely serious; after all, humour is rarely illogical, yet one would hardly describe it to be serious. This effectively forefronts presence of humour in courts into the main discussion, rather than generally prevailing perceptions of it as a 'banal' byproduct of human nature.

These insights should be consciously measured against distinct methodological limitations. The professional dataset relied on a small survey sample size (N=7) that is not fully representative of diverse legal environments or regional courtroom dynamics. Specifically, the practitioner-side findings, while suggestive, had a small sample size (N=7) in congruence with the limited scope of the research. Thus, derived conclusions should be treated as directional rather than verified and statistically corroborated.

Furthermore, while the public directly rated dramatised media clips, the practitioners evaluated broader institutional statements rather than the videos themselves. This means that public opinions remain heavily filtered through the media lens, and that there exists an absence of directly comparable data to observe any differences in the general thresholds for each group.

To develop this research further, future studies should also analyse authentic courtroom transcripts and video recordings rather than dramatised and curated media. Expanding the sample size to a multi-jurisdictional cohort of practitioners would also allow researchers to track how the 'right to joke' shifts across different legal sub-fields and levels of seniority, in attempts to pinpoint a more tangible boundary where a knee-jerk laugh transforms into an institutional wrist slap.

7. REFERENCES

Adriaensen, B., Andrew Benjamin Bricker, Godioli, A., & Laros, T. (2023). Humor and the Law: Laughter as Critique/The Limits of Laughter. *Law, Culture and the Humanities*, *21*(2). https://doi.org/10.1177/17438721231177647

Anleu, S. R., Mack, K., & Tutton, J. (2014). Judicial Humour in the Australian Courtroom. *SSRN Electronic Journal*, *38*(2).

Berryman, S. (2016, December 2). *Democritus (Stanford Encyclopedia of Philosophy)*. Stanford. Stanford.Edu. https://plato.stanford.edu/entries/democritus/

Bitterly, T. B. (2022). Humor and Power. *Current Opinion in Psychology*, *43*, 125–128. https://doi.org/10.1016/j.copsyc.2021.06.017

Brandt, S. L. (2018). Horsing Around: Carnivalesque Humor and the Aesthetics of Dehierarchization in Mister Ed. *European Journal of American Studies*, *13*(1). https://doi.org/10.4000/ejas.12474

Bremmer, J., & Roodenburg, H. (1997). *A Cultural History of Humour*. Polity.

Darwin, C. (2015). *On the origin of species.* Cambridge Univ Press. (Original work published 1859)

Dickerson, S. S., & Kemeny, M. E. (2004). Acute stressors and cortisol responses: A theoretical integration and synthesis of laboratory research. *Psychological Bulletin*, *130*(3), 355–391. https://doi.org/10.1037/0033-2909.130.3.355

Eagleton, T. (2019, October 4). *The history of humour*. Yale University Press. https://yalebooks.yale.edu/2019/10/04/the-history-of-humour/

Hobbes, T. (2016). *Leviathan (1651) by Thomas Hobbes*. Createspace Independent Publishing Platform.

Jacobi, T., & Sag, M. (2019). *Taking Laughter Seriously at the Supreme Court* . Emory.Edu. https://scholarlycommons.law.emory.edu/cgi/viewcontent.cgi?article=1016&context=faculty-articles

Kuipers, G. (2008). The Sociology of Humor. *The Primer of Humor Research*, 361. https://www.academia.edu/1166958/The_sociology_of_humor

Lecourt, É. (2005). *Tension and relaxation in the group: Musical laughter, family laughter*.

Maíz-Arévalo, C. (2020). When humour backfires. *Internet Pragmatics*, *4*(1), 111–130. https://doi.org/10.1075/ip.00064.are

McGraw, A. P., & Warren, C. (2010). Benign Violations: Making Immoral Behavior Funny. *Psychological Science*, *21*(8), 1141–1149. https://doi.org/10.1177/0956797610376073

Morreall, J. (2012, November 20). *Philosophy of Humor*. Stanford.Edu. https://plato.stanford.edu/entries/humor/#IncoTheo

Oakley, J. W., & Opesking, B. R. (2016). Banter from the bench: The use of humour in the exercise of judicial functions. *Australian Bar Review*, *42*. https://www.semanticscholar.org/paper/Banter-from-the-Bench%3A-The-Use-of-Humour-in-the-of-Oakley-Opeskin/dbe17334bccfd8fef23a84b5c9b3a380633bdf78#related-papers

Oregon State University. (2010). *Snowball Sampling | Division of Research and Innovation*. Division of Research and Innovation. https://research.oregonstate.edu/ori/irb/policies-and-guidance-investigators/guidance/snowball-sampling

Otto, B. K. (2001). *Fools Are Everywhere*. University of Chicago Press.

Polimeni, J., & Reiss, J. P. (2006). The First Joke: Exploring the Evolutionary Origins of Humor. *Evolutionary Psychology*, *4*(1), 147470490600400. https://doi.org/10.1177/147470490600400129

Russell, G., & Lightman, S. (2019). The Human Stress Response. *Nature Reviews Endocrinology*, *15*(9), 525–534. https://doi.org/10.1038/s41574-019-0228-0

Spencer, H. (1860). The Physiology of Laughter. In *The Open Library*. [Macmillan]. https://openlibrary.org/books/OL26294987M/The_physiology_of_laughter

Suls, J. M. (1972). a Two-stage Model for the Appreciation of Jokes and Cartoons. in J. H. Goldstein and P. E. McGhee (Eds.), the Psychology of Humor Theoretical Perspectives and Empirical Issues. New York, NY Academic Press. - References - Scientific Research Publishing. (2026). Scirp.Org. https://www.scirp.org/reference/referencespapers?referenceid=204910

Tajik, O., Golzar, J., & Noor, S. (2024). Purposive Sampling. *Purposive Sampling*, *2*(2), 1–9. https://doi.org/10.22034/ijels.2025.490681.1029

Vance, N. (2019). *Ethnomethodology | EBSCO*. EBSCO Information Services, Inc. | Www.Ebsco.Com. https://www.ebsco.com/research-starters/ethnic-and-cultural-studies/ethnomethodology

Vlieghe, J., Simons, M., & Masschelein, J. (2010). The Educational Meaning of Communal Laughter: On the Experience of Corporeal Democracy. *Educational Theory*, *60*(6), 719–734. https://doi.org/10.1111/j.1741-5446.2010.00386.x

Weisfeld, G. E. (1993). The Adaptive Value of Humor and Laughter. *Ethology and Sociobiology*, *14*(2), 141–169. https://doi.org/10.1016/0162-3095(93)90012-7

8. APPENDIX

8.1. Appendix A: Layperson Survey Instrument

Section 1: Maamla Legal Hai Scene

Please watch this short 30s clip: Maamla Legal Hai Parrot Scene
https://www.youtubetrimmer.com/view/?v=CpqI1uAflvA&start=198&end=231&loop=0

LIKERT SCALE PROMPTS:

Please rate your agreement on a 5-point Likert scale (1 = Strongly Disagree to 5 = Strongly Agree):

1. This clip is funny.
2. The behaviour in this clip is a significant violation of courtroom norms.
3. Even though rules were broken, the situation felt harmless.

Section 2: Elle Woods Scene
Next clip: Elle Woods' Perm Revelation
https://www.youtubetrimmer.com/view/v=q0MxGptN4TY&start=151&end=225&loop=0

LIKERT SCALE PROMPTS:

Please rate your agreement on a 5-point Likert scale (1 = Strongly Disagree to 5 = Strongly Agree):

1. This clip is funny.
2. I find the contrast between legal conversation and hair-care talk humourous.
3. I felt a sense of satisfaction when the witness was outsmarted and her skeptics were proven wrong.

Section 3: Liar Liar Scene
Last clip: in this scene, the lawyer is under a magical curse that physically prevents him from telling a lie for 24 hours.
https://www.youtubetrimmer.com/view/?v=HKC7nLJz49c&start=140&end=180&loop=0

LIKERT SCALE PROMPTS:

Please rate your agreement on a 5-point Likert scale (1 = Strongly Disagree to 5 = Strongly Agree):

1. This clip is funny.
2. Knowing the lawyer is "cursed" to be honest makes his desperate behaviour more humorous.
3. It feels ironic that a truth-bound lawyer appears satirically out of place when forced to tell the truth.

8.2. Appendix B: Legal Professional Survey Instrument

Section 1: Demographic Information Prompts:

1. What is your current primary role in the legal profession? (Select all that apply)
    a. Law Student
    b. Practicing Lawyer
    c. Judge/Judicial Officer
    d. Legal Academic
    e. Other

2. Years of Experience (in a legal field)
    a. 0-2 Years
    b. 3-8 Years

c. 8-15 Years
d. 15+ Years

3. Primary Area of Practice
    a. Banking & Finance
    b. Constitutional / Administrative Law
    c. Corporate
    d. Criminal Defense
    e. Employment / Labour
    f. Environmental
    g. Family
    h. Human Rights
    i. International Law
    j. Intellectual Property (IP)
    k. In House Counsel
    l. Medical Negligence
    m. Personal Injury / Tort
    n. Prosecution
    o. Pro Bono/Legal Aid
    p. Real Estate/Property
    q. Sports & Entertainment
    r. Tax
    s. Technology/AI
    t. Non-Practicing/Retired
    u. Education/Academia
    v. Other

Section 2: Likert Scale Prompts:

Please rate your agreement on a 5-point Likert scale (1 = Strongly Disagree to 5 = Strongly Agree):

1. I consider my ability to use humour effectively a core part of my professional identity.
2. Using wit in a legal setting feels like a spontaneous reflex rather than a calculated mental effort.
3. I consciously edit or rehearse humorous remarks in my head to ensure they are appropriate.
4. I consciously edit or rehearse humorous remarks in my head to ensure they are appropriate.
5. Humour is essential for building rapport with clients who are experiencing legal trauma.
6. I use humour in high-pressure settings specifically to prevent myself from becoming emotionally overwhelmed.
7. I feel that I must 'earn' the right to be humorous through my professional status before it is considered acceptable.

8. A judge who makes a joke is 'humanising' the court; a lawyer who makes a joke is 'risking' the court's respect.

Section 3: Qualitative Anecdotal Prompts

1. Describe a time when witticism successfully 'diffused' a conflict in a legal setting. This can be either a moment you participated in or observed.
2. Describe a time when humour felt like a 'violation'; (i.e., it was perceived as offensive or unprofessional). What was inappropriate and what was the consequence?